No Change in Control of Company Expected

Toronto, Jan. 2.—The voting trust agreement of Famous Players Canadian Corp., instituted almost 10 years ago, is to expire March 6, 1939, when the voting trust certificates will be replaced by common shares with full voting power for their respective holders. Annunciation is made locally that 189,000 shares have been under the jurisdiction of the vote of those, trustees of which are President N. L. Nathanson, I. W. Killam of Montreal and Adolph Zukor. In view of the 189,000 shares controlled by management interests, it is likely that no change of control will occur when the trustee agreement expires, although the public probably will begin to have a greater voice as stockholders of the company.

Latest Balance Sheet

According to the latest balance sheet of the company, 406,524 of the authorized 600,000 common shares of the company have been issued and are fully paid while Nathanson is expected to take up an option on Jan. 15 for 11,000 more shares from the treasury at $13.75 per share, his last choice, a similar block under option in 1937 being $13 per share. A further 33,000 shares are under option to the company president at prices ranging from $14 to $17 per share.

Holdings of individual shareholders are not available although it is stated that a controlling interest in the Canadian company is held by Paramount Pictures, Inc.

The balance sheet of Famous Players Canadian Corp. shows assets of $16,214,951, of which $10,590,850 are fixed assets at cost, including land. (Continued on page 5)

Wurtzel Dropping Series at 20th-Fox

Hollywood, Jan. 2—Sol Wurtzel has decided to abandon three of the six series of pictures earlier contemplated at 20th Century-Fox. Those being dropped are the Sports Adventures, Big Town Girls and Roving Reporters. Retained are the Charlie Chan, the Mr. Moto and the Jones Family groups.

Radio—Page 12

Films to Promote Pan-American

American Interests

Acquire Dufaycolor

From British Group

Ownership and control of Dufaycolor, Inc., color film producer, yesterday passed from British hands to an interest group headed by Pierce Morgan Hamilton, who will be president of the new firm, Dufay Co.

The company was separated from the English parent company, Dufay-Chromex, to permit independent marketing and is being organized for expansion into the motion picture field. The British company will retain minor interests.

When Hamilton assumed the management of the American subsidiary a year ago, it was with the understanding that it eventually would become an independent unit with Hamilton in control. Transfer of control from Dufay-Chromex did not involve any cash.

Dufaycolor is licensed to market (Continued on page 5)

‘Lynton’ Authors Awarded

$532,152 Against M-G-M

In a 35-page opinion which criticized the Copyright Act, Federal Judge Vincent L. Leibell Friday confirmed an award reduced to $532,152 against Metro-Goldwyn Pictures Corp., Metro-Goldwyn-Mayer Distributing Corp., Loew’s, Inc., and Culver Export Corp. in favor of Edward Sheldon and Margaret Aver Barnes for infringement of their play „Dis- honored Lady,” in the motion picture „Letty Lynton.”

Judge Leibell scaled down the award from $897,694 recommended by Special Master Gordon Auchincloss, as „a fixed amount at cost, including land.” (Continued on page 5)

Films Are Leading Way with Seven of 30 Pictures Planned

By AL FINESTONE

Films are to play an important part in bringing greater goodwill and understanding and closer relations, culturally and otherwise, between the United States and Latin American countries. United Artists, under leadership of Maurice Silverstone, operating head, leads the way.

This company will distribute at least seven films out of the nearly 30 Spanish language films now being planned by seven of the leading firms. The number of films for the Spanish market which is now contemplated is evidence of the increasing interest being shown there for the Latin American public.

So. Am. Production Gaining

Spanish American production has been on the upate, too, and together with American films and the Latin American public stands to get an improved as well as greater number of their own language films. This market also can serve to offset lost revenue in totalitarian countries.

M-G-M and Warners, thus far, have no plans ready on Spanish feature length films. Warners, however, are considering a series of two-reel shorts on American and Pan-American themes which will be made in English and Spanish versions.

Definite decision on this may come shortly.

The number of Spanish language pictures to be released by American distributors in the coming year will approximate about 25% of the estimated total of 110 films made in Latin America this year—Mexico, Argentina, Chile, Peru, Brazil. Mexican product appears to predominate in the American companies' releases.

Less than half of the American-sponsored films will be produced in Hollywood. These are two schools of thought in this connection. One believes that Hollywood's skill and experience are more valuable assets. The

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Day-by-day developments in the film industry during 1938, as reflected in the headlines of the past 12 months, are published today, beginning on page 8.

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Insiders' Outlook

By SAM SHAIN

IF anybody in the business de-

serves to be congratulated this year, they are Nate J. Blum-

er, William Scully, and J. Cheever Cowl, of Universal, and their associates, Matthew Fox, Clif Work and Joseph Sei-
dehman, for a year ago financial victories were the order of the day and today it's healthy and going places.

And Bill Scully has sold $1-

00,000 more of "U" films this year than the year before. He celebrated this feat with a party, Friday, at which his old pals from M-G-M and others from the trade attended, including Tom Connors, Ed Saunders, Red Kamm, A-Mike Vogel, Sam Cocalis, William Taylor, Pete Harrison and Max Cohen.

New York State's legislature has two show business representa-
tives in its membership this year, William T. A. Webb, of Delaware County, who is manager of a Smalley Circuit theatre, in Syd-
ney, and Senator Phelps. Phelps, who is a Republican, is a Democrat.

Lawyers form half of the legis-
lature membership.

Paramount has made arrange-
ments with Heber Grant, Mor-

ron church head, for a special preview showing of "Cecil B. DeMille's "Union Pacific" in the famed Mormon Tabernacle, Salt Lake City, about April 1. This will be first in a feature screening in the place of worship.

Policemen, specially assigned for the holiday trade at theatres, were actually hunting for cus-
tomer lines along Broadway, when the New Year's box office rush suddenly quieted and the weather turned very cold. That's show business for you. Big one day and not so big the next.

If a consent decree is to be had in the pending N. Y. anti-

trust suit, it must be volun-
tary. That means the defend-
ant companies and individuals must initiate such a move. This view is obtained from Thurman Arnold's statement of the week before last, regarding such suits, in his annual report, in Washington. It is known that there is a division of opinion among the major defendants regarding a consent decree. It is believed the Government, for one, intends to go to trial on the merits.

Arnold, in his report, clearly indicates that the Government will neither start negotiations nor compromise on the basis of which prosecution will be dropped. A "mere promise to reform" is not enough.

Whether this is a sly criticism of LeRoy's report, or something for individual thought.

Furthermore, no private deal with the Government is intended. Any compromise will be subject to court review and judgment and reasons for the Department of Justice's action will be made known in a statement to the press.

The Government will accept only proposals which restore competi-
tive conditions in a way which could not be accomplished by prosecution.

"At all times," says the Arnold report, "the test of whether a consent decree should be accepted must be whether the public, not whether it will give relief to the Department of Justice. Only where it appears that a consent decree will yield more constructive results for the consuming public, for employees, and for competitors, than eventual criminal punishment of offenders, will proposals for such a decree be entertained.

Arnold, it is understood, has made the statement: "Any new anti-trust prosecution are contemplated by his division in industries, not named.

Thus, the industry now has Thurman Arnold's New Year's greetings. They are tough.

How the situation will be worked out and whether self-regulation can go ahead successfully appears to be up to the lawyers.

They are guiding the business. Charles Pettijohn, himself, an attorney fairly indicated this in a recent pronouncement. A more matter of wordage on terms was holding up the self-regulation program, Pettijohn inferred. He should know.

Paine Tri-National Treats.

Charles B. Paine, formerly treasurer of Universal Pictures for nine years, has joined Tri-National in the same capacity.

Asher Here Thursday.

Irving Asher, associate producer of London Films (Korda) arrives from London Thursday. There is no indica-
tion how long he will stay here.

Court Enjoins Code For Ticket Brokers

Justice William Harmon Black in Supreme Court on Saturday granted an inter-

locutory injunction restraining the League of New York The-

atres and Agents from enforcing their new code outlawing ticket scalping. This action lifted the ban for the State's theatres.

Motion for a permanent in-

junction is scheduled to be heard tomorrow by Justice Black. Action was brought by the Acme Theatre Ticket Office in the first legal test of a new class Illegal restrains of trade was charged. Members of the League, its officials and ticket brokers and brokers pledged to the code were also defendants.

Start Games Test

In Massachusetts

MIDDLETOWN, Mass. Jan. 2—The

first step in the test of the legality of Bank Night in Plymouth County was taken here today by

Heffner, Jr., manager of the Key here, on the charge of conducting a lottery.

Heffner previously had informed local police that he intended to con-

tinue Bank Night despite a prohibi-
tory ruling from District Attorney Edmund R. Alting, and the police did not act. Heffner was arrested in his office by state troopers. He was re-

leased on bail of $500.

Dewing had issued a statement six weeks ago asserting that Bank Night was illegal and asked the cooperation of the police throughout the dis-

trict (comprising Plymouth and Nor-

folk Counties) in closing down all such enterprises. The conductor of a Beano game, in the Whitman town hall was arrested.

Roy S. Jr., of Belmont, who handles Bank Night in New England, said that the game had been held not to be a lottery by the Massa-

chusetts Supreme Court and the

United States Circuit Court of Ap-

peals in Boston.

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PUT YOURSELF IN THIS POSITION and-
You’ll be sitting pretty when you play Paramount’s new BOX OFFICE SMASH!

"Sheer magic. Well worth your time and attention." — N. Y. World-Telegram

Now Running Top Grosses at New York Rivoli Theatre

NOW ➔

GETTING TERRIFIC NATIONAL BUILD-UP

1. 800 big daily newspapers carried this United Press rave: "One of the best pictures of this or any other year; we urge that you see it." — Frederick C. Oehman
2. Life Magazine (December 5th issue) carried 5-page rave review of "The Beachcomber" for its 17,300,000 readers.
3. News Week gives Laughton front page publicity plus rave review.
4. National Board of Review of Motion Pictures, calling it "first rate comedy," names "The Beachcomber" third best English-speaking picture of the year!

A Mayflower Picture • Produced and Directed by Erich Pommer • A Paramount Release
Films to Aid Pan-American Relationship

Continued from page 3

other maintains that only in the native studios can films be flavored with the typical Spanish which is desired by the patrons. Talent supply is apparently no problem in any thriving production center.

Present concentration in Hollywood is by Paramount and 20th Century-Fox. Paramount plans to spend $7,050,000 to establish a Spanish language production on the coast this year with one film made by Rafael Ramos Carri and another by the Riancin theater operator. The film starred Tito Guizar, who leased to popularity in "Rancho Grande," to the Luxe league, and is expected to do the same thing in whatever way possible to make it possible for a studio to see "rushes" as quickly as black and white film is now.

Dufaycolor plans eventually to have a plant in New York for motion picture work. It now has a small labo in the American Association. It is expected a new company is expected to be completed in 30 days. Hamilton, who is a nephew of J. H. Morgan, spent a year at the RKO studio in Paris before assuming management of American Dufaycolor. Previously he was working in the color process company, working in conjunction with Eastman.

Universal Plans Two

Universal's plans include two films by Fernando de la Parra in the European market, and director of "Rancho Grande." The company has released two Argentine films this year.

Monogram has joined the parade and is negotiating with Mexico City producers for a six-picture program. Eddy Le Baron's "Castillos en el Aire," made for Monogram in Hollywood, is now in circulation. Reuben J. Smillie, representing Spanish franchise holders, plans no Spanish language releases, but permits its local theatricals to handle all requests for exploitation and sound equipment less reserves for deprecation. Other assets include cash, calls, and guarantees. The board, which is composed of the two common shareholders and employees for 1938, Liabilities and capital on Jan. 1, 1938, totaled $12,498,237, of which $2,078,000 and stock $4,118,240.

Silverstone Leaving For Coast on Friday

Maurice Silverstone, operating head of United Artists, leaves for the coast Friday, for conferences with U. A. producers and the company's annual shareholders' meeting, which will be held on the coast during his stay there.

Schenck, Rodgers Leave

Nicholas M. Schenck, president of M-G-M, and William F. Rodgers, general sales manager, are also returning late this week for the coast. They are expected to return next Monday.

Columbia Sets Dividend

Board of directors of Columbia Pictures has declared a dividend of 25 cents on the common stock, payable March 15, to stockholders of record March 1.
Boston, Jan. 2.—"Out West with the Dud Bunch" at the Strand, was a smash hit here, taking $17,900 at Loew's State and $2,350 at Loew's Orpheum for a total of $20,250, as grosses generally point upward.

"There Goes My Heart" and "Always the Girl" at the Keith Memorial took a strong $18,000, and "Submarine Patrol" and "Thanks for the Memory," at the Fenway, drew well at $7,000.

Estimated takings for the week ending Dec. 29:

"Out West with the Hardys" (M-G-M) $20,000
"Young Dr. Kilgull" (Loew's) $15,000
"Loafers—State & City" (25c-35c-50c) $14,000
"Out West with the Hardys" (M-G-M) $15,000
"Young Dr. Kilgull" (Loew's) $13,000
"Loafers—State & City" (25c-35c-50c) $12,000
"Thanks For Everything" (Paramount—7.97c) $12,000
"Submarine Patrol" (20th-Fox) $12,000
"Thanks for the Memory" (Para.) $12,000
"Paramount—7.97c (25c-35c-50c) $12,000
"Thanks for the Memory" (Para.) $12,000
"Fenway—1.32c (25c-35c-50c) $12,000

Estimated takings for the week ending Dec. 29:

"Schools" $10,500

CINCINNATI, Jan. 2.—"Girly School," with the help of Hal Kemp's orchestra on the stage, gave the RKO Studio $10,500.

Kemp did well at $9,000 on its second week at the RKO Albee, and "Thanks For Everything" pulled $2,500 more in the RKO Palace. The weather was cold.

Estimated takings for the week ending Dec. 29:

"Sweethearts" (M-G-M) $2,000
"Thanks For Everything" (Paramount—7.97c) $1,500
"RKO Palace—7.70c (25c-35c-50c) $1,500
"Girls School" (Col.) $1,200
"RKO Shubert—2.15c (35c-40c-60c) $1,200
"Just Around the Corner" (20th-Fox) $1,000
"RKO Deluxe—1.00c (35c-40c-60c-75c) $1,000
"Gosford" $800

All figures by William Anderson, as stated.

"Wild Horse Canyon" (Monogram)

In a fast-moving and action-packed western, Jack Randall seeks to avenge the murder of his brother by horse rustlers. The story by Robert Emmett proceeds smoothly and has its generous quota of shooting, fist fights and hard riding.

Accompanied by his Mexican pal, Frank Vaconelli, Randall tours the range in search of the rustlers. While riding the range, he sees Dorothy Short on a runaway horse, and rescues her. Her father, Dennis Moore, employs him to look for horse thieves. Randall observes the similarity of methods used with those preceding his brother's death, and finally identifies his men. Warner Richmond, as the foreman, and Ed Cassidy, as Moore's adopted son, are found to be responsible for the thefts.

Robert Tansey produced and Robert Hill directed. Randall's horse, Rusty, as usual, takes a leading part in the development of the story and succeeds in rescuing him from his captors.

Running time, 50 minutes. "G."**

**"G" denotes general classification.

Hard to Get Gets $4,200, Oklahoma

OKLAHOMA CITY, Jan. 2.—Best gross in a slow week was taken by "The Man from Detroit," with $4,200. Other houses found the going difficult, with the weather cold and snow covering the streets.

Estimated takings for the week ending Dec. 29:

"Service Deluxe" (Univ.) GROSS: $1,800. (Average, $2,200)
"Swing That Cuckoo" (Univ.) GROSS: $2,000. (Average, $2,500)
"Swing That Cuckoo" (Univ.) GROSS: $2,000. (Average, $2,500)
"Middle West" (20th-Fox) GROSS: $2,000. (Average, $2,500)
"Drums" (U.A.) GROSS: $1,500. (Average, $2,000)
"Tower" (M-G-M) GROSS: $2,000. (Average, $2,500)

All figures by William Anderson, as stated.

Awards Designated In Columbus Drive

Plans have been completed for the awards in Columbus.10-week "Personal Achievement Campaign" which opens Jan. 9. First award, for branch manager, will go to those members of the 12 branches which show the best general performance in sales at the end of the period compared with the 1937-38 season. Second award will go to the books which do the greatest improvement in billings over last year.

Briefs Are Filed in Action Against Loew's

Briefs were filed on Friday with Justice Department by Emil K. Ellis, as attorney for stockholders and Joseph M. Proskauer, as attorney for Loew's and the other defendants in the stockholders' suit brought against Loew's.
“KENTUCKY”
The Great American Moving Picture

ALREADY HELD OVER AT...

Roxy, NEW YORK... Rialto, LOUISVILLE
Poli, NEW HAVEN... Malco, MEMPHIS
Poli, HARTFORD... Fox, ST. LOUIS
and as we go to press, holdover reports continue coming in from other pre-release spots!

AND HEADED FOR HOLDOVERS AT...

the Great Lakes, BUFFALO... Palace,
CINCINNATI... Esquire, KANSAS CITY...
Fox, MILWAUKEE... Orpheum, PORTLAND
... Palace, CANTON... Worth, FORT WORTH
... Regent, GRAND RAPIDS... Colonial,
HARRISBURG... Metropolitan, HOUSTON...
Lincoln, MIAMI... State and Byrd, RICHMOND
... Lincoln, SPRINGFIELD (ILL.)... Gillioz,
SPRINGFIELD (MO.)... Tulsa, ORPHEUM...
Capitol, WHEELING!

THEY MADE SURE THEY’D START THE NEW YEAR RIGHT!

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE
January

Feb. 8.—M-G-M to hold its total for 51 meet year. MPPA, in Hollywood, elects Mr. Paley vice-president.
Feb. 9.—Universal—producer line-up to be set for discussion at March 1 hearings. Mr. Cochrane stock is down;
Feb. 10.—Several pleasing factors for Neely bill. Definite move on RKO.
Feb. 11.—Communique committee completes work on film bill. Yates says Republic
Feb. 12.—ITA-SF plans extension of union jurisdiction. ITA probing ball and
camping games. World's him theatres total
Feb. 13.—Actors' Guild moves to block for RKO plans. M-G-M drops plans
to make three-reel films.
Feb. 14.—Hays-Blumberg incautious in Ohio test. Court grants $215,440 for Royalty
Feb. 15.—Neely attacks "monopoly" in film industry. RKO figures $3,800,000 world-
record on "Snow White.""...
Feb. 16.—Tax problem delaying new moves. 7/26. 10p. 15c.
Feb. 17.—Financing for G.N. seen bing held. The long holdup in seeking Dakota stay for March 1.
Feb. 18.—Opposition to "dinars spreading among parent groups. Broadway
tells worrying developments.
Feb. 19.—Oliver in conference with lawyers. "Divorce-

March

March 1.—ITOAs hits at Neely bill as "headache," RKO plan amendments aim
March 2.—Work increase to be problem at 7/26. 10p. 15c.
March 3.—Not very strong, 7/26. 10p. 15c.
March 4.—While delay on RKO plan to be
March 5.—Abraham Myers to go west to aid Ohio courts. RKO plan affects bondholders.

April

April 1.—High costs under new British pirate police bill as seen. 39th Century-Fox to produce 32
April 2.—R. K. Kent reps to Allied States Patents on Neely bill stand.40
April 3.—Sam Denbow, Jr., takes charge of Allied Universal as Chapman's agent in New York.
April 4.—Exhibitor penalty discovered in Ohio test. RKO stockholders delay act to determine if 
April 5.—R. C. F. may increase Federal Emergency benefits for 60 days. 7/26. 10p. 15c.
April 6.—Regional-Local Board upholds projectionists in bargaining selves in the absence of union recognition by exhibitor employers.
April 7.—Lewin A's pledge U.M.P.T.O. to go ahead with industry consolidation plan. ice. Blumenthal, 
April 8.—Exhibitors report patience with any threats. 7/26. 10p. 15c.
April 9.—M.P.T.O.A. favors delay on in-
April 10.—Origin of controversal film. "The Birth of a Day" revealed by MOTION
PICTURE DAILY. Warners plan 60 fea-
tures. 7/26. 10p. 15c.
April 11.—Universal repays $2,000,000 bank loans by general purpose realignment of arrangements. Key city Lenin grosses $10,000 a week. 7/26. 10p. 15c.
April 12.—District Attorney's office moves to outlaw chances in Bronx. 7/26. 10p. 15c.
April 13.—First Allied pictures to go to
April 14.—Post Office Department rules on
April 15.—Three-year plans 50 features for 1938-39. M-G-M gets $300,000 budget for
April 16.—Reorganization of 100 companies. 7/26. 10p. 15c.
April 17.—Trailer war is declared. 7/26. 10p. 15c.
April 18.—M.P.T.O.A. favors delay on in-
April 19.—RKO Radio plans 40 features for 1938-39. 7/26. 10p. 15c.
April 20.—London meeting of United Artists owners agrees to cut distribution charges to its producers and to inaugurate pro-
to sharing plan. New British financing allows Universal arranged. 30th Century-Fox has first quarter profit of $21,045,532.
April 21.—Republic plans 55 pictures for 1938. 7/26. 10p. 15c.
April 22.—Legality of all theatre change targets is double following Post Office
April 23.—RKO's new upstairs book is in circulation. 7/26. 10p. 15c.
April 24.—Will H. Hays reassembles industry to suggest incentive advertising on theatre scenes.
April 25.—Maurice Silverstone to become executive supervisor of Hollywood the-
April 26.—Arthur A. Hargraves, president of Equity's New York office, calls for annual report, 
April 27.—United Artists board elects Maurice Silverstone chairman of execu-
April 28.—William Le Baron given new post as Paramount's top executive.
April 29.—Hays leaves industry for Washington, D. C., to pick over new President's
April 30.—Retirement of Dr. A. H. Giannini as United Artists president is called.
The biggest picture of the year brings the first new thing on the billboards since Barnum first plastered a town!
"TRAILERS ON 24-SHEETS" FOR

GUNGA DIN

5,000 OF THEM ACROSS THE NATION

That's what showmen will call this revolutionary idea in movie posters! . . . Actual, life-like, giant-sized scenes from the picture itself—different from any movie paper you've ever seen before! . . . Conceived and developed by RKO Radio to get maximum realism and excitement on 5000 STANDS FROM COAST TO COAST! . . . A showing of SIX SEPARATE, DIFFERENT STYLES, POSTED ALONG THOUSANDS OF MILES OF HIGHWAY AND IN KEY CITY ZONES! . . . Watch for them every time you walk, run or ride anywhere . . . They're worth looking for—and at! . . . And they're only a PART of

A NATIONAL ADVERTISING CAMPAIGN AS BIG AS THE PICTURE!

GUNGA DIN

starring CARY GRANT • VICTOR MCLAGLEN
DOUGLAS FAIRBANKS, JR.

with SAM JAFFE • EDUARDO CIANNELLI • JOAN FONTAINE

PANDRO S. BERMAN IN CHARGE OF PRODUCTION
PRODUCED AND DIRECTED BY GEORGE STEVENS

From a Story by BEN HECHT and CHARLES MacARTHUR
Inspired by RUDYARD KIPLING'S Poem
Screen Play by Joel Sayre and Fred Guiol
**Self-Regulation Attempt Feature of 1938**

### June

June 1—Darrell Zanuck says 20th Century-Fox's new season production budget will be $17,500,000, an 80% increase over last year.

June 2—John D. Clark dies.

June 3—A protective model of an imitation book called "dead" is issued for this session of Congress.

June 7—C. A. Myers asks its union label on every film.


June 11—Herman Wehrle named general sales manager of 20th Century-Fox. David Rose appointed manager of Paramount's British production.

June 12—Charles Chaplin's new studio complete.

### July

July 1—Major distributors may disregard rigidly conservative attitude of counsel toward theater control issues. Says they are told to hold Bank Night. United Long Island and the East are making some progress in that direction.

July 5—Seneck will join self-regulation move, company spokesmen indicate. Gone are the days of exhibitor protests. Japan delays easing import rules.


July 7—Afram Myers asks Congressional probe of alleged film monopoly. Chicago interest reports earlier refusal cooperation in anti-trust concessions.


July 12—Glenshore to make British films. Will negotiate with British producers to coordinate all its film, radio activities in United Kingdom. Negotiations appear to issue options on 25,000 shares to ex-employees. sweater, prominent London Film Co. took over in 1924.

July 13—Fox West Coast plan to ad- judicate disputes through Federal special master puts as sides of London Council rules new theatre negotiations.


### August

August 1—Distributors' self-regulation talk to resume on S. R. Kent's return from vacation. Congress passes new anti-trust law.

August 2—Darryl Z. Zanuck defends studio talk of "talkies" in exchange for "silents" says Chaplin in court. "A. U. profit-sharing plan" with Allied-Orpheum has made profit.

August 3—Trade practice committee renews cooperation in campaign. National creditors approve merger with T.-C. C. P.'toes. motion picture industry.

August 4—Department of Justice says anti- trust laws be administered.

August 5—Trade practice talks pending by order of court on move's regulation in U. S. anti-trust law. Aopsy not need music tax law.

August 8—Lawyers favored self-regulation move in War Department.

August 9—Harold B. France named general counsel for Motion Picture Owners' campaign by George J. Schaefer, campaign chairman, for G. N. M.-G. M. interest in DeMouke television lab. New York City. Law firm of Huntington plans own radio program, non-commercial radio, NBC. It appears by 6:30 today. Only small increase in shattered theatre agreements: $2,000,000 for new line.

August 10—C. F. resulting in G. N. M. merger details. Motion Picture Owners' finds at end of $25,000,000 yearly maximum in 1927. August 11—Total of 5,000 prints in $25,000,000 threat. context. Operators to start picket drive in N. C. British film industry report in Aug. 19. Pledges pass 100,000 in industry promotion drive. Studio wages to remain at present level, producer union conference demands.

August 17—New Federal hour provisions may be dropped, to provide $2,000,000 in Motion Pictures' Greatest Year campaign. George A. Davis made estimate of industry's efforts to improve standards. G. M.-G. N. United States. G. M.-G. N. motion pictures shall be considered in national anti-trust suit. Judge Hays declares industry welcomes open new court in Federal law.


August 21—S. R. Kent industry must regulate itself. Atlantic Corp. will permit its RKO-PCA securities option to lapse. Motion Picture Owners' centralizes control and major remodeling recorded in six months. Legal aid to labor is under development in background U. S. anti-trust suit. Warner Bros. gains temporary restraining order. July 27—Universal obtains financing in $8,000,000 loan from banks. Theatres in anti-trust suit precedents. Warren issues new-theatres line-up.

August 28—Industry meeting pledges support to promotion campaign: $1,000,000 to be donation to anti-trust suit. Canadian exhibitors movement starts Sept. 1, ends Dec. 31. Year campaign half of 250 demonstrators in U. S. anti-trust suit already served with further important anti-trust suit. Canadian ex- port is $3,419,057. U. S. sets $1,500,000 financing for Walter Wanger.

September

Sect. 1—Industry at new peak. Says Charles Pettijohn; government control or self-regulation the "victory."

Sect. 2—Method of "quota" to be discussed in Chicago. "Gosheides" in Chicago are said named Earl Leslie. June 9.

Sect. 3—Campaign to ban "quota" to be discussed in Chicago. "Gosheides" in Chicago are said named Earl Leslie. June 9.

### October

October 1—Warner's extend debenture debt(Settings 1938-1940.)

October 4—Excellent agreement at the savings in 1938.

October 5—Major's agreement in trust agreement.

October 6—Trade adjustments assured exhibitory, admission tax for year tops $33,000.

October 7—Allied to join in trade talks if talks to be started.

October 10—Siebrle to head RKO; leaves U. S.

October 11—U. S. firm's end film service in Italian market. Dual control by contracts hit by court.

October 12—Staidness pact signed.

October 13—Acres laws of five states face validity test.

October 14—Newsweek, with profit-sharing plan for year tops $33,000.

October 15—Trade ready for self-regulation.

October 19—Industry throws in for today.

October 21—Y. bank syndicates ready to aid with $2,000,000. Self-regulation may stop trust suit, states Myers.

October 22—Trade ready for self-regulation.

October 24—Press judges for "quota" to be discussed in Chicago.

October 27—Universal now clear of Dual contract.

October 28—Odeon GB merger may not go ahead, says蹼fer, won't go on RKO's board.

(Continued on page 12)
Radio

November

Nov. 1—Decide theatres outside wage act. All officials reelected at MTPTA meet.
Nov. 3—Willkie,开学's Fox unit in South Africa. Trade paper report to be MPTO topic.

Radio Personalities

MERRILL PHEATT, program manager of WSPD, Dayton, and brother of Dick Pheat, radio editor of the Toledo Blade, is spending the week in New York.


Phil Baker has been given a signature appearance on Kate Smith's show Jan. 5, and John Barrymore on the new Talk of the Town Theatre Jan. 4.

Eight years of uninterrupted broadcasting will be celebrated on the XEFC program next Monday.

Red Skelton, a discovery of Rudy Vallee, has been signed as a regular member of the Avalon Time show.

"True Detective Mysteries," sponsored by the Lambert Co., will add WHK, Cleveland, for 12 weeks starting this week.

Mexicali, City, Jan. 2—Increased propaganda to attract tourists is being handled by the Federal Government's publicity department from the most powerful stations in Mexico—XECB, XEFC and XEFA. A trip next Monday of the Mexican Revolution, and XEW and XFB, privately owned, all in this city.

The programs on all the stations are broadcast for a full hour.

Finch Patents New Facsimile Speeder

Finch Telecommunications Laboratories has just been granted three new patents on a new high speed facsimile system. The new system, as it is claimed, will increase the speed threefold over the present system by the application of multiple scanning pens.
ESSENTIAL BOOKS FOR SUCCESSFUL THEATRE OPERATION

AIR CONDITIONING
by CHARLES A. FULLER

567 pages, dealing with air and its properties, plant load calculation, air distribution, grilles, heating and dehumidification, fans, cooling coils and air-washers, mechanical refrigeration processes and machinery, well drilling and well-water cooling, ice cooling, storage refrigeration, evaporative condensers and water saving devices and methods, unit coolers, automatic control, air cleansing and purification, and codes and ordinances regulating installation. Book is bound in cloth, has index system and psychrometric charts.

F. H. RICHARDSON'S BLUEBOOK OF PROJECTION

This is the revised sixth edition and is now in its second printing. It includes 722 pages of up-to-the-minute text, charts and data with detailed description of assembly, wiring and functioning of all modern sound and projection apparatus. It is a practical "trouble shooter," and is cross indexed for immediate reference in any projection room emergency.

MOTION PICTURE ALMANAC

The 1938-39 edition is bigger and more comprehensive than ever before. International in scope, it contains over 1200 pages crammed with vital facts and figures covering every phase of the Motion Picture Industry. The Who's Who section alone, includes more than 12,000 biographies. Every exhibitor needs this annual industry reference. Edited by Terry Ramsaye.

THEATRE ACCOUNTING

Written by William F. Morris. Acknowledged to be the best bookkeeping system for theatres. Enables you to keep your accounts easily and accurately, tabulating each day's receipts and expenses. Guards against income tax troubles and losses through errors. Thousands of exhibitors are using this ledger because it is easy, self-operating and accurate. Order yours to-day.

MOTION PICTURE SOUND ENGINEERING

547 pages; illustrated; covers every practical method and process in present-day sound engineering. Leading engineers explain every detail of apparatus and its arrangement, with diagrams, tables, charts and graphs. This manual comes straight from the workshops of the studios in Hollywood. It is indispensable to everyone working with sound equipment.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK CITY
A word to the **EYES** is sufficient:

- When you flash a Pre-vue trailer on your screen you are capturing the immediate attention of every eye in your theatre... telling your sales story to a hundred percent audience... and at the lowest cost per reader of any medium of advertising this business affords...
- That's why more than 12,000 exhibitors use Pre-vues by...

...made for ace houses... priced for you!
Paris Houses May Close in Tax Protest

Vote to Shut Today Until New Levy Is Lifted

BY PIERRE AUTRE

Paris, Jan. 3.—All film houses in Paris, numbering 350, will close tomorrow in a protest strike against the institution of municipal taxes ranging from 3.60 per cent to 15 per cent on net receipts, voted by the Paris City Council Dec. 31.

The new taxation is estimated to increase to 57 per cent the amount paid in state paper taxes, special licenses, poster, stamp and light taxes. The new taxes would amount to 44 francs for every 100 francs taken in at the box-office.

After a two-day meeting, presided over by Raymond Lussiez, Paris exhibitors, supported by producers, distributors and provincial exhibitors, decided today to close their houses until the new tax is eliminated. If satisfaction is not obtained in one week, Paris suburban houses will close, and in two weeks, the provincial houses as well.

The new tax would cost Paris exhibitors $700,000 annually, which is seen as immediately affecting the entire French film industry. Closing of the houses will affect 25,000 employees of Paris theaters.

Broadway Holiday

Grosses Gain 15%

New Year's weekend business topped off one of the best holiday weeks Broadway has seen in several years. Estimates of business set the total receipts at about 15 per cent ahead of last year's. Extra shows on Saturday played capacity.

The "Beach Party" at the Rivoli helped pull that house out of the doldrums. First week, which ended Sat. (Continued on page 6)

M-G-M Signs Cantor For Film Within Year

Los Angeles, Jan. 3—M-G-M today signed Hal Cantor for one picture to be made within a year. The production is not yet chosen. The comedian's last was "All Baba Goes to Town" for Fox made as first of two pictures on contract abrogated by mutual agreement.

Radio—Page 11

Denham-Pinewood, London Films Parted

London, Jan. 3.—Under the name of Denham and Pinewood Studios the operations of the studios have been separated from London Film Productions. The merger was put in effect here with the registration of Denham & Pinewood Studios, Ltd. The new company has ratified the merger agreement. The company is registered with a capital of $3,750,000.

It will establish agreements with Pinewood, London Films, Prudential Assurance and Equity Life Assurance, all of which are financially insured in the Denham-Pinewood studios.

First directors named to the new company are E. H. George and Capt. Richard Norton.

Anti-Block Booking Bill Before House

Washington, Jan. 3.—An anti-block booking bill was introduced in the House at the opening session today by Congressman Andrew Edmiston (Dem.) of West Virginia. The bill is patterned in all major particulars after its predecessor, the Pettengill bill, which was before the House for several consecutive sessions without passing. Congressman Edmiston was the sponsor of the anti-block booking bill, companion measure to the Neely bill, which was before the House last year.

CONTEST ENTRIES

WASHINGTON D.C., Jan. 3.—In one of the busiest sessions in a long period, the U. S. Supreme Court today decided on the anti-block picture motion pictures, rejected appeal in another and set a third for hearing, possibly tomorrow.

The case decided was that brought by United Artists, challenging the validity of the West Virginia gross receipts tax as applied to corporations not actually doing business within the state, the court holding that the film company was engaged only in interstate commerce with respect to its West Virginia operations and therefore not subject to the levy.

Affirming a decision of the District Court, Associate Justice Stone, speaking for the Supreme Court, pointed out that United Artists contracts to furnish pictures to West Virginia exhibitors but all contracts are executed at its New York office, films are shipped to exhibitors from without the state and payments must be made to the company's exchanges in other states and that the company has

WPA Theatre Drops 1,000; May End Project on B'way

Virtual elimination of the WPA Federal Theatre Project from the Broadway scene was indicated yesterday when 1,000 actors, musicians, directors, stagehands, electricians and other employees received dismissal notices, effective Jan. 16. The 30 per cent cut in personnel affected all departments and an effort was made to distribute the dismissals evenly.

The F.T.P. has four productions on the books at present, and two more in rehearsal. Officials were reluctant to discuss the future policy of the project yesterday, but it was felt generally that the Broadway productions would suffer most. Besides productions for which admissions are charged, the project also has a traveling circus and a number of units which play for schools, colleges, settlement houses, public parks and similar non-profit organizations.

Full quota of the New York City project was 4,000 employees, but this had been reduced by resignations to approximately 3,500. This figure has now been further reduced to 2,500. Other units of the arts' project dropped 500.

Since its inception, in November, 1935, the project has produced approximately 65 plays, for which regular admission prices were charged. Many of the Broadway productions were critical of the competition by the Government with privately backed shows. Actors' Equity originally was opposed to such competition, too, but later changed its attitude and lent vigorous support.

ITALY MAY MEET AMERICAN TERMS

Newspaper dispatches from Rome yesterday reported that Italy might meet the terms of RKO, Columbia, United Artists and Universal contracts with their Italian film distributors, thus forcing them to remain in business in that country or make themselves liable for breach of contract.

No confirmation of the reports was available at home office foreign departments where it was said, no word of such a procedure had been communicated to them by Italian officials. It was said to service their Italian representatives as of Dec. 31, when the Italian distributing monopoly decree became effective.

Loew's, Paramount, 20th Century-Fox and Warners the dispatches said, closed their Italian offices Saturday, dismissed their Italian employees and destroyed prints to avoid confiscation.
**Insiders’ Outlook**

By SAM SHAIN

JAMES ROOSEVELT spent his first official day yesterday as vice-president of Samuel Goldwyn, Inc., in the latter’s home offices, on the second floor, 729 Seventh Ave., as follows:

9:30 A.M.—James Roosevelt arrived at the office. Handled correspondence and examined contracts until 11:00.

11 A.M.—Received reports from a trade paper, the World Telegram and The Daily News. He told them nothing new.

11:30 A.M.—Conversed with Maurice Silverstone, operating head of U. A., James Mulvey, eastern chief of Goldwyn and other members.

12:30 P.M.—Had luncheon at the Plaza Grill with Richard Dwight (Dwight, Harris, Koege & Caskey) attorney for Goldwyn, and others.

2 P.M.—Returned to his office to read more correspondence.

2:30 P.M.—Attendee as observer, a meeting of the United Artists board of directors, which lasted throughout the afternoon. Sometime after 6 P.M.—James Roosevelt checked out.

The Annenbergs will soon market a new, radio digest, magazine.

One of the finest jobs of organizing in this or any other industry is that which has been accomplished by Max A. Cohen (Cinema Circuit) in helping to establish in New York State an active, energetic unit of Allied. Allied which sailed over the Atlantic from England and has been organized right through this year. The Allied unit is now fully functional and has shown in the first quarter of the year a record increase in profits. The Allied unit is now fully functional and has shown in the first quarter of the year a record increase in profits. The Allied unit is now fully functional and has shown in the first quarter of the year a record increase in profits.

A big bunch of posies to you, Martin Quigley, for your splendid editorial against ‘Preferred Playing Time,’ ‘Compulsory Block Booking’ and ‘Blind Selling of Pictures,’ as expressed in your editorial, ‘What the Industry Faces in 1939,’ by P. Wood, secretary of the Ohio I. T. O., in his current service bulletin to exhibitors.

Every exhibitor receiving this bulletin should carefully read this editorial which appeared in Motion Picture Daily of Dec. 16.

Hollywood, today, must be writhing from that solar plexus blow by the New York film critics. The boys and girls who have so much to say about what is good or bad in films, on Broadway, have gone pretty far to put the weight of quality in product on the foreign side rather than in America. They made their selections of the 10 best films of the year and what have they listed? Collectively the critics picked “The Citadel,” a British-made picture, released by Metro, as the best picture of the year, here or anywhere.

Individually, the critics have picked variously from four to seven of their 10 best, as follows:

From Howard Barnes’ best 10, in the Herald-Tribune, you have these foreign pictures: “Grand Illusion,” “Of Human Bondage,” and “Pygmalion.”

Kate Cameron, in the Daily News, among her 10 picks, the following foreign films: “The Citadel,” “To the Victor,” and “The Lady Vanishes.”

Bland Johansen, of the Daily Mirror, in her 10 best, selects the following foreign-made pictures: “The Citadel,” “Pygmalion,” “The Lady Vanishes” and “The Beachcomber.”

Frank S. Olsen, in the New York American, among his 10 best, includes the following foreign pictures: “The Citadel,” “To the Victor,” “Pygmalion” and “The Lady Vanishes.”

A Britisher, Alfred Hitchcock, was granted highest distinction as top director of the year.

Maybe this proves that the New York critics are independent, or something else. Maybe it proves that good films know no nationality, and that good films can be made outside of Hollywood.

Certainly, the critics have started something for Hollywood and the trade as a whole to ponder, seriously.

**Compromise on Cit Tax to Save Majors**

Comprromise on sales tax penalties reached with the California Motion Picture owners’ office yesterday will save major distributors from $80,000 to $100,000. Agreement provides for a seven per cent payment to the city by each company on the principal amount of the tax due. The city originally levied a seven per cent tax on imported foreign-made pictures on individual company taxes as a penalty, in addition to five per cent of the total.

In most cases the original penalty would have amounted to $30 to $39 per picture. On an estimated total for all companies of $144,000. The compromise establishing the seven per cent payment instead of the total payments to about $54,000. The city levied the additional charge for the 24 months period, and the motion picture companies did not pay the two per cent city sales tax while its application to film rentals was being litigated.

The compromise was concluded by Charles Schwartz of Schwartz & Co., representing distributors, and Colonel W. V. McDermott and Samuel Orr, representing the city.

**Brewster, Pioneer in Fan Magazines, Dies**

Eugene V. Brewster, pioneer fan magazine publisher, died early Sunday morning at Long Island College Hospital of heart disease. Private cremation was held Monday. He was 62 years old.

In 1911 he started The Motion Picture Magazine with the backing of the Will Rogers organization. This was the first independent organization publishing Motion Picture Classic, Movie Monthly, Shadowland, Beauty.
THE RUSH IS ON
Holiday Trade Breaks 9-year-old Record

The motion picture houses also reported increased business. The Radio City Music Hall said 55,000 persons attended its showings. Standing room was sold all day in the theatre, which seats 6,200 persons.

B'WAY REAPS HOLIDAY $$$—TOPS SINCE ’29

The power of "A CHRISTMAS CAROL" drew crowds three blocks long!

GREATEST SPLURGE in holiday spending since 1929 yesterday gave promise of greatest New Year's celebration in city's history. Here, police are necessary to hold back last night's crowds at Music Hall.

HOW MUCH IS GOOD WILL WORTH TO YOU?

Hundreds of bookings are pouring in for "A Christmas Carol" after the holidays!
Why?
Because it is the greatest good-will entertainment of years.
It will be as timely on July 4th as it was on Christmas morning.
Wherever "Christmas Carol" has played it has won new friends for theatres and appreciation from their regular customers.
The power of the screen to inspire humanity toward better neighborly relationships was never so vitally expressed as in the heart-beat, the tears, the rich comradely qualities of this Charles Dickens masterpiece.
The word-of-mouth advertising built up during the holiday season makes "A Christmas Carol" eagerly awaited by thousands.
You owe it to your public and to yourself to foster the screen's worthiest entertainment.
This is a booking that will repay you a hundredfold in the good will of your patrons.
LAUNCHING A SWEETHEARTY 1939!

Never has any attraction been started on its way so gloriously as "SWEETHEARTS" in 375 record-breaking simultaneous New Year's engagements! And here are more M-G-M Sweethearts to come!

Robert Taylor, Wallace Beery, Florence Rice, and Charles Bickford in "STAND UP AND FIGHT!"

They Built A New America With Glory And Guns... They Were Men Women Could Love! Greatest Adventure Drama Since "Midway On The Bowery!"

Mickey Rooney in Mark Twain's "HUCKLEBERRY FINN"

"ICE FOLLIES OF 1939" with Joan Crawford, James Stewart, Lew Ayres. And the Stars and Ballet of the "Ice Follies Of 1939." A marvel of color! A heartful of drama!

Huck! Mrs. Watson! "Pap" Jim! Capt. Brandy! They all live again in this beloved romance of the Mississippi—and the boy who is "all boys in one!"

They made New Year's very happy for exhibitors and public: Jeanette MacDonald, Nelson Eddy in the Technicolor sensation "Sweethearts."

Norma Shearer, Clark Gable in Clarence Brown's "IDIOT'S DELIGHT"

Not since "A Free Soul" and "Strange Interlude" has such a drama for the screen's top favorites! Their exciting love-meet again! Norma as a "lady in tight"! Clark as a "ham" song and dance man of the honkytonks!


Walter Winchell Was Right! She's Really "Hady Moonvalentine!"

Dennis O'Keefe, Cecilia Parker in "BUDDY ER UP O'CONNOR" Thrills of the romantic, rousing weddings!

"FOUR GIRLS IN WHITE" with Ann Sothern, Florence Rice! Love stories from a nurse's diary!

"I TAKE THIS WOMAN" Spencer Tracy, great star of "High Noon" and electrifying Judy Canova! In her first picture since "Alibi!" This is THE love match of the century!
Samuelson Named Business Manager Of Pa. Allied Unit

PHILADELPHIA, Jan. 3—Sidney E. Samuelson, former national president of Allied States, has been given a contract as business manager of the newly formed Allied Theatre Owners of Eastern Penna., Inc.

The organizing committee has ap
pointed Samuelson, who was last assistant business manager. Walter Woodward, formerly southeastern sales manager for Erpi and more recently regional sales director for Al
te, has been retained as general field representative.

The unit started to function Jan. 1, when the appointed officials assumed their posts. An intensive membership drive was started Thursday. Organization leaders expect to have 1,000 members before the meeting in Flint Building here.

Samuelson is a national leader in Allied. He has been active in exhibitor
eranks since he organized the M.P.T.O. of New Jersey in 1920. Earlier, he was president of Allied Theatre Owners of New Jersey, which he headed. He is a
director of Texas, Louisiana, Missouri, and South Carolina. A member of national Allied's
trade practice negotiating committee and Allied's executive committee. He operates the Newton, Newton, N. J.

Broadway Holiday Grosses Gain 15% (Continued from page 1)

urday, drew an estimated $37,000 with an additional $11,500 for Sunday and Monday. Topper Takes A Trip" attracted an estimated $90,000 in five days ending Monday. Over 200,000 paid admissions for "The Lady Eve" were estimated at $1,500.

"German Woman," a musical with the Rex and the Roxy, was estimated $2,000. "Moon." The Paramount in Miami, which was estimated $40,000 in the first five days of its second week at the Strand. "The Shrew" at the Roxy was estimated $12,700 for the first five days of its fourth week. In its third week, estimated $14,850 grossed.

"Zaza" will go into the Paramount today with Benny Goodman on the organ. At the Strand, "Gypsy Places" will be the next attraction. Lewis Armstrong, who appears in the film, will lead his orchestra for the stage show at the Strand. "Kentucky" will hold for a third week at the Roxy.


Monogram in Manila

Monogram has opened a new exchange in the Philippines, located at Manila and known as Monogram Film Exchange, Inc., with W. H. Brown as branch manager.

Eddy's Acting Is Better, Says Dad

Providence, Jan. 3—Nelson Eddy "used to be pretty stiff as an actor but he's getting better all the time." This verdict came from a critic who has been following its success in the Nelsen's career. William D. Eddy, father of the star and a resident of Parcquet, R. I., early this week at the "Sweethearts" at Loew's State, with Mrs. Eddy and Nelson Eddy, Jr., and gave his opinion to man
ager Eddie McBride.

Contest Entries Below Estimate (Continued from page 1)

come in, with the Monday and Tues
day mail accounting for the big ma
jority. The contest rules state that, if there are many entries, the mail will be comparatively heavy the rest of this week.

While contests have had four main entries and five in their answers, it is apparent that a great many have waited until the deadline. The answer to question No. 1 is due later than last Saturday midnight to be eligible. It is expected that mail from distant points will be coming in for several days.

A total of 31,000,000 Movie Quiz books were sold in the United States and Canada by about 9,300 theatres, including 2,300 affiliated circuit houses. Campaign headquarters believe that about 15,000,000 patrons received booklets at the theatres. It is estimated that each patron obtaining an average of two booklets, one inten
tended to be used as a "work sheet." Returns parallel population concentra
tions with the New York State first and other leading states in this order: Pennsylvania, California, Ohio, Illinois, Michigan, Louisiana, Texas, and Michigan. Canada placed about eighth in the number of answers, in 200 theatres. In addition, an office estimated that 1,000,000 by the return of returns. From Canada would be about five per cent of the total. A number of entries from Can
da were in French, and contest
ants wrote their answers in a variety of other languages, including Yiddish, Swedish, Polish and German. These will be translated. More than 300 entries came in by special delivery

New Shirley Temple Title

HOLLYWOOD, Jan. 3.—Title of Shirley Temple's picture to follow "The Little Colonel." "Made For Each Other." "Love Affair" and "Stage Coach." "I Stand Accused" will start at the Crime Museum. "Grand Illusion" went into its 17th week at the Filmart yesterday.

Republic Wardrobe Head

HOLLYWOOD, Jan. 3.—Irene Selern returns, Adele Palmer, who formerly worked at Selznick Interna
tional, today was appointed wardrobe

UA Wins Tax Case In Supreme Court

(Continued from page 1)

neither exchange nor any current representa
tive in West Virginia.

The appeal rejected was that of General Talking Pictures Corp., for a second review of its case which it was twice found guilty of patent infringe
ment in use of amplifiers and tubes. The company had received a decision in assembly of talking pic
ture equipment for theatres. The suit, in which the company's claims were dropped at a first decision last spring and a sec
ond decision a few weeks ago, threatens to become a cause
defended to be used up by the depart
tment of Justice and the Administra
tion monopoly investigating com
currently an example of monopolistic

Ticket Code Case to be Argued Tomorrow

Application for a temporary injunction to prevent enforcement of the theatre ticket code which is designed to prevent excessive ad
mission of tickets, will be arg
ued in the N. Y. Supreme Court to
orrow. The hearing is scheduled to file on a claim of filed by the N. Y. Supreme Court to togo before Senator Quinn, who appears for the Acme Theatre Office. The judge, who is the plaintiff, was required to go to Albany for the opening of the State legisla
ture. A temporary stay was granted on Saturday and for several hours, it ap
peared that the code would not be enforced over the New Year's holiday.

However, the Appellate Division vac
ated this stay and set it down for hearing on Friday, Justice Aaron L. L. _..._ will hear the Supreme Court motion tomorrow, and if he decides it promptly, Friday's hearing may be en
minated.

Simon Will Address Kinematograph Unit

LONDON, Jan. 3—Sir John Simon, British foreign secretary, will be the main speaker at the meeting of the British Kinematograph Society on Feb. 3.

Michalove Returns

Dan Michalove, assistant to S. R. Kent, president of 20th Century-Fox, returned to his office yesterday from Philadelphia where he has been negociating the sale of theatres for the company. He was accompanied by Irving Barry, assis
tant to Sidney Samuelson, president of Tiona
tional Theatres. They were gone more than four months.

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tional, today was appointed wardrobe head at Republic.

UA Board Meet Routine

United Artists board of directors met yesterday. Routine matters only were discussed at the session, company

Order Easing Claims Filing is Expected to Speed Up RKO Plan

A speedy consummation of the RKO plan for its 
mal approval by the court was made possible yesterday when Federal Judge William Bondy signed an order "in the interest of creditors and debenture holders of the necessity of filing a compromise settlement of all claims... the court to the reorganization plan... The order also dispenses with the need for creditors filing claims against RKO in order to participate in any of its proceedings.

RKO creditor principals expect Judge Bondy to make known final rec
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cision of pending claims for payment.
**San Francisco, Jan. 3.—Double bill of "Dawn Patrol" and "Up the Fox" drew $21,000 at the Fox, with Christmas week grosses climbing above average.

Outstanding receipts also were reported by the Golden Gate, where "Little Tough Guys in Society" drew $18,000, and the United Artists, which pulled $11,000 in the opening week of "The Young in Heart."

Estimated takings for the week ending Dec. 27:

- "Little Tough Guys in Society" (Univ.) GOLDEN GATE—$8,900 (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $18,000. (Average, $2,571.)
- "The Young in Heart" (U.A.) UNITED ARTISTS—$1,200 (15c-35c-40c-55c) 7 days. Stage: vaudeville. Gross: $11,000. (Average, $2,571.)
- "Can't Take It With You" (Col.) ORPHEUM—$2,400 (15c-35c-40c-55c) 7 days. Stage: vaudeville. Gross: $7,700. (Average, $2,571.)

**Dawn Patrol" (W.B.)

**Up the River" (20th-Fox)

**Out in Old Missouri" (Para.)

**The Thirty-Nine Steps" (G.B.)

CLAY—$700 (15c-35c-40c) 7 days. Gross: $190. (Average, $27.14.)

**Pagliacci" (G.B.)

LARUEE—$300 (15c-35c-40c) 7 days. Gross: $900. (Average, $130.)

**Providence Gives "New York" $8,200 In Dull K. C. Week

KANSAS CITY, Jan. 3.—Gene Krupa and his band paired with "While New York Slept" at the Fox Tower made the best comparative showing, $8,200.


Estimated takings for the week ending Dec. 27:

- "Thanks for Everything" (20th-Fox)

**ESQUIRE—$1,150 (35c-40c-55c) 5 days, 2nd week. Gross: $1,150. (Average, 575.)
- "Thanks for Everything" (20th-Fox)

**UPTOWN—$2,200 (25c-35c) 5 days, 2nd week. Gross: $2,200. (Average, $440.)

**The Cowboy and the Lady" (U.A.)

**A Christmas Carol" (M-G-M)

LOWE'S STATE—$1,300 (25c-35c-55c) 7 days. Gross: $9,100. (Average, $1,294.)

**Brother Rat" (W.B.)

**Nancy Drew, Detective" (W.B.)

**MAJESTIC—$2,250 (25c-35c-55c) 7 days. Gross: $9,000. (Average, $1,294.)

**Artists and Models Abroad" (Para.)

**Peck's Bad Boy at the Circus" (RKO) PRO-ALFEE—$1,250 (25c-35c-55c) 7 days. Gross: $4,250. (Average, $607.)

**Freedman's" (Univ.)

**Major Bowes" Revue (stage)

**1950-

**Barnacle Bob" (MGM)

**STANDARD—$1,350 (25c-35c) 7 days. Gross: $6,500. (Average, $921.)

**Barnacle Bob" (MGM)

**STANDARD—$1,350 (25c-35c) 7 days. Gross: $6,500. (Average, $921.)

**There's That Woman" (Col.)

**Peck's Bad Boy at the Circus" (RKO) PRO-ALFEE—$1,250 (25c-35c-55c) 7 days. Gross: $4,250. (Average, $607.)

**Heart of the North" (W.B.)

**Little Tough Guys in Society" (Univ.)

**New Haven Leads in New Haven

NEW HAVEN, Jan. 3.—"Kentucky" and "A Christmas Carol" at the Loew's, $9,000, and "The Woman in White," $5,000, were ordered to the College for another week.

The Paramount, with "Artists and Models Abroad" and "Tom Sawyer, Detective," grossed $4,900.

Estimated takings for the week ending Dec. 30:

- "Man to Remember" (RKO)

**The Lady Objects" (Col.)

**COLLEGE—$1,490 (25c-35c) 7 days. Gross: $10,330. (Average, $1,476.)

**Kentucky" (20th-Fox)

**A Christmas Carol" (M-G-M)

LOWE-POLL—$3,400 (35c-50c) 7 days. Gross: $9,900. (Average, $1,300.)

**Artists and Models Abroad" (Para.)

**Tom Sawyer, Detective" (M-G-M)

PARLANTHE-ROB—$500 (25c-35c) 7 days. Gross: $2,250. (Average, $321.)

**Heart of the North" (W.B.)

**Little Tough Guys in Society" (Univ.)

**Roger Sherman—$2,200 (25c-35c-55c) 7 days. Gross: $4,000. (Average, $571.)

**92 Show Foreign Films

Two former legitimate stage houses have been renamed and opened with "The Way We Live" at the former 34th St. and "The Old Man" at the former 48th St., formerly the Caruso, now operated by Leonard Raugals, will show Scandinavian films. Cinema 49, formerly the 49th St., has been taken by William Walsh for French films.

**Freed to Make "Babes"

Hollywood, Jan. 3.—First production of Arthur Freed, made an M-G-M associate producer, will be "Babes in Arms."
"It is certainly the best in town." —N.Y. DAILY NEWS

The LADY
with Margaret LOCKWOOD • Michael REDGRAVE

"The best picture any Broadway theatre has shown in many seasons."
—N. Y. DAILY MIRROR

"Tops even the memorable '39 Steps'. On the filmgoer's list of musts."
—N. Y. JOURNAL-AMERICAN

"Suspense-laden entertainment...The exhibitor need not hesitate to sell the film to his audiences on the basis of good, fast moving entertainment...Sure to draw spontaneous audience reaction." —M. P. DAILY

"The spectator is held in tense suspense...Some of the situations are so thrilling that they send chills down one's spine...The pace is fast and the action thrilling."
—HARRISON'S REPORTS

A 20th CENTURY-Fox RELEASE
"The best... seen this year. 'The Lady Vanishes' is hereby recommended to everyone... Miraculously wrought." — NEW YORK POST

"Exciting... Powerful... Superb... Magnificent... Recommended with absolutely no qualifications." — N. Y. HERALD-TRIBUNE

"Did we say 'The Lady Vanishes' was challenging the best ten? Let's amend it: the bid has been accepted." — N. Y. TIMES

"Superb spy drama... sets a new standard... Something amazingly new in screen entertainment and enormously exciting." — FILM DAILY

Paul LUKAS • Dame May WHITTY • Directed by ALFRED HITCHCOCK

Hitchcock piles one thrilling sequence on another... Probably the most entertaining melodrama of his career." — NEWSWEEK

rop whatever you are doing... Hot-foot it up to see the thriller of the year." — N. Y. WORLD-TELEGRAM
Academy Ignores
Playwright Unit

LOUIS ANGELES, Jan. 3.—Screen Playwrights was ignored when letters were sent out this week inviting participation in the annual awards of the Academy of Motion Picture Arts and Sciences. Invitations went to the Screen Writers, Screen Actors and Directors Guilds, and the Playwrights did not take part last year because of pressure on the Academy by the guilds.

Frank Capra, president of the Academy as well as the Screen Directors' Guild, issued a three-line bulletin which will participate to name representatives on the awards committee. There will be three members from each guild, three from the Technicians Branch of the Academy, three from producers and three from the Academy proper.

Birdwell to Leave
Selznick on Feb. 1

HOLLYWOOD, Jan. 13.—Russell Birdwell has resigned as head of the publicity and advertising department for Selznick International, effective Feb. 1.

With Selznick since the organization of the company three years ago, Birdwell will go to head a publicity and public relations company to operate internationally. He will open offices in Beverly Hills, Hollywood and New York. David O. Selznick expressed regret at the resignation of Birdwell.

Fairbanks and Asher
To Arrive Tomorrow

Douglas Fairbanks, Sr., arrives tomorrow on the Washington to start operations of his new producing organization, Fairbanks International.

Irving Asher, associate producer of the company, arrived here yesterday for conferences with Columbia on an extension of his production contract. He may go to both Hollywood to confer with Alexander Korda.

Chicago Depositions
Postponed to Jan. 13

CHICAGO, Jan. 3.—Taking of depositions in the action of Chicago independents against Balaban & Katz and major companies has been postponed until Jan. 13.

Subpoenas were served today on independent theatre operators by defense attorneys who plan to question them during the month. Joseph Rosenberg, counsel for the independents, is in New York.

Johnston in Coast Parley

W. Ray Johnston, president of Monogram Pictures, flew to the coast over the weekend to confer with Scott R. Dunlap, vice-president in charge of production, about production plans for the $2,000,000 Dream Island, but his visit intends to remain at the studios for about five weeks.

West Joins Monogram

Harry West has joined Monogram Pictures at the Cincinnati office as assistant to William Onie, exchange manager. West is now in Chicago and will take up his duties in Cincinnati early next month.

Theatre Changes

PLAN 7 MEXICO HOUSES

MEXICO CITY, Jan. 3.—Work began on four of the six film theatres planned by W. O. Jencks with Mexican exhibitors. In the state of Veracruz, three are under way, a 4,000-seat house costing $3,000,000 at the north end of the city; a 2,500-seat unit costing $900,000 at Jalapa, capital of the state; and a 4,000-seat unit also costing $900,000 at Cuxcoco, north of Xalapa. All these houses are expected to be open by July 1. Fourth under way is a 5,000-seat Cine Reforma at Puebla. It will open in the fall. A 6,000-seat house will be built at Gualajara. Site for the sixth is not known. Estimated cost of the houses is a total of $3,000,000, to be opened in the late summer.

MORRIS TO SCHNEIDER

Lou Schneider, owner of the St. Louis, has acquired the old Mt. Morris theater, which was formerly head of the M. and S. circuit.

LEASE HAWTHORNE HOUSE

RAPID AND RUDEN CIRCUIT owner of the Hawthorne, N. J., have leased the house to the Salem, R. W. Mayer, for $5,000 per year, to be open in the fall. A 750-seat house will be built at Glouster. Site for the sixth is not known.

DAVIS SELLS INTEREST

NEW HAVEN, Jan. 3.—Joseph Davis, formerly associated with M. Schuman in the Colonial, Son of God, and the Black Rock, Bridgeport, has sold his half-interest in last house to Schuman, and plans to re-enter the distribution field.

OPEN DES MOINES HOUSE

DE SOTO, Jan. 3.—New 600-seat theatre, the Varsity, has been opened by Elzas Garrett and E. Eljas, Jr. This is the third that the Garbetts have built here in the years.

BUILDING IN OHIO

LOMRA, O., Jan. 3.—Nazera Zieg has broken ground for new $800,000 theatre here, which she hopes to be completed in the early spring. Mrs. Zieg is the owner of the Dreamland and Elvira here.

Labor News

CREER HEADS UNION

COLUMBUS, Jan. 3.—R. W. Greer has been elected president of the 3,700 projectionists' union. Other office bearers are: W. F. Jones, vice-president; W. Wright, secretary-treasurer; R. Stewart, financial secretary; F. J. Hess, recording secretary; R. Stoneburner, business representative. All will serve for two years.

PICKETING ENJOINED

VANCOUVER, B. C., Jan. 3.—Picketing by the local of the United Brotherhood of Pattern Makers, members of which have been prevented permanently by injunction from picketing or otherwise interfering with the business of Hollywood Theatre, Ltd., here, in a decision by Supreme Court Justice D. A. McDonald. Damages of $2,000 also were awarded in favor of the theatre against Vancouver, New Westminster & District Trades and Labor Council and the B. C. projectionists' union picking the plaintiff's theatre May.

MOTION PICTURE DAILY

Wednesday, January 4, 1940

Hollywood Previews

"Zaza" (Paramount)

HOLLYWOOD, Jan. 3.—The 1938 model of "Zaza" is a more exciting film and less passionate picture than the earlier picturizations of the play by Pierre Benoist and Charles Simon. It looks like a first-rate attraction with a strong feminine appeal. Claudette Colbert is quite the most exquisitely stream-lined of the several ladies who have played the name role. She gives a brilliant performance. Sholomon will be most loquacious about her in their selling of the picture. Herbert Marshall, Bert Lahr, Helen Westley, Constance Collier, Walter Catlett and Genevieve Tobin are other names available for billing purposes. It might also be mentioned, in the publicity disseminated by exhibitors handling the subject that George Cukor, who directed "Zaza," is the man who will direct "Gone With the Wind," and that the film is an Albert Lewin production from a screenplay by Zoe Akins. The story is what the old one was, up to a point. It will be recalled that it's about an actress who fell in love with a married man, gave up acting to devote her whole talent to a passionate enjoyment of that condition, returning to her first art on discovery that her lover had a family and couldn't get her self any other. In this filming of the play the passionate interlude is somewhat less torrid, although it sizzles some in spots. The whole treatment is sensibly handled and escapes many censorable banalities.

It may be well to inform shohmen, here, that the can-can dancing role in this early publicity for the film and widely dealt with in the picture, is not in the picture now.

Running time, 90 minutes. "A". *"A" denotes adult classification.

"Stand Up and Fight" (M-G-M)

HOLLYWOOD, Jan. 3.—"Once the first reel or so has been completed, "Stand Up and Fight" becomes a robust and rugged outdoor action picture. Love, in the best cinematic traditions of the Old South, is the subject of the opening sequences. Love has a part in all for the hero fights between two wild braves between Wallace Beery and Robert Taylor, and Taylor's vigorous struggle to keep Florence Rice's stage line out of trouble into which Beery is leading her, make for vigorous thrills action.

Southern gentleman Taylor auctions off his plantation after falling in love with Miss Rice, and goes west. Soon he is in conflict with Beery, actually becoming a convict laborer. Suspecting that Beery is in league with Charles Bickford and Barton MacLane in running slaves, Taylor establishes his suspicion when he aids his old slave, Clinton Rosenmond, to escape. But when the latter is found dying, Taylor goes to Bickford and MacLane and Beery confesses his part in the underground work. Meanwhile the railroad has been wrecking the freight line's legitimate business. But when Taylor goes further west to become a railroad traffic manager, Miss Rice goes with him.

James M. Cain, Jane Marfin and Harvey Ferguson did the screenplay from a story by Forbes Pendall. W. S. Van Dyke directed.

Running time, 90 minutes. "G." **"G" denotes general classification.

The Newsreel Parade

Nation's welcome to 1939 is the chief subject covered in the new issues of the newsreels, out yesterday.

Frank Murphy being sworn into office as Attorney General of Illinois, Chicago skating and skiting sequences are featured. The reeds and their contents follows.


PARAMOUNT NEWS, No. 44—Experts in the field of sports discuss the major events of 1939. Swimming, baseball, golf, basketball, boxing, football, wrestling. Racing and auto racing are commented upon.


Radio Billings for 1938 Set Record With $4,146,679

The National Broadcasting Company has released figures for the 1938 season, showing a total of $4,146,679 in billings. This represents a 5% increase over the previous year. The network's top programs include "The Blue Network," "The Red Network," and "The Blue Network's National Association." The billings were divided among 1,200 stations, with the largest share going to the major networks.

First Television Permit Is Asked

The Federal Communications Commission has granted a permit to a new television station, WGN, in Chicago. The station will broadcast educational and cultural programs, as well as news and entertainment. The permit was issued to the Hawthorne Television Corporation, a subsidiary of the Chicago-based National Broadcasting Company.

Rollini Trio Signed By American Chicle

American Chicle Co. has signed the Rollini Trio for a new series of programs to be broadcast over NBC beginning January 19. The trio, consisting of Rollini, his wife, and his brother, will perform three times per week, starting on January 15. Their programs will feature a mix of jazz and popular music, with new compositions being written specifically for the series.

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"Ectoplasmatic" IS THE NEW BOX-OFFICE WORD FOR COLOSSAL

8:45 a.m. — fourteen hundred ticket buyers jammed the sidewalk . . . fifteen minutes before doors opened at RADIO CITY MUSIC HALL!

2,400 tickets sold in first twenty minutes. Figure it out yourself . . . that's more than 100 tickets a minute!

Before ten a.m. every seat in the Music Hall was taken . . . standing room going fast . . . and waitees filling lobby!

50 special police were kept busy all day outside theatre as standing lines, six patrons deep, reached nearly to Fifth Avenue!

Box-office closed five times during afternoon! Lobby standees all evening averaged 2,000. Sidewalk lines continued until after ten o'clock!

NET RESULT: ONE OF THE BIGGEST NON-HOLIDAY OPENINGS IN THE ENTIRE HISTORY OF RADIO CITY MUSIC HALL!

HAL ROACH presents

TOPPER TAKES A TRIP

STARRING Constance BENNETT, Roland YOUNG

BILLIE BURKE • ALAN MOWBRAY • VERREE TEASDALE
FRANKLIN PANGBORN • ALEXANDER D'ARCY • MR. ATLAS ("The Thin Man" Dog)
Directed by Norman Z. McLeod • Screenplay by Jack Jevne, Eddie Moran and Corey Ford
From the Novel by Thorne Smith • Milton H. Kibbee, Executive Producer • Salomee Day, United Artists
RKO Plan Is Approved by Judge Bondy

Slight Modifications in Written Decision

Federal Judge William Bondy yesterday handed down a written decision in which he approved the proposed plan of reorganization of RKO with certain modifications which he outlined in his opinion. The decision stated that all parties who have herebefore consented to the proposed plan would be allowed an opportunity of withdrawing their acceptances, if they so desire, and if there were sufficient acceptances filed, Judge Bondy said, he would confirm the plan, as modified.

Paragraph XI, Subdivision E of the plan, under the decision, will be modified so that while any new preferred stock remains outstanding, no funded debt in excess of $3,000,000, or any other obligations referred to in that section, can be incurred over the objection of one-third of the preferred stockholders. The plan will also be modified to provide that for the issue to those debenture holders who elect to receive only preferred stock of $13.43 per share of preferred stock for each $100 in principal amount of debentures. The new preferred stock, according to the approved modified plan, will be entitled to a first quarter dividend of $1.50 per share.

Slight modifications under the proposed modifications will receive when their claims mature, either common.

(Continued on page 3)

Threaten to Close All French Houses

PARIS, Jan. 4—Extension of theatre closings to all of France unless relief from the new Paris theatre tax is granted within two weeks was threatened today following the closing of 300 theatres in the city at noon.

Exhibitors said that unless an agreement with municipal authorities is reached within a week the closings would be extended to suburban houses and that theatres throughout the country would be closed the following week if no agreement was reached by them.

The new tax, which amounted to about nine per cent of gross receipts, in the case of neighborhood houses, it was estimated, would amount to about $7,800 annually.

Radio—Page 8

MOTION PICTURE DAILY

New York, Thursday, January 5, 1939

TEN CENTS

FEW FILM BILLS BEFORE CONGRESS

Unions Fight Dismissals of WPA Theatres

Representatives of thirteen unions met last night under the auspices of the Federation of the Arts Unions, to protest against dismissals of 1,000 WPA workers employed by the Federal Theatre Project. The meeting, laid plans for a demonstration and parade to City Hall on Jan. 13 and for a continuation of a radio campaign.

Edward Everett Hale, secretary, declared that many of the dismissed actors would be unable to find employment. He stated that taxes paid by employed members of the actors unions both here and in Hollywood were more than sufficient to support the Federal Theatre Project.

Unions represented at yesterday's meeting were Actors' Equity, American Federation of Actors, American Federation of Radio Artists, American Guild of Musical Artists, Newspaper Guild, Local 802, American Federation of Musicians, Burlesque Artists Association, Chorus Equity, N. Y. Woodcarvers and Modellers Association, Screen Actors Guild, Theatrical Managers and Treasurers Union, United American Artists, and United Scenic Artists.

Ellis Here to Seek U. S. Outlet on Australia Films

Gordon Ellis, representing the Norman Bodey film interests in Australia, is here with plans to seek an American outlet for Australian pictures. Discussions are to be held with Monogram and Republic, which distribute through British Empire Films.

The interests Ellis represents include Cinesound studio and Greater Union Theatres, as well as B.E.P., of which Ellis is the general manager. He said Great Britain has for some years returned a revenue to the Australian studios, while the United States takes out most of Australia's film revenue.

With the support of the New South Wales Government, Australian producers have made new headway. Twelve films are scheduled for this year to meet quota requirements, which provide that 2½ per cent of the product shown in Australia come from domestic studios.

Ellis plans to leave for the coast Jan. 20 to survey Hollywood talent possibilities, pick up ideas and hire a scenario. The new films act admirably was designed to stimulate Australian production, he said. Exhibitors were given a 2½ per cent re- jection privilege on imported films.

Premier Stevens is to appoint a three-member film control commission.

Measures Not Expected To Be Considered For Some Time

WASHINGTON, Jan. 4—A survey of more than 1,100 bills and resolutions introduced in the House yesterday up to the opening of the Congressional session shows that very few motion picture or radio measures have yet been submitted.

No consideration is expected to be given either film or radio legislation for some time to come, national defense and perfection of laws already passed, urged by President Roosevelt in his annual message today, being the first business of the session.

Block bills are prohibited in bills introduced by Representatives Edmiston, W. Va., and Culkin, N. Y., with the latter also submitting his bill for creation of a Federal Motion Picture Commission to supervise production. Consolidation and modernization of copyright laws is provided for in a bill reintroduced by Congressman Daly, Pa., in addition to Representative Maloney's bill requiring announcement of paid endorsements over radio.

The only other broadcasting measure introduced was a bill prohibiting the use of advertising by radio, submitted by Representative Culkin.

No bills were introduced in the Senate yesterday. Senator Neely, W. Va., will reintroduce his anti-block booking bill at the first opportunity.

NO COLORADO BILLS

DENVER, Jan. 4—No bills of special interest to the industry are looked for in the session of the Colorado legislature, which opened here today.

Majors Reassert Position on Italy

Major distributors reasserted their determination at a meeting of the M.P.P. D.A. board yesterday to accept no compromise from Italy which would force them to deal with the E.N.E.C. Government controlled film distributing monopoly, in order to preserve operation in that country.

The so-called anti-film stand was confirmed by the heads of all eight major companies in an addition to the foreign managers who were called into the meeting.

(Continued on page 3)
**Purely Personal**

DAVID BEARNSTEIN, Leopold Fried- man, Mr. and Mrs. David Loew, were at the Hunting Room last night at the Astor, for lunch, yesterday. Others were A-Mike Vogel, Morris Kaelner, Tom Contos, The Lyons, Max Cohen, Ed Saunders, Martin Beck, Tom Phillips, Sam Lyons, and Sidney Phillips.

CHRISTIE MACDONALD, for whose Victor Herbert wrote the original stage version of “Sweethearts” 20 years ago, will be guest of honor at the Capitol next Monday night. She is no kin to Jeannette MacDonald, the film’s star.

JOHN W. HICKS, Paramount vice-president and foreign manager, sailed for London after a vacation last week. He will be in England and on the Continent about two months before returning to New York.

JAMES P. O’LOCHLIN, 20th-CenturyFox Canadian district manager, returned last night to Toronto after winding up as Kent Drive leader. He leaves shortly for two weeks in Florida.

LACY W. KASTNER, general sales manager of United Artists Export, Ltd., returns to his post in London today aboard the Champlain, following a brief vacation here.

DOUGLAS FAIRBANKS, Sr., and Irving ASHER will arrive tomorrow instead of today, the “Washington,” on which they are passengers, docking a day late.

HERMAN WOBBIE, 20th-CenturyFox sales chief, has returned from an extended stay on the coast. So has Marc Lachmann, exploitation manager.

WALTER READE, of Walter Reade Theatres returns from the coast next Monday. Walter Reade, Jr., leaves Jan. 19 for a 10-day vacation cruise.

GRACE Moore and her husband, Val- entine Parera, arrive today on the Conte di Savoia. The singer has completed a concert tour abroad.

ALBERT LEWIN, Paramount producer, will arrive here tomorrow from the coast for a three-week stay before sailing for Europe.

STANTON GRITTS, chairman of the Paramount executive committee, is expected back from a Florida vacation Monday.

WILLIAM BISHOP, M-G-M press representative in Chicago, is recovering after a return from St. Luke’s Hospital there after an operation.

E. M. SAUNDERS, M-G-M western division manager, has canceled a planned business and pleasure trip to Honolulu.

ED SCHNITZER, eastern district man- ager for Warners, will return tomorrow from New England.

**Insiders’ Outlook**

By SAM SHAIN

HUBBARD KEAVY of the Associated Press, Holly- wood, awards palm to Harry Brand for outstanding publicity stunt for 1938—the 80- minute all-ball broadcast, based on “Seven Percent Solution.”

Harry Brand, last year and every year, is not without plenty of big-shot stunts to his name. But the broadcast aforementioned was set up while Harry was in England. The author and general manager was Charles E. Mc- Carthy of Tenth Avenue, Man- hattan.

To those who think that Arthur Lee is in Canada presumably to go into the 16 mm. field, we refer the following telegram, from Miami Beach:

“Dear Sam: Have been con- nected with Goudier for over twenty-five years and expect to carry on with them for the next twenty-five—Arthur Lee.”

No group of critics, in the most golden period of the stage, probably have occupied the trade im- portance and Goudier such as that which drapes the New York film critics. Show business the world over recognizes this. NBC shows it is mindful of this fact by under- taking its unusual for interna- tional broadcast, yearly, of the N.Y. critics’ film awards, a broadcast that links the old world and the new, traversing the sea and a continent.

This year, this program will take place Sunday, parts of the broadcast to be waited from New York, London, Hollywood and Paris.

From the Rainbow Room, in Rockefeller Center, there will be heard Howard Barnes, of the N.V. Herald-Tribune, and Dudley Nichols, president of the Screen Writers’ Guild. Erich von Stroheim and Jean Renoir will be heard from France. The London end will be covered by Robert Donat, Ralph Richardson, and Alfred Hitchcock. Then, back again to New York, for a scene from “Angels With Dirty Faces,” and a word or two by Margaret Sullivan and Rosalind Russell, and to Hollywood, from where Walt Disney will make the bow-out.

It would be a splendid thing if James Cagney, winner of the best actor award for 1938, were in New York for the festivities.

It must be nice to sit with the President’s son, in the studios of the finest theatre in the world, listening to the President’s ad-

dress to Congress. That’s what W. G. Van Schmus, managing director of the Radio City Music Hall, did yesterday. His guests at luncheon were Col. James Roosevelt, vice-president of Samuel Goldwyn, Inc.; James M. J. corr; eastern head for Goldwyn, and Lynn Farnol, advertising and publicity director of United Artists.

This is anniversary time at Loew’s, with a few who have served the company faithfully and long marking new milestones.

C. C. Moskowitz completes 26 years with Loew’s on Jan. 20. Oscar A. Doob this week started his 10th year as advertising and publicity manager for the circuit. Other anniversaries are being marked by Fred Mitchell, booker, 34 years; Joe Dill, a Boston publicity man, 29 years; Everett Steinbuech, manager in Cleveland, 22 years; William Crull, Jr., Nashville manager, and Robert Saitis, Evansville manager, 14 years.

President Franklin D. Roose- velt’s message to Congress yes- terday was stirring and human. He called the nation’s attention to the totalitarian attack on re- publicanism at home and interna- tional good faith, and as he did so, he was himself an example of that free human spirit which cannot be conquered.

If the countries have done their worst to the American film industry. In the President’s address there may be perceived some possibility that the Govern- ment may take measures against the unjust treatment.

Memories of boyhood are being brought back at the Roxy this week with the distribution of 10,000 paper covered copies of “Jesse James The Outlaw,” nickel thriller which boys of an earlier generation bootlegged into the home to be read when Mom and Pop were looking the other way. This novel giveaway is tied in just as you would suppose with the 26th Century-Fox pic- ture, “Jesse James.”

Rep. Paul H. Maloney, of Louisiana, wants the public in- formed whenever public funds are used to promote the sale of radio products on broadcasting programs. And so, he has introduced a bill to this effect in Congress. If the bill should pass, many a sociable who has been engaged in the endorsement busi- ness, may pass out.

**Musicians Postpone Parley to Wednesday**

Meeting of the executive board of the American Federation of Musicians and Business Managers to discuss possible means of increasing musicians employment within the industry, which was to be held next Monday, has been postponed to Wed- nesday. No definite employment pla- nes have been worked out, and Federation officials or the film execu- tives, it was learned. Meeting next week, therefore, will be limited to a continuation of the discussions of the problems held by the two groups last fall.

Harry Karr, Federation presi- dent, returned to New York Tuesday from a month’s vacation in the south- west and agreed to the postponement of the meeting to accommodate sev- eral film executives who are or will be out of the city. Meeting will be held at the office of L. I. Case, producers labor contact.

Executive board of Musicians Fed- eration plans to meet next Friday for its annual mid-year meeting in Miami.

**Dollinger Quits As Head of N. J. Allied**

Irv Dollinger has resigned as president of Allied Theatre Owners of New Jersey, because of the pressure of business. The board of directors, ac- cepting the resignation with regret, elected George Gold of the Rivoli, Newark, former vice-president, to fill out the unexpired presidential term.

Harry Kridel of the Mayfair, New-ark, who was elected vice-president to fill the term of Dollinger, will replace Kridel on the board of direc- tors.

The next meeting of the organiza- tion will be held in New York on Tuesday, with a statewide meeting scheduled for Trenton on Jan. 23.

**Leuen Pizar a Benedict**

Leuen Pizar, president of the U. M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, has announced his resignation from the post of Philadelphia. They will leave on a three- or four-week honeymoon trip to Florida about Jan. 15.

**MOTION PICTURE DAILY**

(Registered S. Patent Office)

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**US Production Code Reduces Censorship, Says Irish Showman**

Enforcement of the Production Code in Hollywood has reduced censorship of American pictures in Ireland to a state of absurdity, according to the Hon. Sir James Steere O'Loan, veteran American actor and now a distributor-showman in Ireland.

Mr. O'Loan, who operates the Chester Theatre in Cork, had always been a champion of American films and was one of the earliest men to import American films to Ireland. He was a member of the road company of The Student Prince which played 53 weeks at the Grand Theatre, Great Northern, Cork, for a record.

He returned to Ireland with the advent of sound as agent for Pat Casey's Scranton Sound System, and became an Irish distributor of American films, and entered the theatre business there. He returned to America to go on the stage after the World War and played the old Orpheum Circuit for many years. He was a member of the road company of The Student Prince which played 53 weeks at the Grand Theatre, Great Northern, Chicago, for a record.

Mr. O'Loan reported that theatre and general business in Ireland has been excellent for the past two years. Theatres are active there despite a heavy government amusement tax amounting to one-third of the gross receipts of average first run houses and about 30 per cent of the gross of second runs. Admission scales range from 11 cts to $1.00.

McNally sailed for Ireland on the Manhattan last night.

**Hoys Will Continue Australia Renovation**

Hoys circuit in Australia plans no expansion but will continue to renovate existing properties. There are 103 theatres in the circuit, with five pooled with National Theatres, in which Snyder-Deen are interested.

Hoys have built five theatres in the last three years, but these were replacements. A remodeling program has been under way for about two years.

Dan Michalove, 20th-Century-Fox executive, who has returned from a survey of the properties, is making a report to S. R. Kent and Spyros Skouras. Michalove will report on the new Australian films act at a Hoyas office meeting next week.

**Grainger Coming East**

Los Angeles, Jan. 4.—James R. Grainger, president of Republic Pictures, left today for New York after spending the holidays here.

**'The Gentle People' Opening Tonight**

Franchot Tone and Sylvia Sidney head the cast of "The Gentle People" which bows locally tonight at the Belasco. Written by Irwin Shaw, it is the second production of the New Group Theatre. Others in the cast include Sam Jaffe, Roman Bohnen, Elia Kazan and Lee J. Cobb.

The D'Oyly Carte Company brings its repertory of Gilbert and Sullivan operettas to the Martin Beck tonight for a season of nine and a half weeks. This cast includes three who are making their Broadway debuts, Helen Roberts, Viola Wilson and John Dudley.

**MPTO and Allied to Meet on Trade Pact**

(Continued from page 1)

poses the putting of the program in effect with the new selling season. There is a possibility that the M.P.T.O.A. and Allied program might be given by the executive committee next week in the event that these groups will sign the agreement from the distributors on giving immediate effect to these major portions of the program. However, it is believed that the committee may wish to consider further negotiations with the distributors on other phases of the program after cancellation agreements with local boards have been made.

members of the M.P.T.O.A. executive committee who are expected here Monday for the meeting are Kuykendall, Charles Williams, Omaha; L. C. Northup, Des Moines, Iowa; Richard Goodwin, Rome, Georgia; Arthur Lockwood, Middletown, Conn.; H. V. Harvey, San Francisco, and Lenn Pizer, Philadelphia.

** Allied Meets Jan. 17**

Allied's attitude toward the trade practice proposals as evolved by the distributors' committees at the recent negotiation with exhibitor groups, will be made known at the annual directors' meeting in Washington Jan. 17 and 18.

Discussion of the first draft of the proposed program will require at least two days in reference to the proposed Allied bulletin, and the directors' vote on the proposals will be among the important business.

Members are being urged to bring two or three alternates or advisers so that action taken on important matters coming before the board, particularly in regard to the proposed trade practices and the continuation of the Allied legislative program will represent a cross-section of independent exhibitor opinion, the bulletin states.

Allied's negotiating committee will meet in New York Thursday. Election of officers and selection of the time and place of the next national convention are also on the agenda. A.W. A. Steffes and Allied are campaigning for the next convention to be held in Minneapolis. The Indiana unit has a bid in for Illinois.

**“Zaza,” Goodman Open to $11,000**

Opening of "Zaza," with Benny Goodman on the stage, brought an estimated $11,000 for the day at the Capitol yesterday. Newpaper caricatures were present during the early hours to catch the antics of the wise. On Monday, Robert M. Wettman, managing director of the Paramount, appeared before Goodman's "Came Hour" to present the band leader with a cup for being the most popular band at the Paramount during 1938.

"Topper Takes a Trip" brought an estimated $9,100, but one stock was grossed an estimated $4,000 in its second week at the Capitol.

**RKO Plan Receives Approval of Bondy**

(Continued from page 1)

stock of the debtor, equivalent to the amount of their claims and evaluated as of the time of promulgate of the new RKO Retailing Plan, as equivalent in cash. The final modification provided by Judge Bondy will bring the cost of any stock. This agreement for the flotation of new common stock must be first approved by the court. Judge Bondy stated that in his opinion the treatment of the “stockholders was procedurally fair.” Especially, he said, great care of the new plan of arrangement with Rockefeller Center, Inc., under which it is a $4,000,000; the time, it may be stock. This arrangement, the center stated, was greatly to the advantage of the estate.

**Mrs. E. V. Lomba Dies**

Mrs. E. V. Lomba, wife of the assistant director of foreign distribution for 20th Century-Fox, died Tuesday after a long illness.

**dianapolis and New Jersey Allied has entered Atlantic City.**

A large attendance is expected at the "Founders' Day” dinner to be held the night of Jan. 17 at the Carlton Hotel, the meeting headquarters. The dinner will signalize the 10th anniversary of the founding of Allied States and will honor those who signed the organization's agreement. Surviving founders are W. A. Steffes of Minneapolis, H. M. Richer, director of theatre relations for RKO; James C. Ritter of Michigan, H. A. Cole of Texas, B. D. Cockrell, at that time an Indiana exhibitor and now in Denver, and John Blum of Baltimore.

Several others who were active in the formation of Allied will be honored guests, including Glenn Cross of Detroit, Charles L. Rody, general manager of National Screen Services, and Andy Gutenberg of Wisconsin.**

**Kirsch Drive Leader**

Chicago, Jan. 4.—Jack Kirsch, Allied Theatres leader, has been named chairman of the Jewish Welfare Drive here. Kirsch will be in charge of an extensive campaign being staged here during the coming weeks.

**UA Officials Start West Tomorrow for Important Meetings**

All of the ranking officials of United Artists will gather in Hollywood next week for a series of important meetings on production and operations. Not only will the annual stockholders meeting be held, Jan. 12, but a special board meeting also may be called and a company president probably chosen.

Maurice Silverstone, operating head of United Artists; James Mulvey, eastern head of Samuel Goldwyn company; Emanuel Silverstone, representative of Alexander Korda; James Roosevelt, vice-president of the Samuel Goldwyn company, and Lynn Farnol, head of the U. A. advertising and publicity division, will be coming here to California tomorrow.

Douglas Fairbanks, Sr., arrives from England today for a series of meetings with producers, particularly for California.

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Chinese Film Opens At Belmont Thursday

Sponsored by the Chinese Red Cross through the American Bureau for Medical Aid to China, the Chinese film, "Sable Ciada," will have its premiere at the Belmont next Thursday evening for which tickets are priced from $1.

The regular run will start Friday, with Violet Koo, reigning film star in China, having the title role. Directed by Richard Poh, the production was brought here by the Chinese Red Cross. It was written here under the direction of the Chinese consulate.

**Fabian Takes Long Leases on Par-Land**

Eight theatres of the Par-Land circuit on Staten Island have been taken over on long-term leases by the Fabian circuit. Acquisition was from the Sol Brill estate.

The regular Fabian circuit on Staten Island included the 2,300-seat Paramount Theatre, which is operated by the Fabian circuit, and the Strand, New Dorp, Ritz, St. George Liberty, Stadium and Capitol. Sidney Deneau, formerly assistant manager of the Albany area, will book for the group.

**Mae West to Map Program Monday**

Los Angeles, Jan. 4.—Stockholders of the Mae West Enterprises, Inc., will meet Monday to map the year's production program. Besides Mae West they are James Timit, Louis Lurie and Ralph Pincus. Reports that Lurie was dropping out were denied. Announcements of the release deal is expected by Jan. 15.
NEW 'OPEN-DOOR' FOR

'Open Earlier, Close Later' Policy Installed as Key Houses Command Daily Extra Performances to Hold 'Turnaway' Crowds

WEST, NORTH, SOUTH
RUSH TO FOLLOW SUIT

Receipts Top All For Year

Figure On Extra Time! Add Ex Plan Extra Promotion! It's An Ex

DAWN

WARNER BROS.
OLICY IN THE EAST!

Performances!
ra-Terrific Smash!

PATROL

Holdover Headquarters
Twin Cities
Give ‘Hardys’
Good $15,000

MINNEAPOLIS, Jan. 4.—A combination of holiday and the first sub-zero temperatures of the winter hurt grosses in the Twin City area. Despite these adverse conditions, "Out West With the Marx Brothers," which opened here in Minneapolis, was good for $9,000, for the State, and "Brother Rat" with $7,500 at the Orpheum made a good showing.

In St. Paul, "Our West With the Hardys" was also high, taking in $8,500 as the Paramount, while "Brother Rat" got $5,000 at the Orpheum.

Estimated takings for the week ending Dec. 30:
- "A Christmas Carol" (M-G-M)
- "Affairs of Annabel" (RKO)
- "Fighting With Private" (Fox)
- "The Frontenacian" (Para.)

ASTER—(25c-25c), Split week deal bids. Gross: $130. (Average, $1.10)

Thanks for the Memory" (Para.)
CENTURY—(3c-3c) 7 days. Gross: $2,000. (Average, $400)

"Brother Rat" (W. B.)
ORPHEUM—(3c-3c) 7 days. Gross: $7,500. (Average, $1,064)

"Out West With the Hardys" (M-G-M)
STATE—(35c-35c) 7 days. Gross: $10,000. (Average, $1,429)

"Moonlighting with Susan" (World) WORLD—(40c) 7 days 5th week. Gross: $1,200. (Average, $1,000)

ST. PAUL:
- "Brother Rat" (W. B.)
CITY—(3c-3c) 7 days. Gross: $5,000. (Average, $714)

"Out West With the Hardys" (M-G-M)
STATE—(35c-35c) 7 days. Gross: $6,500. (Average, $929)

"The Man With a Memory" (Para.)
RIVERA—(1.00) (35c) 7 days. Gross: $3,200. (Average, $457)

"Christmas Carol" (M-G-M)
DOOLITTLE (Para.)
TOWER—(4.00) (35c-35c) 7 days. Gross: $1,900. (Average, $1,200)

"Moonlighting with Susan" (World) WORLD—(40) (3c-3c) 7 days. Gross: $1,200. (Average, $1,000)

"Patrol' Is Omaha Sensation, $10,800

OMAHA, Jan. 4.—"Dawn Patrol," dualled with "Service De Luxe," was a hit with $10,800 at the Orpheum. The double holiday helped theatre business generally.

"Cowboy and the Lady" and "Touchdown Army" were good for $7,800 at the Omaha, while "There's That Woman Again" and "Peek's Bad Boy" with the Circus" drew $5,400 at the Brandeis.

Estimated takings for the week ending Dec. 28-29:
- "There's That Woman Again" (Col.)
- "Peek's Bad Boy With the Circus" (RKO) BRANDEIS—(2.00) (25c-35c-4c) 6 days.
- "Cowboy and the Lady" (U.A.)
-Touchdown Army" (RKO) ORPHEUM—(2.00) (25c-35c-4c) 6 days.
- "Dawn Patrol" (W.B.)
-CIRQUE DE SOLEIL
- "Orpheum — (0.00) (25c-35c) 4 days.

Gross: $10,800. (Average, $2,700)

To Remodel Exchanges
CELEBND, Jan. 4.—A $30,000 remodeling job will be undertaken on the Cities. Naturally occupied by the local exchanges of M-G-M, RKO and Universal. The modernizing will include air conditioning, new interior decoration and lighting.

Hollywood Previews

"Chasing Danger"

Hollywood, Jan. 4.—"Chasing Danger," second and last picture in the Twentieth Century-Fox Camera Daredevils series, is likely to stir little comment. The nucleus for a good production is there, but, somehow or other, it does not come off. Preston Foster and Vally Vernon, newspaper photographers, are assigned to cover an Arab rebellion in the desert. En route and at the scene of action they become mixed up with Lynn Bari, who, it is evident to all except the players, is being watched by French military officers. Naturally, a relationship between Foster and Miss Bari, as well as some that is comical in character between Vernon and Jack Gillett. Instead of covering the incidents of the rebellion, Foster decides to find out who is financing and fostering it. That leads him to the trail of a mysterious character, who was supposed to have committed suicide by leaping from a plane years before. The climax reveals that Henry Wilcoxson is fomenting the rebellion and whose arms buying and distributing agent is Miss Bari.

Some audiences, of course, will find "Chasing Danger" entertaining fare.

Running time, 60 minutes. "G". G. McC.

"Tough Kid"

Hollywood, Jan. 4.—This story of the prize ring illustrates a new method by which underworld gamblers and chisellers get control of a prize fighter and how the younger brother tries to save him from his own stupidity. Fast moving, with plenty of slam bang ring action serving to balance the other melodramatic bits of business, "Tough Kid" presents Frank Darrow as one of his best characteristics and giving him the support of a capable roster of players.

Produced by Lindsay Parsons from a story by Brenda Wiseberg with screenplay by Welly Tomtan and directed by Howard Bretherton, the show is aimed to entertain the masses with particular appeal for those appreciating lots of action.

Unable to do any shady business with fighter Dick Purcell, whose manager Don Rowan, has turned honest, gamblers William Ruhl and Lew Kelly find his weak spot in his affections for cabaret singer Judith Allen. Darrow, suspicious that dirty work is afoot, tries to warn brother Purcell, but to no avail. To get money to help sick Miss Allen, Purcell makes a deal with the gamblers, to double cross his manager and throw the fight to the champion. As Darrow, who has discovered the trickery, plays upon his brother, is kidnapped, the bont is out. Purcell throws the fight for Purcell, rather than fight again, retires to marry Miss Allen and again be the hero of Darrow and their mother, Lillian Elliott. Running time, 61 minutes. "G." G. McC.

"La Vierge Folle"

(Watch Film Corp.)

"La Vierge Folle," the film d'art production, is a morbid but charmingly photographed story of the eternal triangle. It introduces to American filmgoers 18-year-old Juliette Faber, an attractive girl who is splendid actress.

"La Vierge Folle," which translates into English as "The Foolish Virgin," is definitely a picture for adult ears and eyes alone. It describes in slow-moving, objective action, the destruction of the life of a young girl, who for the whole of her life, has been a large coterie of eligible young Frenchmen to choose from, selects an elderly, married lawyer as her paramour. Fleeing to Egypt, the couple are intercepted by the girl's impetuous young brother, Gaston, who, in the struggle to kill the man, accidentally slays his sister.

The picture is saved from mediocrity only by sensitive and fine performances by Miss Faber and Annie Ducaux, who plays the part of the wife, and by excellent photographic effects.

Running time, 80 minutes. "A." J. A. B.

NEW YORK REVIEW

"Kentucky" $7,000
Big in Indianapolis

INDIANAPOLIS, Jan. 4.—Circle enjoyed smash business of $7,500 with "Kentucky" and "Next Time I Marry." The hill was moved to the Apollo for a second week. The Indiana called a strong $7,000 with "Kentucky" and "Down on the Farm." "Slave Ship" gave the Apollo $3,500. Week's take were cut into the winter's cold snap.

Estimated takings for the week ending Dec. 29-30:
- "Slave Ship" (20th-Fox) A.M. (3c-3c) 7 days. Gross: $3,500. (Average, $500)
- "Dawn Patrol" (W. B.)
- "Next Time I Marry" (RKO) CIRCLE—(2.50) (25c-35c) 7 days. Gross: $7,500. (Average, $1,000)
- "Kentucky" (20th-Fox) WORLD—(40c) (25c-40c) 7 days.
- "Down on the Farm" (20th-Fox) INDIANA—(6c-35c) 4 days. Gross: $11,800. (Average, $2,950)
- "Christmas Carol" (M-G-M)
- "Young Dr. Kildare" (M-G-M)
- "Snow White" (Walt Disney)
- "The North Star" (W. B.)
- "LYRIC—(25c) 7 days. Stage: Vaucluse. Gross: $7,000. (Average, $1,000)

Legion Approves 7
Of 8 New Pictures

National Legion of Decency for the current week has approved seven new feature pictures, four of which have been classified, three for general patronage, and four for adults, and clasped as objectionable in part. The new films and the classes assigned are:

Dawn Patrol' at $15,000 Is Only Cleveland Winner

Cleveland, Jan. 4.—"The Dawn Patrol" was the only film to do well, with $15,000 at Warners' Hippodrome. "Drunks" at the RKO Palace with a vaudeville show headed by Ann Miller, the Schenckfels Band and Eddie Gar had an average week with $15,000.

"Little Tough Guys" at the Allen was a poor picture with the take close to the $4,000. Average. Weather was fair the first half of the week, with snow and cold the last half.

"Little Tough Guys" at the Allen—(Univ.)—Allen—(3,800-5,200) 7 days. Gross: $4,000. Average: $400.


"Drums" (U. A.)—RKO PALACE—(3,000) 7 days. Gross: $4,000. Average: $570.00.

"Artists and Models Abroad" (Para.)—LOWES'S—(3,000-4,000) 7 days. Staging: Sus. Idaho. Average: $1,500. Gross: $11,000.

"Young Dr. Kidlare" (M-G-M)—LOWES'S—(3,000-5,000) 7 days. Gross: $15,000. Average: $2,140.00.

"Dawn Patrol" (W. B.)—WARNER'S—(2,000-3,000) 7 days. Average: $400. Staging: Saturday Matinee. Gross: $1,500.

"The Young in Heart" (A. U.)—LOWES'S—(2,500-3,000) 7 days. Staging: Saturday Matinee. Average: $1,500. Gross: $11,000.

"Young Dr. Kidlare" (M-G-M) RKO KEITH'S—(2,500-3,000) 7 days. Average: $400. Gross: $11,000.

"Dawn Patrol" (W. B.)—WARRIORS' EARLY—(2,500-3,000) 7 days. Average: $400. Staging: Saturday Matinee. Gross: $1,500.

"Blonde" (Col.)—LOWES'S—METROPOLITAN—(1,991) 7 days. Gross: $4,500. Average: $640.00.
Radio Personalities

EDDIE CANTOR and troupe return to Hollywood Jan. 10.... 20th Century- Fox has given the Paramount for three weeks, will leave for a week's vacation in Miami following the conclusion of the run on Jan 25. Toconni also will go Ben Bernie when he finishes his vaudeville tour next month.... Shaw's orchestra leaves the Hotel Lincoln Jan. 29 to go on tour, the first step being the Cornell prom. Tenor Jimmie Shields has been given a year's renewal contract by Mutual.

Elsa Lanchester, wife of Charles Laughton, will be interviewed by Radio Harris on Mutual tonight.... Orson Welles' Emanuel Celler will be the only see on the next Refugee Theatre of the Air program on WHN.... Lanny Ross has written a song in the style of Almer Silver, "Listen to My Heart...." Lew Danis of the Procter & Gamble "Ivy League" programs, playing the masculine lead in "One Good Year," stage play, in the Broadway Theatre, Woodliff, N. J.

Gospel Renew WHN Program for a Year

Gospel Broadcasting Association has received its contract over WHN for 52 more weeks for the "Old Fashioned Revival" series. The account was placed through R. H. Alber agency.

Wander Co. has contracted with WHN for spot announcements for Ovral. The contract for 2 weeks, places by Blackett-Sample-Hummert.

Kay Arnold Dies

Kay Arnold, WOR singer, died New Year's Day in Lakewood, N. J., left, in his appearance in the hit show "Brother, Buddy," at the Oak Court Hotel. Miss Arnold was buried yesterday in Montrose Cemetery.

Bemis Heads HKQ News

SPokane, Wash., Jan. 4.—John Bemis, formerly reporter on the KUQ, has been appointed news director, resigned, as editor of the KHQ-KGA news staff.

Muzak Is Radio Competitor With New Service for Home

Muzak, a subsidiary of Warners, selling wireless radio for the past several years to restaurants and grills, has developed a new service whereby its own musical transcriptions, plus regular radio programs culled from specially selected radio stations, will be made available to apartment and home dwellers in New York at a cost approximately that of a telephone. Muzak's entry into the home field places the company in direct competition with radio set manufacturers.

The monthly charge for the Muzak service will be $3.30 for a small and large receiver, respectively. Muzak has been experimenting with the plan to bring wireless entertainment to the home, but he has decided to go into business with the Government of its own plans for a short-system.

Actual expenditures for the year ended March 31 last were as follows: programs, $1,088,419; station network, $536,396; operation of stations and studios, $383,928, and administration, $146,686.

Wells CAPA President

CHICAGO, Jan. 4.—Officers for the coming year have been elected by a large vote for CAPA (Chicago Amusement Publishers Association) for the term of one year. M. O. Wells is president; Sidney Hurwitz, vice-president; Jack Kirshaver, secretary; Mort Green, sergeant-at-arms and Ted Morris, publicity director.

Hutton to Minneapolis

ROBERT L. Hutton of CBS in New York, has been transferred to WCCO, CBS station in Minneapolis, where he will earn $300 a week as production chief. He succeeds Arthur Lund.

Adler Joins WHOM

Sid Adler, formerly night manager of WHN, has been named general manager of WHOM, and will also serve in an announcing capacity.

Mutual Billings at Record $2,920,323

Time sale billings on the Mutual network for 1938 amounted to $2,920,323, the largest total in the five-year history of the network. The year saw a 9.4 per cent improvement over the 1937 total of $2,239,027.

For December, 1938, the billings to the $15,372,787, a 9.4 per cent over the revenue for the corresponding month last year, which amounted to $2,453,465.

BBC Will Continue Vaudeville Telecasts

LONDON, Jan. 4.—British Broadcasting Co. is continuing with its telecasting of stage shows, planning to relay 40 variety acts from the London Coliseum on Jan. 13. Three cameras will be in operation for the telecast.

Delay AFRA-4A Talks

Scheduled meeting between representatives of the American Federation of Radio Artists and the American Association of Advertising Agencies, for the purpose of working out agreements covering salary scale and working conditions for artists appearing in network commercially sponsored programs, has been postponed until Friday.

Facilities Increased To Handle 11th-Hr. "Quiz" Contest Rush

Having been unprepared for the eleventh-hour flow of entries in the $250,000 "Movie Quiz" contest, Radio City Amusements, Inc. (who is handling the advertising for the headquarters, has been compelled to increase its facilities for handling the unexpected rush. However, despite the heavy flow, the total is still under the original expectations.

Additional space has been taken in the Grand Central Palace Building for the next week there will be a slight shift of readers, additionally.

Louis Davidson, New York newspaper editor, is in charge of the readings and preliminary judging. After a second judging, entries which appear to be meritorious will go to the final judging by a committee including Mrs. Ogden Reid, publisher of the Herald Tribune; James E. West, Boy Scout Executive; Hendrik Willem van Loon, writer; Helen Wills Moody and Congressman Bruce Barton.

More countries have been returned to the senders by the Post Office for insufficient postage. These will be considered eligible provided the postmark is no later than midnight Dec. 31.

Entries have been received from South America, Cuba, Puerto Rico, Hawaii, but were not considered for the contest. Unless the contestant can show that the contest films were seen in the United States or Canada, entries are not valid.

Set Uniform Charge On Production Code

Uniform service fee for maintenance of the Radio Admen's Radio Production Code has been established by the M. P. P. D. A. board of directors for both domestic and foreign-made pictures, it was stated at the Hays Office yesterday. Fee for foreign-made pictures formerly was half that for domestic productions, whether made by M. P. P. D. A. member producers or not.

All fees are based on the cost of individual productions, being scaled upward from a minimum charge of $25 for a $25,000 domestic production. Thus the minimum fee for a foreign-made picture formerly was $12.50. Change was made as a result of the increasing number of high cost pictures being made by member producers under the British quota act. M. P. P. D. A. board is scheduled to hold an adjourned meeting today.

WLW Honors Staff In Program Jan. 23

CINCINNATI, Jan. 4.—"In Recognition" is the title of a program to be aired by WLW 11:15 to 11:45 P.M., and is designed for those who have served the station for many years.

Charles Creely, president of Crosley Corp, will participate, as will an outstanding publisher in the radio field. Awards will be presented to those having rendered service for five, 10 and 15 years.
Trust Suit and Pact Dealings Halt Programs

Production Plans for '39 Seriously Jeopardized

Major company production plans for 1939-40 are seriously jeopardized by the uncertainties created by the Government anti-trust suit and the contemplated trade practices. New season programs thus may be delayed.

Until the trade practice concessions for next season are pretty well defined, the companies are unable to make decisions on next season’s release plans and production policies. These will be significantly influenced by the trade practice program and the outcome of the suit.

Major companies may be compelled to seriously consider reducing their production because of the proposed cancellation clause in the trade practice program. The program offers obstacles to production and the companies’ plans for the new season. However, two companies will conduct early sales conferences and consider plans for the plan and regions in March and 20th Century-Fox is considering plans for a national convention in Chicago in the first week in April, which will be attended by about 300.

These companies are almost completely sold out for 1939-40 possibilities. They are in position to clear the deck for early selling next season.

Companies which normally release 52 features a year cut down in view of the situation. This of course has nothing to do with the per picture cost.

A reduction in the number of major company films due to the causes mentioned may bring about a shortage and have effect on theatre operators generally, as on duals.

KMTA Aims to Seek Anti-Ascap Measures

KANSAS CITY, Jan. 5.—Introduction of anti-ascap measures in both the Missouri and Kansas legislatures is proposed by the Kansas-Missouri Theatre Association in conjunction with a new organizational membership drive. The association’s present membership includes about 400 of the 600 theatres in the territory but it is the plan to add the remaining 200 to gain complete exhibitor backing for the proposed legislation.

Frank Casill, K.M.T.A. president, at a meeting here, named E. E. Weber, Jr., C. E. Estler and Ed Hartman to a special membership committee for this area.

English Archbishop Makes Fund Trailer

London, Jan. 5.—All newsmen have prepared a trailer featuring the Archbishop of Canterbury, aimed to aid the Baldwin Refugee Fund. The trailer will be shown on Monday, urging the public to patronize the benefit showings in all theatres on Jan. 16. Posters also have been circulated.

Father Lanphier Is Barred from Radio For Political Talk

OTTAWA, Jan. 5.—Rev. Charles Lanphier of Toronto today was indefinitely suspended from broadcasting over the Canadian Broadcasting Corp.’s network facilities by Gladstone Murray, general manager of the network. The suspension follows the priest’s broadcast of last Sunday in which he said he was having attacks of communism and to have intervened in the Toronto municipal election campaign.

In a statement explaining the suspension, Murray stated that last January after a period of suspension from (Continued on page 3)

Additional developments in radio on page 8.

Skouras Says West Coast Giveaway Ban to Continue

"No giveaway" policy at the 195 theatres in west coast division of National Theatres will continue indefinitely, it was said here yesterday by Charles Skouras, National Theatres operating head.

This division has been saving $15,000 a week since Sept. 1 by not giving Bank Night, Bingo, Ten-O-Win, Treasure Chest, Prosperity Club and similar stimulants as well as merchandise giveaways such as refrigerators, automobiles, baby carriages and other things.

Giveaways had been effective in the coast division for two and a half years. Early last year they were taken out of 16 Los Angeles suburban theatres for a test which lasted three months. In August, the experiment was extended to another area and on Sept. 1 went into effect throughout the division.

Skouras found that grosses improved, and with the savings resulted from the elimination, the theatres came out on top. He believes giveaways have reached the saturation point with the public. It was found that their elimination stimulated managers to a full use of showmanship. Skouras believes that is the key to the situation.

Following the success of giveaway elimination in the California division of experiments with a "no giveaway" policy will be conducted in all other divisions of the 450-theatre circuit.

Skouras sailed tomorrow with his wife and daughter on the Conte di Savoia for an eight-week trip abroad, including a visit to his birthplace in Greece.

Keep Ticket Tax, Roosevelt Urges

Judge Bondy Hears Modifications to Expedite RKO Plan

In an effort to speed up the final stages of the promulgation of the proposed plan of reorganization of RKO, Judge William Bondy yesterday held hearings on the modifications of the plan which he had set forth in his opinion filed on Wednesday. Col. Hamilton C. Rickaby, as attorney for the Atlas Corp., stated that the plan is in the best interests of stockholders and that the modifications he suggested would not affect the equity of the plan.

Carlos Israels, of the downtown firm of White & Case, attorney for the committee of unsecured creditors, applied to Judge Bondy for a change in the proposed modification which makes mandatory a dividend of $1.50 for preferred stockholders for the first quarter-year. Under the change suggested by Israels, the dividend would be reduced to $1. If it fell due less than one year after promulgation of the plan, Judge Bondy reserved decision on his application.

The application to reduce the participation of the Rockefeller Center to 415,000 common shares of RKO was (Continued on page 4)

Budget Message Points To Necessity of All Possible Revenue

WASHINGTON, Jan. 5.—Extension of the admissal and other temporary taxes which under existing law will expire in January was recommended to Congress today by President Roosevelt in his annual budget message.

In the absence of these levies, the President explained, is recommended "not because I regard them as ideal components of our tax structure, but because the collection has been perfected, our economy is adjusted to them, and we cannot afford at this time to sacrifice the revenue they represent."

If the Congress at this session should adopt new taxes more scientifically planned, he added, it is possible that the existence of these new taxes will enable us in a later year to give consideration to abolishing some of the present "nuisance" levies.

For the current fiscal year, Roosevelt disclosed, admission tax collections are expected to total only $18,400,000, as compared with $30,800,779 actually collected in the fiscal year 1938, but receipts are expected to increase to $19,500,000 during the 1939 fiscal year, which begins July 1, next.

Carried among the anticipated expenditures during the coming fiscal year are the usual items of $79,000 (Continued on page 4)

Edington Forms New Firm; Joins Universal

HOLLYWOOD, Jan. 5.—Harry Edington today announced formation of Famous Productions, Inc., which will make four to six pictures annually with top players and directors for Universal pictures.

Edington sold out his interests in Harry Edington-Frank Vincent, Inc., to Vincent and Charles K. Feldman to devote his time to production. In addition, he will arrange financing for other companies in which stars, directors and writers will share in the profits.

Edington as production executive identified with M-G-M handled the affairs of Geza Garbo, Grace Moore and others who now are expected to come under the Universal banner. He will make headquarters at Universal and plans production of three pictures this calendar year.
Purely Personal

Sir Adrian Baille, associate of Douglas Fairbanks, Sr., arrives today on the Washington's with Fairbanks. Other passengers are Bernhard Gardner, RCA managing director in London; Doris Keane, actress; Vera Berman, French film player, and Yvonne Georgi dancer.

Denis F. O'Brien and Edward C. Rafferty, attorneys for Mary Pickford, Douglas Fairbanks and Charles Chaplin, will leave New York today for the coast to attend the United Artists' stockholders meeting here Jan. 12.

J ef Vogel, David Loken, James Mulvey, Maurice Bergman, Horstene Schor, Charles Stern, at lunch yesterday, at Moore's.

Roger Ferris has canceled plans for a European trip. He will be Sunday with Miss Pam for a four-week stay in Miami.

Stanley Williamson has been transferred by 1Sam Handy to New York, in charge of retail sales training meetings.

Rex O'Malley, Paramount player, arrives in New York tomorrow for a vacation. While he here he will read several scripts.

T. B. Noble, Jr., head of State Theatres, Inc., Oklahoma City, and Mrs. Noble have left for a vacation cruise to Cuba.

Mr. and Mrs. Morris Kinzler, Fay Gillis, among dippers at Maison Maurice Ravelo, last night.

Harry Cox, Milton Hossfield, Ed Zabel, and Jerry Healy of National Theatres are in Florida.

Louis Phillips, Paramount attorney, returned to New York yesterday from Washington.

Will H. Hays plans to leave for the coast on his annual winter visit next weekend.

Harry Brandt has returned from Miami.

Journal, U. A. Plan Contest on "Winds" The New York Journal-American, in a tieup with United Artists, will conduct a contest in connection with "Trade Winds," which opens at the Music Hall Thursday, for the best reviews on the picture by a reader of the paper. There will be a prize offer, a round trip for two to Bermuda. Additional prizes will include two secondary prizes totaling $100. The contest in the newspaper will begin Monday and run through Friday. Closing time for the readers' reviews, it is understood, will be Sunday after the opening of the picture at the Music Hall.

Bogart Rogers Resigns Hollywood, Jan. 5.—Bogart Rog- ers, production and story adviser at Paramount, and former story editor, has resigned.

T he president of one of the major companies in his office one day, was surprised by a paragraph in one of the trade papers that it was his company's intention to hire the firm's advertising manager. This incensed the operating chief and, because the advertising manager was in Hollywood, he summoned the assistant to the advertising manager and ordered him to withdraw immediately all the company's advertising from the film, until the question was resolved.

And so the assistant advertising manager telephoned the editor of the trade paper and said: "Sir, we are withdrawing all our advertising from Sixty-two..."

"What advertising?" the editor exclaimed. "You can't had any advertising in our paper for at least a year and a half."

A nation-wide survey by the Ladies Home Journal, published in the February issue of that paper, shows that 77 per cent of the 37,000 women in the country think motion pictures are becoming more entertaining. The survey holds that no film of 1938 was offensively vulgar, an opinion rendered by 89 per cent of all the women. The survey was one of a series which the magazine has been conducting to discover the opinions of American women on the vital matters of the day. The magazine claims these figures prove that it will be scientifically accurate, and similar to the method which forecast the 1936 presidential election.

As a whole, the women were evenly divided on the question whether films should show women drinking. Sixty-six per cent of the farm women and 62 per cent of the small-town women object to such scenes. A similar difference of opinion existed on scenes of women smoking. Sixty-two per cent of the women had no objection to it, 57 per cent of the small-town women objected to such scenes. A similar difference of opinion existed on scenes of women smoking. Sixty-two per cent of the women had no objection to it, 57 per cent of the small-town women objected to such scenes.

It was the opinion of 91 per cent of the women that children under 14 should be allowed to see only recommended pictures. Sixty-one per cent of the women had no objection to pictures that would permit children from seeing more than one picture a week, and the curious part of it all is that 57 per cent of the women, a small majority, indicated no objection to commercal advertising on the screen.

From Washington we learn that the U. S. Treasury Dept. is assuming a rigid attitude regarding the filing of income tax returns, this year, on time. If any extensions for time are to be granted, it will be at the discretion of the department, and only upon a showing that filing March 15 will be physically impossible.

The most accepted reason for failure to file individual returns in time, according to the department explanation, will be ill health of the taxpayer, or the latter's unavoidable absence from the United States.

Corporations are expected to be on time with their reports, as the income tax form is designed to require returnants to prepare corporation returns on time will not be accepted.

It seems that an affidavit will be required stating the reasons for a taxpayer seeking more time to file his return.

Among the most fascinating sights of New York these days is the tearing down of the old Sixth Ave. El. West 53rd Street is now a street of lightless pillars of rusting in the distance is a view of a picture of some ancient excavation by archaeologists. A mobile derrick, probably three stories tall, lifts the broad steel girdles from the ground the welders with their torches sew the cross-beams from the up-rights. And below the trestles trucks are parked, ready to carry the new and old in and out of the old by-pass, but occasionally a radio patrol car will stop and remain near the scene of work for a few minutes, Passersby stop and watch the men working on the abandoned tracks. There is no more unusual scene of action in the city, and when it moves down Sixth Ave., millions are going to get an extra-free show.

The testimony of Lenox Lohr, president of NBC, before the FCC monopoly committee in Washington the other day that his company will ban all liquor advertising, seems to be in conformity with the aim of Rep. Collin (N. Y.) who introduced a bill in Congress on Tuesday, prohibiting liquor advertising by radio.

In the 15 major engagements thus far played by "Trade Winds," the picture has established an unusual record of having been held over or given encores in Chicago, in the Roosevelt Theatre, in its second week, the picture grossed $13,400, which is $2,000 better than the first week at a house where the average is $9,000.

Renominate Ellis as Head of Associates

Jack Ellis of RKO was renominated for a second term as president of the Motion Picture Associates at a meeting at the Hotel Lincoln yesterday. The motion was seconded with the exception of Jerry Wilson, who retires as first vice-president in favor of Joe Sanders. Others are: Matthew Cahan, second vice-president; Sol Trauner, treasurer; Lee Fraun, secretary; Charles Penser, financial secretary. 

Kutin resigns as sergeant-at-arms. Since there was no opposing the slate, nomination is tantamount to election.

Two trustees will be elected at the next meeting at the Lincoln Jan. 13. Nominees include Harry Buxbaum, Joe Lee, Seymour Schussel, William Stein, Nat Beier. Installation of officers will follow a week or two later.

The Associates have donated $250 to the Motion Picture Art Fund for German Refugees.

Bernstein Host to Drive Group Today

Members of the drive committee, announced the division in the campaign of the Federation for the Support of Jewish Philanthropic Societies of New York will be guests of David Bernstein, publisher of the Astor to drive group today. Bernstein, who is co-chairman for the division, urged all members to attend the luncheon meeting as it "was the last opportunity for our group, which has shown such a fine spirit of cooperation" to get together.

RKO District Heads Will Meet Tomorrow

RKO district managers will meet tomorrow and Sunday at the Waldorf-Astoria, with Jules Levy, general sales manager, presiding. Home office and department heads will be present in large numbers to address the meeting and the men will be given their first opportunity to meet George J. Schaefer, the company's operating vice-president.

Three films set for early release will be discussed. They are "Gunga Din," "Seven Great Men Votes" and "Love Affair."
SEALED FOR 100 YEARS!

It Took a Century to Make Them Talk About

DEVIL'S ISLAND

...Warners Filmed All They Told!
French Government May Take Hand In Paris Film Strike

PARIS, Jan. 5—Government intervention in the Paris theatre "strike" appeared likely today following a meeting of representative exhibitors with Vice-Prime Minister Chancellor Charles Delafield, who has remained in the absence of Premier Daladier, who is now in Tunisia. Chautemps urged the exhibitors to reopen the theatres at once, promising Government consideration of their "excessive" taxation problem which brought about the closings.

A second meeting today of film representatives and Government officials ended abruptly when Department of Finance officers accused the exhibitors of falsifying the strike figures, which would, the authorities at a time when the Government is in urgent need of new taxes, be especially damaging. Rebuffing the remaining adamant, are rejecting all promises and insist that the theatres will be kept closed until definite relief from the tax burden is granted.

Some members of the Municipal Council contend that the Government should reduce the state taxes on theatres first, which are twice as high as the provincial taxes. Idle theatre workers are now demanding that their pay be continued during the "strike" and are asking for the expulsion of "foreign" exhibitors from theatre operations in France.

Meanwhile, Paris night life is suffering from the theatre closings, with business at cafés, night clubs and restaurants at low levels. No increase in attendance at legitimate and vaudeville theatres has been noted.

Renew Ticket Tax, Roosevelt Urges

(Continued from page 1) for motion picture activities of the Department of Agriculture and $85,000 for motion picture service for the Navy. Of some interest to the film industry is an increase from $708,000 to $1,300,000 in the fund to be appropriated for the anti-trust division of the Department of Justice.

The Federal Communications Commission is to receive an appropriation of $2,038,175, compared with $1,745,000 for the current year, but no indication was given of the purpose of the increase other than that it will be applied to salaries and expenses.

19 Managers Freed of Sunday Charges

PHILADELPHIA, Jan. 5—Managers of 19 large picture houses were discharged by Magistrate McBride on a charge of giving shows after midnight, although the law forbids theatres to open before 2 P. M. on Sunday.

The judge expressed the belief that it was beyond his province to threaten open New Year's Eve, since it serves to keep people off the streets. D. Benjamin Kress, Warner attorney, represented the defendants.

Canada Theatres Now Number 1,310

Toronto, Jan. 5—There are now 1,310 theatres in the Dominion, according to the year-end statistics of the Toronto Film Board of Trade. Of this number, 53 theatres are closed, leaving 1,257 houses open throughout the country. According to the report, this represents an increase of 25 per cent over the total at the end of 1937.

The number of theatres in Canada that closed was 1,830 and the report shows a net increase in active theatres for the two years of approximately 250.

Industry's investment in plays and stories for motion picture production during the year numbered nearly $510,000 from the $3,240,000 spent for source material during the preceding year.

The 1938 expenditure, amounting to $2,730,000, purchased 460 story properties, less than the 632 purchased during 1937. Original stories comprised more than half of the material purchased. Novel rights numbered 57, and plays, 30. The novels acquired represented a gain of 26 per cent over 1937 in this type of source material; magazine story purchases remained at the same level as for the preceding year, while play purchases declined during the year to their lowest level in the past four years. This material accounted for only five per cent of the total, compared with 75 plays, or 10 per cent of the 1937 total, and 58 plays, or six per cent of the total, in 1936.

Sherman Will Make 6 Cassidy Pictures

HOLLYWOOD, Jan. 5—Harry Sherman, producer of Paramount's Hopalong Cassidy and Zane Grey pictures, has signed to make six Hopalong Cassidy and two Grey pictures this year. William Boyd will be starred as Hopalong. Sherman has signed Russell Harlan, cameraman, to a new contract. Sherman has gone to St. Louis to attend to the three-day Paramount sales managers' meeting opening Saturday.

Chase Sells 50,400 Shares of 20th-Fox

WASHINGTON, Jan. 5—Disposition of 50,400 shares of 20th-Century-Fox common stock by the Chase National Bank, which holds its holdings to 236,758 shares, was disclosed today by the Securities and Exchange Commission in its semi-monthly summary.

Other transactions in 20th-Century-Fox common reported by the commission included holding of 10,000 shares by William Goetz, Los Angeles, reducing his holdings to 10,000, and additions of 4,000 shares by Darryl F. Zanuck, whose holdings were reduced to 122,130, shares. Disposition of 100 shares of General Theatres Equipment Corp. common stock by Edward C. Delahfield, New York, director, who holds 100 shares of the month held 100 shares; disposition of 100 shares of Loew's, Inc., common by Isidore Frey, New York, director, whose holdings were reduced to 300 shares, and 600 shares of the same stock by Charles C. Mosko- witz, director, who held 600 shares at the close of November.

Other transactions reported were the disposition of 1,000 preferred trust certificates in Universal Corp. by Daniel M. Sheaff, Philadelphia, director, whose holdings were increased to 10,000; disposition of 100 shares of Universal Pictures first preferred stock by Preston Davies, New York, director, who theretofore had held no such securities.

Judge Bandy Hears

RKQ Modifications

(Continued from page 1)

approved, with at position. Judge Bandy also allowed Radio Corp. of America to file a claim for $18,000 paid by it for taxes covering the transfer of securities to the Thomas Tax, for $1,850; and G. B. Frawley, Don Velec, Abe Moss, Fred Leroy, Jack Roper, Herman Lorber, and District Managers M. S. Kussell and W. H. Ehrb.

The home office group will be met in the third district by managers H. H. Goldstein, Cleveland; R. C. L. Beaux, Kansas City; H. W. Braly, Dallas; G. A. Smith, Los Angeles; Ben Mosko, Allen Usher, Chicago; Harold F. Wilks, Atlanta, and M. A. Milligan, Toronto, with the possibility of a new office being opened in the Canadian province.

Two Seeking $75,000

In Radio-Vaude Suit

Suit involving a plan to obtain participation of radio advertisers in vaudeville production was revealed in the N. Y. Supreme Court when Fanchon & Marco, Inc., defendants, applied for a motion to remove action to trial on the theory of diversity of citizenship. Defendants are Mosko and Milton Feld in Los Angeles. Sidney C. Davidson and Fred Schub, plaintiffs, seek $75,000 in damages, claiming that the defendants breached a contract whereby the plaintiffs were to negotiate with radio advertisers to participate in a vaudeville show called "Aladdin in Radioland," which would stage animated packages depicting radio advertisers' products.

Economic Unit Is Likely to Resume Study of Patents

WASHINGTON, Jan. 5—Despite reports that the Temporary National Economic Committee had completed its study of patents, for the time being, at least, Patent Office officials today were said to be compiling material on the subject, with indications that the probe, which last month covered motion picture, automobile and glass container industries, will be resumed when the committee resumes its hearings Jan. 16.

If the subject is revived, it was said, Patent Commissioner Coe will be prepared to submit "case studies" of patent experience in various industries, with the possibility that the situation in radio, and perhaps also in motion pictures, will be laid before the committee. About a week would be required for the Patent Office to present all its data, it was stated.

A number of other Federal agencies also are said to have pushed their studies to a point where they are ready to go before the committee. Wage and unemployment data have been compiled by the Department of Labor, and a number of industry studies have been completed by the Federal Trade Commission.

Para. Group Off to St. Louis Sales Meet

Paramount home office sales delegation have left for the company's three-day district sales managers meeting in St. Louis, beginning to-morrow.

In the home office delegation will be Neil Agnew, sales manager, who will be accompanied by managers J. A. Unger, Charles Reagan and Oscar Morgan; Robert M. Gillham, director of advertising and publicity; G. B. Frawley, Don Velec, Abe Moss, Fred Leroy, Jack Roper, Herman Lorber, and District Managers M. S. Kussell and W. H. Ehrb.

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President Roosevelt's address to the 76th Congress is the chief subject covered in the new issues of all the newsreels. Rose Bowl, Cotton Bowl, Sugar Bowl, and Orange Bowl games, included in the reels, climax that sport for the season. The reel titles are "Rose Bowl," "Sugar Bowl," and "Orange Bowl."
Sweethearts’ Is Denver Sensation, Grossing $17,000

DENVER, Jan. 5.—“Sweethearts” stood them up at the Orpheum, and established the second largest gross for the 12-day period, taking $12,000, in a week of generally good houses.

“Trade Winds” drew $4,000 at the Aladdin, and the dual of “Up the River” and “Blondie” brought a strong $5,000 to the Paramount.

Estimates for the week ending Jan. 4th:

Artists and Music (Col.

ALADDIN—1,550 (25c-50c-75c) 7 days. Gross: $7,750. Average: $1,000.

Tom Sawyer, Detective (Para.

DENHAM—1,750 (25c-45c-60c) 7 days. Gross: $9,450. Average: $1,350.

Dawn Patrol” (W. B.

DENVER—(25c) 5 days. Gross: $8,500. Average: $1,700.

“Swinging With Fate” (M-G-M)

ORPHEUM—(25c-40c-55c) 4 days. Gross: $17,000. Average: $4,250.

“Shirley Logan” (M-G-M)

ORPHEUM—(25c-35c-40c) 5 days. Gross: $18,000. Average: $3,600.

“White Hound” (M-G-M)

ORPHEUM—(25c-35c-40c) 5 days. Gross: $15,000. Average: $3,000.

“Her Exciting Night” (Univ.

RIALTO—(25c-35c-40c) 7 days; “Submarine Patrol” (Col. 7 days. Gross: $2,500. Average: $350.

‘Hardy’s’ Is Smash

BUFFALO, Jan. 5.—Holiday week takings here were spotty. “Out West with the Hardys” did a smash $25,000.

The Century made a profitable exception in its usual deal policy with “Angels with Dirty Faces” in a return engagement on a single bill and earned $10,000.

The Lammont dual “Storm with Swing, Sister Storm” and took $9,000.

Estimated takings for the week ending Dec. 31:

“Out West with the Hardys” (M-G-M)

BUFFALO—(25c-50c-75c) 7 days. Gross: $25,000. (Average, $3,570.)

“Frontier Fighters” and “The Last Round-Up” (Col. 7 days. Gross: $2,000. (Average, $275.)

GREAT LAKES—(30c-50c-75c) 7 days. Gross: $5,000. (Average, $700.)

“Thanks for Everything” (20th-Fox)

HIPPODROME—(25c-40c-55c) 7 days. Gross: $4,000. (Average, $570.)

“Angels with Dirty Faces” (W. B.

COLUMBUS—(25c-40c-55c) 7 days. Gross: $1,200. (Average, $170.)

The Storm’ (Univ.

BUFFALO—(25c-35c-40c) 7 days. Gross: $1,500. (Average, $210.)

Suits Over Showing Of Short Dismissed

Two suits against Weinberg Enterprises, Inc., which formerly owned the Cameo, Yonkers, and Josephine theatres, charging unlicensed exhibition of 20 pictures, were dismissed by Federal Judge John C. Knox for failure to prosecute.

The theatres had closed out court some time ago. Weinberg relinquished operation of the theatre more than a year ago. The plaintiffs were Universal, Big Film Exchange, United Artists and Walt Disney Productions. The actions asked for at least $250 damages for each alleged exhibition.

Charter Three Firms

ALBANY, Jan. 5.—Three film companies have been chartered here, Alma American, Inc., Relikin Film Corp. and Arc Amusement Corp., all of New York City.

W.E. English Rate Cut

LONDON, Jan. 5.—Reductions in service charges went into effect for Western Electric licensees with the beginning of the new year.

Out Hollywood Way

HOLLYWOOD, Jan. 5.—Loretta Young and her three sisters go into 20th Century-Fox’s “A Dangerous Woman,” with Brian Donlevy.

They are Polly Ann Young, Georgia Young and Sally Young, and, of course, Loretta. They are being trained by Ronald Reagan, who directed the picture, and Douglas Fairbanks, who is in charge of the Fox studio for the moment.

“Skylark” has been delayed due to contracted travel arrangements.

RKO has signed a contract with Richard Lang to “In the Navy,” Paramount.

Anthony Allen and Ralph Morgan to “Fast and Loose,” and Walter Farley to the title role in “The Roaring Road,” short, M-G-M.

William Collier, Sr., to “Fred from Missouri,” Paramount.

Directors—Michael Curtiz has been assigned to direct Warner’s remake of “The Divine Sea Hawk.” Aubrey Scotto will interpret the title role in “The Divine Sea Hawk” at the Warner Bros. lot.

“The Devil’s Own” starring Clark Gable and Tallulah Bankhead will also be made by Warner Bros.

‘Hour’ at $10,000

Clicks on Montreal

MONTREAL, Jan. 5.—“The Shining Hour,” the second musical of the season, opened at the imperial Theatre.

“Casting” is the word. The show has already set the pace for an early spring opening in the city.

“Waltz Time” was the second offering of the season, and “Westward Passage” is scheduled for the third act of the run.

Stage is set for the production of the show, and tickets are already being sold at a premium.

Walters’ Product Talks Open Monday

NEW YORK, Jan. 5.—Walters’ product, “The Shining Hour,” will open at the Capitol Theatre, with a cast of over 500.

The show is a musical comedy, and the production is under the direction of Walter L. Walters.

The show is expected to be completed by May 1. Owners are Edward Sholendon and Morris Popkin.

Ohio Censors Cut 57 Reels and Reject 10

COLUMBUS, Jan. 5.—The Ohio censors, in a recent session, cut 57 reels, and rejected 10, in December, from which 57 eliminations were ordered. Ten reels were rejected. This compares with 605 reels reviewed, 47 eliminations ordered, and 16 reels rejected in November, while in December, there were 701 reels with 30 eliminations.

During 1938, there was a total of 6,243 reels reviewed, and 365 eliminations ordered. The 1939 figures are 7,457 reels and 397 eliminations.

Theatre Changes

Two in Wisconsin

MILWAUKEE, Jan. 5.—New Wisconsin theatre, the new Rialto, will house the Rialto and the Century, and the Rialto and the Academy.

The new theatre is operated by I. C. Anderson, former Chipewa Falls, Wis., theatre manager.

OPEN IN WATERBURY

WATERBURY, Conn., Jan. 5.—Nick Massobio will be operating the 700-seat Garden as the Plaza. The theatre has been closed for some time, and will change its policy to third run, four changes weekly, 10 to 20 cents admission.

NEW YOUNGSTOWN HOUSE

YOUNGSTOWN, O., Jan. 5.—Foster, new house here, has opened. It represents an investment of approximately $100,000. Operators are Joseph vento, president; Herman Feller, secretary, and C. C. Chofin director. J. C. Fisher is manager.

OPEN IN MIAMI BEACH

MIAMI BEACH, Jan. 5.—The new Sunflower theatre, which has been opened, is the second unit of the Cameo circuit to be erected by Herman Weinrurth here.

PLAN BROOKLYN HOUSE

Building containing a theatre with 1,500 seats will be the Brooklyn House, at the east corner of Clinton and Centre Sts., Brooklyn, near the Red Hound housing development, William Hohans is the architect.

REOPENS IN BELLEVILLE

BELLEVILLE, O., Jan. 5.—A F. Ramsey, of Mansfeld, has reopened the Park here and will operate it Wednesday and Saturday evenings.

TO OPEN IN PLAINFIELD

Strand in Plainfield, N. J., will open Jan. 23 following re-seating and general alterations at a cost of $20,000.

NEMO READY MAY

Woodbourne, N. Y., Jan. 5.—Construction of a second theatre house is expected to be completed by May 1. Owners are Edward Sholendon and Morris Popkin.

Reade Plans Vaudeville

Stage shows comprising an orchestra and ten acts are planned for three Walter Reade houses, the Broadway, Kingston, starting Jan. 18; Community, Hudson, Jan. 20. George Sergeant’s band will be featured, once weekly at each house.
<table>
<thead>
<tr>
<th>Date</th>
<th>Columbia</th>
<th>M-G-M</th>
<th>Monogram</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>Dec. 2</td>
<td>Terror of Tiny Town (G) (O)</td>
<td>J. E. B.</td>
<td>Bobbe</td>
<td>Little Orphan Annie (G) (C)</td>
<td>Come On, Rangers (G) (O)</td>
<td>Road Demon (G) (D)</td>
<td>Strange Faces (G) (D)</td>
<td>Comet Over Broadway (G) (D)</td>
<td>G. B.</td>
</tr>
<tr>
<td>Dec. 9</td>
<td>Rio Grande (O)</td>
<td>Charles Starrett</td>
<td>Ann Doran</td>
<td>Dramatic School (A) (D)</td>
<td>Ride a Crooked Mile (G) (D)</td>
<td>Up the River (G) (C)</td>
<td>Secretary of the Air (G) (D)</td>
<td>Jessie Matthews</td>
<td></td>
</tr>
<tr>
<td>Dec. 16</td>
<td>Strange Case of Dr. Meade (O)</td>
<td>Jack Holt</td>
<td>California Frontier (O)</td>
<td>A Christmas Carol (G) (D)</td>
<td>I Am a Criminal (G) (D)</td>
<td>Down on the Farm (G) (C)</td>
<td>Heart of the North (G) (D)</td>
<td>Michael Redgrave</td>
<td></td>
</tr>
<tr>
<td>Dec. 23</td>
<td>There's That Woman Again (G) (C)</td>
<td>Bruce</td>
<td>Bruce Bruce</td>
<td>The Girl Downstairs (G) (C)</td>
<td>Blood Money (D)</td>
<td>Thanks for Everything (G) (C)</td>
<td>Secret Service of the Air Reprints (G) (D)</td>
<td>James Cagney</td>
<td></td>
</tr>
<tr>
<td>Dec. 30</td>
<td>Smashing the Spy Ring (O)</td>
<td>Roy Wray</td>
<td>Ralph Bellamy</td>
<td>Stand Up and Fight (G) (D)</td>
<td>Disbarred (G) (D)</td>
<td>Fighting Thoroughbreds (G) (D)</td>
<td>Duke of West Point (G) (D)</td>
<td>Dick Foran</td>
<td></td>
</tr>
<tr>
<td>Jan. 6</td>
<td>Homicide Bureau (O)</td>
<td>Bruce Cabot</td>
<td>Bruce Cabot</td>
<td>Convict's Code (G) (M)</td>
<td>Zaza (A) (D)</td>
<td>Mysterious Miss X (D)</td>
<td>Last Warning (G) (D)</td>
<td>Hal Roach</td>
<td></td>
</tr>
<tr>
<td>Jan. 13</td>
<td>The Thundering West (O)</td>
<td>Starrett</td>
<td>Meredith</td>
<td>Burr 'Em Up O'Connor (G)</td>
<td>Zaza (A) (D)</td>
<td>The Great Man Votes (G) (D)</td>
<td>Son of Frankenstein \n</td>
<td>Jan. 20</td>
<td>Frontiers of '49 (O)</td>
</tr>
<tr>
<td>Jan. 27</td>
<td>Lone Wolf (O)</td>
<td>Spy Hunt</td>
<td>Warren Williams</td>
<td>Sundown on the Prairie (G)</td>
<td>Paris Honeymoon (G) (D)</td>
<td>Pride of the Navy (G) (D)</td>
<td>Off the Record (G) (D)</td>
<td>G. B.</td>
<td></td>
</tr>
<tr>
<td>Feb. 3</td>
<td>Honolulu (O)</td>
<td>Eleanor Powell</td>
<td>Robert Young</td>
<td>Navy Secrets (G) (D)</td>
<td>Boy Trouble (G)</td>
<td>Fisherman's Wharf (G) (D)</td>
<td>Pirates of the Skies (G) (D)</td>
<td>Torchy in Chinatown (G) (O)</td>
<td>G. B.</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.
Walters Plan Poll To Determine Value Of Younger Players

Warner Bros. intends to consult public opinion in a nation-wide audience poll, to take six months, whereby W. B. films are played, to determine the future audience worth of the younger players. The checkup will include exhibitor points of view as well as those of the Federal office employed as a checkup guide to Jack L. Warner and Hal B. Wallis, in determining the eventual production assignments of these players.

The public and exhibitors will be asked to indicate their views on which of the W. B. players want to see them back in some box-office draws. These players will include John Garfield, Jeffrey Lynn, Frances Langford, Edgar Allan, Geraldine Page, Jane Wyman, Marie Wilson, Rosella Towne, Bonita Granville and John Beal.

Through pamphlets to be distributed directly to audiences and by notice on the screen, patrons will be asked to comment on the players and leave their comment with the theatre management.


L. T. O. Leads Fight On Tax Rise in Ohio

COLUMBUS, Jan. 5—With the incoming legislature facing the problem of increasing taxes or finding new sources of income to meet a deficit of several million dollars, theatre owners in all parts of the state are making known their suggestions to meet the present three per cent state admission tax.

Determined to prevent any attempt to raise the sales of the theatre, the group is increasing the cost of administering the state government, independent Theatre Owners of Ohio, under the direction of their secretary, P. J. Wood, are leading the fight against increasing the tax. Members have been instructed to contact their senators and representatives and urge them to oppose unfair taxation.

Principal threat is the group from smaller counties which has insisted such a wealthy industry as the motion picture business can afford to pay more of the cost of government.

Saland and Katzman Set Deal on 20 Films

HOLLYWOOD, Jan. 5—Sam Saland, president of Mercury Laboratory, and New York, and to-day completed a deal with Sam Katzman of Modern Pictures, under which Katzman will produce 12 features and eight westerns. Saland, who also is distributor for Katzman's International Pictures, will take the group on a one-year basis. First is due for delivery April 14. Saland will return to New York tomorrow or Saturday.

Hear North Dakota Appeal Next March

WASHINGTON, Jan. 5—Appeal arguments on the North Dakota affiliated theatre divorce law will be heard by the U. S. Supreme Court on May 11, it was disclosed today with the filling of the appeal papers in the high court.

Two theatre subsidiaries affected by the North Dakota law, Minnesota and American Amusement Companies, are appealing from the Federal circuit, and it is expected that the decision upholding the legality of the statute requiring the separation of exhibition and production and distribution interests will be reversed.

Want Denver Church Operators Licensed

DENVER, Jan. 5—Headed by Harry Huffman, Fox city manager, a number of theatre managers asked the City Council to pass a law making it mandatory for all film exhibition, such as churches and clubs, in the city to have a license. Pointed out that Denver theatres employ 1,000, and pay $29,000 in taxes, and are forced to conform to all building and fire regulations, and no more than rights, as well as a protection to patrons of charity shows, that they obey the same regulations. The council took the proposal under advisement.

Selig Group Obtains French Film Rights


The group is considering acquiring the rights to four additional productions, Selig said.

Carleton Brewer Dies

Carleton E. Brewer, pioneer Long Island exhibitor, was killed Wednesday in an automobile accident near Smyrna, Fla., according to word received here yesterday. His brother, Eugene Valentine Brewer, former head of the Selig organization, was last year.

Jutt's Joins Audio

Chicago's Irving, former vice-president of Pathetic Co. of America, has joined Audio Productions, Inc., in an executive capacity, the appointment being made by Frank K. Speclet, president.

121 Key City Houses Gross $1,367,894 in Holiday Week

An aggregate gross of $1,367,894 was recorded by 121 first-run theatre houses in 121 major cities of the country during the Christmas-New Year's week this year, which compares with a total gross of $1,527,459 from 121 houses in 1937. Based on the average per theatre, if 121 theatres had reported this year, the 1938 holiday total would have been only $144,345 under the 1927 holiday week.

Following is a comparative tabulation of the 20 cities:

<table>
<thead>
<tr>
<th>City</th>
<th>Holiday Week 1933</th>
<th>Holiday Week 1932</th>
<th>Gross Th.</th>
<th>Gross Th.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boston</td>
<td>$83,500</td>
<td>$100,000</td>
<td></td>
<td></td>
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<tr>
<td>Buffalo</td>
<td>55,000</td>
<td>71,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chicago</td>
<td>116,800</td>
<td>143,000</td>
<td></td>
<td></td>
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<tr>
<td>Cincinnati</td>
<td>42,500</td>
<td>63,300</td>
<td></td>
<td></td>
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<tr>
<td>Detroit</td>
<td>29,500</td>
<td>39,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kansas City</td>
<td>34,000</td>
<td>45,700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>313,100</td>
<td>270,000</td>
<td></td>
<td></td>
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<tr>
<td>Milwaukee</td>
<td>32,100</td>
<td>35,500</td>
<td></td>
<td></td>
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<tr>
<td>Montreal</td>
<td>39,900</td>
<td>50,900</td>
<td></td>
<td></td>
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<tr>
<td>New Haven</td>
<td>33,400</td>
<td>44,800</td>
<td></td>
<td></td>
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<tr>
<td>Philadelphia</td>
<td>96,000</td>
<td>112,000</td>
<td></td>
<td></td>
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<tr>
<td>St. Louis</td>
<td>31,500</td>
<td>34,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Detroit</td>
<td>38,700</td>
<td>35,600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>San Francisco</td>
<td>11,500</td>
<td>16,700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seattle</td>
<td>32,800</td>
<td>31,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>52,000</td>
<td>59,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTALS: $1,367,894 121 $1,527,459 125

Sunday Films to Be Permitted in Ontario Province

TORONTO, Jan. 5—The new year will see the introduction of Sunday films in the province of Ontario, according to declarations of both the Attorney-General, Mr. Conant, and the Provincial Solicitor-General, Mr. Burke, who have declared themselves in favor of the new law similar to that enjoyed in the United States and in the province of Quebec. The proposal is to take advantage of a clause in the theatre act providing for a provincial government to authorize Sunday performances or sports and it has been suggested that theatres and ball parks be permitted to open after 2 P.M.

It is felt that our people should have an opportunity for some recreation and amusement that they should be compelled to pass the whole day under the restraint that now exists," Conant declared. "If games and performances were permitted, after a while, I am inclined to think that the good to be accomplished would far more than offset any disadvantage or detriment that might result.".

Premier Hepburn announced that the Government was considering the question of Sunday activities on Sundays, declaring that "our blue laws are in need of complete overhaul."
Canada Nazi Talk Over CKAC Leads To Action by CBC

MONTEAL, Jan. 5.—On orders from Ottawa, station CKAC here has forwarded to Glucksman Murray, head of the Canadian Broadcasting Corp., a copy of the New Year’s Day address by Karl Brandt, foreign minister of the Nazi party for eastern Canada and acting German Consul.

Station officials admit the speech had not been read by them before presentation. The corporation is to decide on whether the rules governing broadcasting have been transgressed.

Dannenberg’s speech, addressed to compatriots here, hailed Hitler. It has evoked criticism from listeners and other consuls are said to be planning diplomatic representation to Ottawa.

One CKAC official explains the time on the air was offered free to Dannenberg along with nine other local consuls as an auspicious gesture of the station. It was also said the words were not read by the station due lack of interpreters and expectations that other consuls, too, would read their statements within Dannenberg’s agitprop admittance of leadership of party unless he specifies the capacity in which he spoke in the capacity of consul and not feeder.

Samuel Paley Gets 26,000 CBS Shares

WASHINGTON, Jan. 5.—Exchange by Samuel Paley, Philadelphia, director, of 20,000 Columbia Broadcasting System, Class A, voting trust certificates for an equal number of Class B stock in November was reported today by the Securities and Exchange Commission.

The report showed also that Jacob Paley, Los Angeles, director, in October had made a similar exchange of 33,362 voting trust certificates for stock.

Other transactions in CBS securities were those of the disposition by Prescott S. Bush, New York, director, of 10 shares of Class A stock held through Brown Bros. Harris & Company and four shares held through an investment corporation, and of nine shares of Class B held through Brown Bros. Harriman & Co., transferred through an investment corporation.

Levy, Philadelphia, director, reported the disposition by gift of 118 shares of Class B stock, reducing his holdings to 44,412 shares.

WCKY Shifts Fosdick

CINCINNATI, Jan. 5.—Inability to attract Dr. Harry Emerson Fosdick’s “National Vespers” because of other commercial commitments from 4:30 P.M., Sundays, WCKY, “operating in the public interest,” will broach a new program at 6:30 P.M., on Sundays.

Burling Record

CINCINNATI, Jan. 5.—Dewey Long was home from Charlotte, N. C., three months ago, as general manager of WCHB. He has been home visited by burglars six times within that period. He claims this is a record.

Radio Personnel

SAN FRANCISCO, Jan. 5.—Frank Drake, president of the Gulf Oil Co., arrived today to put the final signature on agreement under which Screen Guild short-rocket will speak from Buffalos. John W. Bricker, Governor-elect of Ohio, one of the early teach- ers on the program, will be heard from WENX, Columbus, while Joseph Rex, educational director, and William Dow Boutilier, director of the Radio Workshop, will participate from the local station.

Drake on Coast to Sign for Gulf Show

HOBBY, Jan. 5.—Colonel J. Frank Drake, president of the Gulf Oil Co., arrived today to put the final signature on agreement under which Screen Guild short-rocket will speak from Buffalos.

Kirkman Renews Its ‘Rhythms’ Over WOR

Kirkman & Son, through the N. W. Ayer agency, has renewed its program “Restful Rhythms,” on WOR. Program is heard three times weekly.

New York Telephone Co. has renewed its participation in the Martha Densmeier program, effective Jan. 6.

Hearth Trio on CBC

Milton Heath and Trio have been sign for a series of “Lights Up and Listen” broadcasts to be heard over the entire Canadian Broadcasting Corp. network in transcription form. Programs are to be sponsored by the Imperial Tobacco Co.

Connolly Joins CBS

Tom D. Connolly, recently resigned as advertising manager of Abraham and Straus department store, will join the sales promotion department at CBS in an executive capacity. Victor Ratner is sales promotion chief.

RCA Promotes Walker

Frank Walker has been appointed manager of the RCA Victor and Bluebird Record department. Additionally, he will continue as manager of Victor’s broadcast transcription activities.

FCC Calendar

WASHINGTON, Jan. 5.—Application for authority to change frequency from 1,270 to 630 kilocycles and increase power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day has been filed by the Federal Communications Commission.

Of the toughest ordes on file today is a petition by Ted McGinnis which asks that the call letters of the station be changed to WNYA in order to honor the memory of a man who is about to be introduced. Which is an application for an engineering degree in electrical engineering by Engineer, John V. S. O. Jones.

CBS production department is helping engineer MacDonald Nye change his name. When an engineer is ready to be called by his first name he is called by his telephone he is called by the name of the studio from which his signal is coming. So it’s quite confusing when Nye announces the telephone and actually: "Nyea-2." or "Nyea-10".

NBC’s action in banning beer and liquor advertising from its network is plainly a gesture intended to impress the F. C. C. for beer and liquor advertising have been banned from buy NBC network time for a number of years past—since Ben Bernie quit broadcasting for Pabst. The action will not affect the beer business carried on single NBC stations, such as the Rupert’s show.

Article on television in the current Liberty, bearing Major Lohn’s by-line, represents the editorial effort of several of the lads in the press department and Chief Engineer Hanson. Liberty sent Lohn a check for $500 for the article, but he returned it with a request that it be donated to charity.

WoXIr, Grand little New York station, doubled its sales of time in 1938 over 1937, a reward the station is receiving for its undauntedness by bailiff hearings on networks and the local independent stations, dialing to WoXIr a restless experience.

For the third consecutive year on the anniversary of his departure, John S. Young will be the M. C. Jack Banner
Ticket Tax to Wait Study of Income Totals

Capital Sees Continuance on Roosevelt's Plea

WASHINGTON, Jan. 8.—Little doubt was held here but that the admission tax and other temporary levies would be continued after the recommendation to this effect in President Roosevelt's annual budget message. However, Representative Dougherty, N. C. chairman of the House Ways and Means Committee, said that action on the President's tax recommendations would be held in abeyance until the Treasury has had an opportunity to study income returns which are to be filed by March 15.

Indications are that the Committee also is hopeful that some of the annual appropriation bills will have been enacted by that time. This would permit determination of whether Congress is going to cut the President's recommendations for expenditures.

Hope is being voiced in some quarters that no new levies will be needed to raise the $432,000,000 asked for by the President.

RKO Managers Hold Two-Day Sales Meet

Two-day meeting of RKO district managers wound up yesterday at the Waldorf Astoria after planning campaigns for early releases, "Gunga Din," "The Great Man Votes," "Love Affair" and "The Castle." George Schaefer, operating head of RKO, addressed the meeting which was attended by about 40 persons.


Radio on Page 8

KORDA TO PRODUCE CHIEFLY ON COAST

Annual Convention Of Variety Clubs in Detroit, April 21

Series of U. A. Meetings Begin in Hollywood This Week

Advices from London indicate that Alexander Korda, hereafter, with the approval of his bankers, and at his own request, will concentrate most of his production activity in America. This would mean that in the future, except for pictures to be produced by London Films, and the new Fairbanks-International (Albion) unit, all of the United Artists product will be made in Hollywood.

It is understood that Korda, for some time, has been anxious to be relieved of his heavy operating duties so that he can concentrate on production activities. His London bankers have agreed to this according to the fullest financial limit in this respect.

Korda is managing director of London Films.

Two Films Yearly

London's indications are that Korda will make at least two films yearly here for U. A. release.

His first film may be " Thief of Baghdad," with Joseph Calle and an American actress. Another film will be made with Merle Oberon.

By far the biggest array of United Artists executives will congregate in Hollywood this week for new season product conferences, a stockholders' meeting on Jan. 21, and possibly also a meeting of the board of directors. All of the U. A. producers, their business

(Continued on page 4)

N. Y. Allied to Hold Buffalo Meet Today

First of three regional meetings by New York Allied will be held today at the Statler Hotel, Buffalo. Others are scheduled for Jan. 23 at the Ten Eyck, Albany, and Jan. 25 at the Syracuse Hotel, Syracuse.

The three units are to elect regional vice-chairmen at the meetings. Organizational and legislative matters will be discussed.

The New York Allied today is one of the most important exhibitor units of the country having a membership of 182, under the leadership of Max A. Cohen. This importance was indicated at a meeting of Allied at Buffalo some weeks ago at which there were more than 20 representatives of the major companies present including William F. Rodgers, sales chief of Metro, and William Sussman of 20th-Century-Fox.
Insiders’ Outlook

By SAM SHAIN

BUSINESS in the downtown theatres of Washington was off approximately 30 percent between noon and three o’clock on the day President Roosevelt addressed Congress. According to theatre men’s check of the “f” Street box offices, there were ten thousand regular patrons who stayed away from houses and had their ears glued to the radio loudspeakers.

In Milwaukee 24 theatres affiliated with the Independent Theatres Protective Association of Wisconsin advised their county law enforcement officials that they will discontinue games of chance providing that churches, fraternal and benevolent societies also halt the games.

For moral, ethical and sound business reasons, we would like to see chance games entirely eliminated from the city and county of Milwaukee.

In laws be enforced impartially by public officials, a resolution declared. Operation of lotteries or games forbidden by city and state laws.

State Senator Gordon Klem- gart of Wisconsin, a wheat farmer from Palouse, is going to take sound motion pictures in color of the Washington State Legislature in session in Olympia some time this month. Klem- gart’s hobby is photography. He is a conservative, and his reasons for taking these pictures of the legislature, which is presided over by Lienhart. Vic Meyers, Seattle orchestra leader, are: “If the of the pictures could be recorded on the screen the antics of some of the men they send to represent them in the legislature, and if they could hear some of the speeches which are made, they might be a general housecleaning at election time.”

Just for the record—a three-judge Federal Court at Milwau- kee issued a permanent injunction restraining Wisconsin officials from enforcing the state’s 1935 statute prohibiting the designation by distributors of preferred playing time in their exhibition contracts. A tempo- rary injunction has been in force before.

Seven major distributors were complainants in the action. The court ruled the statute void in that if deprived distributors of rights accorded them by the Federal Copyright law.

Charles Skouras is a firm be- liever in consolidation. Before leaving for Europe on Saturday, he talked about the successful conciliation scheme set up on the West Coast to settle disputes be- tween Fox West Coast and in- dependents. A three-member board is in operation, with the cooperation of the I.T.O. of Southern California.

William Fox Refugees in Fay’s, Providence

The entire troupe of the WHN Refugee Theatre of the Air has been booked by Ed Fay for a week’s en- gagement at Fay’s Theatre, Providence, starting Friday. The booking marks their theatrical engagement for the group of 15 performers, all of whom are refugees from persecuted European areas.

Though engaged only in radio work on WHN heretofore, members of the troupe are professionals and are available for theatre bookings.

20th-Fox Putting Up 3 Branch Buildings

New branch buildings are being constructed by 20th-Fox for a total of Chicago, Milwaukee and Seattle. They will be opened in the spring or early summer. The Chicago building will be located in the new film district and is scheduled for opening in June. The others will be ready in April or May.

New branch buildings are contemplated for Albany, Cincinnati and Indianap-olis. Los Angeles and Detroit exchanges are to be air conditioned this summer. The work is under the direction of E. H. McFarland, construction engineer.

Entertainment Night Ruled Conn. Lottery

TROUVILLE, Conn., Jan. 8.—Ruling that the Department of Gaming program be- under the state laws against lotteries, Judge Origen S. Seymour of the Connecticut Supreme Court this week ruled that the breach of contract suit brought by Reviewers, Inc. against J. W. Faith, operator of the Mayfair here. The case is based on an agreement by the Supreme Court of Errors in a Bank Night test case.

The complaint sought a $240 bal- ance allegedly due under a contract with the copyright holders.

Walters’ Product Meeting Postponed

Meeting of Warner east and west coast executives on the 1939-40 program has been postponed. Eastern officials, headed by Gradwell L. Sears, sales head, may make a trip to New York new month. Sam Ben- Morin, foreign chief, may go to the coast earlier.

Raise $67,500 in Drive

CHICAGO, Jan. 8.—Amusement Divi- sion of Jewish Welfare Fund here raised $67,500 at a meeting of exhibitors. The division quota is $100,000.

Columbia's Annual Drive Opens Today

Columbia’s annual sales drive opens under way today and continues for 10 weeks through March 18. The drive has been designated “Columbia’s Pleasure Mission” and is wholly under the supervision of the individual sales personnel in the field.

All distributors, accessories sales man- agers, carriers, and dealers on a tour of the company’s eastern exchanges, where they will assist with plans for launching, selling and carrying on the sales drives. He will be away about four weeks, visiting Boston, Atlanta, Baltimore, Buffalo, Cleveland, Pittsburgh and Philadelphia exchanges.

Hutchinson to Coast

Walter J. Hutchinson, director of foreign distribution for 20th-Century-Fox, leaves today for London, where he will spend the next two weeks confer- ing with distributors.<ref>

PICTURE DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; JAMES A. CRON, Advertising Manager.


Marino Moves Office

San Marino, producer of one-reel short subjects, has moved his head- quarters to 723 Seventh Ave. Marino will start shooting on two new sub- jects, "All Girl Football Team" and "The Woman of the Year," in the next month. They will be distributed by Philip Lewis of American Trading Association.

MOTION PICTURE DAILY

Monday, January 9, 1939

WASHINGTON, D. C.

NICHOLAS M. SCHENCK, presi- dent of M-G-M, and William F. Rogers, general sales manager, are due today from a week’s trip to the coast. Howard Dietz, advertising and publicity head, is also due today from studio conferences.

James F. Patterson, assistant sales manager for 20th-Century-Fox, and Edward Cohen, Ecuador manager, are observing operations at the Philadelphia and Washington exchanges.


Ray Milland, who sailed last month for a European vacation, will arrive Wednesday on the Paris. He will proceed to Hollywood to start work in "Beau Gestes."

Norman H. Moray, Vitaphone sales manager for Warners, was host on Friday at a luncheon for the trade press at the home office.

Harry G. Ballance, 20th-Century- Fox southern district manager, has been married to Martine Wall of Atlanta.

J. Edward Bromberg has returned to Broadway theatrical work after two years on the coast, his last film being "Jesse James."

Charles Hoffmann’s magazine story, "It Could Happen to You," has been purchased by 20th-Century-Fox.

George Palmer Putnam has sold his Rye estate to Dean Ravitte, presi- dent of Soundsone.

Howard S. Cullum, former Roxy trustee, has been reelected vice-chairman of the Port of N. Y. Authority.

Mr. and Mrs. Bob Hope have left Hollywood for Palm Springs on the first vacation they have had together in a year and a half.

Bob Grossman, assistant to Arthur Goldstein at the Avon in Providence, is back at work after a vacation.

Stanton Griffis returned to New York yesterday from a vacation in Florida.

Jake Milstein of Edward Small’s New York office left for the coast over the weekend.

Edwin Knoff of M-G-M’s coast story department is in town.

Joseph Schenck is at Palm Springs. He may come east in a few weeks.

Ed Kuykendall arrived in New York yesterday.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; JAMES A. CRON, Advertising Manager.


Marino Moves Office

San Marino, producer of one-reel short subjects, has moved his head- quarters to 723 Seventh Ave. Marino will start shooting on two new sub- jects, "All Girl Football Team" and "The Woman of the Year," in the next month. They will be distributed by Philip Lewis of American Trading Association.
BROADWAY IS THAT WAY OVER "ZAZA"

"ZAZA" now packing them in at the N. Y. Paramount with the biggest business in six months!...
20th-Fox '38 Gross Tops $56,172,192
Done by Firm in '37

Twentieth Century-Fox gross business in 1938 exceeded the $56,172,192, done by the firm in 1937. Exact figures are not obtainable as the final returns are not yet in.

Four sales conventions are scheduled. The first will be in Chicago, April 15 to 17, with Herman Wobber, general sales manager, presiding. S. R. Kent, president; Walter J. Hutchison, foreign chief, and Wobber will attend the Continental European convention in Paris, May 4 to 9, and the annual meeting of the British organization in London, May 11 to 15.

The company's first South American sales conference will be held in Rio de Janeiro on the afternoon of June 1 to 3, Kent and Hutchison will attend. They would return to New York June 27. There is a possibility that a Central American meeting may be held at Trinidad, which Kent and Hutchison might attend also. These and the executives to South America will serve to consolidate plans for expansion and study in that territory to meet national demands for good entertainment.

McNinch Will Hold Job as FCC Head

WASHINGTON, Jan. 8.—Chairman Frank R. McNinch will be retained at the head of the Federal Communications Commission for an indefinite period, President Roosevelt has indicated.

Reports that McNinch, originally from the Federal Power Commission, shortly would return to his former position as head of the FCC, were indicated, until the appointment was announced.

Meanwhile, legislation calling for an investigation of the F.C.C. and of alleged monopoly in broadcasting will be introduced, probably next week, by Representatives Wigglesworth and Conroy of Massachusetts.

Declaring the monopoly investigation now being conducted by the F.C.C. and of alleged monopoly in broadcasting will be introduced, probably next week, by Representatives Wigglesworth and Conroy of Massachusetts.

Warner Extend Pact

Hollywood, Jan. 8.—Warner's have given Geraldine Fitzgerald an extension of her contract. She gets the feminine lead opposite Pat O'Brien and Frank McHugh in "Three Cheers for the Irish."

Columbia Sets Dividend

Columbia Pictures Corp. has declared a quarterly dividend of 6914 cents per share on the $2.75 convertible preferred stock, payable Feb. 15 to stockholders of record Feb. 1.

Spokane Houses Pay Licenses Quarterly

Spokane, Wash., Jan. 8.—Theatres operators, pleading poor business during the past year, won the right from the City Council to pay their annual licensing in March instead of February. The grant carried the stipulation that if the installments are not paid on time, the entire yearly fee becomes due immediately.

J. J. Rosenfeld, city manager of Evergreen Theatres, told the council that the fee was too high and that taxes charged in Spokane is far in excess of any city size in the United States, he said.

Korda to Produce Chiefly on Coast

(Continued from page 1)

ness representatives, headed by Maurice Silverstone, operating head of the company, are now on their way to the coast.

Among the matters to be discussed will be a new deal with Selznick International.

Additional to Maurice Silverstone, company head, there will be in Hollywood, for these sessions, all of the other associates of Alexander Korda, James Mulvey, eastern head of the Goldwyn office; Emanuel Silverstone, business representative of Alexander Korda; James Roosevelt, vice-president of Samuel Goldwyn, besides J. J. Milstein, business representative of Hal Roach.

Richard Dwight, of Dwight, Harris, Koegel and Caskey, attorney for Goldwyn, also has gone to the coast for the meeting.

Roosevelt left by plane Sunday. Emanuel Silverstone left on Saturday, by train. Maurice Silverstone, company head, left Friday, by train.

New York and California bankers attending the meeting. United Artists producer client's willingness to finance the respective films of these producers. The Bank of America and the Chase National will be present.

Has British Backing

This is in addition to financing furnished to Korda by London interests, and to Fairbanks and his associates, also by British interests. While exact figures are unobtainable at this time, the estimate of the aggregate financing to be accorded these producers is $20,000,000 to meet the fullest requirements of the Hollywood men.

Broken down, two important Califor- nia banks are providing the financing. On the Whole, Goldwyn's requirements may run to about $7,000,000. Hal Roach's requirements are estimated to be in the neighborhood of $4,500,000.

In New York, the Guaranty Trust Co. has provided financing for Edward Small and Douglas Fairbanks, the means by which Count and Countess Von Keller's "World Windows," subject series, will be produced.

The coming year, under the operations of Maurice Silverstone, will see the production of a number of producers the United Artists roster has had so far. It includes Charles Chaplin, Alexander Korda, Samuel Goldwyn, David Selznick, Walter Wanger, Hal Roach, Edward Small and Douglas Fairbanks. Some of the financing matters are yet to be smoothed out and likely to be concluded during the big conclave of United Artists officials in Hollywood early next year.

Asher Denies Quota Cause of Reducing British Production

 Irving Asher, London Films associ- ate producer, scouted reports from London that the new quota has had the effect of reducing British produc- tion. Arriving from abroad off the Washington Friday, Asher ascribed the slump to the recent European crisis. Activity is being resumed, he said, and there is no reason why production will stage a come- back in a few months.

Asher may make four quota films for Columbia in 1939-'40, at Den- nison, on an extension of the contract under which he made two films for Columbia last year.

He conferred with Jack Cohn on Saturday and left yesterday for the coast to set the program with Harry Cohn, president. He will also confer with Alexander Korda, London Films production head. Asher expects to be on the coast about a week.

The first film made by Asher was "Q Planes," which may be retitled, especially for the U. S. A. A. production that he made last year, has one and a half years to run. He said there are no plans from him to make Paramount quota films, as he is loaned to Columbia for its program.

Dismiss Bank Night Suit in Kansas City

KANSAS CITY, Jan. 8.—Judge Brown of the Circuit Court dismissed the test suit against R. W. McEwan, Bank Night distribut- or. The case was heard May 19th by the prosecutor's office. In June, 1936, Judge Mario D. Walmier of the Circuit Court held that Bank Night was not discriminatory. The prosecutor's office appealed to the State Supreme Court. Last year the State Supreme Court affirmed the McEwan's attorneys filed for a rehearing, but this recently was denied. It was before game here and in Missouri. It has not been used by exhibitors for a year or two.

Laganas, Newcomer, Takes Over Standard

Hollywood, Jan 8.—George Laga- nas, Boston shoe manufacturer and a newcomer to the motion picture busi- ness, has purchased the presidency of Standard Pictures and its distributing company. He succeeds Barry Richards as president, and others replaced in the change are Harry Leavitt, general manager, and Charles B. Taylor of the board of directors. Laganas also is treasurer of both corporations and Mrs. Laganas is secretary. Richards and Leavitt will remain until the first day of "radio reporter" pictures is made.

Heads Bell Committee

WASHINGTON, Jan. 8.—Nelson B. Bell, Washington Post drama editor, has been named chairman of the Presi- dent's Birthday Ball Committee on the annual inauguration gala for the night of Jan. 30 will be John J. Paye- ette of Warners, Carter Barron of Loew's, Hardie Mckeech of Keith's, and Gene Ford, production manager at the Capitol.
NEVER before have new negative materials been as enthusiastically received...as quickly put to use...as Eastman's three latest motion picture films. Fast, fine-grained Plus-X, for general studio work...high-speed Super-XX, for all difficult exposures...ultra-fine-grained Background-X, for backgrounds and all-round exterior work...Typically Eastman in uniformity and photographic quality, these films have won instant acceptance in the industry. Eastman Kodak Co., Rochester, N.Y. (J.E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)
‘Sweethearts’ Is Pittsburgh High, $27,500

Pittsburgh, Jan. 8.—As grosses generally revved here, ‘Sweethearts’ took the honors, comparatively, with $27,500 at the Pen. The Stanley, with ‘Sunset Boulevard’ on the screen, and Bob Crosby’s band and Stan Kavanagh on the stage, was very busy.

Grass at the Alvin responded handsomely to the appearance of Jane Withers and a revue on the stage, tallying $17,200.

Eliminated takings for the week ended Jan. 5:

Blonde (Col.) ALVIN (1,900) (3c-50c) 7 days. Gross: $17,200. (Average: $2,457.)

Chinese New Year (Col.) FULTON (1,250) (2c-4k) 7 days. Gross: $12,000. (Average: $1,714.)

Sweethearts (M-G-M) Ft. Wayne (2,500) 7 days. Gross: $7,900. (Average: $1,128.)

Chinese New Year (Col.) SENATOR (1,800) (2c-4c). Gross: $2,400. (Average: $120.)

The Young in Heart (U. A.) STANLEY (1,600) (2c-4c) 7 days. Bob Crosby’s Rond, Stan Kavanagh on stage. Gross: $2,400. (Average: $343.)

Out West with the Hardys (M-G-M-NE) WARNER (2,000) (2c-4c). Gross: $9,200. (Average: $1,840.)

KENTUCKY Clocks $14,000, CINCINNATI

Cincinnati, Jan. 8.—“Kentucky” led the field last week, racing through to $14,000. ‘Annabel Takes a Tour’ plus ‘Jambola Revue’ on the RKO Shubert stage, brought $13,000, and “Artists and Models Ahead” was good for $12,500 at the RKO Albee. The other houses started the new week with nice returns.

Eliminated takings for the week ended Jan. 5:

Artists and Models Ahead (Para.) RKO ALBEE—(5,000) (3c-4c) 7 days. Gross: $13,000. (Average: $1,857.)

Kentucky (20th-Fox) RKO SHUBERT—(1,800) (2c-4c) 7 days. Gross: $12,000. (Average: $1,667.)

Artists and Models Ahead (Para.) AMERICA (2,100) (3c-4c) 7 days. Gross: $10,000. (Average: $1,429.)

Sweethearts (M-G-M) RKO CAPITOL—(2,100) (3c-4c) 7 days. 3rd week. Gross: $10,000. (Average: $1,429.)

Newsboys’ Wins (Univ.) RKO LYRIC—(4,000) (3c-4c) 7 days. Gross: $4,200. (Average: $1,667.)

Thanks For Everything (20th-Fox) RKO SHUBERT—(1,800) (3c-4c) 7 days. 2nd week. Gross: $2,750. (Average: $1,250.)

Hi, Mom! (20th-Fox) RKO CAPITOL—(2,100) (3c-4c) 7 days. Gross: $2,500. (Average: $1,190.)

Frontier Scout (G. N.) (G. N.) (G. N.) 0 days. Gross: $2,300. (Average: $2,300.)

There’s That Woman Again (Col.) KEITH’S—(1,500) (3c-4c) 7 days. Gross: $1,600. (Average: $1,600.)

Refuses to Enjoin ‘Glory’ Exhibition

Application of Sunray Films, Inc., for an injunction to restrain the exhibitiion of the film, “The Glory Trail” by Select Attractions, Inc., Leo Malchin, doing business as French Film Exchange, and Charles Swarzawa, doing business as ‘Philadelphia Electric Circuit’, has been denied by N. Y. Supreme Court Justice Louis A. Vient, who is reported to have said that the picture competes unfairly with its film, “Little Flower of Jesus.”

3 English Councils Will Discuss Films

London, Jan. 8.—Three council meetings next week will consider films. On Thursday the Films Council will take up cooperative booking, and may hear pleas for a recognized quality of films. On Thursday also the Home Office Consultative Committee will continue its study of non-flam, and on Friday the London County Council will take up various licensing matters on films.

Sweethearts Gets $17,000, Providence

Providence, Jan. 8.—Strong clubs plus midnight shows and favorable reviews held up all first runs here to high grosses. Loew’s State led the field with $17,000 on “Sweethearts.”

All downtown houses excepted some midnight specials toward New Year’s Eve and New Year’s night.

Estimated takings for the week ended Jan. 5:

“Sweethearts” (M-G-M) (New England): STAGETOWN (2,000) (3c-5c) 7 days. Gross: $11,000. (Average: $1,571.)

“Thanks For Everything” (20th-Fox) WHITEWATER, Grain (5,000). Gross: $10,000. (Average: $2,000.)

MAJESTIC—(2,500) (3c-5c) 7 days. Gross: $9,000. (Average: $1,300.)

“Newsboys’ Home” (Univ.) CENTURY—(2,500) (3c-5c) 7 days. Blackstone on stage. Gross: $8,000. (Average: $1,266.)

“Up the River” (20th-Fox) PAYS—(1,800) (3c-4c) 7 days. Gross: $7,500. (Average: $1,071.)

“Wanted By The Police” (Mon.) PHILADELPHIA (2,500) 7 days. Gross: $7,000. (Average: $2,800.)

“Brother Rat” (W.B.) CARLTON—(2,500) (3c-4c) 7 days. Stage. “Jambola Revue.” Gross: $6,000. (Average: $1,200.)

“Hardys’ Get $4,100 in Oklahoma City

OKLAHOMA City, Jan. 8.—In a week of only fair business, “Out West with the Hardys” took in the lowest gross, $4,000 at the Tower. The rest of the houses slid over the averages for slight gains. Weather below freezing was the chief profit.

Estimated takings for the week ending Dec. 30:

“Mammy” (M-G-M) CRITERION—(5,000) (3c-4c) 7 days. Gross: $5,500. (Average: $786.)

“Garden of the Moon” (F. N.) LAWLESS VILLAGE (RKO) 1,100 gross: $1,200. (Average: $1,200.)

“Midwest” (20th-Fox) MIDWEST—(1,500) (3c-4c) 7 days. Gross: $1,200. (Average: $1,200.)

“Down in Arkansas” (Rep.) SHADOWLAND—(1,800) (3c-4c) 7 days. Gross: $1,500. (Average: $1,667.)

“with the Hardy’s” (M-G-M) TOWER (1,000) (3c-4c) 7 days. Gross: $1,400. (Average: $1,400.)

Para. to Produce 58 Features for 1939-40 Season

St. Louis, Jan. 8.—Paramount will produce 58 features for the 1939-40 season. Neil F. Agnew, vice-president and general manager of the company, said the level of the coming year meeting of the company’s executive managers at the Coronado Hotel here.

Next season’s production budget has been set tentatively at $25,000,000, Agnew said.

Discussing the forthcoming product for the balance of the current season, Agnew reported that 12 of the company’s more important pictures of the year will be released during the next five months. In addition, he named 19 other features which are either in preparation or scheduled for early starts, making a total of 31 productions for release during the balance of the current season. Completion of the remaining 31 features will give Paramount a total release list of 60 features for 1938-39.


“Follow the Sun,” “Lives of a Texas Ranger,” “Disputed Passage,” “Union,” Agnew said as titles that will begin production in January.

The meeting, which is attended by a group of home office executives in addition to the district managers, is scheduled to wind up Monday.

Universal Sets Four Serials for ‘39-40

Hollywood, Jan. 8.—Universal plans four serials for the 1939-40 season. First of the chapter plays, “The Origin,” followed by a story centering around with Heavy MacRae producing. It will star Johnny Mack Brown.

“Creeper,” a mystery detective story; another “Buck Rogers” story; “Conquering the Universe” starring Larry Crabbe, and “Perils of Helga,” also a mystery detective serial starring boy players, are the others. They will run from 12 to 15 chapters each.

G. N. Changes Title

Hollywood, Jan. 8.—Grand National has changed the title of “A Lady Goes Wrong” to “Everythings Happens to Ann.”
The fifth annual edition of the international reference authority on talent values is off the press.

The box office champions of 1938 are presented with complete analysis and personnel credits—the money making stars of the season evaluated and reported upon by the exhibitor showmen of the world.

The radio champions of 1938 as polled by MOTION PICTURE DAILY among the editors of the daily newspapers of America.

Edited by TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK
40 DAILY

Blackett-Sample Humbert Top Air Agency

CBS $27,345,397 Gross for 1938 Is Shared by 83 Companies

During 1938, CBS sold $27,345,397 of network time to 83 firms, a number of political campaign committees. More than 1,000,000 each were spent by 10 advertisers. Lever Bros., Co. and General Foods Corp. paid slightly more than 20 per cent of this total between them.

Lever Bros. used $2,790,141 of the gross billings for its four products, Rinso, Lux, Spry, and Lifebuoy. General Foods was close behind with $2,720,386. This amount was divided between 10 products. Largest amount spent on one product was $1,241,705 for chewing gum programs by William Wrigley, Jr., Co.

**Foods Billings Lead**

Foods and food beverages, with gross billings of $6,396,474, contributed most to the CBS total. Drugs and toiletries gross with $5,737,304 were next. Other top totals were: $4,604,537 for house supplies, $3,077,079, automotive, $2,976,346; confectionery and soft drinks, $1,676,051; lubricants and fuel, $858,585; paper, $414,143; beer, $192,750; shoe cleaners, $178,049; silverware, $85,053; political, $52,903; machinery, $43,405; travel, $10,450; building materials, $5,827; miscellaneous, $268,810.

Of these, large users of time, besides Lever Bros., General Foods and Wrigleys were Colgate-Palmoive-Peet Co., $1,779,439; Procter & Gamble Co., $1,318,767; American Tobacco Co., $1,283,826; Liggett & Myers Tobacco Co., $1,188,355; Ford Motor Co., $1,052,205; Chrysler Sales Corp., $1,003,012; R. J. Reynolds Tobacco Co., $1,000,184; Campbell Soup Co., $713,788; Continental Baking Co., $700,000; American Tobacco Co., $617,000; Pet Sales Milk Corp., $594,013; General Mills, Inc., $575,035; Philip Morris, Inc., $558,000; Coffee, $435,120; and Texas Co., $405,260. Smallest payment for network time was $360 by the Refrigeration and Heating Association.

**General Foods Highest**

In the food field, General Foods Corp. led with $2,420,866 in billings. For Huskies, $693,826 was spent; Swansto and Calumet, $679,385; Postum, $450,150; Coffee, $421,091; and Diamond Salt, $261,091. The remainder was divided between three other products, Post Toasties, Minute Tapioca, and Diamond Salt. Campbell Soup paid $713,788 for its canned products; Pet Sales Milk Corp. used $594,013 in time for Pet Foods, Inc.; Colgate-Palmoive-Peet Co. used $1,246,726 in time to lead the drug field. A close second was between Palmolive Soap, $515,443; shaving cream, $308,128; dental products, $363,155; Lux, $279,053; and Lifebuoy, $279,053. All were paid out the $1,157,167 paid by Lever Bros. in this field.

**American Tobaccos Big**

In tobacco, the American Tobacco Co. led with $1,283,826. Lucky Strikes were used at $1,112,343; Roi Tann Cigars, $88,485; and Half and Half Tobacco, $83,025. Made up this sum, Liggett & Myers Tobacco Co. paid $405,260; American Tobacco Co., $435,120; and General Foods, $261,091.

**Scophony Balance Sheet Shows Gain**

LONDON, Jan. 8—Scophony, Ltd., television marketing group, spent $1,360,000 (about $190,000) on technical development in the United States last year. This compares with $360,000 (about $50,000) in the previous year.

The balance sheet shows a net rise in cash from $2,430 (about $31,000) to $1,435 (about $17,000). The sum of $600 was paid out to advanced to the subsidiary Scophony Electric, for development, making the total advance to that company $4,832.

**CBS Names Kemp Coast Sales Head**

Arthur J. Kemp has been appointed sales manager of the Pacific Coast Network of CBS. His headquarters will be in San Francisco.

Kemp joined CBS in July, 1936, serving KKNX, Los Angeles, at that time.

**King Leaves Nazi Talk Row to CBC**

Montreal, Jan. 8.—Premier MacKenzie King at Ottawa has received complaints on the New Year’s Day address of Karl Dannenberg, head of Nazi Party in eastern Canada, over CKAC, in which Hitler was lauded, but has disclaimed any authority in the matter.

“The affair is entirely in the hands of the Canadian Broadcasting Corp.,” King declared. Dr. Eric Windels, chairman, in Ottawa, has read the speech and, approving it, said there is no cause for controversy. The station admitted that the speech was not read before the broadcast, and CBC is expected to take action in the matter.

**CBS Gets Reynaud Talk for Thursday**

Paul Reynaud, France’s Minister of Finance, who has been forced to cancel two previous talks on “France Is Sound” has accepted the Columbia network’s invitation to deliver the address Thursday, over WABC and CBS, 6:45 to 7 P.M.

Reynaud was scheduled to make this speech on Sunday, Dec. 4 but France’s unsettled labor problem forced cancellation. It was then scheduled for Thursday, Dec. 22, but when broadcast time arrived he was otherwise engaged. Reynaud’s talk will originate in Paris.

**Settle Action Over “Arbitration” Title**

Suit of the Jewish Court of Arbitration, Inc., to restrain the Jewish Radio Service, Inc., Voice of Brooklyn, Inc., also known as WOA, and Levy & Peck, and Samuel J. Gellard from broadcasting under the name “Jewish Court of Arbitration” or any other similar title, was filed by J. E. Dunbar Saven of New York for an institutional advertising campaign.

**New Facsimile Apparatus Demonstrated by Crosby**

CINCINNATI, Jan. 8.—Powel Crosby, Jr., president of the Crosby Corp., demonstrated and demonstrated his new “Reada,” a facsimile machine consisting of an attachment for radio sets sending and receiving of printed messages and pictures.

The principle lies in the conversion of illustrations and kindred material into electrical or radio signals, which is broadcast, the reception of the signal at the receiver, and its reconstruction into a printed form. The printing is accomplished by a rapid moving stylus which makes repeated movements across a four-inch wide Carbon-backed paper.

The apparatus is such that it will operate with any radio receiver, will sell for less than $80, Crosby said, and will have a range of about 50 miles.

“The Crosby Corp. has been experimenting with facsimile for two years,” Crosby explained, “and we now have perfected it sufficiently to start production on our sets.

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**Gotham” on Tonight**

Opening program of “Gotham” Night will be heard tonight over WABC, RKO Halisham, and WJZ, New York. At 8:30, Verner Williams and Estelle Winwood will do a scene from their forthcoming play, “The Importance of Being Earnest.” Also appearing tonight are Greta Keller, Wilma Baard, Leslie North, Don Albert’s orchestra and the Mary Martin programs will feature variety acts.

**Set NAB District Meet**

Denver, Jan. 8.—Broadcasters in the 14th District of the National Association of Broadcasters, will hold their meeting at the Albany Hotel here Jan. 18 and 19. Present will be broadcasters throughout the U.S., Canada, Utah, Wyoming, Idaho and Montana.

**Change “RFD” Time**

Irons Baker’s program, “RFD No. 1,” will be changed from 2:15 to 2:30 P.M. Monday through Friday, beginning with the broadcast of Jan. 16.

**Delay AFRA Meet**

Meeting between American Federation of Radio Artists and the American Association of Advertising Agencies which was scheduled for last Friday was postponed again, this time until tomorrow afternoon.
Kent, Schaefer
Depinet Meet
MPTOA Here
Discuss Trade Practice
Program Today

M.P.T.O.A.'s views on the first
draft of the proposed trade practice
program will be discussed with Sid-ney R. Kent, George J. Schaefer and
Ned E. Depinet, representing the dis-tributors' negotiating committee, at a
meeting at the Union League Club today.
Ed Kuykendall, M.P.T.O.A. presi-dent, who held a brief conference with
Kent yesterday, stated that all affili-ated units of the national organiza-
tion had forwarded their views of the
tentative trade practice draft to him
and for study by members of the
M.P.T.O.A. executive committee and
guidance in the discussions with Sid-ney Kent and other distributor repre-sentatives in formulating their trade
practice policy.

The M.P.T.O.A. committee will
approve parts of the program, such as
the cancellation and shortage charge pro-posals and the establishment of local
arbitration boards, provided the distributors agree to
(Continued on page 3)

Wage Law Parley
Here With Casey

Effect of the Wages and Hours law
upon the industry, with particular con-sideration to eastern production and
distribution, will be the subject of
discussions at the office of Pat
Casey, producers' labor representa-tive, on Friday. Representatives from
the home offices and eastern produc-ers will be present.

Reports will be given of conferences
held on the coast and at Washington.
A problem exists at present on the
status of employees who are required
to work on location. Up to now, uni
on agreements covered the rate of
pay for such special cases, but a re-
cent ruling of the Wage and Hour
Administrators' counsel has cast some
doubt on whether it is in conformity
with the law.

Casey will meet with the execu-tive
board of the American Federation
of Musicians tomorrow for fur-
ther conferences on the possibility of
increasing employment for musicians.

Radio on Page 8

Rowson Scores New
English Film Laws

London, Jan. 9.—Simon
Rowson, addressing the
British Kinematograph So-siety
here tonight, declared
that of $32,000,000 British
people viewing films today, only
$800,000 saw British films.
He said there is no notice-
able benefit from the new
film legislation, with no in-
crease either in the volume
or value of British produc-
tion.

Rowson to Get
$25,000,000
For New Deal

London, Jan. 9.—New capital of
approximately $25,000,000 is to be
raised in the construction of a
number of new houses, possibly 35, in
Odeon Theatres Ltd. (Oscar Deutsch). Only final details
to conclude this new financing are
awaited, it is understood. Purpose of
the funds is to enable Odeon to
complete its merger and expansion
plans, such as the deal with Gaumont-
British and others.

Under the projected plans, Odeon
will undertake the construction of a
number of theatres, possibly 35, and
will be equipped in various parts of
England.

Odeon Theatres Ltd. is controlled
by Odeon Cinema Holdings Ltd.,

(Continued on page 3)

Schaefer Honored
In RKO Drive to
Start January 28

RKO's annual sales drive will
be designated the "George Schaefer Drive" in honor of the new company
president. The drive will extend for
18 weeks from Jan. 28 to June 2. It
will be directed by Walter Bran-
son, midwestern district manager,
who headed the Ned E. Depinet sales
drive for RKO last year.

Schaefer leaves for California Fri-
day. Ned Depinet, RKO's sales chief,
may accompany him to the Coast, ar-
rivering there Monday. They will
probably take it Hollywood until Jan. 29,
date of the premiere of "Gunga Din"
at the RKO Hill Street and the
Pantages Theatre.

Schaefer will leave soon on a tour of
RKO's United Kingdom and Canadian
exchanges to inaugurate plans for the
sales for 1939.

Commends Ad Plan

Schaefer, addressing the company's
district managers' meeting at the
Waldorf-Astoria, assured the sales
heads that he would endeavor to ob-
tain a continuous flow of quality
product and reminded them that eight
of RKO's top features in 1938 should
be released in the near future. They
are "Gunga Din," "Love Affair," "Pacifice," "Legionary," "Flaming Irish-
man," "The Great Man Votes," "The
Castles," "Little Mother" and "Men-
ory of Love."

Schaefer commended the advertis-
ing and exploitation campaign on
"Gunga Din" which S. Barret McCor-
mands advertising and publicity direc-
tor, has planned. A fairly big ap-
propriation has been set aside for the
campaign.

Vivien Leigh
Is Slated for
Scarlett Role

Selznick Said to Have
Picked British Actress

HOLLYWOOD, Jan. 9.—Vivien Leigh,
relatively unknown British actress,
appears destined to play the Scarlett
O'Hara role in "Gone With the
Wind," the most sought after femi-
nine role in pictures. Selection of the
young English actress is likely to
be announced shortly by David
Selznick. The picture is to be re-
directed by M.G.M.

Miss Leigh first came to the notice of
American audiences in "Dark
Journey," in 1937, a British picture
in which she appeared with Conrad
Veidt. The picture was made by
London Films (Alexander Korda).

Search Took Months

In picking Miss Leigh, there were
many months of intensive search and
screen testing of individuals by Selz-
nick for whom he deemed qui-
fied to play the role of Scarlett.

Norma Shearer, Pauline Goddard,
Carole Lombard and Jean Arthur have
been among the famous actresses
under consideration.

Many were considered during these
months and the picture which origi-
nally was intended for release through
United Artists, in the meantime, was
switched by Selznick and his associ-
ate, J. H. Whitney, to the Metro
raster.

M-G-M Shares Cost

Several hundred thousand dollars
have gone into the preparation of the
picture. The Metro deal with Selz-
nick is one under which M-G-M
contributes to the cost of production.

There was a time when Selznick
thought of making the picture in two
parts, of approximately 12 reels to
each part. Last official word has been
that this will not happen.

Production gets under way this
month, and the release is contem-
plated by November.

DeMille Collapses;
Directs on Stretcher

HOLLYWOOD, Jan. 9.—Cecil B.
DeMille collapsed today from an old
ailment. He made the trip from his
home to the studio in an ambulance
to resume direction of Paramount's
"Union Pacific," from a stretcher.
INSIDERS’ OUTLOOK

PRESIDENT FRANKLIN D. ROOSEVELT’s New York State automobile license plate number is No. 3, Governor Herbert Lehman has Nos. 1, 2 and 16. Nos. 4 and 5 are held by other Governor Alfred E. Smith. Herbert Bayard Swope has Nos. S, and CQ1. Mrs. James Roosevelt, the President’s mother, has No. 10.


Most intriguing angle in the New York City anti-trust plan of the exhibitors is whether or not the boys can make their ban stick. If so much as one exhibitor shall violate the ban, the consequences shall have been used in their might lead to widespread defection.

Sir Adrian Baillie, associated with Douglas Fairbanks, Sr., in Albin Films, new United Artists releasing unit, is an important figure in British film and political circles. He is a Conservative member of Parliament from Tonbridge, Kent.

He fought the films act which went into effect last spring and is said to oppose quota protection for the British industry. He is understood to believe in a close-by kind cooperation between British and American film industries may in time break down quota barriers and permit a free market.

Chiefly because Hollywood is the admitted film producing capital of the world, now obtaining 90 per cent of screen time in British theatres, cooperation rather than antagonism should be the keynote, in Sir Adrian’s opinion. He has declared he does not see how the British industry is to progress otherwise, as attempts to strengthen British production by various measures have not been very successful and British investors have become cautious about financing English companies.

Sir Adrian has spent a number of years in this country. He was for a time a career diplomatist and was secretary of the British Embassy in Washington under Ambassador Sir Esme Howard. He made his second visit to Hollywood in 1935 to study the English film industry and the English subsidiary was organized the same year, he became vice-chairman of Technicolor, Ltd. 

Fox-West Coast (National) theatres are experimenting with simple announcements in the hope that a new kind of selling trailer may be evolved which will be different than the usual, high pressure reel. The Slouros circuit of the Pacific Coast are premising its experiments on the fact that so much advance information is given the public by the press and magazines, besides radio, that the high-pressure trailer is not needed.

New York City’s license commissioner has no power to deny a license to a person who desires a commission of a motion picture theatre because it will attract patronage and thus cause a traffic and parking problem. This was the ruling of the Court of Appeals in the recently decided case of Samuel E. Moss.

The commissioner had previously denied a license on the ground that the proposed site featured on a busy street, but otherwise the commissioner had no discretion. In a previous case, the court held that no power to deny a license existed because a theatre at a particular location might impair the general welfare.

In Wilmington, the Medical Society of Delaware, by unani- mous vote, approved the showing of “The Birth of a Baby” to children, if accompanied by parents. Its report said: “It is understood that this endorsement does not entail any legal or financial responsibility on the part of the Medical Society of Delaware.”

纯净的个人

IRVING ASHER, London Films associate producer, leaves for the coast today for conferences with Alexander Korda, Charles Schwartz, attorney for Korda and Charles Chaplin, also is in route to the coast for the United Artists meetings there this week.

Lou Phillips, Paramount attorney, goes to Washington tonight for the U. S. Supreme Court arguments on the Interstate Circuit case Wednesday, and will go to Chicago from there for work on the B. & K. anti-trust suit.

Louis D. Frohlich and Herman Fineinstein, of counsel to Ascap, are in Washington to argue the first U. S. Supreme Court tests of state anti-Ascap legislation. They are due back in New York tomorrow.

Nate J. Blumberg, Universal president; W. A. Scully, general sales manager, and Joseph Streitman, foreign manager, leave New York the end of next week for product conferences at the studio.

Bud Rogers, American general manager for Mayflower-Panmun-Laughton Productions, will leave today with Elsa Lanchester, who will make personal appearances in Toronto and Montreal.


Sam Rinzler, Harry Buxbaum and Joe Lee lunched at the Astor yesterday. Among adjoining tables were Max A. Cohen, Tom Connors and Ed Saunders.

William Sussman, 20th Century-Fox eastern division manager, and Mrs. Sussman leave Saturday for the Nieuw Amsterdam for a cruise to Rio de Janeiro.

Joseph Bernhard, Warners general manager, has returned to his desk after a two-week rest cure at Lenox Hill Hospital.

Fayla Sorow, secretary to Larry Schnieder of Columbia’s foreign department, is leaving to work for Steve Hagnakan.

Joy Horace arrives today from the coast for a personal appearance at the State, beginning Thursday.

METHIE MAY, JR., INC.

INSURANCE

Specializing in requirements of the Motion Picture Industry

75 Maiden Lane, New York

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Brandt is Planning Vaude in Brooklyn

Contingent on an agreement with the stagehands’ union, the Brandt circuit will install vaudeville in the Windsor Theatre, Brooklyn, Jan. 21. The policy may be extended to five or six other theatres about two weeks later, also to the Audubon, Manhattan; Carlton; Jamaica, and the Flatbush.

Harry Brandt has been negotiating with the stagehands for six months. The union demands a scale said to be on a par with the large de luxe theatres, on a scale based on seasons. The six Broadway companies offer a flat rate at a price it can afford. The union wants a six-man crew, it is the. The union contends that a reduction for Brandt would set precedent, which it wants to avoid.

Most of vaudeville and a stage band are planned, plus a single feature and newsreels. Talent has been tentatively lined up.

The Continental, which is playing Yiddish films, will switch to a girl show and shorts Jan. 27, according to terms of Moe Goldman, the operator.

Hollomon Counsel to Interstate Circuit

Van Alen Hollomon, who has been with the Paramount house office legal staff for four years, left last night for Chicago to act as associate counsel for the Interstate Circuit. The legal department of the major departmen! was lifted from the Woodstock. George A. Barry acted as toastmaster. The speakers included Nicholas Schenck, president and general counsel; Norman Collyar, assistant secretary; Charles Beck, Herbert Lazarus and Ed Schaeffer.

Metro Heads Return

Nicholas M. Schenck, president; William F. Rodgers, general sales manager, and Howard Dietz, advertising manager, left Saturday for London. They have been covering the six-month period of Loew’s, returned from coast conferences yesterday.
Texas, Ascap Cases Up This Week in US Supreme Court

WASHINGTON, Jan 9—U. S. Supreme Court this week will devote considerable time to consideration of film cases, the calendar, posted today, shows.

In addition to hearing argument in the Texas anti-trust cases, deferred last week on account of the illness of Chief Justice Harlan Fiske Stone, 72, the court plans to hear the Washington and Florida Ascap cases, as well as to continue its consideration of the jurisdictional amount in the Federal circuit court for the Southern District of S. Florida suit, the state attorney general contended the District Court jurisdiction in granting that court a hearing.

Six closings on Saturday brought the number of legitimate stage productions on Broadway down to 21. Closed were "Bachelors Born," after 39 performances, and "The News," 185: "American Landscape," 43; "Blossom Time," a revival, 19; "Don't Think Twice, Gentlemen," and "Everywhere I Roam," 12.

"Dear Octopus" is scheduled to open tomorrow and "The Importance of Being Earnest" on Thursday.

Sue Warner on Song In 'Garden of Moon'

HOLLYWOOD, Jan 9.—Louis Herscher and Robert Wolf Gilbert, members of Ascap, have filed suit in Federal Court for $10,000 damages and an accounting of profits of "Garden of the Moon," title song for the Warner picture starring John Payne. Named as defendants were Warner Brothers, Publishers Holding Corp., and Al Dunia, Johnny Mercer, Harry Warren, Jean Herbert, composers and lyricists.

The plaintiffs charged that Harms, Inc., Warner subsidiary, entered into a contract to use the song, and that Harms was paid for the song, "Garden of the Moon," musical rights first having been obtained by them from H. Bedford Jones and Barton Browne, who wrote the song. However, the complaint alleged, Harms, Inc., put the Herscher-Gilbert song on the restricted list, and substituted a music and lyrics written by the Warner song writers.

Wisconsin T.T.P.A. Postpones Wedding

MILWAUKEE, Jan. 9—Date for the annual meeting of the Independent Theatre Owners of Wisconsin, originally slated for Jan. 24 and 25, has been postponed until later. Reason for the postponement is to give exhibitors an opportunity to consider the trade pact proposal for the industry before voting on it at the meeting.

E. F. Maertz, Milwaukee, president of the T.T.P.A. of Wisconsin, will represent the association at the Allied conference in Washington.

Sales Meet Opened By RCA Photophone

RCA Photophone opened its three-day sales convention at Camden yesterday with about 50 sales representatives of Allied in attendance. Harry L. Sommerer, president, gave the opening address.

For the last two sessions, the meeting will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager. The final meeting session will be Edward C. Cahill, service manager.
How long is it since positively RAVE

OPENING

RADIO CITY MUSIC HALL
JANUARY 19

with

John Barrymore

Peter Holden • Virginia Weidler
Donald MacBride • Katharine Alexander

Pandro S. Berman in Charge of Production
Directed by George Kukor • Produced by Cliff Reid
you've heard your patrons about a picture?

. . . Here's one that will make them do just that! . . . John Barrymore in a role that must have been waiting all his career for the genius he brings it! . . . Cast as a shiftless highbrow hobo—both father and mother to his two loyal kids...controlling the one vote that can swing a big city election! . . . in a picture with all the glowing warmth, the tears, the chuckles, and the burning suspense your heart can cling to!

MAN VOTES
Hollywood Preview

“Arizona Legion” (RKO)

Hollywood, Jan. 9.—Here's a western sure to thrill the outdoor action adventure fans. There's nothing old fashioned about “Arizona Legion.” Everything is as fresh and new as 1939. Not only does it have spectacular action, but as much an integral part of a picture, fit into a story with such significance, as the quality has been included in the latest George O'Brien vehicle.

In the beginning O'Brien is made to appear as a drunk soaked troublemaker. Then, as he is continually involved in dirty work and association with the frontier's criminal element, it is revealed that he is the head of the gang. After that, O'Brien is out lawless. Having earned the enmity of Liett, Carlisle Moore, his boyhood chum, and the affections of sweetheart Laraine Johnson, O'Brien is captured after robbing an army treasure wagon. In jail, he learns the identity of the brains behind the desperadoes and escaping military prison. As he is among the rangers in the round up of Tom Chatterton's gang.

O'Brien appears to much better advantage in “Arizona Legion” than in any of his recent productions. While Miss Johnson is something more than the customary western heroine, the high grade supporting cast is given many opportunities to be effective. Chill Wills, O'Brien's buddy and teller of tall stories is the source of the story's comedy content and in his appearance he should evoke laughter. The trio of heavies, Chatterton, Harry Cording and Glenn Strange, are ideal bad men and Ed Le Saint is convincing as the hero's confidant. The original story by Bernard McComville and the screenplay by Oliver Drake are believable and David Howard's directing endows the picture with socking entertainment value.

Running time, 62 minutes. "G+

Stock Application Withdrawn by Pix

WASHINGTON, Jan. 9.—Withdrawal of the application for registration of $9,000 shares of $5 par common stock has been asked for by Pix Film Corp. At Gary, Ind., the S.E.C. has disclosed.

The stock was to be sold at $6 par share, the proceeds to be used for the purchase of three theatres in Kansas City, Colonial and Mary Lou to be located in Tennessee. The proposal was that Mrs. O'Brien, the widow of Harry H. Barret, for $20,000. Remainder of the proceeds from the stock issue would have been used for further acquisitions.

Censor Law in Ohio Seen Facing Attack

COLUMBUS, Jan. 9.—Bills seeking to revise or repeal the Ohio censorship statute may be introduced in the current legislative session. There is much sentiment among liberal groups for such action.

Meanwhile, Aminko's appeal to the state censor board from its ban of "Professor Mamlock," Russian film, is pending. The distributor plans to take the matter to the State Supreme Court, and the appeal board upholds its original decision.

Pathie News on Coast

Pathé News is opening a west coast office with Peter Mayer, former as assistant manager of Pathé News in Hollywood. Mayer leaves for Los Angeles tomorrow by plane. Heretofore the newsreel office for west coast was extended, as well as news and feature material.

Personnel Moves

FABIAN CHANGES

ALBANY, Jan. 9—Louis Golding, district manager of Fabian Circuit, has made the following shifts in addition to the transfer of Sidney Deneau to the New York home office: Joe Shure, manager of the State, Schenectady, to succeed Deneau as booker manager for the local Fabian district. Louis Rosenthal, cashier at the State, Schenectady, to manager of the Strand; Phil Rapp, from manager of the Murphy, and Frank Graves, from the Plaza to the State as manager.

MURNAKE SHIFTS

ALBANY, Jan. 9—Joseph Mur- nane, assistant manager at the Rit- z, Albany, has been shifted to the same position at the Stanley, Utica, suc- ceeding Peter Chagars, resigned. Change was made at Charles A. Smolke, Warner theatres district manager.

STAHIL QUIT S U. A.

CINCINNATI, Jan. 9.—Max Stahl has resigned as branch manager of United Artists here to take over opera- tions of the new 65-seat Rit, at Shellhills, Jan. 16. afternoon. The theatre is being built in partnership with Nate Kaufman. Har- ris Dusdelon has been promoted to branch manager to succeed Stahl.

N.T.S., PROMOTES 3

CLEVELAND, Jan. 9—L. H. Walters, manager of the local National Theatre Supply office, has promoted Thomas Baird from office manager to salesman for the supply house, office in the Cleveland territory, succeeding M. H. Fritchle, resigned. John Watts has been advanced to office bookkeeper to office manager and D. T. Couney has been appointed bookkeeper.

TWO JOIN UNIVERSAL

CLEVELAND, Jan. 9—Joe Engel, local Universal branch manager, has named George Rosenberg and James Banas as his new salesmen. The latter is now working at Dayton, Ohio.

SCHWARTZ TO REINHART

CANTON, O., Jan. 9—Ben Schwartz, for the past 18 months manager of Warners' Ohio here, has resigned to become city manager for the Reinhardt Amusement Co. Schwartz now has charge of the Mozart, State and Mc- Kinley here.

OLSON QUIT WARNER

SEATTLE, Jan. 9.—T. O. Olson, general manager of Warners theatres in Aberdeen and Hoquiam, has resigned to enter the radio field in Olympia. He will be succeeded at the Hoquiam and Bijaq in Hoquiam by Carl Miller, Lloyd Thayer of this city will take over the management of the Aberdeen in Aberdeen.

PAYS FOR EMPIRE

TORONTO, Jan. 9—Harry O. Pay- ter, for many years Ontario branch manager for Warners, has resigned to join Empire-Universal Films, Ltd.

MARKOWITZ TO FLORIDA

KANSAS CITY, Jan. 9—M. G. M. will transfer Joe Markowitz, office manage- r at the exchange here two years, to Florida, where he will sell out of the Atlanta office.

Everything’ Is Sensation in Hub, $25,000

SEATTLE, Jan. 9.—"Sweethearts" will be well out in front $11,500 at the Fifth Avenue, as most houses were over average, aided by advanced prices.

"Sweethearts" in Cleveland

CLEVELAND, Jan. 9—"Up the River" with Ted Lewis and Company as the stage attraction, took a smash $27,000 at the RKO Palace.

"Sweethearts," at Loew's State, played to record weekend attendance, $22,000. Significant for Warners' Hippodrome took $12,500, "The Dawn Patrol" drew $8,000 at the Allen.

Estimated takings for the week ending Jan. 6:

The Dawn Patrol" (W. B.)

(30c-40c-55c) 7 days.
Takings: $8,000. 
Average: $1,143.

WARNERS' HIPPODROME — (30c)

(30c-40c-55c) 7 days.
Takings: $12,500.
Average: $1,785.

"Sweethearts" (M-G-M)

FIFTH AVENUE — (25c-50c-65c)

7 days.
Takings: $11,500.
Average: $1,643.

"Sweethearts" (M-G-M)

LOEW'S ORCHEUM — (25c-50c-65c)

7 days.
Takings: $3,100.
Average: $443.

"Sweethearts" (M-G-M)

Music Box — (30c-45c-60c)

7 days.
Takings: $3,800.
Average: $543.

"Sweethearts" (M-G-M)

PARAMOUNT — (35c-40c-60c)

7 days.
Takings: $22,000.
Average: $3,143.

"Sweethearts" (M-G-M)

PACIFIC — (25c-50c-65c)

7 days.
Takings: $11,000.
Average: $1,571.

"Sweethearts" (M-G-M)

SHERMAN — (25c-50c-65c)

7 days.
Takings: $2,800.
Average: $400.

"Sweethearts" (M-G-M)

SPRING MADNESS — (25c-50c-65c)

7 days.
Takings: $2,000.
Average: $286.

"Sweethearts" (M-G-M)

PARAMOUNT — (35c-40c-60c)

7 days.
Takings: $4,200.
Average: $600.

"Sweethearts" (M-G-M)

PARAMOUNT — (30c-40c-60c)

7 days.
Takings: $2,000.
Average: $286.
'Kentucky' Is Big $19,000, Philadelphia

PHILADELPHIA, Jan. 9—Opening sales of "Kentucky" brought $15,500 to the Aldine. The Earl, benefiting by the midnight shows, grossed $20,000 with its stage of promotion. Bill Siller, Eleanor Whitney, Ken Murray and Gene Austin, and "Girl Doin'stairs" on the program.

"Sweethearts" held up to a strong $18,000 for a second week at the Boyd, followed by "Kensington" at $19,000 in eight days at the Fox.

Estimated takings for the week ending Jan. 5:

Duke of West Point (U. A.)  
ALDINE—(3-100) (25c-35c-45c) 7 days. Gross: $12,600. (Average, $1,799.)

"Thanks for the Memory" (Para)  
ARKADA—(4-100) (25c-35c-45c) 2 days. Gross: $900. "Say It in French" (Para), 2 days, run. Gross: $900. (Average, $450.)

"Sweethearts" (M-G-M)  
PARIS—(3-100) (20c-30c-40c) 6 days. Gross: $1,300. (Average, $216.)

"Heart of Paris" (Tri-National Films)  
The Valiant, a French production, has some charming and completely absorbing moments, although on the whole it appears to be excessively lengthy in contrast with the simplicity of its story and its restricted action pattern. There are several distinguished performances and some excellent humorous touches which, however, may escape those unable to follow the dialogue, as much of the best has not been captured by the English titles.

The story depends for much of its veracity on the splendid characterization of a soft-hearted French shopkeeper given by Raimu. As a juror largely responsible for the acquittal of Michele Morgan for the murder of her lover, his sympathies are stirred to the extent of providing employment and shelter for her in his own home. The almost melodramatic consequences involve his son, his daughter and their fiancé, his wife and, of course, himself. Provision is made, however, for the happy ending.

The cast is uniformly good, but performances especially of Marcelline Dietrich and John Le Mesurier are those of Jacqueline Jacque as the wife, and Mlle. Morgan as the rescued girl.

Running time, 85 minutes. "A."  

Shirwin A. Kane

'Hollywood Preview'

"Disbarred" (Paramount)  
Hollywood, Jan. 9—Melo-dramatic in theme, devoid of comedy, yet containing a trace of romantic love interest, "Disbarred" follows a familiar pattern and in neither cast name nor audience entertainment value does it make available any patron-intriguing exploitation.

The purpose of "Disbarred" is to expose the unethical practices in which shady lawyers indulge. The bar association expels Otto Kruger, who has made a living by being a legal racketseer in the defense of thugs, gangsters and murderers. Continuing his business, but concealing his identity, in another city, Kruger engages a woman lawyer to be his mouthpiece and defender of his unsavory clientele. Torn between loyalty to the man who made it possible for her to be a success and her faith in the law, the heroine chooses the second loyalty and prepares to prosecute Kruger on a murder charge.

Miss Patrick does a capable job with her role, as does Kruger. With few exceptions the balance of the cast, however, is not more than adequate.

The original story by Harry Sauber, as well as the screenplay by Lillic Hayward and Robert Pressnell, appears to be composed of abstracts of half a dozen or more earlier "lawyer" pictures. Robert Florey directed.

Running time, 62 minutes. "G."  

G. McC.

"G" denotes general classification.

'Minneapolis, Jan. 9—Aided by mild weather and New Year's eve speculation, business for the week showed signs of revitalized business. High was "Out West with the Hardies," with $5,000 at the Century. The Gopher got $3,400 with "Up the River," and "Artists and Models Abroad" was good for $5,600 at the State.

In St. Paul "Angels with Dirty Faces" got $3,800 at the Orpheum and the Tower's $2,600 with "Up the River" and "The Frontiersman" was strong.

Estimated takings for the week ending Jan. 5:

Law West of Tombstones" (RKO)  
RIVERSIDE—(3-100) (25c-35c-45c) 7 days. Gross: $10,600. (Average, $1,514.)

"Down on the Farm" (20th-Fox)  
W. B.—(3-100) (20c-30c-40c) 6 days. Gross: $8,000. (Average, $1,333.)

"Kentucky and the Kids" (M-G-M)  
PARIS—(3-100) (20c-30c-40c) 6 days. Gross: $6,000. (Average, $1,000.)

"Dawn Patrol" (W. B.)  
PARIS—(3-100) (25c-30c-40c) 7 days. Gross: $4,500. (Average, $643.)

"Devil's Island" (W. B.)  
STANTON—(3-100) (25c-30c-40c) 5 days. Gross: $3,000. (Average, $600.)

"Artists and Models Abroad" (Para)  
STANTON—(3-100) (25c-30c-40c) 7 days. Gross: $2,600. (Average, $371.)

To the Victor" (G. B.)  
WORLD—(3-100) (25c-35c) "Saturn" 6 days. Speed: $1,000. (Average, $166.)

St. Paul:

"Angels with Dirty Faces" (F. N.)  
ORPHEUM—(3-100) (25c-35c) 7 days. Gross: $5,800. (Average, $828.)

"Artists and Models Abroad" (Para)  
PARAMOUNT—(2-100) (25c-35c) 7 days. Gross: $4,600. (Average, $657.)

"Spring Madness" (M-G-M)  
RIVER—(1-100) (25c-35c) 7 days. Gross: $1,800. (Average, $257.)

"Up the River" (20th-Fox)  
TOWER—(3-100) (25c-35c) 7 days. Gross: $2,000. (Average, $286.)

"Moonlight and Magnolias"  
WORLD—(3-100) (25c-35c) 7 days, 2nd week. Gross: $1,400. (Average, $200.)

'French,' Vaudeville $16,500 In Omaha

OMAHA, Jan. 3—"Say it in French," with Dixie Dunbar heading a stage show, took a smash $16,500 at the Orpheum.

"Artists and Models Abroad," dualled with "King of Alcatraz," pulled a surprise $9,200 at the Omaha. The weather was clear and cool.

Estimated takings for the week ending Jan. 4:

"Geime Places" (F. N.)  
RIVERSIDE—(3-100) (25c-35c) 7 days. Gross: $1,800. (Average, $257.)

"Artists and Models Abroad" (Para)  
BRANDRETH—(3-100) (25c-35c) 7 days. Gross: $1,000. (Average, $143.)

"King of Alcatraz" (Para)  
BRANDRETH—(3-100) (25c-35c) 7 days. Gross: $900. (Average, $128.)

"Up the River" (20th-Fox)  
MORGAN—(3-100) (25c-35c) 7 days. Gross: $500. (Average, $71.)

Hall Gets Warner Short

Walters' "Lincoln in the White House," latest addition to the series of patriotic two-reel shorts in technicolor, has been booked into Radio City Music Hall starting Feb. 16.
Procter & Gamble was by far the leading NBC client during 1938, with gross expenditures for network time of $4,860,155—more than $2,000,000 above the next biggest client, Standard Brands, with time expenditures of $2,670,462.

During the year NBC sold time amounting to $41,406,310, with 116 clients contributing to that total, excluding billings for political talks. Revenues from political talks totalled $54,569, making total NBC gross client expenditures of $41,627,679.

The 26 leading advertisers for the year, and gross expenditures for each, follow:

Procter & Gamble, $4,860,155; Standard Brands, $2,670,462; General Foods, $2,519,220; Sterling Products, $2,482,492; American Home Products, $1,883,340; Campbell Soup, $1,655,637; National Dairy Products, $1,466,957; Miles Laboratories, $1,497,906; American Tobacco, $1,381,684; General Mills, $1,366,860; Hollander, $942,930; Quaker Oats, $875,025; RCA, $870,540; Johnson Wax, $675,190; and L. L. Banner, $656,506; Cities Service, $658,205; Firestone Tire & Rubber, $635,206; Sun Oil, $631,667; Jergens, $571,277; Lifiget & Myers, $571,277.

Food and Food Beverages lead the industry with $2,204,067. Total gross expenditures of $14,559,775—an increase of $2 per cent over the expenditures for the same industry in 1937. The industrial classifications follow, alphabetically:

Automotive, $927,251; Building Materials, $902,886; Cigarette, Tobacco, $3,286,786; Clothing and Dry Goods, $76,767; Confectionery, $67,624; Cosmetics, $67,624; Drugs and Toilet Goods, $12,686,022; Furniture and Fixtures, $1,271,627; Foods and Food Beverages, $14,559,775; Garden and Lawn, $1,883,340; Hardware and Furnishings, $743,407; Lubricants, Fuel and Petroleum Products, $1,983,534; Machinery and End Equipment, $738,097; Paints and Hardware, $274,333; Radios and Phonographs, $955,706; Schools and Correspondence Courses, $66,459; Shoes and Leather Goods, $64,959; Laundry Soaps and Cleans, $4,941,316; Stationery and Office Supplies, $392,555; Travel and Hotels, $19,364; Wines and Beer, $185,252; Miscellaneous, $969,255.

Average expenditure of each of the 116 non-political clients was $356,968.

WKRC Adopting Single Rate Card

CINCINNATI, Jan. 9—WKRC will discontinue its present single rate card, and release this week a rate card No. 12, which supersedes all other rate structures. This is the new rate card which is the CBS station for Cincinnati, thus becomes the only station here to operate on a single rate card.

The new rate card has as its basic rate $300 per class A “hour” with rates proportionately reduced for classifications of time throughout the afternoon and morning.

WHN to Advertise On Bridges, Tunnels

Large signs displaying WHN’s call letters and slogan—“Radio 10”—will be placed at all toll booths of the Lincoln Tunnel, the Holland Tunnel, the George Washington Bridge, the Verrazano Narrows Bridge, the Bayonne Bridge, and the Outerbridge Crossing.

Arrangement for advertising WHN to all motorists using the bridges and tunnels was made by Dick Fisher, WHN’s agent, with the Port of New York Authority.

W8XAL Plans New Pan-America Series

CINCINNATI, Jan. 9—Further short-wave broadcasting activities are being planned for W8XAL by its owner, according to Mr. John Gamble, President of the Pan-America Broadcasting Corporation and director of international broadcasting.

Starting dates for the new series have not been definitely set.

New Shows on the Air

“Screen Actors’ Guild Show”

The fireside radio receiver gains another stay-at-home prop in the new Screen Guild Show, introduced Sunday on CBS at 7:30 P.M.

The inaugural program—and there is no reason to believe that the broadcast will follow to show a letdown—had simply everything that can be tossed into an able and entertaining program: and music, news, and novelty, plus an all-appalling charity angle which no other commercial radio program possesses. The Guild show is put out by the Screen Actors’ Guild, and the weekly fee the Guild receives from the New York Guild Oil Co.—said to be about $15,000—goes into a fund to build a hospital and home for indigents of the film profession. This fact was stressed in the opening program, as it will be stressed in subsequent broadcasts, and it cannot help but have an effect in drawing an audience.

Appearing in the inaugural were Jack Benny and Joan Crawford, Reginald Gardiner, Jolly Garland and George Murphy. Benny and Miss Crawford were heard in an amusing bit designed to bring out reasons why, asio “The Boss,” has lost his former available roles, like Gable, Taylor and Colman. Benny making serious love to Miss Crawford; Miss Crawford saying she was going to marry some man, probably the Rafting of it. Gardner again gave his funny imitation of a railroad engineer in motion, and Miss Garland sang the familiar song in a most convincing manner. Her husband, Bradley’s orchestra fashioned the musical backdrop. Murphy was M.C., and Jack Langer, Charlie Lindley, Ralph Morgan, S.A.G. president, and Col. I. Frank Drake, president of the Guild Co., were briefly about the purpose of the show.

“Gateway to Hollywood”

“Gateway to Hollywood,” new RKO air program, evolved by Jesse Lasky and designed as a talent hunt, got off to an unfortunate start Sunday, betrayed by a fantastic and puissant script. The “Gateway to Hollywood” has an entirely worthy purpose. The program will provide an avenue to stardom for a talented young acting couple. The quest is open to girls between the ages of 17 and 23, to boys between the ages of 18 and 25. The auditions were held for 13 weeks, a different team will be heard in various engagements, and at the close a board of judges will select their best performers in the roles in an RKO picture. The winning youngsters will adopt the names James and John—a name the “Metro Edens” — and will be guaranteed at least six months’ work by the studio at $125 a week.

The two youngsters in the inaugural show will not, at this stage of their careers, set any rivers afire with their dramatic ability, but no one expects a polished acting job. It was the script that threw them, not their acting.

The story was by Peter Dixon and was titled “Greater Love.” It was a preposterous story of the Civil War and the Civil War hero, now a state governor, and the Yankees, and the daughter of the State governor, and the Yankee sympathizer. He comes to his own town from the war and is promptly married to his wife by shot her because of her desire to bring the war to a close. How his demise would end the war would be an interesting story to be told. The sister-in-law was played by Miriam Hopkins, whose talent was added for the series.

Cecil B. DeMille was on hand to wish his old partner, Jesse L. Lasky, good luck in the new venture. We, too, wish Lasky and his company well.

“Gateway to Hollywood” is presented Sundays over CBS at 6:30 P.M., and sponsored by the Wright Co.

Al Smith Elected To NBC Council

Alfred E. Smith, former governor of New York, was elected a member of the NBC advisory council at a meeting held in New York today. Mr. Smith succeeds the late Judge Morgan J. O’Brien. The council reaffirmed the network’s policies covering religious groups, communism, controversial issues, and politics, and voted in their continuation.

California in number as follows: Religion: NBC did not allow for all religious programs but has chosen responsible organizations representing religious groups, Protestants, Catholics, and Jews, to suggest speakers and prepare programs; NBC does not permit attacks upon religious faiths or upon racial groups. Politics: It does not sell political time other than during elections, and does not accept dramatic presentations of political issues because, the network believes, it is impossible to prevent essential misrepresentations and unfairness when this policy is employed. In connection with its own sustaining network, NBC at all times to give equal representation to both sides of every controversy and to sponsored programs where controversial programs are presented, the sponsor may be forced to give equal time to a representative of views opposed to the sponsor’s speaker.

Further, a speaker having been granted time by NBC does not censor or edit his opinions, other than checking for slander, violations of law.

Farr-Burman on NBC

Ten-round lightweight bout between Tommy Farr and Clarence Burman was said to have held up NBC Blue on Friday, beginning at 8 P.M., under the sponsorship of Al Capone and Bill Stern will handle the broadcast.

FCC Calendar

WASHINGTON, Jan. 9—A construction permit for a new station, to operate on 1,310 kilocycles with 100 watts of power, 250 watts day, has been asked of the Federal Commission by John R. Pepper, Greenville, Miss.

The commission has scheduled its hearings for the week, as follows:

Jan. 10: Applications of WKOK, Sunbury, Pa., for extension of time of specified hours to unlimited, and WSNJ, Bridgeton, N. J., for extension of time of day from unlimited to 1000—1200 hours, 250 watts day, 100 watts peak.

Jan. 11: Applications of Sweetwater Radio, Inc., for a new 210-watt daytime station at Sweetwater, Texas, and WWEM, Tempe, Ariz., for extension of time from 1000 to unlimited with 100 watts night, 250 watts day, 1200-1200 hours.

Jan. 17: Applications of Charles Greenblatt for a 1,150-kilocycle station at Bridgeport, with 250 watts power, and WWHT, Haverhill, Mass., for increase of day power from 100 to 250 watts.

WICA, Ashtabula, O., asks for an increase in power.
**Para. Sets Call Of $5,000,000 In Debentures**

**Authorized at Special Meeting of Board**

Calling of $5,000,000 of Paramount's six per cent debentures at par, plus accrued interest, was authorized yesterday by the company's board of directors at a special meeting.

The call is to be made out of the company's excess cash balances, augmented by a small six-year line loan. Indications are that the company's consolidated cash position will be in excess of $10,000,000 after the $5,000,000 of debentures have been called and paid for.

With the retirement of the $5,000,000 of debentures, there will be outstanding only $4,400,000 of the original six per cent debenture issue of approximately $36,000,000.

W. Sorg, as agent of the Irving Trust Co., trustee of KRO, yesterday filed a list of debentures and other obligations totaling $10,450,800 in exchange for them, which accompanied the list of debentures and other obligations totaling $10,450,800 in exchange for them, which accompanied the list is required in lieu of physical presentation of the debentures to the Federal Reserve Board.

The list itemized debentures as follows: $5,000,000 in 10-year six per cent gold debentures held by J. & W. Seligman & Co., as depositary; $481,000 in six per cent gold notes, held by Atlas Corp.; $262,000 in unsecured six per cent notes held by The American National Bank.

(Continued on page 3)

**MPTOA Committee Will Meet Today on Trade Practice Pact**

The M. P. T. O. A. executive committee will meet here today to coordinate the reactions of its affiliated units to the distributors' tentative trade practice draft. The committee will formulate its policy for future negotiations with the distributors' committee after consolidating these reports from the individual units.

**Data Is Filed To Accompany RKO Consents**

W. Sorg, as agent of the Irving Trust Co., trustee of KRO, yesterday filed a list of debentures and other obligations totaling $10,450,800 in exchange for them, which accompanied the list is required in lieu of physical presentation of the debentures to the Federal Reserve Board.

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(Continued on page 3)

**Plan Calls for Liquidation of Fox Theatres**

**Weisman Files Proposal In Federal Court**

Milton C. Weisman, as receiver of Fox Theatres Corp., has filed a proposed plan of liquidation of the company to the court which, if adopted, will terminate his receivership by transfer of the assets of the company to two trustees to be appointed by Circuit Judge Martin T. Manton.

A closed hearing on the plan was held recently in the Manton chambers. The hearing was on a legal point, and objecters were given until Jan. 12 to submit briefs. A decision is expected within a two weeks.

Majority for Plan

The legal point involved is understood not to affect the terms of the plan to any extent. The plan is said to be favored by a great majority of the creditors and stockholders, one creditor submitted an alternative plan to the court providing for a corporate setup instead of the trustees. This has been turned down.

It is expected that Fox Theatres Corp. will be out of receivership in about two months, upon Weisman's filing of his final report as receiver. The corporation has been in receivership about seven years.

The plan provides a method of

(Continued on page 3)

**“Jesse James”**

[20th Century-Fox]

**“Jesse James”** is an entertainment bonanza and a box-office gold mine.

There is no question that westerns hold an intimate place in the affections of the American theatre-going public, and this is a western plus.

Some fact, some fiction, some history and some imagination, it is the story of America's most glamorous outlaw. Sketchy, yet complete, it is a screen merchandise of irresistible appeal to all types of audiences. Even the most critical of film-goers will applaud the excellence of production detail, the pictorial beauty provided by the complete use of color.

“Jesse James” is basically man riding horses, robbing banks and trains, shooting and killing, living and dying dangerously. It tells of a man who loved greatly, who was worshipped by his wife and friends, but who outraged every friendship. The railroad robbed Jesse James of his land and killed his mother. He avenged the southwest, only to die by the hand of one of his gang.

It is a stirring story. The literary content, prepared by Nunnally Johnson, gives life and spirit to that quality, and Henry King's direc-

(Continued on page 7)

**“Zaza,” Goodman**

Get Para. $50,000

“Zaza” opened an extended stay at the Paramount with an estimated $50,000 in its first week, aided by a strong stage attraction in Benny Goodman and his orchestra. “Going Places” at the Strand, with Louis Armstrong's band on the stage, is an attraction with $37,000 estimated for the first five days.

The “Beachcomber” drew an estimated $28,000 in its second week at the Rivoli and is continuing there. Fourth week of “Pymall” drew $16,000, while the Astor “Grand Illusion” went into its 18th week at the Filmarte yesterday.

“Trade Winds” will open at the Music Hall tomorrow, and “Marie Antoinette” will start a popular price run at the Capitol. “Jesse James” is due at the Roxy Friday. “Heart of Paris” (Tri-National) opens at the Cinema 49 on Thursday.
**Purely Personal**

JOSEPH BERNHARD, GEORGE M. COHAN, CHARLES E. MCARTHY, ARCH REINER, DAX MICHALOWE, MARTIN BECK, SIDNEY PHILLIPS, MAX GORDON, MARK HEIDIAN and J. HOFFMAN among those lunching at the Astor yesterday.

PERRY SPENCER, formerly of Loew's home office publicity department, has been appointed director of publicity and exploitation for Republic exchanges at Atlanta, Charlotte, Tampa, New Orleans and Memphis.

RAY MILLAND, who is to appear in a remake of "Beau Geste" for Paramount, and Col. H. GIRAUX of the French Foreign Legion, who will advise on the film, arrive today on the Paris.

NEIL F. AGNEW, J. J. UNGER, CHARLES REAGAN, ROBERT GILHAME and ALEC MOSS returned to New York yesterday from the Paramount district managers' meeting in St. Louis.

DENSMORE A. ROSS, general manager of Ross Federated Service, and F. V. MISKE, controller, have returned from a district managers' meeting in Miami.

JAMES F. PATTERSON, 20th Century-Fox British executive, who has been here for conferences, returns today on the President Harding.

ABE MONTAGUE, Columbia general sales manager, returns to New York Friday following a business and vacation trip to Honolulu.

Y. FRANK FREEMAN, Paramount studio head, is expected Friday from the coast for home office conferences.

BEN KALMENSEN of Warners and Mrs. KALMENSEN return today from a Caribbean cruise.

ALAN F. CUMMINGS, M-G-M exchange operations head, goes to New Haven today.

JOHNNY MURPHY, assistant to JOE VOGEL at Loew's, is vacationing in Arizona.

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**THE MERCURY**

**GIANT SKYSCAPES**

**OVERNIGHT TO LOS ANGELES**

Fly the Southern SUNSHINE route every night to Los Angeles. Through service. No change of planes. Giant SKYSCAPES. Complimentary meals served by stewards.

**Mercury** 10:15 a.m.

**Southerner** 4:10 and 4:25 p.m.

(only 3 stops)

FOR RESERVATIONS: Call your Travel Agent or Weather 2-3100, Ticket Offices: 45 Vander\n\nAvenue, and Rockefeller Center, 18 W. 49th St.

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**AMERICAN AIRLINES**

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**MOTION PICTURE DAILY**

Wednesday, January 11, 1939

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**Insiders' Outlook**

By SAM SHAIN

Perhaps no man in the trade has had the all-around experience in show business which Dan Michalowe has had. He knows the newspaper game, too, and he has served successfully in distribution, compensation, real estate, finance and even in the studios. Michalowe was the first theatre man to undertake a study of production—from within. He served under B. F. Loew for a time. Since then, the swing to theatre men to operate the business end of production has come clear around. Today, there is Y. Frank Freeman, at the Paramount plant, and Cliff Work, at Universal.

All of which is recalled only because Michalowe is back in town, after a year of circuit work in the Australian theater situation for Sidney R. Kent. **\n\nExhibitors in Omaha voted "Alexander's Ragtime Band" the most popular film of 1938 as far as their city was concerned. A poll of 19 exhibitors by the Omaha World-Herald placed "Boys Town" second. The next eight films were: "Hurricane," "Love Finds Andy Hardy," "Heldi," "You Can't Take It With You," "Robin Hood," "Snow White and the Seven Dwarfs," "Test Pilot," "Four Daughters."**

The Motion-Pictures-Greatest-Year drive is over. Time for inventory taking has arrived. Whether 2,000,000 Quiz applications were genuine or not, now is the time for the industry to consolidate its good will—position with the press and the public. If the contest has been a success, now is the time to strengthen these gains and extend them.

Everyone knows that a good picture is the best path to the boxoffice—nothing else is looking. Goodwill, however, is had from the heart.

Maybe the business has become too dependent upon formula. The old producers and their very best men are lazy. They are too prone to expect the sure-thing show before acting. They want to have a prepared alibi for the b. o.

The National Association of Broadcasters doesn't like the Emanuel Celler bill for establishment of a radio broadcasting station by the Government in the Panama Canal Zone.

Representative J. D. (N. Y.) argues that a Government station is necessary "to counteract and checkmate the vicious and ruthless German propaganda by radio and short-wave programs throughout all South American countries."

The N.A.B. fears that establishment of one station by the Government might lead to eventual governmental control of the radio industry.

Last year Congress killed four similar bills.

Show business must be more adventurous and therefore perhaps more romantic. That means more heart, too.

Maybe the business could use some of that old-time sparkle in showmanship and a bit more of the romantic spirit. The heart of show business was visible in the old days. So much of it was in the flesh, and it was felt. Today, it's in the can.

That's the difference but that doesn't mean that the spark is any less.

It takes an adventurous and romantic spirit to create "Snow White" or a "Chicago" and a "Jesse James" and make them go. Or "Annie With Dirty Faces" and make that good. Or a "Boys Town."

It's the spirit behind the film which the public is looking for and wants to understand and know. Maybe the last campaign didn't reveal it.

The next campaign provides a wonderful opportunity to show that the business isn't altogether mechanical or clay and mortar, that it is a human business.

The next drive must be something more than advertising or a contest. And it must be directed by experienced public-minded individuals who take the language of the trade and know its heart sufficiently to reveal it adventurously to the public.

**Quiz' Judges to Hold Lunch Today**

A luncheon will be held at the Waldorf-Astoria today, at which will be given out the "Quiz" of the Film Board Tonight.

They include Mrs. Ogden Reid, Dr. James E. West, Honorary chairman, representing Congressman Bruce Barton, who is occupied in Washington, and Hendrik Willem van Loon, Mrs. Helen Wills Morton, chairman, who will not arrive from Los Angeles v. next week.

The judges will discuss procedure in the handling of the contest's answers in connection with the contest. All entries will be considered with signatures and not identified by a key number. In this way even the judges will not know the identity of the contestants.

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**Install Offices of Film Board Tonight**

Harry Hummell, newly elected president of the New York Film Board, and Trade, will have offices for 1939 will be installed at the board office in the Paramount Building to-night.

The meeting will be followed by a dinner at the Diamond Horseshoe to be attended by new and outgoing officers and directors of the board.

To be installed with Hummell are: Edward H. Bell, Paramount, first vice-president, and C. R. Mancall, United Artists; John E. Neale, M-G-M; treasurer; Myron Sattler, Paramount, secretary, and David A. Levey, M-G-M, sergeant at arms.

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**Harry Burns Dies; Director and Editor**

Hollywood, Jan. 10.—Harry Burns, 55, veteran director-actor and film trade paper editor, died last night of a heart attack on the Coast in 1915 and was director for Fox-Vitagraph. He was editor of the Hollywood Filmography for several years. Two recent books was on the advertising staff of the Quigley Publications in Hollywood.

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**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Martin Quigley, president; Calvin Brown, vice-president and treasurer; Publication office: 1270 Sixth Avenue at Rockefeller Center, New York. Telephone: Circle 7-3100. Cable address: "Quigpubco. "All contents copyrighted 1938 by Quigley Publishing Company, Inc. Address all correspondence to the New York office.

Other Quigley publications: Motion Picture Herald, Better Theatres, Theatrical Exhibitor, Quigley Motion Picture Almanac and Fanke.


Entered as second class matter January 8, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rate $6 in the Americas and $12 foreign. Single copies 10c.
RCA Photophone
Plans Sales Drive

CAMEB, Jan. 10.—Detailed selling plans for RCA's rapid sound products for 1939 were outlined by Homer B. Snook, reproducer sales manager, at the convention of sales and service representatives here. Edward T. Jones, advertising manager, followed Snook with an outline of an enlarged advertising program for 1939, a promotion campaign for the year.

Tomorrow the fifty Photophone men gathered at the Westmount Hotel to hear Max C. Batsel, chief engineer, tell of the work of the research and development laboratories of the company.

Thomas F. Joyce, RCA advertising manager, opened the convention with an address in which he said that progress in the motion picture industry is based on continual development and that RCA's progress from the beginning of sound motion picture parallels closely the progressive measure of sales, and the program for 1939 is wide and deep.

The laboratory, he added, will play the leading role in the company's future progress.

WPA Dismissal
Meeting Tonight

Protest meeting against dismissal of 1,000 WPA workers engaged on the federal-aid program for outdoor activities was called for 11:15 P.M. tonight at the Hudson. The meeting will be held under the auspices of the Federation of Arts Unions, which represents all unions whose members are employed on the project.

The public has been invited to attend the meeting. Speakers will include Florence Reed, vice-president of the Actors' Equity, Ralph Whitehead, executive secretary of the American Federation of Actors; Leo Fischer, director of the American Guild of Radio Artists; Mark Morris and Mada Reade of the Equity council. Several other actors have indicated the intention to address the meeting.

On Friday, the group will hold an outdoor meeting at Washington Square.

Frenchmen in Today
For Fair Ceremony

Coming in for flag raising ceremonies at the French Pavilion of the World's Fair, Governor General Marcel Prou will arrive today in the Paris suburb. With him are Roger Expert, chief architect of the Pavilion, Harry Adams, director of the French section, Pierre Titeux, technical advisor, Andre Prothin, engineer of the Parisian Village, and Fernand Heriard, chief architect of the Annex of Overseas France. The ceremonies will take place Friday.

Berman Buys Story

Hollywood, Jan. 10.—Pandro S. Berman has purchased "She Said I Do," Redbook Magazine story by Frank R. Adams, for a Ginger Rogers vehicle which Gregory LaCava will produce and direct. Miss Rogers first will do "Little Mother," which is scheduled to start in February.

No Discusions on
Maxwell-GB Option,
Oscar Deutsch Says

LONDON, Jan. 10.—No discussions have taken place between Associated British, headed by John Maxwell, with regard to the option to purchase shares in Metropolis & Bradford Trust, holding companies for Great Northern British, Oscar Deutsch, head of Orange Circuit, is quoted as saying today in The Financial Times. It was indicated earlier this week that, in connection with the proposed Oden-G. B., Franklin, of Orange Circuit, the purchase of G. B. shares by Odeon is likely before March or April, pending an examination of G. B. properties. The shares in Metropolis & Bradford have been under option to Maxwell for a long period.

G. B. carries 9 per cent of the M. & B. shares optioned to Maxwell, without the approval of 20th-Century Fox, but Deutsch is quoted as declaring that 20th-Century Fox is agreeable to the sale. An offer is also likely to be associated with an examination of the Odeon voting shares. Reports in the London financial district have it that 20th-Century-Fox is willing to sell 4,900 M. & B. votes at a premium price.

Following the weekend reports, Odeon ordinary shares gained one shilling to seven shillings, six pence, and the preference shares gained a shilling and six pence, to 15 shillings, six pence, G. B.'s 100-shilling ordinary shares gained nine pence, to four shillings, seven and one-half pence.

Schenck Statement

Hollywood, Jan. 10. — Joseph Schenck, when seen in Hollywood, said that 20th-Century-Fox holdings in Gaumont British were not for sale.

Para. Sets Call of
$5,000,000 in Bonds

(Continued from page 1)

president, and Stanton Griggs, chairman of the executive committee. Eventual retirement of the remaining six is expected.

Wall Street estimates yesterday placed Paramount's $388 earnings at around $400,000. The company's fourth-quarter total may have accounted for half this amount, but the improved business noted during that period shows indications of continuing.

No Film Measures
Are Due in Texas

CHICAGO, Jan. 10.—No legislation regarding films is planned during the coming session of the Texas legislature, Governor Dan Moody declared today. No drive to a divorce bill will be proposed. Governor Moody said.

Aid Paradise Drive

Hollywood, Jan. 10.—James Roosevelt, Secretary of the Interior, and President Franklin D. Roosevelt will fly to San Francisco to-morrow to attend a luncheon in the interests of the infarile paradise drive.

Gordon Stricken

Hollywood, Jan. 10.—H. Henry Gordon was stricken on location at Stockton today and rushed to a hospital.

Brandt Calls Off
Giveaway Parade

Harry Brandt, president of the T.O.A., has called off the scheduled meeting of the exhibitors' giveaway committee, which was to be held today at the Astor.

Brandt's action as an ex-officio member of the committee, is to continue discussions today with the distributors concerning committee of yesterday. Brandt will attend today's conference with Milton C. Weisman, counsel of the I.T.O.A.

The giveaway committee was scheduled to meet to receive results obtained to date on a nationwide survey on cash giveaways, made in cities which have never used the stimulants and cities which had used them and eliminated them.

Data Filed to Go
With RKO Consents

(Continued from page 1)

can Co., $508,000; Broadhurst Inc., and, $75,000 by Roy E. Larsen.

Irving Trust filed a list of 13 ex-ectutory contracts of RKO and four executory leases of RKO which have been rejected and surrendered. The Irving Trust Co., in filing these lists, acted in compliance with a ruling by Judge Borden, which directed the filing as a prerequisite to approval of the plan of reorganization.

No action has been taken by Judge Borden on the signing of a formal order in conformity with his decision approving the proposed plan.

Litigation of Fox
Called For in Plan

(Continued from page 1)

liquidation after appointment of trustee over period of years, dependent upon market conditions. In predatory remarks to the plan, Weisman stated: "It was the intention of the company to assure the public that no sound basis exists for reorganizing Fox Theatres Corp. as a going concern since, in truth and in fact, the corporation is in actual bankruptcy, is a forced sale will fail to realize the real and potential assets of the company." Poor business, plus the Government anti-trust suit, have made a sale of the assets at a "relatively reasonable price a certainty." The plan, according to the receiver, will eliminate administration expenses.

Under the plan, creditors are divided into four classes: tax creditors, receivership creditors, preferred participating and general creditors. Tax and receivership creditors will be paid in full by the trustees. When the claims of the preferred creditors are finally determined by the court, the trustees will issue to them non-interest bearing preferred participating certificates for the face value of their claims, less dividends already paid. The plan contemplates gradual retirement of preferred certificates, and upon complete retirement certificates will be issued to general creditors who will be paid on a pro rata basis. Assets of the company listed in a statement dated last Nov. 30 and included in the proposed plan itemized current assets at $150,765 and investments of four wholly owned subsidiary companies at $358,957. A claim against William Fox is set forth in the statement of total liabilities, listed at $8,100,350, plus a contingent claim of William Fox for $7,186,000. An eight per cent dividend on allowed preferred stock of $8,100,350 has already been paid.

The proposed plan, it is believed, will not require the filing of consents by creditors but only the approval of Judge Manton. The concern is insolvent, according to the statement of the receiver, and there will be no pay ments to stockholders.

Joan Blondell Signed

Hollywood, Jan. 10.—Joan Blondell today signed for Universal's "East Side of Heaven."
THE N.Y. STRAND'S

Such Fun!
Such Music!
Such Reviews!

More Orchids!
Swell openings all over for that other sweet property

DEVIL’S ISLAND
Including the Victory, Dayton where it is BIGGEST SINCE ‘ROBIN HOOD’!
SUCH BUSINESS!

PLACES

(Next to the top 4-day business of the past 7 months—and held over!)

and

with

DICK POWELL • ANITA LOUISE • RONALD REAGAN
ALLEN JENKINS • WALTER CATLETT • HAROLD HUBER

LOUIS ARMSTRONG • MAXINE SULLIVAN

Directed by RAY ENRIGHT • Screen Play by Sig Herzig, Jerry Wald and Maurice Leo • Based upon the Play "The Hottentot" by Victor Mapes and William Collier, Sr. • A COSMOPOLITAN PROD’N • A First National Picture

WARNER BROS., Holdover Headquarters
"Crime" With Vaude $19,400 Chicago Lead

CHICAGO, Jan. 10.—"Crime Takes a Holiday" at the State came off with a $19,400 gross which is terrific for this house. The Oriental, with "Tarnished Angel," had a smash week with $18,400. The Palace with Joan Davis in person and "Up the River" on the screen inched along at $15,000. "Sweethearts" at the U. A. and "Paris Honeymoon" at the Chicago were also well over average. Other houses were satisfactory. The weather was unsettled most of the week.

Estimated takings for the week ending Jan. 5:

- "Dramatic School" (M-G-M)
  APOLLO—(1,400) 7 days. Gross: $5,530. (Average, $790.)
- "Parish Boys" (Para.)
  CHICAGO—(4,000) 33c-55c-75c 7 days. Gross: $15,000. (Average, $3,000.)
- "Action or Love or Money" (Para.)
  GARRICK—(900) 33c-45c-60c 7 days. Gross: $3,000. (Average, $429.)
- "Tarnished Angel" (RKO)
  ORIENTAL—(2,400) 20c-30c-40c 7 days. Gross: $17,000. (Average, $2,429.)
- "Up the River" (20th-Fox)
  PALACE—(2,500) 33c-55c-75c 7 days. Gross: $32,000. (Average, $4,643.)
- "Trade Winds" (M-G-M)
  ROOSEVELT—(1,200) 33c-55c-75c 7 days. Gross: $20,000. (Average, $2,857.)
- "Grand Takes a Holiday" (Univ.)
  STATE-LEL--(2,500) 33c-45c-60c 7 days. Stage: Eight Acts of the Unenville. Gross: $32,000. (Average, $4,571.)
- "Sweethearts" (M-G-M)
  ASPRUS--(1,000) 33c-55c-75c 7 days. Gross: $18,500. (Average, $2,643.)

"Hardy's" Is Smash Washington Gross, Tallying $29,500

WASHINGTON, Jan. 10.—"Out West with the Hardys" at Loew's Capital was a $29,500 gross for its nine-day run. Also sensational was the take for "Sweethearts," $24,000 at Loew's Palace.

Estimated takings for the week ending Jan. 5:

- "Out West with the Hardys" (M-G-M)
  LOEW'S-CAPITOL—(2,640) 25c-35c 7 days. Stage: 3 slate Bros., Chas. Carlin. Gross: $23,400. (Average, $3,343.)
- "The Citadel" (M-G-M)
  THE CITADEL—(1,243) 20c-30c 3rd week. Gross: $6,200. (Average, $2,067.)
- "Love, Honor & Be Silent" (RKO)
  LOEW'S-PALACE—(2,250) 25c-35c 7 days. Gross: $22,000. (Average, $3,143.)
- "The River" (RKO-Path)
  RKO-KEITHS—(1,536) 25c-45c 7 days. Gross: $9,000. (Average, $1,500.)
- "Playing Places" (W. B.)
  FALLS TOWER—(700) 20c-35c 7 days. Gross: $1,000. (Average, $143.)
- "Dawn Patrol" (W. B.)
  DAWN PALTO—(950) (25c-50c) 5 days. Gross: $6,100. (Average, $1,220.)

Form Tri-Color Corp.

DOVER, Del. Jan. 10.—Tri-Color Corp. has been formed here to deal in motion pictures, with a capital of $50,000 and 1,000 shares, no par value. L. H. Herman, Walter Lenz and L. E. Gray of Wilmington are the incorporators.

Out Hollywood Way

HOLLYWOOD, Jan. 10.—JACKIE COOPER has been signed to a term contract with Paramount and will be starring in "Blonde Stone," a New York stage play, Betty Field, from the stage cast, will play opposite Monroe. The contract man at Paramount is a father. A daughter, 8% pounds, was born to HATTIE PETERSON at the Lebanon Hospital... MARIE WILSON has been loaned by Warners to 20th Century-Fox for "Rose of Washington" and RAYMOND STANLEY will play opposite JIMMY NEVILL. In Grand National's next "Renfrew" picture, GORBY FATTET, cartoonist specializing in feminine figures' pictures, will collaborate with Le Roy Prinz in staging a bazaar sequence for Paramount's "Man About Town"... TAY GARNETT is working on the treatment for "Two Weeks," which he will direct for Walter Wanger and in which he will utilize film shot by him on the European and North African portion of his recent world cruise.

+ Caution—Binnie Barnes and Phil Harris have been signed for Paramount's "Man About Town," to star JAYNE CRAWFORD and BETTY Field... KENNETH HARBAN to "On Trial," WARNERS... JANET DAWRELL replaces ELIZABETH PATTERSON in Paramount's "Grand Jury Secrets." Miss Patterson has been loaned to 20th Century-Fox for "Alexander Graham Bell"... JOHN RUSSELL has been borrowed from 20th Century-Fox for Warners' "Hero for a Day"... IRVING BACON has been loaned to NM from 20th Century-Fox and RAYMOND STANLEY was signed for "The Cockeyed World" directed by WALTER HILL... JOHN CARROLL has been borrowed from Monogram by Columbia for "47th Street"... ROBERT RAYAN, M-G-M also has been set... RICARDO MONTAZZA temporarily drops his directing duties to become an actor again for 20th Century-Fox's "Charlie Chan in Reno"... HARRY DAVENPORT to Alexander Graham Bell's "20th Century-Fox"... JAY BARRY to Warners' "Fly Away Home."... WALTER KINGSFORD to "Juarez," WARNERS... WILLIAM COLLIER, Sr., to "Invitation to Happiness," Paramount... ROBERT PRESTON draws an important role in Paramount's "Beau Geste"... RAYMOND HAYTON gets the comedy lead in "Rough Rider Patrol'... ROY ROGERS western at Republic...+ Writers—DALTON TRUMBULL and Fred Jackson have joined Grand National's writing staff to work under J ACK SKIRBALL.

+ Directors—LODOW BACON will guide "The Roaring Road," auto racing picture, at Warners...+ Titles—The next Torchy Blane picture at Warners will be titled "Torchy Walks In."... Republic has changed the title of "Ridin' the Range," GENE AUTRY picture, to "Home on the Prairie."

Theatres Worried On Wisconsin Tax

MILWAUKEE, Jan. 10.—Exhibitors are concerned over legislative prospects for the 1939 session with a new governor and party in power in the state.

Indication of what might be expected in the way of tax legislation was the suggestion by Gov. Julius F. Heil at a recent budget hearings that a new type of tax be adopted to help meet budget expenses.

While a proposed tax on theatre receipts has been successful in previous legislatures, it is possible that such a tax might meet with a friendly reception at the coming session.

Mexican's Produced 58 Pictures in 1938

MEXICO CITY, Jan. 10.—Estimates made recently that Mexican production this year would total only 40 features because of labor troubles during the summer and fall, have been revised to show that at least 58 features have been produced this year. The following is the list, as many pictures as finished as possible. Mexico began making talking films in 1931. In the last year two features, "Apache," and "Hughes," have steadily increased to 42 last year. Higher picture output has increased the number of Mexican producers.

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<th>Year</th>
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Charges are Slashed By Censor in Kansas

KANSAS CITY, Jan. 10.—Fifty per cent reduction in fees for inspection of original prints by the Kansas State censor board has gone into effect. Maximum charge of $2 per reel for inspection of copyright prints dropped to $1, and the $1 charge for duplicate prints will remain the same.

Exhibitors will save approximately $5,000 annually out of estimated yearly fees of $30,000.

G. N. MOFFETT OFFICE

CLEVAND, Jan. 10—Grand National's new film company has moved into its new quarters in the Film Building there. John Himmelman is local manager.
Columbia Signs for Six Spanish Films

Columbia has signed with Productores Grovas and Jose Luis Bueno, Mexico City producers, who are expected to produce three features each to be distributed by the company during 1939-'40 in Latin America and other Spanish language countries. World rights have been obtained.

Additional Spanish language films will be released by Columbia during the new season, and the list may go up. Currently the company is distributing three Spanish language films. Warner Grovas, now, has in work his first film for Columbia. This is "Cada Loco con su Terna," a comedy, with a cast including Enrique Herrera, Gloria Marín and Josip Pardave.

The other producer, Bueno, will start his first film this Winter, also a comedy. Chato Ortin will star and Robert O'Quigley will direct.

Academy Group Will Study Camera Award

HOLLYWOOD, Jan. 10.—Nathan Levinson, chairman of the Technicians' Branch of the Academy, has named a committee to consider possible changes in the rules governing the annual Academy camera award.


"Lincoln" to Start New Warner Series

HOLLYWOOD, Jan. 10.—First short subject to be handled by the newly created Americanism Department of Warners will be "Lincoln in the White House."

The newly formed bureau is in charge of Jack Holmes, working under the supervision of Robert Taplinger, publicity director, and its function will be to cooperate with the American Legion and other patriotic groups.

Baer to Star in 6 Westerns for G. N.

Grand National has signed Max Baer, boxer, for a series of six westerns, to be produced on the coast by Arcadia Studios. The films, as yet untitled, will be released during the current season. Baer arrived in New York yesterday to attend several business meetings and will return to the coast shortly for the start of production.

Bachelor Dinner to Fox

ALBANY, Jan. 10.—Phil Fox, Columbia branch manager, will be given a bachelor dinner in the DeWitt Clinton Hotel next Monday. Fox is to wed Ida Perlstein in Boston Jan. 29.

Hollywood Preview

"Jesse James"

(Continued from page 1)

tion has done much to accentuate it. There are many great episodes in this pictorial saga of a bad man. For example, the sequence in which Frink James daces Jesse from the soldier-guarded jail will set pulses beating faster. Other highlights with his wife, being away when their child is born; his return to find her gone, and when he rejoins her after a decade only to meet death, will stir the emotions and perhaps bring a tear or two. There is comedy, as well as when Jesse runs his death warrant down the throat of a railroad official.

The picture's drawing power is Tyrone Power, who here demonstrates his right to rank as a box-office star. The work of the support is of high caliber, including Henry Fonda, Nancy Kelly, Randolph Scott, Henry Hull, Slim Summerville, Brian Donlevy, John Carradine and Donald Meek, and many others. "Jesse James" sets a high standard. Those concerned in its production at 20th Century-Fox have welded into it the elements of romance and drama naturally appealing to every audience group. It is up to the exhibitor to let the public know about it. The exploitation material in the film is almost unlimited. The picture offers ample opportunity to reap a rich box-office harvest.

Running time, 107 minutes. "G."**

G. Mcc.

"G" denotes general classification.

Two Projectionists Bill Up in Albany

ALBANY, Jan. 10.—Assemblyman Robert Crews, Republican, of Brooklyn, has introduced a bill in the New York legislature which provides that two projectionists must be in film theatre booths at all times, in first class cities.

The bill is backed by the I. A. T. S. E. and the State Federation of Labor. The measure would also require strict persons other than licensed operators from being in the projection booth while the equipment is in operation.

Proyection Society Is Headed by Bendheim

Officers of the American Projection Society installed by Eugene Giguire of International Projector, are headed by Edward Mc'D. Bendheim, president. Other officers are: Alfred R. T. Bishop, vice-president; Frank McMahon, secretary; James Ambrosio, treasurer; Jack Chulchian, sergeant-at-arms. Board of governors includes Ed Ferris, Ed Levene, Fred D. Smith, Alex Polin and Tony Rugno.

Delay Huston Luncheon

Walter Huston testimonial luncheon scheduled for Friday in the Federation of Jewish Charities drive has been postponed. A date is to be set.

The luncheon is sponsored by the legitimate theatre division of the drive. William Klein, attorney for the Shuberts, is chairman.

Pick "Roaring Nineties" Re-title "Valiant"

HOLLYWOOD, Jan. 10.—Warners has selected "The Roaring Nineties" as the final title of "And It All Came True," the novel by Louis Bromfield.

"The Valiant." French film released in this country by Tri-National films, has been retitled for the American market, to "Heart of Paris."

Roman Handles Revivals

Ben Roman is handling the booking of "Morocco" and "The Spiders" for Paramount. The films were originally released in 1930. Both star Clark Gable. "Morocco" goes into the Terminal, Newark, the week of Jan. 21. Roman is handling the revivals in New York and New Jersey.

C.E.A. Council to Study Duvals Today

LONDON, Jan. 10.—General Council of the Cinematograph Exhibitors' Association, meeting tomorrow, is expected to face a rebellious group of independents. The new committee formed to study the problem of two "A" features on a single program is expected to demand that the officers accompany them in approaching the circuits on the matter.

If this is not done, it is understood, the group will ask the Cinematograph Renters Society (distributors) to set up a joint grading system with the C.E.A.

The new committee also is expected to examine thoroughly the effects of the Quota Act on the exhibitors, with emphasis on the current film shortage. The group also will examine into and report on the present position of the independent exhibitor in the face of large circuit mergers, such as that proposed between Gaumont British and Odeon.

The council will be asked to ignore the reductions in service charges made by Western Electric, and suspend re-awards pending comparison with other companies.
Erwin Wasey Tops Mutual Agency List

Annual report of the Mutual Broadcasting System shows that of the 49 advertising firms that used the network's facilities in 1938, 38,000, 325—3,000, 15,000, and 15,000 new outlets. Co., Tom; the Commerce, Tom; in the office, in town for the next six weeks. . . . Douglas Fairbanks, Jr., will be interviewed by Radio Business in Mutual tomorrow night.

WILLIS HEADS CBS

TOPPING THE list is Fredric Willis, vice president and assistant to President William A. Paley, who has been named director of the network's short-wave department and will henceforth divide his activities between both posts. Elizabeth Ann Tucker will remain in charge of the short-wave department, operating under Willis's supervision.

Meanwhile, at CBS, public relations director, S. H. Gentry, overseeing the network's radio station, has designated the new division, Wally West, has been, of the new division, Wally West, has been, of the network's newest acquired American Record Corp., and Jack Hons, formerly of the 3,000-ks. ‘s network, joins the department as copy desk editor.

AFRA Walks Out Of Agency Parley

Negotiations between the American Federation of Radio Artists and the American Network Agency Association, which culminated yesterday when the representatives of the talent union waried on the table, were considered by parleys. It was suggested that no good purpose can be accomplished by further parleys.

For the first time in the year's negotiations, the 4-A's committee yesterday submitted a written proposal containing suggested minimum rates of pay for artists appearing on television network programs. What rates were suggested by the 4-A's is not known but the AFRA committee states that the rate of pay suggested by the agency body was what the firm now receives from the union's programs. Eventually, AFRA had submitted its own scale, but it was rejected by the 4-A's as too high.

What action AFRA will take in the light of the report is undetermined at a national board meeting.

Representing AFRA at yesterday's conference were: Edward G. Ryan, president; Robert L. Lanier, Executive vice-president; and Robert T. Farrell, Secretary.Tomorrow afternoon, Jan. 8, a meeting of the 4-A's will be held.

Two Standard Shows Get Carrington Contention

Two Standard Shows, the Chase & Sanborn Hour, and the program of talks by Dr. Stigler, plus the Carnation Contended Hour, have been invited to send delegates, and more than half have signed their intention to be represented.

AFRA Calendar

Washington, Jan. 10.—Federal Communications Commission has granted a construction permit to S. B. Quigley, Mobile, Ala., for a new 1,200-kilowatt, 100-watt daytime station, and approved an application of WNYT, New York, for change of frequency from 1,210 to 1,220 kilocycles, increase of power from 100 to 250 watts and change of time from sharing to unlimited.

A number of broadcasting cases were set for hearing, including the applications of Birney Ives, Columbus, Mls., for a new 1,270-kilowatt station to operate with 100 watts night, 250 watts day; Thomas R. McFarland, for a 1,250-kilowatt, 250-watt station, and KFAB, Lincoln, for change of frequency from 770 to 1,000 kilocycles, and for a possible change in time from sharing to unlimited, and increase of power from 10,000 to 50,000 watts; WFOG, for change of time from 0 to 24 hours; WJJC, for a possible change in time from sharing to unlimited; and WSUI, Iowa City, for increase of power from 2,000 watts night, 2,000 watts day, to 6,000 watts night, 1,000 watts day.
Niles Celebrates 50 Years as Exhibitor
Anamossa, Ia., Jan. 11.—Clifford Niles, well known midwestern exhibitor, is this week celebrating his 50th anniversary in the show business.

Free shows, food and other activities made yesterday a memorable one for this Iowa showman.

Vote “Snow White” Best 1938 Picture
In Film Daily Poll

“Snow White” and the Seven Dwarfs,” the Walt Disney cartoon feature, was selected as the best picture of 1938 by the country’s film critics, in the 17th annual “Ten Best” poll conducted by Film Daily.

The following nine productions, in the order of their selection were: “You Can’t Take It With You” (“Alexander’s Ragtime Band,” “Boys Town,” “Marie Antoinette,” “In Old Chicago,” “The Adventures of Robin Hood,” “The Citadel,” “Love Finds Andy Hardy” and “The Hurricane.”


Of the 10 best, M-G-M had four, one made in England; 20th Century Fox had two, while Columbia, RKO, Warners and United Artists (Samuel Goldwyn) each had one.

U.A. Partners Again Ironing Out Troubles

Coast Meeting Considers Profit-Sharing Plan

Hollywood, Jan. 11.—Many problems are being ironed out at the United Artists meetings now going on here. The U. A. stockholders will take up their profit-sharing plan, besides the coming season’s picture schedule.

The matter of the presidency may be decided at today’s shareholders’ meeting. Additionally, Maurice Silverstone, operating head of the company, may be named sales manager, before he returns east. Alexander Korda’s problems relating to his coming arrangement with U. A. also are to be settled.

Whomever Silverstone selects to read sales, he will be from within the fold. The most likely men are Jock Schafli and Harry Gold, western and eastern division sales managers, respectively.

On the question of the presidency, none other than Maurice Silverstone can be named, except by unanimous vote of the shareholders.

Independent Seeks To Quit B & K Suit

Chicago, Jan. 11.—A motion by Goodman & Harrison, prominent independent exhibitors here, for leave to withdraw as plaintiffs in the pending anti-trust suit of local independents against B & K, and major distributors, will be heard by Federal Judge Willerson Thursday morning.

The move came as a surprise to the local trade which believes that, if the court authorizes the withdrawal, it may have a serious bearing on the case, particularly with regard to the handling of independent exhibitors’ deposits, which is scheduled to begin Friday. Officials of the Goodman & Harrison firm had been subpoenaed to appear and give their depositions concerning the company’s profits and losses, resources, liabilities and operating data.

Radio—Page 8

Academy Names Awards Committee; Meets Today

Hollywood, Jan. 11.—Members of the committee for the eleventh annual awards of merit of the Academy of Motion Picture Arts and Sciences were named today. The committee will meet tomorrow night.

Representing the Academy proper on the committee, which will consider any possible major changes in procedure, will be Frank Capra, Academy and Screen Directors’ Guild president W. S. Van Dyke and Howard Estabrook.

Representing the Screen Actors’ Guild are: Gene Lockhart, Charles Trowbridge and Reginald Denny. Screen Writers’ Guild will be represented by Francis Goodrich, Albert Hackett and Sheridan Gibney. Other representatives of the directors’ guild are John Cromwell, Clarence Brown and George Marshall.


A tentative date for the annual awards banquet is set for March 9. Nominations are due late this month and final balloting in February.

ARBITRATION SEEN AS PACT HURDLE

Divorcement Called for in Nebraska Bill

Lincoln, Jan. 11.—Bill prohibiting ownership or operation of theatres in Nebraska by any producer or distributor was introduced in the state unicameral legislature today by Senator E. M. Neihans of Orleans.

Bill, which is the first affiliated theatre divorcement measure to be introduced in a state legislature this year, would make any producer-exhibitor partnership or company convicted of a violation liable to a maximum fine of $10,000 and a year in prison.

Other sections of the same bill propose placing distributors under regulation of the State Railway Commission, establishing an annual license fee of $1,000 per exchange and creating a $1 per reel tax on all film licensed within the state.

North Dakota’s theatre divorcement statute, only one now in existence, will come before the U. S. Supreme Court early in March for argument on its constitutionality. The law was upheld in a federal court last year. The Nebraska law is similar to the North Dakota measure.

Mikado’ lavish

London, Jan. 11.—“The Mikado,” produced by Geoffrey Toye and General Film Distributors, and previewed today at the Leicester Square, is a lavish and colorful production, faithfully following the stage version, with no pretension toward the modern film technique or contemporary comedy.

The musical element is rich and equal to the comic opera. Kenny Baker is pleasing, and Martyn Green is a puckish Koko. There is a powerful appeal in the Gilbert and Sullivan music. It is in color. Universal will release the film in North and South America and the Far East.

FLAN.
C RACIE FIELDS will arrive in New York from Hollywood today. She has been confering on the coast with 20th Century-Fox officials on pictures to be made in England for the company.

BENNY BAKER has been appointed a member of the National Theatre Committee for Refugee Relief and will attend the dinner meeting of the committee tomorrow.

FRANK SELTZER, publicity director for Hal Roach Studios, who came to New York for the opening of "Topper Takes A Trip," is left for Hollywood.

HUGH WILLIAMS has completed work in "Wuthering Heights." He arrives here from Hollywood, tomorrow, and sails for England on Saturday.

MORSE JACKS, manager of the Carlton in Redbank, has postponed a three-week vacation in Florida because of his daughter's illness.

MANUEL PENA RODRIGUEZ, film critic of La Nacion, Buenos Aires, left yesterday for the coast after a visit here.

EDGAR MOSS, 20th Century-Fox district manager in Philadelphia, has returned from a vacation in the South Carolina mountains.

JAMES R. GRAINGER, Republican president, is due Monday from an extended trip to the coast and the field.

FRANK NEILL of the Tivoli circuit in Australia en route here to scout vaudeville acts for the circuit.

JAMES CANNON, sports writer, has been signed to an agency contract by MYRON SELZICH (N.Y.).

KARL MACONALD, South American supervisor for Warners, will sail tomorrow for Buenos Aires.

JOHN MANHEIMER, I.T.O.A. executive secretary, left yesterday for three weeks in Florida.

COL. FREDERICK L. HERRON of the Hays office is spending a few days in Washington.

ELSIE LANCHESTER returns to England on Saturday on the Paris.

PAUL LAMARUS, Jr., of Warners is vacationing.

LEWIS MILESTONE is at the Sherry-Netherland.

MRS. PAUL BENJAMIN is ill.

Name 2 E. K. Directors

Rochester, Jan. 11—Paul S. Achilles, managing director of the Psychological Corp., and Raymond N. Ball, president of the Lincoln-Aliance Bank & Trust Co., here, have been elected as directors of Eastman Kodak Co. They fill vacancies caused by the deaths of Francis R. Hart and Dr. Rush Rhee.

By SAM SHAIN

B y this, some 20 of the most important hotels in this city will learn that their guests of recent days, a "Mr. Cosmos Topper," who was paged on the hour, every hour, during his stay at these hostries, simultaneously, was a non-existent character, even though he paid his bills. The page-clicking of these instances was "Marian Kerby was waiting for Mr. Topper at the Music Hall." And the whole thing—one of the newest publicity devices ever conceived—for "Topper Takes A Trip," which was then current at the Radio City Music Hall. Both "Cosmo Topper" and "Marian Kerby," characters out of that film, it was akin to a radio hookup in 20 hotels.

Walter Bros. are going to town on "They Made Me a Criminal," the new John Garfield ("Four Daughters") film. Jack Warner and the boys are so impressed with this picture that the advertising department is raising the budget on the film. A campaign, similar to that which was drawn for "Down Patrol" and "Angels With Dirty Faces," is planned. There will be 1,000-lines ads in newspapers, on the opening of the picture and the opening of the opening, in 32 cities. Warners will supply free paper on certain, selective performance engagements.

It may be of interest to know that during 1938 there were 59 new amusement firms chartered in Delaware, as compared with 75 in 1937. The number is inclusive of films, theatre, radio and miscellaneous amusement corporations. There were only two which listed capital increases during 1938, whereas in 1937 there were 16.

Only one firm had its name changed last year, as compared with 14 in 1937. This firm was the Miller-film Corp., which changed its name to Miller Broadcasting System, Inc.

Praise indeed! According to none other than Mrs. Eleanor Walton, chief censor of Kansas City, it's not the regular lines of product which give the censors trouble. It's the "smuggling" films. These are smuggled into the city. The legitimate picture companies are cooperative and willing, and what is more, the pictures are such that a "cut" is rare, these days.

When the English Royal Air Force Band and 50 members of the R.A.F. march in formal array to the opening of the new film, "In the Air," starring George Formby, at the New Gallery on Monday, a military precedent will be established in England. The English Air Minister and members of the Air Council also are scheduled to attend the premiere. It is a matter of speculation whether the current European crisis and the preparedness drive can have anything to do with the sudden interest of the military in the entertainment of the screen.

News Week is moving its circulation department to Dayton, Ohio, where it also prints.

Judges of the Appellate Division, Third Department, soon will be subjected to viewing four films which are to be screened for the jurists to determine whether the censorship board in these pictures in this state should stick. The pictures were turned down by Irwin Esmond, director of the Motion Picture Division. They are "Remorse," also known as "Whirlpool": "The Birth of a Baby," "Human Wreckage" and "Animated Diagrams of the Human Body." Quite a motley crew.

All of the four were on appeal to either the Commissioner of Education or the N. Y. State Board of Regents, and Esmond was upheld.

In the meantime, a picture called "Le Puritan" (Lenauer) is to be screened before a Board of Regents subcommittee some time prior to Jan. 27, which is the time when the Regents hold their monthly meeting in New York. Esmond also turned down this film, known as "The Puritan," on grounds of indecency, and that it was "immoral," "inhuman," and "it would tend to corrupt morals," "would tend to incite crime" and it was "ascetic." That's all.

It seems that those who have these films never give up trying to get them by the censors. For instance, "The Birth of a Baby" and "Human Wreckage" already have been before the Supreme Court. In connection with "The Birth of a Baby," Supreme Court Justice Pierce H. Russell denied the motion picture committee for Maternal Welfare, Inc., to submit the picture to a jury for judgment. "Human Wreckage" was before Supreme Court Justice Francis A. Bergen. It was he who set the precedent on film-appeals a year earlier, by sending "Tomorrow's Children" to the Appellate Division for determination.

Further discussion of proposals for increasing employment opportunities for musicians within the industry was scheduled at this week's two-hour meeting of company and the executive board of the American Federation of Musicians yesterday in the film. A Pat Casey, produces, labor representative.

No acceptable plan was presented to yesterday's meeting, which was described as "the best "conference" in the same general vein as were the earlier meetings of the two groups on the record-union subject. Yesterday's yesterday's session were Sidney R. Kent, Barney Balaban, Nate J. Blumberg, George J. Schaefer, Harry D. Burkhart, Ben Hazen, Eugen Picker and Casey.

Joseph N. Weber, president of the A. F. of M., and members of the federation's executive board were to meet in Miami tomorrow for the regular mid-year directors' meeting.

Casey said that a projected meeting of the record-union on the application of the Federal Wages and Hours law to eastern production had been postponed indefinitely. They took the remainder of several of those slated to attend the meeting.

**Tickets Distributed In Refugee Art Sale**

Nationwide distribution of tickets has been completed for the art sale, composed of Motion Picture News and Movie World Fund for German Refugees. Distribution in the field is through the film exchanges. In Hollywood the Anti-Nazi League is handling the sale.

More than 100 works of art have been contributed to the Fund. Among the contributors is Heywood Brown ("Fugitive") and Max Liebowitz, who donated a canvas depicting the New York scene.

The drawing will take place Feb. 1, and the committee intends to invite Mayor F. H. LaGuardia to officiate. Tickets are on sale at all film companies at 25 cents each.

Adjoint Talks on Musical Screen

Work to April 17

**Other Quigley publications:**

- Motion Picture Herald, Inc. (www.motionpictureherald.com)
- Motion Picture News, Inc. (www.motionpicturenews.com)
- Motion Picture World, Inc. (www.motionpictureworld.com)
- Universal Film Co. (www.universal.com)
- U.S. Motion Picture Almanac (www.usmotionpicturealmanac.com)
- Variety (www.variety.com)
- Motion Picture Daily (www.motionpicturealmanac.com)
- Motion Picture News (www.motionpicturealmanac.com)
- Movie World (www.movie-world.com)
- Film Daily (www.filmdaily.com)
- Boxoffice (www.boxoffice.com)
- Trade Daily (www.tradedaily.com)

**Motion Picture Almanac**

Registered U. S. Patent Office. MARTIN QUIGLEY, Editor-in-Chief of Publisher; SAM SHAIN, Editor; JAMEZ A. CRON, Advertising Manager. Published daily except Saturday, Sundays and holidays by Quigley Publishing Company, 1118 North State Street, Chicago, Illinois. Martin Qui finale, president. Copyright, 1938, by Martin Qui finale. Subscription office: 1270 Sixth Avenue, Rockefeller Center, New York. Telephone: Telegraph: "Quigley New York." All out of copyright material, except material owned by Quigley Publishing Company, the Doctor is correspondence to the New York office.


Subscription rates per year $6 in the American and $12 foreign. Single copies $1.
Between shows, there is a trailer announcing the next picture, "They Made Me a Criminal." I defy you to look at it and not get a thrill out of the performance of John Garfield. This trailer is no longer than the ordinary one, and Garfield doesn't occupy all of it. But the impression he makes is indelible. Nine out of ten actors won't establish that much authority in a full-length feature. Unless that trailer is a bald-faced hoax, Garfield's second movie performance will eclipse his widely-acclaimed first without trying.

Did you ever hear a critic rave about a Trailer? This one did! He's famous Archer Winston of the N. Y. Evening Post.

This says you can convince any audience in 2½ minutes that Warner Bros. made John Garfield a sensation with the 'Dead End' kids in 'They Made Me a Criminal'.

with

CLAUDE RAINS • ANN SHERIDAN
MAY ROBSON • GLORIA DICKSON

Directed by Busby Berkeley • Screen Play by Sig Herzig • From a Novel by Bertram Millhauser and Beulah Marie Dix • Music by Max Steiner
Theatres in New York Area
Off Seven in '38 to 1,193

Theatres in the New York metropolitan area total 1,193, seven less than a year ago. Seating capacity, however, increased by 500,000, to 1,344,398. This is explained by the fact that new theatres replacing demolished houses are of larger seating capacity. There are 117 theatres closed, against 119 a year ago.

The figures are contained in the 1937 year-end report on the theatres issued yesterday by the Film Board of Trade. The total theatres in the area total 754, of which 556 are unaffiliated with distributors, and 198 are affiliated. The unaffiliated circuits' capacity exceeds the affiliated circuits by 235,000 seats.

There are 439 theatres listed as independent and not grouped in circuits, these accounting for 331,482 seats, 20,000 more than a year ago. The number of independent theatres is unchanged from last year's total, although they have increased by 13 in the New York portion of the metropolitan area, and 23 by a similar amount in New Jersey.

Of the seven houses less than last year, the affiliated circuits account for two and the unaffiliated circuits for five.

The analysis also shows a total of 1,076 open theatres in the area, with a seating capacity of 1,426,339, and 117 closed houses with 98,059 seats. A total of 803 units are in the state of New York, including New York City, Long Island and all of New Jersey. The New York portion of the metropolitan area, north of Trenton, has 336 units with 351,125 seats.

The 754 circuit theatres in the metropolitan area have 1,012,916 seats. The 132 affiliated circuit houses in New York and 66 in New Jersey, and 431 unaffiliated circuit houses in New York and 125 in New Jersey.

Ten theatres were equipped for sound during 1938, reducing the number of silent houses to 13, all of which are affiliated producers. Ten houses were closed which are equipped, against 56 a year ago.

League to Discuss
Ticket Code Cases

Although still awaiting a decision from the N.Y. Supreme Court on the legality of the ticket code, the board of governors of the League of N.Y. Theatres will meet today to discuss violations. Purpose of the meeting is to discover how unaccredited brokers obtained tickets. Efforts to have box-office men submit to questioning appeared to be blocked yesterday because of the opposition of the Theatrical Managers, Agents and Treasurers' Union. The league is composed of producers of legitimate stage plays.

Photophone to Show
New Systems Today

An advance showing of new RCA Photophone sound reproducing systems, developed in the RCA laboratories, will be held this afternoon at the company's New York offices. RCA Photophone sales representatives will show the new equipment yesterday as part of the company's annual sales convention held at the plant in Camden.

Arbitration Seen
As Pact Hurdle

(Continued from page 1)

the organization's counsel; Benjamin T. Pitts, and William F. Crockett, Solicitor of Vermont; Albert A. Galston and R. H. Poole, I.T.O. of Southern California and Al Gilmour, Rocky Mountain Theatres Owners' Managers, of Denver; and John Rupar, Intermountain Theatres Association, Salt Lake City, proposed the conferences. The Virginia representatives were to have left last night.

The changes in the tentative draft advised by the arbitration committee amount to revision of the draft's phraseology, in the opinion of some of the exhibitor executives. It has been indicated that the distributors are willing to grant modifications and that a compromise will eventually be reached. A completed program to which all spokesmen will agree may not be reached at another meeting. The final meetings will be completed next week. Rogers is scheduled to confer with Allied's negotiating committee in Washington on Monday, but committee chairman will consider the report of the Allied directors at their annual meeting Tuesday and Wednesday.

The setting up of arbitration and conciliation procedure was left open in the agreement reached by brokers committee program completed by the distributors.

The arbitration problem is twofold: how to devise a plan that will obtain favorable legislation and government support under the anti-trust laws and how to obviate possible causes of action by any of the multiple exhibitor interests involved.

M.P.T.O.A.'s executive committee will call the distributors' trade practice committee together today to study the immediate effectiveness of whatever proposals are agreed on between the two as a result of present negotiations. The exhibitor delegation also will look for immediate establishment of local conciliation or arbitration boards to hear and adjudge trade practice complaints.

These basic points were decided on yesterday following a meeting of the M.P.T.O.A. committee at which the reactions of affiliated units of the national organization to the distributors' tentative trade practice committee were studied. At the M.P.T.O.A. delegation will be Ed Kynkendidil, of Los Angeles, Charles Williams, Lewin Pizar and Arthur Lockwood.

Permits RKO Claim

Federal Judge William Bondy has signed an order permitting RKO Pictures & Co. to file its claim against RKO as holder of $271,000 10-year six per cent bonds, signing the order Judge Bondy indicated that he is not at present passing on the merits of the claim itself.

Garrett to Monogram

Charles Garrett, for the past three years the head of Garrett Monogram foreign department under Morton V. Ritchie, at one time he represented RKO in Cuba.

Unions Plead for
Increase in Quota

LONDON, Jan. 11—Five labor unions, representative of film industry workers, today appealed to the Board of Trade, asking an increase in the distribution quota for the next quota year to 20 per cent and the after year to 40 per cent. The quota year starts in October.

In a long memorandum, the unions cited the unemployment figures among workers in the industry, and the decrease in employment was forthcoming. H. J. Fitzgerald, general manager of the Fox-Wisconsin circuit, had pledged his support if all theatres in the country cooperated.

R. A. Tesh, business manager of the I.T.P.A., has declared that his association will drop the protest matter and continue to play the games.

Theatres
Games Is Failure

MILWAUKEE, Jan. 11.—Attempts by independent exhibitors here to bring about a voluntary surrender of games collapsed with the declaration of A. D. Kvoel, general manager of the Warner-Saxe Theatres, that his circuit would not participate in the games. Kvoel said that if the churches are conducting lotteries, it is the duty of the law enforcement officials to stop them. “As far as I know, there has been never any legal determination here that Bingo, as it is played in the churches, or our various theatre groups, are illegal.”

The I. T. P. A. of Wisconsin had called upon law enforcement officials for an indiscriminate enforcement of the law which, the board had declared, and its Milwaukee County members would discontinue the games after Jan. 15, if such enforcement was forthcoming. H. J. Fitzgerald, general manager of the Fox-Wisconsin circuit, had pledged his support if all theatres in the country cooperated.

Wild Revival Is
To Open Tonight

Revival of Oscar Wilde's "The Importance of Being Earnest" opens tonight at the Van Rensselaer Theatre. The play had its premiere 12 years ago. The present production is by Richard Aldrich and Richard Whiting, and is associated with Albert Tarbell. The cast includes Clifton Webb, Ethel Wallace, Charles Williams, Derek Williams, Florence McGee, Helen Trelholme and others. Miss Winwood also directed the staging.

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**Kentucky Is**

Frisco Leader

With $19,500

San Francisco, Jan. 11.—"Kentucky," dubbed with "Charlie Chan in Honolulu," at the Fox, took the honors here, with $19,500.

Frank Ford, in "Heart," took a strong $9,500 at the United Artists, and "Sweethearts" was good for $4,300 at the Warners. "You Can't Take It With You" drew $7,400 at the Orpheum in its seventh week.

Estimated takings for the week ending Jan. 3-7:

- "Pacific Liner" (RKO) 7 days. Stage: vaudeville. Gross: $12,000. (Average: $1,714)
- "You Can't Take It With You" (Col.) 7 days. Stage: vaudeville. Gross: $1,300. (Average: $186)
- "Kentucky" (20th-Fox) 7 days. Stage: vaudeville. Brief grosses: $9,500, $7,000, $5,500. (Average: $7,143)
- "Dawn Patrol" (W.R.) 7 days. Stage: vaudeville. Brief grosses: $1,500, $2,200, $3,800. (Average: $2,286)
- "Seven Sinners" (Col.) 7 days. Stage: vaudeville. Brief grosses: $1,700, $1,900, $2,500. (Average: $2,267)
- "The Thirty-Nine Steps" (G.B.) 7 days. Stage: vaudeville. Brief grosses: $1,300, $2,200, $3,600. (Average: $2,333)

**Hollywood Previews**

**The Great Man Votes**

(RKO)

Hollywood, Jan. 11.—There is nothing fundamentally wrong with the existing order of business when the good news about a picture like this can get into print at the last moment, still in manufacture and the finished product can yet turn out to exceed the expectations thus fostered. For this is no multimillion dollar investment and the world was not ransacked for an actor to play the leading character. On the contrary, it is a modest, sound, solid romantic adventure of the body politic, and it was the plain as ham and eggs that the leading character was born for John Barrymore and vice versa.

Advance news comment has made it rather well known that Barrymore plays in this the sole voter in a key precinct and, therefore, abruptly and temporarily a very important person politically. This is merely the key situation. Barrymore plays a once distinguished scholar brought low by bereavement and bottle but still, at bottom, scholar, gentleman and citizen. It is not the right of this or any synopsis to depict in detail the manner of his reaction to such conflicting influences as devotion to his children, proferred subsidies, interfering relatives and a basic belief in the sanctity of citizens as Barrymore privilege and a Barrymore triumph of the year.

The screenplay by John Twist, from Gordon Malherbe Hillman's story, is wrought with that finesse which conceals itself beneath seeming simplicity. Garson Kanin, director, and Cliff Reid, producer, have drawn a convincing, eloquent portrait of the man, a man for all time, and the man the world knows. John Barrymore is an easy audience to please, and his performance is charmingly captivating, the nonpareil of all B.A.

Virginia Weidler and Peter Holden play the youngster's children in a manner certain to assure both of them bright futures. Donald MacBride, Bruce Cabot, Lilli Palmer and Jeff Donnell are eminently satisfactory in various supporting capacities, and it is a pleasure to list them as a credit to the picture.

The scene is a big city, not named, and the time is 1923 but, save for references to speakeasies, could be now. No political party is indicated by name and the only political points underscored are the broad American ideas everybody has subscribed to since 1776.

Running time, 70 minutes. "G."* Roscoe Williams

**Dudelson Heads UA Cincinnati Branch**

Cincinnati, Jan. 11.—Harris Dudelson of the United Artists office here, has been appointed branch manager, succeeding Max Stahl, resigning. Dudelson started at the UA plant in New York. He was then transferred here as office manager, a post he held for two years before becoming a salesman.

**Heads Denver Club**

Denver, Jan. 11.—Henry Friedel, M-G-M exchange manager, has been elected president of the Rocky Mountain Specialty Club for the year. Other officers are: A. P. Archer, first vice-president; Sam Feinstein, second vice-president; E. F. Briggs, treasurer; Ross Buck, secretary; Emmett Thurman, counsel. Directors are: Archie, Black, Briggs, Friedel, William Ager, C. J. Bell, Frank Culp, Joe H. Deckler, Duke W. Dunbar, A. J. Gould Jr., Jack Langan, Jay Morgan and R. J. Morrison.

**Acquire Film Delivery**

Denver, July 12.—Oliver E. Curtis has bought the We-Go film delivery from Jack Labart and has renamed it the Intermountain Film Service.

**Borrow Gene Reynolds**

Hollywood, Jan. 11.—Universal has borrowed Gene Reynolds, 13, from M-G-M for a role in "The Spirit of Culver."

**Goldberg in Cleveland**

Cleveland, Jan. 11.—Lee Goldberg, head of Big Peguright, will open Cleveland office on March 1 to handle distribution of his independent product in the northern Ohio territory. Carl Goldberg, formerly with Monogram, and Bernard Rubin, formerly with the Morris Liberman Co., will be in charge of the office.

**Klune 'Wind' Manager**

Hollywood, Jan. 11.—Raymond A. Klune, assistant to Henry Ginsburg, newly appointed general manager of Out of Sync, and Sethnick International, has been made production manager for "Gone with the Wind."

**20th-Fox Buys Story**

Hollywood, Jan. 11.—Twentieth Century-Fox has purchased the Saturday Evening Post story "If I Could Help You" by Charles Hoffman. David Hempstead will produce in Sol M. Wurtzel's unit.

**'Sweethearts' Is**

Big Kansas City Grosser, $18,400

Kansas City, Jan. 11.—"Sweethearts" led the way to the biggest in the $18,400 at the Midland. "Kentucky," playing nine days simultaneously at the Esquire and the Midland, garnered $5,700 at the Esquire and $7,200 at the Uptown. Estimated takings for the week ending Jan. 3-9:

- "Kentucky" (20th-Fox) 7 days. Stage: vaudeville. Brief grosses: $1,500, $2,800, $4,700. (Average: $3,929)
- "Artists and Models Abroad" (Para.) 7 days. Stage: vaudeville. Brief grosses: $900, $1,100, $1,200. (Average: $1,067)
- "There's That Woman Again" (Col.) 7 days. Stage: vaudeville. Brief grosses: $800, $1,000, $1,200. (Average: $1,000)
- "Hearts in Dixie" (20th-Fox) 7 days. Stage: vaudeville. Brief grosses: $1,500, $2,000, $2,500. (Average: $2,143)

*"G." denotes general classification.*

**'Sweethearts' High In Buffalo, $21,000**

Buffalo, Jan. 11.—The new year brought a striking upturn to grosses here. "Sweethearts" started 1939 at a dizzy $7,000 for the Buffalo area and ended the year at $21,000. The Century coupled the "Going Places," with "Devil's Island" for $11,000. The Great Lakes played "Kentucky" to $10,200. Weather was bad.

Estimated takings for the week ending Jan. 7:

- "Sweethearts" (M-G-M) 7 days. Stage: vaudeville. Brief grosses: $2,000, $2,200, $2,500. (Average: $2,286)
- "Casablanca" (F.M.) 7 days. Stage: vaudeville. Brief grosses: $1,500, $2,000, $3,000. (Average: $2,286)
- "The Thirty-One Steps" (G.B.) 7 days. Stage: vaudeville. Brief grosses: $1,300, $2,200, $3,600. (Average: $2,333)
- "Leather Town" (U.A.) 7 days. Stage: vaudeville. Brief grosses: $1,300, $2,200, $3,000. (Average: $2,286)
- "Where's That Woman Again" (Col.) 7 days. Stage: vaudeville. Brief grosses: $800, $1,000, $1,200. (Average: $1,000)
Theatre Changes

STANDARD POLICY SHIFT

OKLAHOMA CITY, Jan. 11.—Standard Theatres Corp. has instituted several policy changes and increase of admission prices to three of its three Standard houses here.

The Plaza, operated as a neighborhood attraction, has been found too small, with admission raised from 25c to 40 cents top at night. At the downtown Liberty, which has been showing low-gross shows for 22 cents per seat at night, the admission has been raised to 30 cents with pictures now running for an average of $1.00.

The old first run Tower has raised admission from 35 to 40 cents.

TWIN CITY CHANGES

MINNEAPOLIS, Jan. 11.—Harold Kaplan has resigned as manager of the Minnesota Amusement Co’s State Theatre here, effective January, to succeed him. Charles Zun, manager of the Uptown, will succeed Mr. Kaplan. St. Paul changes include transfer of J. C. Strood from the Park there to the Uptown here; transfer of L. G. Herd, St. Clair manager, to Prince; transfer of J. P. Soney to the St. Clair, to assistant managership of the Uptown.

N. C. HOUSE TO OPEN

HIGH POINT, N. C., Jan. 11.—High Point’s newest theatre, under construction for several months, is scheduled to open January 11 with plays through the week, and continues running five nights week. The theatre is operated by Mr. O. R. Wye of High Point, will cost more than $100,000.

HAS 3 IN ATOKA

ATOKA, Okla., Jan. 11.—Glen Thompson now has control of all three theatres here, after purchasing from Earl Barrett the Atoka and the George theatres, and opening the Pix here and will continue to operate two of the three theatres.

COLLINSVILLE OPENING

COLLINSVILLE, Colo., Jan. 11.—Joseph W. Faith, of the Mayfair, here, has opened the Town Hall here after remodeling. He is also constructing a Town Hall Theatre at Unionville, scheduled to open shortly.

OPENS AT GARDNER, KAN.

KANSAS CITY, Jan. 11.—The Community has been opened by Charles Reynolds, Columbia salesman, at Gardner. Mr. Reynolds purchased the home. It is Gardner’s first house.

NEW LUBBOCK, TEX. HOUSE

LUBBOCK, Tex., Jan. 11.—Another film house will be established here by the Lindsey Theatres. Cost will exceed $50,000.

COLUMBIA, S. C. JOB LET

COLUMBIA, S. C., Jan. 11.—Contract for construction for Palmetto Amusement Co’s new Columbia Theatre has been awarded to C. G. Shoelley. Work will start at once.

LEVINE IN NEW HAVEN

NEW HAVEN, Jan. 11.—Joseph E. Levine of Boston has acquired the interest of Harry Segal of Boston in the Lincoln here. S. Ernest Pelton has been appointed manager.
WMCA is Testing High Frequencies

Under a franchise recently granted the station, WMCA's engineering department has been conducting experiments to determine the range and noise level of the 15-meter band, as yet unlicensed for commercial communications.

The regular WMCA program schedule from noon to 9 P.M. is being transmitted through the ultra high frequency channel under the call letters of W2XQQ. The tests to date indicate an almost total absence of natural static and a high degree of line of sight transmission as well as distant reception, according to the station engineers. Reports from received in ships in the Pacific and from South America, Europe and Australia.

Standard American broadcasts are confined to frequencies from 200 to 500 meters, thus limiting the number of stations. Short-wave transmissions are on the meters between 15 and 200 and are not adaptable to local broadcast. If the meter test now being completed is successful it may provide a new channel giving service to many more stations than is now possible.

Circuit Using Radio To Improve Business

SAN FRANCISCO, Jan. 11.—Golden Gate Theatre circuit, operating 12 neighborhood houses in San Francisco and vicinity, has embarked on a 52-week radio campaign to improve business. Announcements will be broadcast daily over KSAN, local independent station.

Four of the circuit are the Uptown, Midtown, Palace, Verdi, Noc, Amazon, Victoria, Parkside, Irving, Granada, Daly City, and the El Camino at San Bruno.

Dismissal Sought in Radio Contract Suit

Dismissal of the complaint in the $50,000 suit of the Conquest Alliance Co., Inc., has been asked in the N. Y. Supreme Court. Defendants are Alan Wilson, trading as Viking Radio Productions, Dan A. and Sylvia Sigworth and Transcriptions, Inc. The suit, for alleged breach of contract, charges that Wilson, Transcriptions, Inc. induced the Sigworths to sell a program elsewhere after they had agreed to prepare it for the plaintiffs.

Cooperation

San Francisco, Jan. 11.—The Playhouse, San Francisco, has arranged a 14-ticket circuit for the benefit of theatre patrons, who don't want to miss the Friday night "Black Chapel" mystery dramas. The shows last the film for 15 minutes, to be tuned in the play over radio sets placed on the stage.

Radio Personalities

E. R. CHAPPELL has been made the permanent M. C. on the "Monday Night of The Week" over Mutual... John B. Kennedy, network commentator, will celebrate his 15th anniversary of "Speak of the Week" on Jan. 25... A feminine poll compiled by Transradio Press, finds Mrs. Franklin D. Roosevelt the outstanding woman of 1938, with Dorothy Thompson next... Joan Bennett will make a guest appearance on the "Godfrey of Hollywood" program Jan. 15... Myrna Loy will head the cast of "Silver Theatre" over CBS on Jan. 15... Eddie Cantor will return to the CBS Hollywood studios for the Jan. 16 "Caravan" broadcast.

Songwriter and vocalist Johnny Mercer has been signed as permanent member on Benny Goodman's "Swing School" program... "Billy Rose will be heard on WINS in New Orleans tomorrow night... Alan Gerald's contract to sing over Mutual has been extended by the network... There will be no "hearing" for the "Barn Dance" series, beginning Jan. 14.

NBC Shows Reviewed by Blackett - Sample

Four Blackett - Sample - Hummert programs on NBC networks have been renewed, two becoming effective Jan. 31 and two on Feb. 5.


South San Francisco, Jan. 11.—San Francisco, Jan. 11.—San Francisco's Golden Gate Theatre circuit, operating 12 neighborhood houses in San Francisco and vicinity, has embarked on a 52-week radio campaign to improve business. Announcements will be broadcast daily over KSAN, local independent station.

Tom Hamilton Joins WNEW's Sales Staff

Tom Hamilton, for the past three years a member of the advertising staff of Tide, has joined the sales staff of WNEW.

Before he joined Tide, Hamilton was on the sales staff of the Lorrillard Co. and prior to that a sales post with Swift & Co.

Norwalk Lock on WHN

Norwalk Lock Co. has entered into a contract with WHN for station broadcast announcements, effective Jan. 15. Contract for 26 weeks was placed by the Advertising Agency, Barneys Clothes has placed a contract for a year's worth of advertising during daily announcements. Austin & Spector placed the account.

Delay CBC Contest Close

Toronto, Jan. 11.—The Canadian Broadcasting Corp. has postponed the March 15 closing date for its drama contest for radio plays by Canadian authors for four cash prizes totaling $250 to Jan. 15, manuscripts to be submitted to the CBC Drama Department.

Radio Around the Country

San Francisco

Ivo Lyons, former sound effects chief at NBC here, has taken charge of sound effects for KSFQ and CBS. . . . Earl Teasdale's cowboy group, "The Trail of the 49ers," from WSAI, two months ago, have been hired for burnouts over KGO, Blue outlet... Vacation after the "NBC Westerns" appearance tour is KPO's Johnny O'Brien, harmonica star, who rejoins his "harmonica band" in New York this week. . . . Also Jerry, basketball commentator here, who fractured a hip when fell off a car.

Cincinnati

Sinclair Lewis, here in his new play, "Angels in Two," discussed his new venture, and outlined road tour plans when interviewed by Jerry Burns in his "Let's Go Backstage" program on Jan. 19. Jimmy Sibbey, one-man cast of the "Johnson Family," daily Mutual serial, has taken over a two-week engagement at "Boone County Jamboree," stage show commercial over WVL... "Mad Hatterfield," originally a saloon in the country, has been closed. Sol Herlich, boasts of 99,977 pieces of mail in an eight-announcing-survey over WVL and Mutual.

FCC Calendar

WASHINGTON, Jan. 11.—The Federal Communications Commission has tentatively assigned dates for hearings on several networks of broadcasting cases, as follows:

- Jan., 19: Applications of Tacoma Broadcasters, Inc., and Michael J. Mingo, both seeking new 1,400-kilocycle stations at Tacoma, Wash., to operate with 100 watts power night, 250 watts day.
- Feb.: 6: Applications of Central Broadcasting Corp., for a 1,500-kilocycle station at Worcester, Mass., to operate with 100 watts power night, 250 watts day.
- Feb.: 14: Applications of Enrique A. Sanfeliz and United Theatres, Inc., both seeking a 580-kilocycle, 1,000-watt station at San Antonio, Texas.
- Feb.: 15: Applications of The Gateway Broadcasting Co., for an 800-kilocycle, 500-watt station at Albuquerque, N. M., to operate with a change of frequency from 1,370 to 880 kilocycles, and KRRV, Sherman, Tex., of change of frequency from 1,370 to 880 kilocycles and increase of power from 250 to 1,000 watts.

Plan Fair Transmitter

SAN FRANCISCO, Jan. 11.—Chester Lang, broadcasting manager of Gen- erricel, has completed with a local technical staff to install a new short- wave radio transmitter, W6XBE, on Treasure Island, to broadcast messages around the world during the exposition, which opens Feb. 18.

Quinn KOB Manager

DENVER, Jan. 11—Frank Quinn, recently commercial manager of KFZ here, has been named station manager of KOB, Albuquerque, N. M.
AFRA Board Calls for Vote On Walkout

Asks 6,000 Members to Ballot Before Jan. 22

National membership of American Federation of Radio Artists, approximately 6,000 in number, has been called upon by the organization’s national board to vote on the question of a strike on commercial network broadcasting. This is the decision reached by the national board at a meeting here yesterday. AFRA chapters have been advised to vote on the strike issue no later than Jan. 2.

The national board yesterday also instructed its members not to sign any employment contracts without the approval of the executive secretary and unless such contracts, if made, contain a provision that they will become void at the time a strike is declared unless the agency or producer has signed the AFRA code.

AFRA’s drastic action stems from (Continued on page 8)

Procedure Changed On Quigley Awards

Quigley Awards for 1939, sponsored by the Managers’ Round Table of Motion Picture Herald, are marked by an important change in procedure, beginning on Feb. 1. Awards will be voted for single exploitations rather than on complete campaigns, as formerly. Analysis of entries made by A-Mike Vogel, Round Table chairman, disclose that the majority of the winning campaigns have been built around outstanding individual promotions and for this reason the new policy has been adopted.

Regular quarterly judging periods have been retained and will be divided into two-week preliminaries. Winners of these preliminaries will compete in the quarterly periods for the Quigley Plaques and added designation of “Quartemaster.”

Over 75 acceptances to serve as judges for 1939 are expected in answer to invitations sent out by Vogel. The list includes leading executives in distribution, advertising and exhibition.

Philip Hill Sails For Florida Visit


It is believed here that Hill may confer in the Florida resort with Nicholas M. Schenck, president of Loew’s, Inc., and Sidney R. Kent, president of 20th Century-Fox.

A. A. Lowe Predicts Good Year for US Pictures in Japan

Distribution of American pictures in Japan has not been disrupted by the unsettled conditions in the Orient, according to A. A. Lowe, formerly general manager for United Artists in Japan. On the contrary, says Lowe, who is here on a vacation before getting his new assignment, conditions point to a good year for U. S. films in Japan. The probability that an agreement will be reached at the April conference (Continued on page 7)

US Praise of Foreign Films Bewilders French Exhibitor

By SHERWIN A. KANE

The increasing adulation of foreign pictures by some Americans leaves an observing foreigner completely bewildered, said Alexander Omansky, Parisian exhibitor, who is a visitor in New York, during an interview yesterday.

"We are obliged to appraise our own pictures as critically as we do Hollywood's—in order to remain in business—often wonder why it is that some Americans can detect a Hollywood 'ham' so much more readily than they can a European one. There is no such generosity in judging American pictures abroad. The worst of them will inevitably excel the best of ours in some departments, at least, yet Europeans will condemn a mediocre American picture soundly and give but faint praise to the best of them."

Omansky reported, nevertheless, that American pictures have suffered in popularity in Paris in recent months. He enumerated several possible reasons for this, pointing out that as is frequently the case with contrasting receptions given a picture by Broadway and by the French, many of the films which "died" in Paris did well in the rest of France.

Contrasted with this symptom of Hollywood's woes is an increasing improvement in the quality of French product, according to the exhibitor. He relates that ever larger advertising and publicity expenditures are necessary to "put over" American pictures in Paris. Omansky uses only "forneg" product in his three theatres on the Champs Elysees.

While his houses are first runs for foreign product, Omansky reports that the subsequent runs playing two to three months behind him, with admission prices 75 per cent less than his, get the cream of the trade on American films of average quality.

With all of his trials, however, Omansky believes the French exhibitor enjoys some telling trade advantages over his American counterpart. Omansky will be in New York for another two weeks.

Agree on New Phraseology In Trade Pact

MPTOA, Distributors in Accord on Changes

M.P.T.O.A. representatives and the distributors' negotiating committee agreed yesterday on numerous changes and clarification of phraseology in the distributors' tentative practice draft during a meeting at the Union League Club.

The session was adjourned for an indefinite period to permit the distributors' attorneys to confer on the changes in the trade practice proposals adopted by the M.P.T.O.A. delegations. No statement was issued by either side following the meeting but Ed Kaykendall, M.P.T.O.A. president, said he would comment today on the present status of the program insofar as his organization is concerned.

Reduction of individual M.P.T.O.A. units to the tentative draft were studied at yesterday's meeting. The exhibitor committee's demands were based on the reports from the various units.

Indications are that no final action (Continued on page 7)

U.A. Conferenees Discuss Profit-Sharing Plan

Hollywood, Jan. 12—United Artists stockholders met today for discussion of new apportionment of producers' funds under the new profit-sharing plan and the growing Latin-American market, but failed to arrive at any definite decision. Reappraisal of conferences is scheduled for today.

Two Foreign Film Houses Close Doors

Two houses in the Times Square neighborhood which have been using foreign product closed for indefinite periods this week. At the offices of the Consolidated Circuit it was reported that the Squire, on Eighth Ave., had been closed because of the shortage of good foreign product.

No reason for the closing of the 55th St. Playhouse was given except that "new plans" were being made and that the date of reopening was indefinite.
Insiders' Outlook

By SAM SHAIN

Among the outstanding publicity jobs of the year is that which was done for Gaumont British’s “The Vanishing Lady” and for Alfred Hitchcock by Al Margolies. This “whodunit” which slipped into this country unnoticed towards the close of the year, just as G. B. was closing down its own output. The picture was the most talked of pictures of the year. It was Margolies’ brilliant handling of the picture which brought it to the enthusiastic attention of the critics, no doubt. And when they picked it among the best 10 of the year, the picture’s acclaim was clinched.

Then there is the case of Metro’s “The Citadel.” This British-made film was done in a nice, even business, not what exhibitors might call sensational, but good. Now, hailed by being selected as among the N. Y. critics’ first picture of the year, it is jumping to healthy box-office grosses.

Everybody in the business probably will take a look at the story of Dr. A. H. Gianmini, which is printed in the current issue of the Saturday Evening Post. Dr. Gianmini is one of the beloved figures of the trade. He is one of the few “character” bankers left.

There is a spreading Wall Street idea, since the McKesson-Robinson fiasco, that additional to the president of a firm of operations, there should be a special representative with investigating powers who shall be answerable only to the board of directors.

Representative Wright Patman’s (Texas) proposal in Congress to tax chain stores, it is understood, does not involve theaters. It applies apparently only to retail stores in which goods and merchandise are sold at retail. The bill would require stores in chains of 10 or more to pay a tax of $50 per store up to 15 stores, and to $1,000 a store on chains having more than 500 stores.

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As in previous years Metro-Goldwyn-Mayer lists the annual check-up by exhibitors and film critics. Many of the year-end polls are completed. Several are still to come. M-G-M, the "A" Company, remains undisputed leader.

ACCLAIM!

1- M-G-M AGAIN TOPS FILM DAILY'S "TEN BEST" LIST!
The annual FILM DAILY poll of hundreds of film critics throughout America gives M-G-M another victory this year with 4 out of "The Ten Best Pictures." ("Citadel," "Boys Town," "Marie Antoinette," "Love Finds Andy Hardy"). As we go to press M-G-M has more winners on individual nationwide published lists of Film Critics' "Ten Best Pictures of the Year" than any other company.

2- ALMOST 30% OF INDUSTRY'S HITS ARE M-G-M!
Box-office Champions selected by exhibitor vote in QUIGLEY PUBLICATIONS' survey from 1930 to 1938 give M-G-M almost 30 per cent of this industry's hits, 46 out of 166, (nearest competing company has 27). In the QUIGLEY poll of the past year M-G-M again leads all companies in Box-office Champions. Of 12 monthly Blue Ribbon Awards by BOX-OFFICE MAGAZINE during the past year M-G-M leads all companies with 4. Since the inception of the Blue Ribbon Awards M-G-M has won 23, nearest competitor 14. M-G-M exceeds all companies in VARIETY'S survey of Top Picture Grossers. Likewise in SHOWMEN'S TRADE REVIEW list of 25 Best Major Productions voted by exhibitors M-G-M leads with 7, nearest competitor 5. A conclusive analysis of Distributor's Batting Average for 1938 conducted by NATIONAL BOX-OFFICE DIGEST gives M-G-M a rating of 102 per cent, nearest competitor 92 per cent.

3- M-G-M STARS ARE BOX-OFFICE LEADERS!
Out of 12 All-American Favorites, M-G-M leads with 5 in BOX-OFFICE MAGAZINE'S Annual Poll. In the QUIGLEY Poll M-G-M leads with 5 out of the first 7 Money-Making Stars, topping all companies. In SHOWMEN'S TRADE REVIEW Annual Poll, out of 21 leading Box-office stars M-G-M heads all companies with 7 top money-makers. M-G-M also leads VARIETY'S Annual Poll of greatest money-making stars (as well as Top Money Directors).

4- N. Y. CRITICS PICK M-G-M FOR YEAR'S BEST FILM!
THE CRITIC'S CIRCLE, composed of all New York's famed motion picture critics, have selected "The Citadel" as the Best Picture of 1938. This group also selected Margaret Sullavan for the year's best performance by an actress.

5- WATCH "PYGMALION"!
Imagine! Out of 9 New York newspapers, 8 critics placed M-G-M's "Pygmalion" on their lists of "The Year's Ten Best."

And the future for M-G-M Showmen is very bright!
<table>
<thead>
<tr>
<th>DATE</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARAGON</th>
<th>REPUBLIC</th>
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<tr>
<td>Dec 9</td>
<td>Rio Grande (O)</td>
<td>Charles Starrett</td>
<td>Ana Doran</td>
<td>Dramatic School (A) (D)</td>
<td>Western Jamboree (O)</td>
<td>Next Time I Marry Lucille Ball</td>
<td>James Elliston (910)</td>
<td>Trade Winds (G) (D)</td>
<td>Secrets of a Nurse (G) (D)</td>
<td>Heart of the North (D)</td>
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<td>Dec 16</td>
<td>Strange Case of Dr. Meade</td>
<td>Jack Holt</td>
<td>California Frontier (O)</td>
<td>A Christmas Carol (G) (D)</td>
<td>I Am a Criminal (G) (D)</td>
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<td>3 Mesquites</td>
<td>Down on the Farm (G) (C)</td>
<td>Swing, Sister, Swing (D)</td>
<td>The Long Shot (G) (D)</td>
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<td>Dec 23</td>
<td>There's That Woman Again</td>
<td>Douglas Bruce</td>
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<td>The Girl Downstairs (G) (C)</td>
<td>Tom Sawyer, Detective (G) (D)</td>
<td>Shine On, Harvest Moon</td>
<td>Roy Rogers Mary Hart</td>
<td>Thanks for Everything (G) (C)</td>
<td>Sally Rand (Nov. 1)</td>
<td>Gordon Jones Marsa Hunt (Jan. 5)</td>
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<td>Jan 6 1939</td>
<td>Smashing the Spy Ring</td>
<td>Ralph Bellamy</td>
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<td>Tough Kid (G) (D)</td>
<td>Artists and Models Abroad</td>
<td>Federal Man Hunt Livingston</td>
<td>Tracks</td>
<td>Duke of West Point (G) (D)</td>
<td>John L. Stil (I)</td>
<td>Gordon James St. John</td>
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<td>Jan 13</td>
<td>The Thundering West</td>
<td>Berkeley</td>
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<td>Stand Up and Fight (G) (D)</td>
<td>Disbarred (G) (D)</td>
<td>Fighting Thoroughbreds</td>
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<td>While New York Sleeps (G) (D)</td>
<td>Son of Frankenstein Ruthbone</td>
<td>Exile Express Anna Sten (Jan. 20)</td>
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<td>Jan 20</td>
<td>Frontiers of '49</td>
<td>Bill Elliott</td>
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<td>Convict's Code (G) (D)</td>
<td>Zaza (A) (D)</td>
<td>The Great Man Votes (G) (C)</td>
<td>John Barrymore Peter Holden</td>
<td>Topper Takes a Trip (G) (C) (D)</td>
<td>They Made Me a Criminal (G) (D)</td>
<td>Ride 'Em Cowgirl (O) (Jan. 26)</td>
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<tr>
<td>Jan 27</td>
<td>Lone Wolf</td>
<td>Warren William</td>
<td>Ida Lupino</td>
<td>Sundown on the Prairie</td>
<td>Paris</td>
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<td>King of the Underworld Kay Francis</td>
<td>Crashing Through (Renfrew Series)</td>
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<tr>
<td>Feb 3</td>
<td>Texas Stampede</td>
<td>Starrett</td>
<td>Meredith</td>
<td>Huckleberry Finn (C)</td>
<td>St. Louis Blues</td>
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<td>To the Rescue (Renfrew Series)</td>
<td>James Newill (Feb. 10)</td>
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<tr>
<td>Feb 10</td>
<td>Navy Secrets</td>
<td>Rooney</td>
<td>Grant Withers</td>
<td>One Third of a Nation</td>
<td>Home on the Prairie (O)</td>
<td></td>
<td></td>
<td></td>
<td>Wings of the Navy John Payne</td>
<td>James Newill (Feb. 10)</td>
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FULL PAGES IN 20 NATIONAL MAGAZINES FOR THE BIGGEST PICTURE OF THE YEAR....
PHOTOPLAY . MOTION PICTURE MODERN SCREEN . PICTURE PLAY SCREEN GUIDE . SCREENLAND HOLLYWOOD . SCREEN BOOK . MOVIE STORY MAGAZINE . MODERN MOVIES . MOVIE LIFE MOVIE MIRROR . SCREEN ROMANCES

5,000 BILLBOARDS (New Idea "Trailers on 24-Sheets")
C O A S T T O C O A S T !
ALL COMPRISING A NATIONAL ADVERTISING CAMPAIGN AS BIG AS THE PICTURE!

WORLD PREMIERE RADIO CITY MUSIC HALL JAN. 26

starring
CARY GRANT • VICTOR MCLAGLEN
DOUGLAS FAIRBANKS, JR.
with
SAM JAFFE • EDUARDO CIANNELLI • JOAN FONTAINE
PANDRO S. BERMAN IN CHARGE OF PRODUCTION PRODUCED AND DIRECTED BY GEORGE STEVENS

From a Story by BEN HECHT and CHARLES MACARTHUR Inspired by RUDYARD KIPLING'S Poem
Screen Play by Joel Sorel and Fred Guiol
Agree on Changes In Pact Phrasing

(Continued from page 3)

on approval of the amendment to a trade agreement program can be held for some time to

come. Neither distributors nor exhibitors are in accord, even among themselves. The U.S. Supreme Court is working on the program at this time. New and extended negotiations on both sides may be inevitable.

The yesterday was yet another meeting was Kuykendall, Oscar Lam, Charles E. Willi-

iams, Lewen Pizor and Arthur Lock-

wood, for the M.P.T.O.A. and Roy

ney, the actor, and William F. Rodgers and Ned E. De-

pnet for the distributors.

Decisions by the U. S. Supreme Court in three cases upholding the legality of self-regulation within in-

dustries are the guides being followed by lawyers in attempting to set up a program for trade association reform.

Arbitration appears to be the core of the program and it seems at this stage that arbitration will be adopted, with consultation as a supplementary procedure.

The Supreme Court decisions were given in cases involving the Appa-

lachian Coal Co., the Sugar Institute and the Fashion Guild. Generally, the opinions were that industries may un-

take to set up codes of practice so long as they do not violate the anti-

trust laws.

This was set out in the final report of Tyre Committee, in which three judges upheld the code. Arbitration, it was re-

iterated by William C. Weig-

man, counsel to the New York I.T.

O.A., during the conferences with the distributors' negotiating committee this week.

The distributors are represented as willing to set up arbitration and con-

ditional machinery forthwith. But they have not yet devised a method whereby compliance may be gained with the boards' decisions, because of the multiple exhibitor interests af-

fect indirectly. This is as much an exhibitor problem as that of the dis-

tributors.

The situation is complicated further by the fact that thousands of inde-

pendent exhibitors are not members of any organization. Of the approxi-

mately 14,000 independent exhibitors, including circuits, fully 50 per cent are not organization members, accord-

ing to some estimates.

Charles J. Gilman representing the Rocky Mountain Theatre Owners of Denver, and John Rugar, Intermoun-

tain Theatres Association, Salt Lake City, who attended the three conference sessions, leave today for their homes.

Albert A. Galton, president, I.T.O., Southern California and Arizona, and Robert H. Poeo, business man-

ager, plan to leave tomorrow for Los Angeles.

Para. Setting Fast Pace, Says Freeman

Chicago, Jan. 12. — Y. Frank Freeman, Paramount vice-

president and studio head, en route to New York to complete work on several pictures, said to-day that Paramount produc-

tion is moving at a swift gait, and that the new system is yielding results by the excellent results being obtained.

Freeman said he planned to return to the coast next week to continue his "studes. I am just going to school in Hollywood, so to speak," he said. Freeman for-

merly was in charge of Para-

mount Theatre Corporation, and only recently went to the coast to take charge of the studio.

Defense Memo in Trust Suit Filed

Defendants in the pending Government anti-trust suit filed a supplement-

ary memorandum yesterday with Fed-

eral Judge Albert M. Bondy in reply to a recent brief in which the Govern-

ment opposed the defendants' pending application for bills of particulars in the suit.

Defendants' new memorandum an-

swers the Government's contentions that bills of particulars are warranted only when the original complaint is defective or erroneous, should not be granted because defendants have the right to obtain similar information through depositions, are not warranted under the new procedural rules. It also refutes the legal precedents cited by the Government for denying the motion for bills of particulars.

Judge Bondy is expected to rule on the motion for bills of particulars within the next month or two.

'R U' Reel Office to Move

Editorial offices of Universal News-

reel will be consolidated in the Film Exchange Building, 630 Ninth Ave., where the reel's makeup office is lo-

cation. In 1938, the Newsreel was headquartered at the 19th floor of the R.C.A. Building will be moved to here.

The consolidation of the reel's quarters is in the interest of ef-

ficiency and convenience.

The Newsreel Parade

Completion of the opulent set for

Parker Dana and Harry Hopkins at a Senate hearing share the novelty of the new issues Film-

ing, wrestling and a golf tourna-

ment comprise the sports coverage. The reels and their contents follow:


NEWS OF THE DAY, No. 241—Dadler=


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mount Theatre Corporation, and only recently went to the coast to take charge of the studio.

RCA Streamlined Sound Model Shown

RCA Photophone yesterday un-

veiled a new streamlined theatre re-

producing system to 25 members of the press. Max C. Batsel, chief Photophone engineer, explained the improvements being made in the Batsel-Auger, Julius Haber and other com-

pany executives were on hand.

As explained by Batsel, the new system incorporates a score or more of technical improvements resulting from the engineers' studies of equip-

ment in the development of the new system in theatres. The new system is available in six models for different

in the court, in which Rosenberg indicated that the motion picture business is taking into consideration the problems encountered in the booth and auditorium.

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NEWS OF THE DAY, No. 241—Dadler=

RADIO

8

W8XNU Is Opened
In Cincinnati for New Local Channel

CINCINNATI, Jan. 12.—W8XNU, a new station with an ultra-high frequency transmitter, operating on 25,950 kilocycles, or approximately 40 miles out, with a nighttime output of 1,000 watts, has been launched by the Crosley Corporation, operating WLW, WSAT and WHER television.

The station, designed especially for local areas, will be operated experimentally from 8 A.M. to 1 A.M., the following day, in an effort to determine the adaptability of high frequencies in the territories served. The ultimate aim is to open a new broadcast channel for local listeners, relieving the crowded conditions on the radio waves above.

A new type antenna, designed by James Rockwell, Crosley technical superior, is being used. It permits the radiation of concentrated energy almost to the ground rather than in all directions. This will facilitate local reception, it is claimed.

Non-commercial programs, consisting largely of music and other material not available on other local area stations, are expected, eventually to be replaced by broadcasts by civic and religious groups and educational institutions, according to Joseph Reis, educational director.

The engineering staff will be re-organized to issue periodic reports to the F.C.C. on transmission over the hills of the city.

NBC, CBS Halted On Rome Broadcast

Both CBS and NBC yesterday made several attempts to receive short-wave broadcasts from Rome on the current conversations between Prime Minister Chamberlain and Premier Mussolini, but the efforts resulted in failure.

Network officials said they were at a loss to explain the ban that appeared to be set up in key cities. Plans call for sending two-hour programs from Rome—CBS with William L. Shirer, its Central European representative, and NBC with James M. Minifie, correspondent of the New York Herald Tribune.

NBC to Spend Million On Television in 1939

Hollywood, Jan. 12.—NBC will spend $1,000,000 this year for television experiments and programs in New York, Niles Trammell, executive vice-president, said here today. If the public reception is satisfactory, he said, additional transmitters will be sent up in key cities. Plans call for sending two-hour programs over the New York transmitter, he said, mostly studio shows with few outside pickups.

GE Television Transmitter

Most Powerful in Country

SCHENECTADY, Jan. 12.—The most powerful television transmitter in America will be in operation during April by the General Electric Co., in the Helderberg Mountains, 15 miles north of Schenectady for the Federal Communications Commission, received early this week.

Higher by 250 feet than the Empire State Building station, the television transmitter was built last fall. G. E. officials claim that stations in New York City cannot cause signal interference due to the transmitter's protection by the southern mountains. G. E. will put out two television receivers in the spring, a table model showing pictures about three inches square; the other to show pictures 8 by 10 inches. The large model will cost $500, with the smaller expected to retail for approximately $125.

The television studio is to be in WGY, Schenectady, with G. E. developments assuring a better broadcast. Film will be used for fill-in when studio programs are not available but the use of film will be kept down to a minimum, officials intimated.

MOTION PICTURE DAILY

BANNER LINES

“DOC” ROCKWELL is entertaining a whimsical idea. His hope is that he will some day possess enough funds to sponsor his own network program in behalf of a product of his own imagination. A film will sit back and relax while the whole of America goes dippy trying to buy a non-existent commodity.

Mutual's press staff huddled yesterday, groping for an appropriate idea for a picture to be taken of Bob Hawkes in the new Skykine studio on the 50th floor of the Channel Building, from whence Hawkes' future broadcasts will emanate. What evolved from the huddle will be seen when pictures appear in print.

Radio Personalities

MARGARET LEWERTH is back at work writing "Americans at Work" scripts after a siege at her home and CBS studio Wednesday. Miss Lewirth, whose CBS series was put on the air this week after three weeks in Florida. . . . Millza Korus of "The Great Galt" is featured in two of R.C.T.'s latest recordings of tunes from the motion picture. . . . Harry Richman, whose appearances have been infrequent, will be the guest of Benay Venuta on Mutual Sunday. . . . Felix Knight back from Hollywood and will resume his broadcasts.

Jimmy Scribner of Mutual's network became the father of a baby yesterday. Chire Trevor, vacationing in New York, has been engaged for a guest appearance on next week's Kate Smith show. Pat Kelly will be heard on the Bob Hope show Jan. 17.

Asks Dismissal in W thcomb's Suit

WFL, Broadcasting Co. has filed application in the U.S. District Court for dismissal of the suit for $30,000 damages brought by Donald Withcomb, its former manager, for alleged breach of contract. Hearing on the application will be held Jan. 17. WFL contends that since it is a Pennsylvania company, operating in Illinois, service of the complaint in New York was invalid. Withcomb had charged the defendants with breaching a contract of May 11, 1937.

Mrs. Warnow Dies

Mrs. Mark Warnow, wife of the CBS band leader, died of a heart ailment in Florida yesterday. Warnow flew to Miami and was with his wife at the end. Funeral details were not available last night.

Diyson to Broadcast

Walt Disney will appear in the “Americans at Work” broadcast over CBS Jan. 21. The program will dramatize the story of animated films. The broadcast will originate on KNX.

AFRA Board Calls

For Walkout Vote

(Continued from page 11)

the American Advertising Agencies Association submission of a scale of payment for artists appearing in commercials, the definition and the provisions of which, AFRA holds, are far under the scale already being paid by the agencies.

AFRA has been conferring with the committee representing the advertising agencies since January of last year for the purpose of improving and stabilizing wages and working conditions for performers in radio. These meetings culminated in a conference last week when the agencies proposed minimum scales which AFRA declared so far below existing prevailing rates that the AFRA representatives declined to continue the conference.

2 Causes Dismissed In Bamberger Suit

Federal Judge Henry W. Goddard has dismissed two of three causes of action against the Bamberger Broadcasting System, Inc., Mutual Broadcasting System, Inc., Charles Dallas McMillen, Inc., and Irene Noblette in a suit brought by Roger White for $55,200 damages and an injunction. Judge Goddard ordered Miss Noblette, Reach and Ryan to appear for examination in reference to the first cause of action. Judge McMillen is suing on a charge that the defendants are broadcasting, without his consent, over WOR and Mutual stations, a program, “Fun in Swing Time” allegedly owned by him.

“Moonbeams” Renewed

George Shackle's program, “Moonbeams,” has been renewed over WOR for 26 weeks by Gambarelli & Dante, wine merchants, who have been changed from 9:30 to 10 P.M. M. Tuesdays, to 11:15 to 11:45 P.M. Fridays.

Dies Talks on Mutual

Address by Congressman Martin Dies was broadcast last night from 10:30 to 11:45 over Mutual. Dies spoke through last minute arrangements Dies spoke on “Americanism” before the Chicago Employers' Association.
Off the Press

... the only pan-American motion picture business magazine ... now entering its third year of publication

TEATRO AL DIA — a Quigley Publication now entering its third year — presents in its current issue a complete picture of the motion picture situation in Latin America. It covers the activities of the trade from Argentina to Venezuela, and, in addition to film news, it carries authoritative advice on construction, equipment, operation and maintenance of the theatre. ... It's doing a man-sized job in the sister republics of the Continent, and has won the approval and respect of all Spanish-speaking exhibitors. » » »

TEATRO AL DÍA
A QUIGLEY PUBLICATION
ROCKEFELLER CENTER » » » NEW YORK
Kentucky' Leads Field in Denver, Tallying $12,500

Hollywood, Jan. 12—‘Kentucky’ set a lively pace here, taking a strong $12,500 at first run. The next highest first run was $9,100 at the Desilva and ‘Sweethearts’ garnered $10,000 at the Orpheum.

Estimated takings for the week ending Jan. 11:

The Dawn Patrol’ (W. B.), ALADDIN—(400) (2D-46c), 7 days. Gross: (Average) $1,250. "Up the River’ (20th-Fox) ‘Blonde’ (Col.) BROADWAY—(1,100) (25c-60c), 7 days. Gross: (Average) $900. ‘Artists and Models Abroad’ (Para.) DESHAY—(1,275) (25c-36c-46c), 7 days. Gross: (Average) $1,150. ‘Kentucky’ (20th-Fox) DENVER—(1,525) (25c-35c-56c), 7 days. Gross: $1,200. (Average, $1,800). Son of Monte Cristo’ (First) ORPHEUM—(2,000) (25c-35c-50c), 7 days, 2nd week. Gross: $1,000. (Average, $1,500). ‘Little Tough Guys in Society’ (Univ.) ‘Down on the F.D.R.’ (20th-Fox) PARAMOUNT—(1,225) (25c-36c), 7 days. Gross: (Average) $1,050. ‘Trade Winds’ (U. A.) ‘This Fast.wind’ Warner (Univ.) RIALTO—(878) (25c-60c), 7 days. Gross: $550. (Average, $750).

Technicians Discuss Award Rule Changes

Hollywood, Jan. 12—Members of the technicians branch executive committee of the Academy of Motion Picture Arts and Sciences have met to consider possible changes in technical awards rules. Special consideration was given to the rules governing the award of scientific or technical achievement. The Art Directors awards rules committee is also meeting today.

A meeting of the research council sound track standards subcommittee has been postponed to permit further study by individual members of data to be considered.

Settlement Reached In Henry Rose Suit

A stipulation has been filed in the U. S. District Court settling and discontinuing the plagiarism suit brought by Henry Rose against M-G-M Pictures Corp., M-G-M Distributing Corp., Loew’s, Inc., and Culver Exchange Corp. The terms of the settlement were not disclosed in the stipulation. Rose brought suit in August, 1932, for an injunction, accounting and judgment for damages, charging the defendants with having plagiarized his play, "Burrow, Burrow," copyrighted on July 3, 1934, in the picture, "Man of the People."

Warnings Change Title

Hollywood, Jan. 12—The release title of the Warner picture, "Broadway Cavalier," featuring Wayne Morris, Pat O’Brien and Joan Blondell, has been changed to "The Kid from Kokomo."

Fairbanks, Jr., Signed

Hollywood, Jan. 12—Douglas Fairbanks, Jr., was signed today by Paramount for the role of Lancelot in "Knights of the Round Table."

OLLYWOOD, Jan. 12—Jack Hul- ley, film editor at RKO, has been made a feature director, and will guide "Miss poster boy, 50 top naval officers, including Rear Admiral Sinclair Gannom, at a party and dinner at the Beverly Hills Hotel prior to the preview of "Wings of the Navy" at Warner Hollywood.

Included among the guests were Olivia de Havilland, John Peng, Frank McHugh and Regis Tober, members of the cast; Dr. Armando Fleury de Barros, Brazilian Consul, Col. Ralph J. Mitchell, commandant of the U. S. Marine Corps Air Base at Coroa; Brig. Gen. James J. Amed, U. S. M. C., and Mrs. Meade; Capt. and Mrs. William Greenman, U. S. N., and Capt. and Mrs. M. S. Tisdale, U. S. N.

Name Cohen as NSS Eastern Sales Head

Jack Cohen, Metropolitan sales manager for National Screen Service, has been promoted to eastern division manager, a newly created post, effective on Monday.

He will be responsible for all sales activity in the Metropolitan New York area, and in Boston, Philadelphia, Washington, Cleveland, New Haven, Albany, Buffalo and Pittsburgh.

Loew Boston, $302,125

Loew’s Boston Theatre Co. reports net income of $302,125 for the fiscal year ending Aug 31, equal to $1.90 each on 155,249 shares of capital stock. This compares with a net of $319,306 for 1936-7, equal to $2.06 a share.

N. V. A. Benefit Feb. 19

Annual benefit performance of the National Variety Artists will be held in the Alvin Theatre, Sunday, Feb. 19. James J. Walker and George M. Cohan are co-chairmen of the benefit performance, which will be aided by stage, screen and radio stars.

"Mamlock" Ban Final

Columbus, Jan. 12—Following an additional review of "Professor Mamlock," at the request of the Ohio censors and others, the Ohio censor board has permanently banned the picture in Ohio. It previously was rejected.
**Picture Merit Basis of U. A. Releasing Plan**

**Distribution Formula Is Chief Topic**

Hollywood, Jan. 15. — United Artists stockholders who have been meeting here in annual session beginning Thursday last, reconvene tomorrow afternoon. They have been discussing a new distribution formula for themselves as producers, and for affiliated producers. This new distribution formula is "a merit formula." Producers, whether owners or affiliated, receive the same consideration under this new distribution plan. Conclusion of the discussions on the plan probably will be reached at tomorrow's session.

Maurice Silverstone, operating head of the company, whose plan this is, has been outlining its merits to the stockholders who are assembled here.

(Continued on page 9)

**Theatres Hit by Heavy Snowstorm**

Heavy snowfall which was general over most of the Eastern seaboard Friday and Saturday, and which reached depths of eight to ten inches in the metropolitan area, seriously affected theatre attendance over the weekend.

Business was adversely affected by the storm from Washington to Boston, striking the metropolitan area early Friday afternoon, heavy snowfall had traffic at a standstill in many sections of the city and at all bridge approaches by early evening. Sidewalk conditions discouraged pedestrians as much as street conditions did vehicular traffic with the result that Broadway houses, as well as neighborhoods and subburbs, felt the effects acutely.

**206 Theatres Built In Britain in 1938**

London, Jan. 15.—Two hundred and six new theatres were built in Britain between October, 1937, and October, 1938, and 280,000 seats were thus added to the country's total. A statistical survey undertaken by Today's Cinema. The survey also records 35 major reconstructions in British picture houses.

**Radio—Page 11**

**Houses of 2 States Set Refugee Benefit**

New Orleans, Jan. 15.—Entire gross proceeds of every theatre in Louisiana and Mississippi on Jan. 26 will be devoted to the relief of European refugees, according to a plan disclosed by E. V. Richards, general chairman, Arthur Lehman, chairman for Mississippi and Abe Berenson, chairman for Louisiana. Cooperation from all quarters has been assured, it is said.

**Indict 'Big' Nick In St. Louis on Extortion Charge**

St. Louis, Jan. 15.—John P. "Big" Nick, head of St. Louis Theatrical Brotherhood No. 6, and M. P. Operaters' Union, No. 143, has been indicted in St. Louis circuit court here for alleged extortion of large sums from exhibitors by threats of ruinous salary demands through the projectionists' union he controls.

Indicted jointly with him was Edward M. Brady, member of the Missouri legislature, who is alleged to have received a check for $10,000 from a committee of exhibitors in 1936 to be turned over to Nick. Members of the committee were before the grand jury. The check in question bore the indorsements of Clarence H. Kaiman and Louis Landau, theatre owners and members of the committee, as well as that of Brady.

Nick, who has been confined to his home for the past several weeks because of illness, has not been arrested. Efforts to find Brady during the past several days have been futile.

**To Announce "Quiz" Winners on Feb. 15**

Winners of the $404 prizes in the industry's $250,000 "Movie Quiz" contest will be announced about Feb. 15, it is expected by the Motion Picture's Greatest Year campaign office. The contest ended Dec. 31.

Radio & Publications Contests, Inc., which is doing the preliminary judging, believes the total number of entries is slightly higher than the estimated 2,000,000, but no definite check is available. The contest organization is inspecting entries at the rate of about 70,000 a day. About 100 checkers are at work on the booklets in day and night shifts of eight hours each. Final judging is expected to start in two weeks.

**Distributors' Trade Pact to Be Rewritten**

**Objectable Parts to Go, Says Kuykendall**

M.P.T.O.A.'s executive committee has been given to understand that the initial draft of the distributors' trade practice proposals will be completely rewritten and one or two objectionable clauses will be eliminated entirely" from the new draft, Ed Kuykendall, M.P.T.O.A. president, ascertained in a statement issued on his departure from New York over the weekend, following conferences with members of the circulation committee. Kuykendall did not identify the "objectionable clauses" which are to be rewritten from the new draft but he did say that the objectionable clause would be clarified and in its revised form would be "better understood."

Further negotiations on the trade practice program are not anticipated by the M.P.T.O.A. committee, it was said, until work on the new draft has been completed by the distributors and their attorneys. This may require more than a month, thereby materially lessening the chances of a regulatory trade program being placed in effect.

(Continued on page 9)

**1939 Film Budget Is Put at $150,000,000**

Hollywood's 1939 production budget will aggregate from $135,000,000 to $150,000,000, Ed Kuykendall, M.P.T.O.A. president, estimated. He points out that much of this expenditure will be applied to the production of American scenes and historical research of interest to individual communities and regions.

Kuykendall estimates that much of this historical material employed in production will be made available to interested civic agencies by the producing companies. In a statement he urges exhibitors to cooperate with chambers of commerce and assist in obtaining strips of film or particular sequences from productions through local exchanges. Kuykendall suggests that the material be made the keystone of individual historical collections in American communities.
Insiders' Outlook

By SAM SHAIN

SIR MAURICE BONHAM CARTER believes that the film industry should be permitted to build up its own television service.

He thinks that the British Broadcasting Corporation, therefore, should widen its scope and encourage television by live broadcast, so that an exchange of services and of technical help may be had for the benefit of all. Perhaps sponsored programs might follow.

Carter would like to see the world's greatest entertainment industry and all its resources at the disposal of the new art.

Dear Sam:

Beyond thanking you for the kind words you have printed concerning my association with “Lady Vanishes,” I can say only one thing...it is to the credit of both the Press and the Public that they recognized, and continue to recognize, a great picture and a great director. You and they share many times my responsibility for the success of Hitchcock and “The Lady Vanishes.”

Sincerely,

Albert Margolies

Old Note: The underlines are Margaret—they had called the film, “The Vanishing Lady.”

New Zealand exhibitors operating first run house are credited with having conceived a very decisive—if one-sided—means of eliminating all clearance and zoning complaints permanently in their native land. They have proposed amending the 1937 Cinematograph Regulations with provision for the designation of a state licensing official who would have the right to immediately permit operation of a house to operate either as first, second, or third runs. Houses so licensed would be required to continue on that policy permanently. If the local/northern distributor was permitted to sell any other run of product to a theatre than that designated by its license.

That David O. Selznick had selected Vivien Leigh for the role of Scarlett O'Hara in “Gone With the Wind” was published in MOTION PICTURE DAILY on January 12. Selznick made the official announcement through Steve Hanagan, on Friday.

Few firms can boast of the long uninterrupted relationship such as exists between National Screen Service and National Theatres (Fox-West Coast), most important for the fact that circuit is operated and managed by Sypros and Charles Skouros.

To further cement this record of good relations, National Theatres closed a new deal with NSS for the latter’s Pre-Que trailers.

Under the new general contract which has been signed, the first National Theatres group to obtain the NSS Pre-Que product are the 190 theatres which comprise the West Coast division.

This deal is one of many which attests to the effectiveness and diversified nature of the NSS product which keeps abreast of the times in style of presentation and meets the requirements of all theatres.

Paramount would be the most seriously affected of the three companies having theatre affiliations in Nebraska, should the state's divestiture bill pass this session and be enacted and upheld by the Supreme Court. Paramount owns or has an interest in about 85 theatres in the state operated by A. H. Blank and J. H. Cool. National Theatres (20th Century-Fox) operates about 15 theatres in the smaller Nebraska cities, and RKO has three, four, two of which are in Omaha and are operated by Mort Singer.

Passage of the companion measures to the Nebraska divestiture bill, providing for licensing and regulation of distributors by the state, and imposing a $1 per reel tax on all films brought into the state would, of course, affect every distributor doing business in Nebraska.

Vivien Leigh Wins Role of “Scarlett”

David O. Selznick announced on Friday that Vivien Leigh, British actress will play the role of Scarlett O'Hara in “Gone With the Wind.” The screenplay was written by Sidney Howard and Oliver H. P. Parnell. The film, which will be in color begins within two weeks.

Miss Leigh has appeared in several pictures made by Alexander Korda such as “Dark Journey,” “Fire Over England,” and “Storm in a Teacup,” releasing through RKO.

She also appeared in Metro’s British-made film, “A Yank at Oxford,” ($10,218, 1938) which was made by arrangement with Korda, who holds Miss Leigh’s contract. Korda retains her services for one picture a year.

Joseph B. Platt has arrived in Hollywood to design interiors for the picture.

“Jesse James” Gets Off to Flying Start

“Jesse James” is doing the biggest business at the Roxy since “Alexander’s Ragtime Band” last August. The opening day's gross, Friday, was $10,218, with an average of 23,825, despite the heaviest snowstorm and worst traffic jam of the winter. There were 2,300 persons in line before the doors opened Saturday's business was reported better than Friday's.

The run is the world premiere. The film opens Wednesday at the Chinese and State in Los Angeles and will get 27 pre-release runs starting Jan. 20. National release is Jan. 27.

The local campaign comprised newspaper ads starting Monday before opening, 170 24-sheets, 480 one-sheets at subway stations, distribution of 16,000 reprints of Mid-Time Jesse notes and a parade of masked horsemen in the downtown section.

Montague Returns

Abe Montague, Columbia general sales manager, has returned from an extended trip to the coast and Honolulu.

MOTION PICTURE
DAILY

(Reprinted U. S. Patent Office)

MARTIN QuIGLEY, Editor-in-Chief and Publishers: SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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Abe Montague, Columbia general sales manager, has returned from an extended trip to the coast and Honolulu.
At this very moment there is no topic more timely than America’s air defense. This, the 'Dawn Patrol' producers have developed into one of the most spectacular entertainment accomplishments of the present day. A hats-off offering!

"WINGS OF THE NAVY"

Filmed at the U. S. Naval Air Bases on Both Coasts!

George Brent • Olivia De Havilland • John Payne

Also Frank McHugh • John Litel
Victor Jory • Henry O'Neill
Directed by LLOYD BACON

The perfect release for National Defense Week, starting on LINCOLN'S BIRTHDAY (Backed by Cosmopolitan's strongest newspaper campaign!) Original Screen Play by Michael Fessier A Cosmopolitan Production
“JESSE JAMES”--THE THRILL

Most spectacular opening in history!

EAGER swarms break through guards, ticket-takers! POLICE reserves called to help.

Six deep from Seventh to Sixth Avenues as doors open! CAPACITY (5,886 seats)!

Fast as they could pour through! TICKET SELLING every square foot of standing and waiting!

Selling tickets eight times during day!

“JESSE JAMES”--THE THRILL!
S" CROWDS
RECORD EVER MADE!

Story of Roxy Theatre, New York!

Lines, rushing boxoffices and stampeding out to restore order! IMPATIENT crowds 1,294 waiting in line for full hour before reached within 45 minutes of opening—as 4-SECOND pace for two solid hours until room is packed! THEATRE forced to stop

OF THE INDUSTRY!
CRITICS IN THE FILM DAILY
"YOU CAN'T TAKE IT WITH YOU"
PRODUCED IN 1938 . . . . .

THIS GREAT CAPRA PIC
PICTURE HISTORY IN HOLLYWOOD

THIS IS THE FOR REPEAT EXHIBITORS!

Effervescent In Its Enshrine It Afresh

A COLUMBIA

FRANK CAPRA

JAMES STEWART
NATION-WIDE POLL RATED
"YOU" TOPS OVER ALL OTHERS
over the Disney Classic "Snow White"

CREATED MOTION
OVERS...EXTENDED RUNS

OPPORTUNITY
ENGAGEMENTS

DATE IT NOW!

in And Philosophy...
Public Memory.

PICTURE
Reviewing the Latest in Short Subjects

"World Windows" (United Artists)

Consistently through seven of the "World Windows," entirely new possibilities for travelogues may be seen. For color, direction, cutting and sheer dramatic effect, these short subjects hit a new high in program entertainment.

Narration becomes a minor accessory compared to the pictures and its tale. Instead of the customary excitement of a too-ventriloquist, it is the unusual camera angles and the musical score that is used to convey the magnificence of the setting.

Vesuvius in Action

The seven subjects are taken from Italy, Arabia and Palestine. "Rome Symphony" is set in the Eternal City, high-lighted by views of St. Peter's and the famous art highlights of an unwilling protagonist's career, at the same time providing a moving document of his human qualities. His conflicts with the cabinet, his domestic life and incidents of the Civil War are well executed in every bit of the picture, which once thrilled by lexying a passion on paragons of ancient ruins, is now only a monument to successive civilizations which carved their homes and temples into the solid rock. The spirit of three religions, Christian, Jewish and Mohammedan, are the playing "Jestinians" with its views of the Wailing Wall, the tomb of the Virgin Mary and the Garden of Gethsemane. In "Vesuvius," we find Bedouin tribes in their colorful and picturesque customs. Arabian Bazaar. Photos of life markets and streets of the Near East.

One Without Narration

"Arabian Bazaar" was prevented without narration and should be kept that way. Shots of the merchant types and the dancing girl, together with the musical score, give the picture all the dramatic quality it needs. Judged, however, by the sound tracks in the remainder of the series, it will not compare with any of the previous films in the camera work. A program note declares that the series is "opposed to the unpardonable-we-saw-the-light" that pictures-od-Britain school of travelogues." The purpose was accomplished with signal success.

Count and Countess Keller and John Hanau produced the series. Hans Neter directed most of them and did all the editing. Giacomo Gentilcore furnished the direction in "Rome Symphony," Alessandro Blasetti deserves credit for outstanding direction in "Fox Hunt" and Pietro Francisci assisted Neter in "The Eternal Fire." Jack Cardiff rates mention for his camera work.

Running time varies between eight and nine minutes. "G."**

"March of Time, No. 5" (RKO)

In the issue "March of Time" attempts with success to picture the refugee problem which is becoming increasingly serious in the world today, first that of China and Spain, but most particularly, that which has resulted from the persecutions of the Nazis in Germany. Titled, "The Refugee, Today and Tomorrow," the pictures feature the plight of the persecuted in other lands, and the film points out pictorially the marked degree of success attained by the Jews in emigrating their families and business men in Palestine. The film is well handled, presenting a clear and vivid picture of the problem, in the running time of a short running time, 17 mins. "G."**

"Stranger Than Fiction, No. 58" (Universal)

Under good selection of oddities from many places makes this newest of the "Stranger Than Fiction" series a worthy successor to its predecessors. The material is selected and edited with discrimination and a good sense of news and human interest values, which has distinguished the entire series.

In this release are shots of a southern schoolmaster in his annual game of marbles with the champion of the schoolyard. If the master loses, the entire student body gets a vacation. If he wins, it's school as usual. He wins. New plant cultures methods being used in California and the results obtained from them are pictured. The original submarine, developed by the Confederacy during the Civil War, is shown. Profitable hobbies of talented people are demonstrated, of the high Sierra's of California combine to make "King Vulture" a good subject. However, the highspot of the reel, the attack of the king vulture upon the scientist seeking to collect the vulture's eggs for a museum, is excitingly portrayed. It should win the favor of audiences. Basil Rystanek does the narration. Running time, 10½ minutes. "G."**

"King Vulture" (Columbia)

Attractive sepia tint, lifting narrative by Jack Kooloof, and beautiful photography, of the high Sierras of California combine to make "King Vulture" a good subject. However, the highspot of the reel, the attack of the king vulture upon the scientist seeking to collect the vulture's eggs for a museum, is excitingly portrayed. It should win the favor of audiences. Basil Rystanek does the narration. Running time, 10½ minutes. "G."**

"Sydney Pride of Australia" (Patrick-M.G.-M)

The colorful harbor of Sydney and the quaint animal life of Australia make this Travel Talk a welcome addition for the tourists. Starting with the tremendous bridge over the harbor, the beaches, government buildings, zoo, and parks are toured. Worthwhile. Running time, 9 mins. "G."**

"The Human Bomb" (Warners)

Told in the form of a parody of "Your True Adventures" series, re-enacts the story of the maniac who enters a police station with a bomb and threatens to explode it unless the chief and a instrumented in getting $200,000 in 30 minutes. A newspaper photographer leaves the day by day by the bomb's attention, while the cops grab him. Running time, 12 mins. "G."**

"Going Places, No. 58" (Universal)

Cape Cod windmills and the island of Corsica are the camera subjects for the latest of the "Going Places" series. Glamps of the last remaining Cape Cod windmills reveal the inspiration for the toy craftsmanship of a native of the section who fashions replicas in every conceivable design. Scenic views of Corsica, its coast, interior and waterside villages, comprised the script for this half of the reel. Graham McNamara's photography presents highlights of the island's history. The reel is a good addition to this interesting series. Running time, 9 min. "G."**

"Sophomore Swing" (Warners)

"Cats" will go to town with this one, which is not a jive piece but plenty jitterbug. It's amusing to others, too. Swing is kings on a college campus, and the faculty are at their wits' end. They try to handle the mania learnedly, but it all ends up with a grand swingfest. The Merry Macs and Harvest Moon Dancers pictured. Running time 20 mins. "G."**

"The Wrong Way Out" (M-G-M)

Tracing one of the principal causes of juvenile delinquency to youthful impatience, the latest of the "Crime Does + Punishment" type of "Children's stories depict the young couple who elope against the parents' advice. They yield to the temptation of a simple theft and win up with holdup and murder. A forceful presentation of the subject. Running time, 17 mins. "G."**

"Mental Poise" (M-G-M)

"Dr." Robert Benchley, psychiatrist, finds among his clientele Robert Benchley, a patient. The similarity ups him, and, in typical Benchley fusion, the patient ends by treating the doctor. As hilarious as ever. Running time, 7 mins. "G."**

"Mechanix Illustrated, No. 2" (Warners)

Manufacture of illuminating gas from coke; assembly of a flue pipe; window display features; blending of cosmetics and the art of makeup demonstrated. All interesting and in color. Running time, 10 mins. "G."**

"Practical Joker" (M-G-M)

"Our Gang" sets out to discover who has been playing practical jokes on the boys. Butch is found responsible and revenge is sought by planting a candle in his birthday cake. Alfalfa's singing as he holds the cake with knowledge that it is about to explode will bring guffaws from any audience. Running time, 9 mins. "G."**

"Cladie Lucas and His Orchestra" (Warners)

Tuneful turn in which the orchestra and its versatile musical gifts are displayed by playing and singing varied numbers and performing musical comedy. Shots of "Coral City Center to Town" is well done. There is also interpretive dancing. Running time, 10 mins. "G."**

"G."** denotes general classification.
Paramount Sues to Halt Blumenthal's Suit on Contract

Paramount Pictures, Inc., filed suit on Friday in the N. Y. Supreme Court seeking to restrain Ben Blumenthal from prosecuting action against the studio. The suit is based on an alleged breach of a contract in connection with the sale of Paramount-controlled theatres.

Blumenthal was represented by an English court, which charged him with failing to remunerate Blumenthal on the sale of English theatres, and with violating an agreement to sell the theatres to a purchaser obtained by Blumenthal.

Paramount will take a temporary injunction on Jan. 18, arguing that the British court is without jurisdiction, and that the dispute should be tried in an English court. The order took place here and without witnesses live here. In addition, Paramount asserts that it owns no theatres in England, but only stock in British theatre-owning companies.

Merit Basis of UA Releasing Plan

(Continued From page 1)

with their attorneys. The discussions have been

Whatever executive matters there
are to be presented at these stock-
holder sessions, the usual questions are
often raised. Apparently. Probably at
the conclusion of the discussions on the
new distribution plan, the stockhold-
ers will continue their talks to include
executive matters.

Officially there has been no indica-
tion whether the stockholders will
consider a resolution for a second
year naming a president. United Artists
is the only company in the trade in
this unusual solution, and not having
a president. The operating reins are
held by Maurice Silverstone, whose
powers of management cannot be
adjudged in any form. He is the
general manager, and to name any-
body else president of the company
requires unanimous vote by the stock-
holders.

There will be no board meeting in
California.

Korda to Make Four

Hollywood, Jan. 15.—Alexander
Korda (London Films) will make
four films for United Artists, 1940
release. Two of these are likely to
be made in London and two in Holi-
dayland.

There is a possibility, according to
present indications, of Irving Asher,
associate producer of London Films,
producing in Hollywood. Both Korda
and Asher are now discussing this
possibility.

Warwick Handles Four

Warwick Pictures, Inc., is dis-
tributing four melodramas on the
state rights market. Syndicate Ex-
change, New York, and Monarch Pic-
tures, Pittsburgh, have taken the
films. They are “Manhattan Shake-
down,” “Special Inspector,” “Murder
Is News” and “Death Goes North.”

Distributors Pact Will Be Rewritten

(Continued From page 1)

before the new selling season opens.
M.P.T.O.A., however, is still insisting
that individual proposals be made ef-
fective immediately upon being ap-
proved and not withheld until a com-
plete program is accepted as a whole.

Kuykendall’s statement asserted that
some of M.P.T.O.A.’s objections to the
initial draft were due to misunder-
standing of the phraseology, and, as
reported in Motion Picture Daily on
Friday, agreements were reached on
clarification of many of these clause.

His statement added that many clauses
remain to be finally negotiated,
presumably after the new draft has
been prepared. In addition, the
M.P.T.O.A. head indicated that con-
versations have taken place between
organizations over arbitration, but
that considerable work remains to be
done before any form of local board for
the hearing and adjustments of trade
grievances can be made operative.

Committee’s Statement

William F. Rodgers, in a statement
issued Saturday for the distributors’
committee, of which he is a member,
referred to the negotiations during the
week with the unaffiliated exhibitor
organizations and the M.P.T.O.A. and
said:

“The results of these discussions were
most encouraging to all sides. Details,
however, must necessarily be withheld at this time as there are
several matters unsettled, but we are
hopeful that these can be overcome,
in the near future. In our opinion the
outcome is most optimistic concerning the outcome.”

The joint statement was issued confering with Allied’s negotiating committee in Washington
this week, in advance of the organization’s annual board meetings.

Programs of the Monarch, of the dis-
tributors’ committee, were scheduled to
accompany Rodgers. From Wash-
ington, the program is expected to Be-
vacation of two or three weeks.

Para., DuMont Start Test of Television

First of a series of television experi-
ments for Paramount and DuMont Lab-
atories, its television affiliation
was begun yesterday with a brief pro-
gram of motions pictures broadcast on
the new medium.

Programs originated at the DuMont
station in Passaic, N. J., and was caught
at receiving points up to a distance
of 25 miles. The principal objective of the
initial experimental broadcast will be
to obtain an appraisal of the new type
of scifi film which can be best staged
on the ordinary black and white print.

Seidelman to Coast

Joseph H. Seidelman, Universal
vice-president, returned from
Europe, where he has been stag-
ger, leave for the studio Friday.

All three expect to be back by the end of
the month.

“Ballerina” Release Set

“Ballerina,” a French picture, will be
nationally released here the first week
in February, according to Joseph
Buryst. Film is currently in its
fourth week at the Little Theatre in
Baltimore. Mayer and Buryst dis-

Second Firm Quits in Suit Against B&K

Chicago, Jan. 15.—Indications that
another group of independents has
filed suit against Balaban & Katz and
major distributors may be crumbling
more apparent with the withdrawal
Friday of a second circuit as plaintiff.

Joseph Stern followed the lead of
Goodman & Harrison, which had with-
drawn earlier in the week.

Taking of depositions started Friday
with Robert Golding, Thomas Thomas
and Miles Seeley representing B. & K.
and the majors. Ben Bartelstein, Jacob
Lasker, Elmer Bessich, William Vo-
sepoulos and George Christos, inde-
pendents, were called on for deposi-
tions.

A draft of counsel marked the efforts
of Golding to get statements of profit
and loss. Rosenberg & Stein, attorneys
for the plaintiffs, charged the defense
lawyers with trying to "weasel out...and
embarrass" the plaintiffs with ques-
tions along this line. They were al-
ready hard put to it, said Mr. Blumberg,
seeking limitation of questions.

Further charges by plaintiffs’ coun-
sel that threats had been made against an individual director by
Golding. He said “that no one has or
will receive any money for withdraw-
ing the suit."

Certain technical depositions were
taken Saturday and more are expected
after the court rules on the petition
concerning financial statements.

WPA Theatre Drops 1,000 in City Today

WPA Federal Theatre Project drops
1,000 employees from the rolls today.

Several thousand members of unions
which are interested in maintenance of
the project staged a protest march
Friday evening, and, according to
Arlington Square to 95 Madison Ave.,
administrative headquarters of the
WPA.

Prominent among the marchers were
Paul DuFre, executive secretary of
Actors’ Equity; Philip Loeb, of the
Equity council; Ralph Whitehead,
American Federation of Actors; Flor-
cee Marston, Screen Actors Guild;
Emily Holt, American Federation of
Radio Artists; William Feinberg, Local
802, American Federation of Musi-
cians, and Edward Everett Hale, Se-
cretary of the Federation of Arts’
Unions, which organized the parade.

A committee, consisting of Hale,
Feinberg, Edward Harrison, American
Federation of Actors, and Joe Ushe-
vitz, Newspaper Guild, discussed the
possibilities with WPA administrator
for the arts project.

Knox Goes to Coast

H. G. Knox, engineering vice-presi-
dent of Epir, left Saturday to confer
with coast officials. Conferences will
be in conjunction with the estab-
ishment of various work programs
for the coming year. He will return
about the middle of February.
‘Fight’ and ‘Drew’ $8,900, Seattle Lead

Hollywood Previews

“King of the Underworld”

(Warner)

Hollywood, Jan. 15.—Humphrey Bogart, Kay Francis and James Stephenson head a large and uniformly experienced cast in a gangster picture produced by Bryan Foy with the sureness of touch and point characteristic of Warners’ underworld films. Their names and the title seem to add up to just about what the exhibitor playing this type of product ordered for his marquees.

Miss Francis plays a woman doctor whose doctor husband has been killed in a police raid on Gangster Bogart’s hideout while stirring a gangster’s gunshot wound. To clear herself of suspected affiliation with Bogart’s gang, Miss Francis makes her services available to the bandit who, as hoped, comes to her for treatment. Bogart, meanwhile, has commissioned Stephenson, an author learned in the history of Napoleon, to write his biography, at pistol point and aware of Bogart’s intention to kill him when he has finished the book. In a tightly constructed and highly suspenseful ending, the woman doctor blinds Bogart and his thugs temporarily so police can capture them. Bogart dies in the final machine-gunning and the vindicated doctor marries the author.

Bogart is in good form as the gangster with the Napoleonic complex and Miss Francis handles the feminine chawk handsomely. Stephenson more than fulfills early promise of actingvirtuosity.

Lewis Seiler directed the screenplay by George Brackner and Vincent Sherman, which was a nice job of adaptation from a story by W. R. Burnett.

Running time, 65 minutes. “G.”

Roscoe Williams

“Mysterious Miss X”

(Republic)

Hollywood, Jan. 15.—Michael Whalen and Chick Chandler, teamed in various pictures at 20th Century-Fox, moved over to Republic to appear in “The Mysterious Miss X,” mystery melodrama tinted with comedy and based on a formula story. Stranded actors, they are mistaken by Scotland Yard officers by the police of a small town and become involved in a murder mystery.

The high spots of this, the comic antics of Mabel Todd and Chandler, the latter impressing greatly with his “double takes.” Others in the cast are Mary Hart, Frank M. Thomas, Regis Toomey, Don Douglas, Wade Boteler, Dorothy Terry, Eddie Acuff, Pierre Watkin, and Harlan Briggs.

Gas Muns directed from a screen play by Olive Cooper, based on an original story idea by George W. Yates. Herman Schom was the associate producer.

Carrying on with their mismatched identities to prevent becoming suspects in the crime, Whalen and Chandler enter the investigation at the request of the daughter of the chief suspect. The murderer solution comes after another killing, the exposure of Whalen and Chandler, appearances of mysterious figures in black veils, an automobile chase and a knock-down-drag-out fight.

Running time, 60 minutes. “G.”

Vance King

“Boy Slaves”

(KKO)

Hollywood, Jan. 15.—The evils of child labor under the peonage system, specifically as practised in turpentine camps of the kind pictured, are brought out dramatically and presented with impressive connotation in this film story produced by Albert Beim and directed by P. J. Wolfson, from a screenplay by Beim and Ben Orkow, the film is starkly melodramatic and emotionally holding.

Although the picture lacks powerful marque names—Anne Shirley’s being the best known—it is of a kind to be talked about by persons who have seen it to persons who have not. The theme is unusual, readily exploitable, and it would seem unlikely that showmen who preview it for the local press will find editors and reporters disposed to write about it.

The film recounts the experiences of a band of underprivileged boys led by a small town sheriff while trapping the country and encouraged by the local judge to accept employment in a turpentine camp which turns out to be virtually a prison. Resistance to mistreatment ends in tragic disaster, survivors of which are sent to a state farm.

James McCallon and Roger Daniel give convincing performances as leader and supposed steedin-pony of the youthful gang. Charles Lane, Arthur Hohl and Norman Willis have the three principal adult roles.

Running time, 70 minutes. “G.”

Roscoe Williams

*G* denotes general classification.

**Young in Heart,**

**Going Places** at $13,000, Detroit

Detroit, Jan. 15.—Joan Davis on the stage plus “Blondie” on the screen gave the Fox $25,000. The Michigan did very well with a double bill of “The Young in Heart” and “Going Places,” the latter preceded in some places by “Sweethearts” did nicely at the United Artists with $11,000. “Kentucky” on a double bill with “My Secret” Mr. Moto” gave the Adams $4,300.

Estimated takings for the week ending Jan. 13:

**Kentucky** (20th-Fox)  $12,000. (25c-35c) 7 days. Gross: $11,000. (Average $1,500)

**Blondie** (Col)  Fox—5,000 (20c-65c) 7 days. Stage: Oscar Davis with St. Wills, Lorenia Lee, Harmonica Russel, Monroe and Gram. Gross: $7,500. (Average $1,050)

**Mysterious Mr. Moto** (20th-Fox)  $12,000. (25c-35c) 7 days. Gross: $12,000. (Average $1,500)

**The Young in Heart** (U. A.)  MICHIGAN—$1,000 (25c-35c) 7 days. Gross: $1,000. (Average $150)

**The Great One-Man Band** (20th-Fox)  $12,000. (25c-65c) 7 days. Gross: $12,000. (Average $1,500)

**Torchy Gets Her Man** (W. B.)  L—W. A. S. T. 9,000 (25c-35c) 7 days. Gross: $6,000. (Average $850)

UNITED ARTISTS—(20c-65c) 7 days, 2nd week. Gross: $11,000. (Average $1,500)

**Heart** is $4,000

High in Oklahoma

OKLAHOMA CITY, Jan. 15.—“There Was a Young Grocer” was the greatest grosser of the week, on a comparative basis, taking $4,000 at the State, while grosses generally showed little of an exciting nature. The weather was unseasonably mild. “Out West with the Hardys” took $5,400 at the Criterion.

Estimated takings for the week ending Jan. 6:

“Out West with the Hardys” (M-G-M)  MICHIGAN—$3,900 (25c-35c) 7 days. Gross: $3,900. (Average $550)

“Swing, Sister, Swing” (Univ)  ORPHEUM—$1,000 (25c-35c-40c) 7 days. Gross: $1,000. (Average $143)

“Walking, Talking” (Para.)  BOISE—$1,000 (25c-35c-40c) 7 days. Gross: $1,000. (Average $143)

“Torchy Gets Her Man” (W. B.)  L—W. A. S. T. (25c-35c) 7 days. Gross: $6,000. (Average $850)

“Mysterious Mr. Moto” (20th-Fox)  PLACA—$1,000 (25c-35c-40c) 7 days. Gross: $1,000. (Average $143)

“There Goes My Heart” (U. A.)  MICHIGAN—$1,000 (25c-35c) 7 days. Gross: $1,000. (Average $143)

“Thanks for Everything” (20th-Fox)  APACHE—(25c-35c-40c) 7 days. Gross: $1,000. (Average $143)

New W. B. Sound Device

Hollywood, Jan. 15.—An electronic compressor, which is claimed to produce better balance in sound recording has been perfected by Warners’ sound department. Through the medium of a control board, the device regulates and compresses voices as they reach the earphone range, bringing them closer together.

Norma Shearer Named

Hollywood, Jan. 15.—Norma Shearer has been appointed chairman of the talent committee of the Screen Guild Show for the Motion Picture Relief Fund. She will have charge of gathering talent for the CBS radio program sponsored by all Oil Company.
Radio Personalities

EDDY ARNOLD, whose sister and team mate, Kay, passed the 50th birthday mark, is now back in the studio to continue work. John Gillin, Jr., manager of WOW, Omaha, is erecting a new studio here for a two-week business stay. Dick Powell and Joan Blondell will join the cast of "Tune-Up Time," on WKRC television, on the program’s second broadcast Jan. 19. Budd Abbott out of danger from bronchial pneumonia and possibly will be back in the studio next week. Alice Frost, network actress, has been signed for a role in a Broadway play, "I Must Love Someone," which Jack Kirkland is producing.

Adelaide Moffett will be Johnny Green’s vocalist when his band returns to his WHN program and also the New York station’s annual show, "Road of Life," on Monday night. Morgan Fisher, former WHN radio personality, is now Roy Fox, Literary manager for the Chicago, Ill., department store.

"Road of Life" Adds 27 Canada Stations
Procter & Gamble, sponsoring "Road of Life," Monday through Friday, will increase its Canadian coverage to 27 stations in Canada, effective this week. The stations comprise the whole of the Canadian Broadcasting Corp. network save the Quebec group. Pedlar & Ryan is the agency.

"Scattergood Baines," daily serial sponsored by Wm. Wrigley, Jr. Co., on CBS, will add seven stations effective Jan. 23, and an additional eight stations on Feb. 1, both of which will raise the program’s total to 65 stations. Neisser-Meyerhoff Co. of Chicago is the agency.

Renew "Grouch Club"
General Mills renews its "Grouch Club" series on CBS effective tomorrow, and at the same time extends the number of stations carrying the series from three to seven, adding KOIN, KIRO, KFPY and KVI, all of the Pacific Coast. Blackstock-Sample-Hummer added the renewal, for one-year.

Tone on "Gotham" Show
Franchot Tone and Sylvia Sydney will enact a scene from their current stage play, "The Gentle People," in the weekly "Gotham Nights" program over WHN tonight. Hy Gardner, columnist on the Brooklyn Eagle, and Everett Marshall will also be featured on the program.

Park to New York
CINCINNATI, Jan. 15—Elton Park, former WLW assistant program director, is leaving for New York and Chicago for a course of study of NBC program policies, following his appointment as NBC contact man for WLW and WSAS.

Revise AFRA Pact Announcer Clause
Provisions of the agreement between the networks and American Federation of Radio Artists, effected some months ago, have been changed. Since the beginning of the program contracts included a clause to cover announcer charges for New York program originations. At the suggestion of the networks, and the DVCA, the contingency of an agency failing to deliver a program, with one of the conditions being the network could build a program not to exceed twice the gross facilities charge.

The clause has now been revised so that the network can build a program but at a cost not to exceed one-half of the gross facilities charge.

Sunday Broadcast to Aid Paralysis Drive
All branches of show business will unite next Sunday for a gala broadcast in behalf of the "March of Dimes," campaign for the National Foundation for Infantile Paralysis. Eddie Casstrom will be in charge of the broadcast which will be aired from 11:15 P.M. to 12:30 P.M., and will come from Hollywood and New York.

CBS, NBC, and Mutual, in addition to the unaffiliated stations, will carry the program.

List of those who will appear on the program includes Jack Benny, George Jessel, Bing Crosby, Goodman Accu, Deanna Durbin, Tyrone Power, Lanny Ross, Fred Allen, Walter Winchell, Eddie Cantor, Joe Louis, Wrigley, Ernest Womack, Edwin Stone, and many, many others.

Two Sponsor "Ballroom"
"Make Believe Ballroom" adds two new stations, the Chemical Co. and No-Worry Chemical Co., the former for 52 weeks, the latter for 13 weeks. The series is on WNEW.

Reach Alkine Agency
Alkine Co. has appointed Charles Davids, Reach of Newark as its advertising agency, with the latter planning a campaign that includes radio.

Vallee Returns Feb. 2
Rudy Vallee’s program, heard from Hollywood for the last three months, will return to Radio City beginning with the broadcast of Feb. 2.

Open with Prayer
CINCINNATI, Jan. 15—WVOC, Celina, Ohio, and Columbus owned and operated station, is opening at 6:30 each morning with a 30-minute program, prayer hour by hour, under the direction of the Federated Council of Churches of Christ in America. In an effort to reach communicants of various churches, the station asks the pastor of a different denominations to offer the prayer each day.

WASHINGTON, Jan. 15.—Plans to make the broadcasting stations of the country contribute $5,000,000 or more toward the $432,000,000 in new taxes which the President of Congress in his budget message are under consideration in Administration circles, is heard.

New York, Jan. 15—Word of the raising of a new tax bill will be made until after the 1938 income returns are filed March 15 and the Treasury has had an opportunity to analyze them and figure how closely the revenue will approach the estimate, but in the meantime a vigorous search is being made for possible new subjects of taxation.

Proposed for the taxation of broadcast-ers have been before both the Treasury and Congress in the past, but have met with particular enthusiasm. Now, however, the need for new revenue is more acute and there is a general disinterest in the increase existing tax rates, so that attention must be turned to the development of new sources of money. The Federal Communications Com-mission contemplate the imposition of taxes on a wattage basis, with safeguards against the possibility as would apply to maximum-power stations under previous proposals. It is pointed out that such taxes as would apply in the cases of a maximum-power stations is unlikely to be as enjoyed by Government favor as, it is asserted, the radio industry is the only one receiving such benefits as a tax.

Arguments of the broadcasters that they already pay income taxes are met with the statement that others who use Government facilities also pay income taxes as well as the charges for the use of the facilities.

Consideration is also being given it was learned, to the possibility of lessening the drain on the Treasury by the Federal Communications Com-mission adoption by a scale of fees for the various applications which the radio industry files. Here, too, it is pointed out, there is a precedent, the Securities and Exchange Commission charging a filing fee based upon the value of the issue.

"Zany" Back to CBS
"Zany Family," program will return to CBS Jan. 18 from 4:15 to 4:45 P.M. and Wednesdays thereafter at the same time. The program is by Charles Austen and will feature Austen, Dena Dene, Juke, Barry Wood and Mark Warnow’s orchestra.

Cox on WKY Publicity
OKLAHOMA CITY, Jan. 15.—James Cox, who recently joined the WKY publicity committee, has been placed in charge of publicity and public relations for WKY.

Downey on Mall
Morton Downey has been signed as a regular member of the cast of the Mall program which features Chamberlin and his orchestra Mondays on the NBC-Red.
...and now for the FACTS!

No other form of advertising can stand comparison with the dramatic, forceful, visual PREVUE Trailer on your screen because—

The Prevue has the lowest cost per ticket sold of any advertising medium in the field.

The Prevue gives you one hundred percent coverage at every performance.

The Prevue does not rely on superlatives or the "super-super" type of copy but it sells the picture with punch-lines describing the picture itself ... concentrated, quick-action selling-power.

Thus ... the Prevue is the best attention-arrestor in the business.

And the Prevue is the result of nearly twenty years experience selling your pictures to your public.

These are FACTS ... for coverage ... for low costs ... for results ... nothing succeeds like the Prevue by

NATIONAL SCREEN SERVICE

... used by more than 12,000 Showmen throughout the Country!
Film Measures Up in Several Legislatures

Missouri May Extend Its 2% Sales Levy

Film business is the subject of proposed legislation in several state legislatures and in Canada. Extension of the present two per cent sales tax in Missouri; a chain store tax bill which may affect theaters, in Kansas; possible sales tax in Wisconsin; and building regulations in Ontario, are among the bills proposed. In Arkansas, a bill has been introduced which would legalize Sunday films.

Following are details on film measures most recently introduced:

Would Extend Missouri Tax

KANSAS CITY, Jan. 16.—The Missouri legislature shortly will receive a bill to extend the present two per cent sales tax, which expires Dec. 31, 1939.

In Kansas, the House has received a measure to tax chain stores from $10 to $500, depending on the number of units. Some doubt exists as to whether the "licensing" law will apply to circuit theatres.

Sunday Film Bill Up

LITTLE ROCK, Jan. 16.—Senator Frierson Henderson has a bill in the Arkansas legislature to legalize operation of film shows on Sunday. It was referred to the Judiciary Committee.

Talk Wisconsin Sales Tax

MILWAUKEE, Jan. 16.—Local exhibitors are studying enabling legislation just drafted to permit Milwaukee to

Sales Drive Honors Johnston's 25th Year

Celebration of the 25th anniversary of the entrance of W. Ray Johnston, Monogram president, into the industry will take the form of a concerted drive and sales drive branches next month. Efforts will be made to send the 1939 sales quota of the $6,000,000 mark.

Johnston started in the film business as secretary to Charles J. Hite, then president of Thanhouser Co., New Rochelle, N. Y. Johnston left Republic Pictures in the latter part of 1936 to reorganize Monogram.

Radio—Page 7

New York, Tuesday, January 17, 1939 Ten Cents

Motion Picture Daily

Alert, Intelligent and Indispensable to the Motion Picture Industry

Quebec Judge Rules Bank Night Illegal

Quebec, Jan. 16.—Bank Night, popular in Canada, has been declared illegal in a test case judgment. Manager Charles Blouin was fined $10 for "illegally conducting a lottery." Sessions Court Judge Tremblay refused to accept the defense that the winner received a "salary" as publicity agent.

Economic Group Resumes Study of Patent Situation

WASHINGTON, Jan. 16.—Temporary National Economic Committee today began investigation of the patent situation in the film industry. Commissioner Conway P. Cole as first witness.

Prepared to testify for several days, Commissioner Cole is to lay before the committee the results of five years of experience as head of the United States Patent Office, covering the way in which patent monopolies operate and outlining situations which should be corrected.

Cole is to be followed by a number of representatives of leading industries, who will explain how patents are secured and handled in their particular lines. They will include Philip T. Farnsworth, vice-president of Farnsworth Television, Inc.; Frank B. Jewett, president of the Bell Telephone Laboratories.

PACT DECISION BY ALLIED DUE TODAY

Plan Change In Wage Law After Study

WASHINGTON, Jan. 16.—Recommendations for amendment of the Wage-Hour Law to deal with employees in the film and other industries who receive $500 or more in weekly salary, yet are not in professional or executive positions, will be made after completion of a study of the subject now going on, it was disclosed today by Administrator Elmer F. Andrews in his first annual report to Congress. Andrews pointed out that while these employees are not affected by the wage provisions of the act they are covered by hour provisions and must be paid time and one-half for over-time employment, admittedly a heavy burden upon many concerns.

Question of classification of highly paid employees was raised almost immediately the Wage-Hour Law became effective, by film producers, who sent representatives to Washington to ask for information regarding the status of some $600 such jobs in the industry.

The administrator promised to present definite recommendations to Congress after the material now being gathered has been digested.

Final Action Is Expected Before 'Founders' Dinner Tonight

WASHINGTON, Jan. 16.—Allied and distributor representatives today put in flat five hours in discussion of the recent trade practice program, apparently reaching no definite conclusion since William F. Rogers, speaking for distributor groups, said discussions would probably be continued tomorrow at a meeting of the allied board of directors.

Accompanied by two attorneys, H. I. Levinson and Tyree Dillard, the distributor group, consisting of Rogers, Abe Montague and Gladwell Sears, went into conference with the Allied negotiating committee, headed by Abram F. Myers, at 1:45 P.M., and met for several hours until 4 o'clock. Members of Allied committee were Nathan Yamin, A. L. Slesin, Ray Branch and Sidney Samuelson, with M. A. Rosenberg and Herman Blum as alternates.

Statement Today

Following break-up of the conference, none of those participating would make any comment, it being explained that proceedings were to be kept confidential until Allied board reached a final decision.

(Continued on page 6)

James Roosevelt to Give US Suit Stand

Hollywood, Jan. 16.—James Roosevelt will be given a luncheon by J. F. O'Connor, former comptroller of currency, Wednesday noon to which heads of all studios will be invited. The fete was arranged apparently to offset rumors and reports that the president's son would become a go-between for the industry and the administration. Roosevelt is expected to address the meeting, clarifying his position on the matter of the government's anti-trust suit. The press will be invited.

Muni Gets Niemoller Role in New WB Film

Hollywood, Jan. 16.—With Paul Muni in the role of Dr. Martin Niemoller, Warners will produce "The Bishop Who Walked with God," based on the Lutheran minister's persecution by the Nazi regime in Germany. William Dieterle will direct.

U.S. Film Firms Commended For Pan-American Interest

By AL FINESTONE

Manuel Pena Rodriguez, film editor of La Nacion, Buenos Aires, commends American film companies for their interest in Latin America, particularly in sponsoring the production of Spanish language films.

Rodriguez was in New York on an annual visit and is now en route to Hollywood for a three-week stay. He will write special articles for his paper.

The upbeat in Buenos Aires production has caused a boost in film costs, he said. An average film cost $35,000 or $40,000 four years ago, but today is budgeted at about $100,000.

Attendance has risen as a result of the increased playing time given to Spanish language films, and film quality is improving. The Monumental Theatre in Buenos Aires shows Spanish language films exclusively, and so do virtually all the neighborhoods in the city.

Talent has increased its demands. Directors and leading players are asking $30,000 per picture, a hitherto unheard of figure in Latin America.

American films, however, still lead and the Argentine producers like to pattern their product after Hollywood.

Gary Cooper and Deanna Durbin are currently the biggest draws in the Argentine, and Mickey Rooney and the "Andy Hardy" series are also big. "Snow White" was the most popular film in the Argentine during 1938, with "Algeria" probably second. Frank Capra is the most popular director, Rodriguez said.
**Cruelty Charge Is Protested by Kent**

Sidney R. Kent, 30th Century-Fox president, and Darrell F. Zemke, production head, both emphatically protested the statement which had been issued by the president of the American Humane Society, that horses used in filming "Jesse James" had been maltreated. Kent pointed out that "the only injury which occurred during the shooting of this picture was the accident at the bow of the cliff, and the very fact that the scene was repeated without injury to either horse or rider is definite proof that it was not an accident and not because we were compelling either horse or rider to take an unnecessary risk."

"What is amazing to us," Kent observed, "is the fact that although these shots were made months ago, and apparently from miles away, the story from Missouri was on the ground, not one word of criticism or disapproval reached our ears until after the picture had been released in New York. If you had shots which proved we were in reality treating dumb animals in a cruel way, why not have used our cameras to make our story, to Mr. Hays or to this company until after the picture had been completed? It seems very odd that the first we heard of this was after you had screened the shots for newspaper people and then released your clipping to the papers without finding out what the actual facts were as far as we were concerned."

**Treasure Night Suit Settlement Reached**

Suit of Affiliated Enterprises, Inc., against Par-Land Theatres, Inc., Landon Realty Co., Inc., and Harry Schiffman, owners of four Staten Island theatres, to restrain their use of Treasure Night as an infringement on the plaintiff's Bank Night was settled yesterday in U. S. District court.

**Hearing Delayed in Chicago Trust Suit**

CHICAGO, Jan. 16.—Further hearings in the anti-trust suit brought against B. & K. and distributors by local independent exhibitors will be delayed until Joseph Rosenberg, plaintiffs' counsel, returns from Washington this weekend.

**Para. Holds Gary Cooper**

Hollywood, Jan. 16.—Gary Cooper probably will make another picture for Paramount after completing "Beau Geste" for that firm.

**MITCHELL MAY, JR., CO., INC.**

**INSURANCE**

Specializing in requirements of the Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St., Los Angeles

**MOTION PICTURE DAILY**

Tuesday, January 17, 1939

**Purely Personal**

**Olivia de Havilland**

George Brent, Errol Flynn and John H. Carpenter will leave the coast late this week for Washington where they will be honor guests at the Roosevelt Birthday Ball Jan. 30.

Frank Phiels, in charge of labor relations for Warners, has returned from Boston and Cleveland.

Al J. Margolis was a guest at the Morris Helprin farm in Hopewell, N. J., over the weekend.

Dario Faralla, producer of Paramount's Spanish language pictures, arrived from the coast yesterday for a week of home office conferences.

Y. Frank Freeman, Paramount vice-president and studio head, left New York yesterday on the 20th Century, returning to the studio.


Louis Phillips of the Paramount legal department returns to New York tomorrow from Chicago.

Lionel Tole of the I. T. O. A. is a board member of the Associated Actors & Artists of America.

Margeret Lezce, secretary to William F. Rogers, M-G-M general sales manager, leaves Saturday for a two-week vacation in Ft. Lauderdale, Fla.

Eddie Miller, Warner Hippodrome manager in Cleveland; Lou Milde, manager of the Variety, and Charles Albert of the Warner exchange are on a 14-day West Indies cruise.

Margaret, Columbia salesman in Cleveland, is in Mt. Sinai Hospital there with a broken knee cap, sustained in an auto accident.

Mack Gordon, song writer, was married last weekend to Elizabeth Corning, daughter of Arie. Harry Revel was best man.

W. N. Skibb, Cleveland circuit owner, has returned from a vacation in England.

John D. Hertz has returned to Florida.

**Little Theatre Fights Tax**

NEW ORLEANS, Jan. 16.—Further test of the protest of the Little Theatre against payment of the two per cent amusement tax will be made in an appeal from the conviction of Claude J. Derbes, secretary of the group. It is claimed the Little Theatre is educational and provides entertainment for members only.

**Adopt Three-Day Dual**

MANSFIELD, O., Jan. 16.—Warner's Madison has inaugurated a double feature policy for the last half of each week. Single features will be played for the first three days as heretofore. This is the first major change made by Graton Johnson, manager, recently transferred here.

**Plan Test of Films For Court Records**

WASHINGTON, Jan. 16.—Talking picture equipment would be installed in the District of Columbia Federal Court as an experiment to determine the value of films in recording trials, according to a recent introduction in Congress by Representative Hobbs (Ala.).

Congressman Hobbs introduced bills last session for the use of talking pictures as court records, and declared he would seek to have the plan tried out in local court to see whether films could be used in all Federal courts.

**Schines by Merger Dominate Maysville**

CINCINNATI, Jan. 16.—Schines, who 18 months ago leased the 700-seat Russell, at Maysville, Ky., a town of 6,500 population in the Cincinnati trade territory, will dominate that situation through a merger just completed whereby they take over the 500-seat Washington and the Hollywood with 300 seats.

Two other houses have been operated by Jack Frisch and Sam Kaplan, Frisch will be city manager, Ed May, formerly manager of the Russell, goes to Louisville in charge of the three units recently acquired by the Schine interests.

**There's a Will**

To Open Tonight

"Where There's a Will," an adaptation of August Strindberg's "Lone Testament," opens tonight at the Stirling. It has been produced in France, England, Germany and Switzerland. The story deals with the life of an appallingly dead man while relatives quarrel about the estate.


**PICTURE PLEASURES**

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You know what Bing’s first picture of the season, “Sing You Sinners”, did at the box-office. Well, in the first thirteen cities where it has played, his new picture “Paris Honeymoon” is running “Sinners” a neck and neck race. Daily Variety’s tip-off that this one would “reap a harvest” is already starting to come true. Bing’s in that Beebe groove again!
Theatres Hit by Heavy Snowstorm

Heavy snowfall which was general over most of the Eastern seaboard on Friday and Saturday, and which reached depths of eight to ten inches in the metropolitan area, seriously affected theatre attendance over the weekend.

Business was adversely affected by the storm from Washington to Boston. Striking the metropolitan area early Friday afternoon, heavy snowfall had traffic at a standstill in many sections of the city and at all bridge approaches by early evening. Sidewalk conditions discouraged pedestrians as much as street conditions did vehicular traffic, with the result that Broadway houses, as well as neighborhoods and suburbs, felt the effects acutely.

From Motion Picture Daily of January 16th

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"JESSE JAMES" – THE TH
ESSE JAMES"

DOES BIGGEST SINGLE DAY'S BUSINESS IN HISTORY OF ROXY, N. Y. *

ALEXANDER'S RAGTIME BIGGEST DAY BY $38!

HILL OF THE INDUSTRY!
Film Measures Up in Several States

Hollywood Previews

“Wings of the Navy” (Warner’s)

Hollywood, Jan. 16.—Add up the many entertainment and commercial factors included in “Wings of the Navy” and the result is a showman’s exploitation picture and an all-audience picture. Specialists put the show together. Hal Wallis, whose acute sense of exhibitor and patron requirements has often been demonstrated, produced. Lloyd Bacon, a master in the treatment of intriguing love stories narrated against a spectacular background, has occasionally proved their abilities in ways that have won them popular favor. The whole is an attraction that exhibitors should take pride in presenting and which should delight those who see it.

The mechanical production phases are exceptional. Taking the audience into the Pensacola training base and the San Diego air base, the Navy’s flying fighting forces are paraded many times in spectacular fashion and under circumstances that call for patriotic emotionism. The picture’s big sock sequences, two sentimentally staged exhibitions of power diving, are the brand of excitement provocation that left the preview audience breathless.

The best detail is unique, so is the quality of the romantic love story. George Brent is unable to prevent his younger officer brother, John Payne, transferring to aviation. His hopes for a great career in the flying arm of the Navy dashed when injured, Brent’s romantic dreams of happiness with Olivia de Havilland crumble when she prefers Payne.

When his hopes are dashed, the Navy’s officers and men in their family traditions and demonstrates the practicability of Brent’s fast new pursuit plane, his senior orders Miss Havilland to join Payne in Hawaii where he is bound in a mass flight of bombing planes.

Accentuating the tried and proved production features of the film is Michael Fessier’s original story. Any prediction other than one which visualizes the public pushing itself around to get in to see “Wings of the Navy” would be out of line.

Running time, 20 minutes. “G”**

G. McC.

**“G” denotes general classification.

“Son of Frankenstein” (Universal)

Hollywood, Jan. 16.—Chills and thrills are the entertainment substance of “The Son of Frankenstein.” The commercial and exploitation merits of these qualities are known. There is horror and terror in the picture, too. But neither carries the same impact of surprise that was inherent in the first presentation dealing with the exploits of the artificially made monster of inhuman humanity conjured in Mary Wollstonecraft’s imagination. The hysteria that accompanied the showing of the original “Frankenstein” and the publicity that accrued to it as well as to the recent revivals have more or less diluted the element of eerie and awesome surprise.

Withal, “Son of Frankenstein” is a shocker. Its is made so by the creepy quality of Willis Cooper’s screenplay; by Rowland V. Lee’s direction; by the weird effects resulting from backgrounds and production effects created by Jack Otterston and the dynamic style in which they and the players were photographed by George Robinson.

But the basic reason for “Son of Frankenstein” being a screen attraction of more than usual importance are the expert characterizations of Basil Rathbone, Boris Karloff, Bela Lugosi, Lionel Atwill, Josephine Hutchinson, Domme Dunagan and the members of the supporting cast.

Rathbone and his family are unaverted, feared and hated when they return to the ancestral home. The populace remembers too well the terror caused by the monster created by his father. The horror is not long in returning in this inning and Rathbone, instead of being destroyed, is living in suspended animation, cared for by the legally dead but living Lugosi. To prove that his father was a scientist, not a madman, Rathbone revives the monster (Karloff). Under Lugosi’s avenging guidance, Rathbone adds him to the death. Rathbone tries to protect both from the people and from Atwill’s police until they threaten his child, Domme Dunagan. Killing Lugosi, he destroys the monster forever by kicking it into a boiling sulfur pool.

Running time, 95 minutes. “G”**

G. McC

**“G” denotes general classification.

Coast Studios Are Shooting 38 Films

Hollywood, Jan. 16.—Thirty-eight pictures are before cameras this week, as 11 finished and 10 started. Twenty-five are being prepared, and 13 are in their final stage of construction.


M-G-M is shooting four short subjects, and have two. Four are being prepared, and nine are in the cutting rooms.

Economic Unit Again Seeks Patent Status

(Continued from page 1)

The patent status is one of the most important phases of the Administration monopoly investigation, with possibilities that radical amendments may eventually result in the end of the Sherman laws. Two methods of handling patents were outlined to the committee during its December hearings. The representative of the automobile industry described how their patents are pooled and made available freely to all manufacturers and officials of the glass container industry testified that patents are closely held and used to control and stabilize production and markets.

History Repeats

Marvin Schenck on Friday the 13th celebrated his 27th birthday, and was predicted to have a good day. When he started with Loew’s, the memorable day also was Friday the 13th.

Finals of World Series

New York, Oct. 7.—The second highest attendance in World Series history was recorded here today, when 51,139 persons were present to see the New York Giants defeat the Boston Braves, 7 to 2. The record for attendance here is 52,139, also set when the Giants defeated the St. Louis Cardinals in 1921.

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Cabinet Members On Fair Program

A new World's Fair series which will feature cabinet members and other Government officials will be broadcast exclusively over NBC facilities beginning Feb. 3 and Sundays thereafter from 7 to 7:15 P.M. on NBC's 4,000 affiliated stations. The week preceding the opening of the Fair.

The program will deal with various phases of the Fair's participation in national life as represented by the 12 government themes at the Fair.

Program will be introduced by Hubert H. Humphrey, Under Secretary of the Interior; Henry A. Wallace, others.

Radio Personals

OM REVERE, director of radio for Borton & Bowles, will leave New York for Hollywood shortly to supervise west coast activities of the agency for several months. Meredith Page, formerly director of the Radio Workshop at Ohio State University, has joined the New York staff of the M.W. Ayer & Son.

Wheeling Steel has added six more stations to its Mutual network, making a total of 23 stations for the series. Studios and lobby of the CBS building here will be remodeled by spring... Dave Alber will lecture tonight on publicity at the weekly journalism class of the New York Institute for the Education of the Blind.

Theatre Contest in Drive Ends Jan. 31

Contest on exhibitor campaigns for Motion Pictures' Greatest Year will wind up Jan. 31. Campaign entries are now being received at M.P.G.Y. headquarters.

Entries will be judged according to popularity of the community in which the contesting theatre is located, with the top entry judged on $10,000 and five for second. Prizes vary: $15,000, $10,000, and $5,000; fourth and fifth, $25.

Judges in the contest are Will H. Hays, Martin Quigley, Jack Aliche, Red Kann, Dick Lewis, Jan Emanuel, A-Mike Vogel and Roy Chartier.

Set Coast Fair Program

SAN FRANCISCO, Jan. 16.—First broadcast definitely set for regular airing from the Golden Gate International Exposition is NBC's "Good Morning Tonight" weekly half-hour musical show produced by Albers & Milling Co. The program will start tomorrow and be heard in the Bay area, and will be released over KPO and Pacific Coast Red network outlets.

Jackie Cooper Signed

Hollywood, Jan. 16.—Paramount has signed Jackie Cooper for "What a Life," to be filmed by the Broadway play of the same name by Clifford Goldsmith.

Canada to Hear Benny

Jack Benny's program for General Foods Corp. will add station facilities this week. Benny was heard over all the next broadcast. Stations to be added are CBL, CBM, and stations of the Canadian Broadcasting Corp., serving the Maritime, Ontario and Prairie regions. Young & Rubicam sign the deal.

Renew 'Lady Esther'

"Lady Esther Serenade," featuring the Guy Lombardo band, and sponsored by Lady Esther, Ltd., has been renewed for another 52 weeks of broadcasting on the NBC-Red, effective Feb. 12. Program is broadcast Fridays from 10 to 10:30 P.M. on the Red. Lord and Thomas is the agency.
Don’t Lose Sleep
Over the Question . . . .
CAN I AFFORD HIGH INTENSITY PROJECTION?

The answer is: YOU CANNOT AFFORD TO DO WITHOUT IT.
That is what the managers of almost 6000 theaters have learned
—more than one-third of the theaters in the country.

Simplified High Intensity projection costs so little
more than low intensity that one more patron per
show covers the added cost.

It puts your theater in line for successful competition
with the largest houses.

It will receive the hearty approval of your patrons.

It shows every picture, whether black and white or
color, to better advantage than low intensity projection.

It gives two to three times as much light on the
screen as low intensity projection.

Ask your dealer’s salesman to show you the book,
"Yes—But What Will It Cost?"

SIMPLIFIED
High Intensity
PROJECTION
WITH “NATIONAL” “SUPREX” CARBONS

ECONOMICAL AND MODERN

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
RKO to Make 40-48 Films For 1939-40

Reorganization Plan 1s Approved by Bondy

Hollywood, Jan. 17.—RKO will have between 40 and 48 features for 1939-40, with the program likely to be nearer 40. George J. Schaefer, company head, indicated here today.

Leslie Howard will make three films for RKO in England, starting with "The Man Who Played Himself." Contracts for next year's films are set with Carole Lombard, Claudette Colbert, Douglas Fairbanks, Jr., and Cary Grant.

Schaefer and Ned E. Depinet, who arrived yesterday, will remain two or three weeks for product conferences.

Bondy Approves Plan

Order approving the RKO reorganization plan with the minor modifications recommended recently was signed by Federal Judge William Bondy yesterday.

Included in the order is approval of the modification of the Rockefeller Center claim settlement under which RKO relinquishes all association with future operation of the Music Hall and Center and the Rockefeller claim.

(Continued on page 3)

Quiz Winners to Be Announced Feb. 20

Winners in the industry's $250,000 Movie Quiz contest will be announced simultaneously in theatres throughout the country on the night of Feb. 20, after 8:30 P. M.

This is the plan of Motion Pictures' Greatest Year campaign headquarters. Names of the 5,004 winners will be held in secrecy until 8 P. M. that night. At that hour the identity of the national and local prize-winners will be given to the theatres through confidential channels. The committee is keeping secret the manner of distributing this information, in order to prevent leaks. No theatre will thus have an advantage.

Only theatres which have paid their pledges in full will be given this information. If any of the theatres which have not fulfilled their pledges pay up in full prior to Feb. 20, they will be eligible to announce the winners that night.

Feb. 20 was chosen as the announcement date as this is a Monday night, when business usually is off.

RKO Making First Television Short

Hollywood, Jan. 17.—The first motion picture short expressly for television transmission is being made at RKO to exploit "Gunga Din" and will be televised on the NBC-RCA transmitter in New York next March. The film, which will have Cary Grant, Douglas Fairbanks, Jr., Victor McLaglen, Joan Fontaine and others of the picture's cast in scenes from the picture, will run about 10 minutes. Specifications received from RCA engineers will govern shooting of the short. All shots will be close-ups and taken in daylight. The film will be shot with a special optical printer with sound dubbed on regular film track.

Goldwyn Playing Lone Hand in U.A. Partner Meetings

Hollywood, Jan. 17.—Samuel Goldwyn is playing virtually a lone hand during the United Artists stockholder discussions currently under way here.

It is understood that stiff pro and con arguments are being presented in the matters of proposed slashing of distribution costs to producing U. A. members and a bonus system for producers.

The owner members were in recess today when their annual meeting opened.

(Continued on page 2)

ALLIED PUTS OFF DECISION ON PACT

Dramatists' Guild Is Writing Draft Of Basic Agreements

Negotiations between the film industry and the Dramatists' Guild for modification of the basic agreements between Broadway legitimate stage producers and the authors have reached the point where the first draft contracts are being written. Sidney R. Fleisher, theatrical attorney and counsel to the Guild, has been assigned the task of preparing the first draft.

Conferences have continued for several months but heretofore all concerned have declined comment on the progress being made. Chief point of dispute at this time is the insistence by the Guild that film companies which provide financial backing for stage productions also undertake to purchase the screen rights. Industry representatives ask that they be given the option to purchase with the right to refuse the play if it is found unsuitable.

Under the terms of the present pact, the backer has no voice in the disposition of the screen rights, although he may share in the proceeds. This has resulted in the withdrawal of picture companies from the Broadway legitimate market. Under the terms of the compromise now being discussed, disposition of the screen rights would

Arbitration Clauses Are Chief Stumbling Block to Agreement

WASHINGTON, Jan. 17.—Filmdom's trade practice problem is wide open again. Allied directors have decided not to recommend acceptance of the proposals submitted by the distributors.

Upon the ground that several matters in the proposals require clarification and rewording, the Allied directors, after another five-hour session, refrained from voting.

It is hoped to make further reports to Allied members, not later than March 1, under these conditions.

The board members are de-spairing of obtaining favorable action from Allied, and Grad Sears with Abe Montagu left for New York, William F. Rodgers left for Florida.

Principal target of opposition were the arbitration clauses, which the negotiating committee today reported were highly unsatisfactory.

Following the conclusion of the business sessions, directors and guests attended a "Founders' Dinner" in honor of exhibitors who met in 1929 to organize the association.

The board tomorrow will elect officers for the coming year and consider various questions of organization and finance preparatory to winding up meetings.

The board's decision came at the close of the first day of the annual

(Continued on page 3)

Actors' Unions to Support A. F. R. A. in Strike Move

Actors' unions have come solidly to the support of the American Federation of Radio Artists in the current issue between the radio actors' union and the American Association of Advertising Agencies, with the Screen Actors Guild in Hollywood, and Actors Equity and Chorus Equity in New York yesterday adopting resolutions declaring that members may not take place of A. F. R. A. members in the event a strike is called.

A. F. R. A. members, numbering approximately 6,000, will ballot nationally on the strike issue this week. In New York, the polling place will be the Hotel Astor, with the voting to be conducted tomorrow night. The Central Division of A. F. R. A., Chicago, will vote on Friday, while the west coast members will vote on Saturday.

Support of A. F. R. A. by the S.A.G. lends strength to the radio union, for practically all of the numerous screen artists performing on the air are S.A.G. members. The S.A.G. action most directly affects the new Gulf Oil program, for which the S.A.G., and the affiliated writing, directing and

(Continued on page 12)

M-G-M Liquidates Holdings in Italy

M-G-M has liquidated in Italy, because of the E.N.I.C. decree effective Dec. 31, and other American companies affected have done likewise, it was said by Ludovic (Laudy) Lawrence, M-G-M Continental European manager, in his arrival yesterday on the Ile de France.

M-G-M, 20th Century-Fox, Warners and Paramount each had from 10 to 12 branch offices in Italy. All have been closed.

Lawrence will discuss the situation with Arthur M. Loew, M-G-M vice-president in charge of foreign activities.

(Continued on page 12)
ROBERT GILLHAM, Paramount advertising and publicity director, went to Boston yesterday for a brief business trip and will go to Washington from there. He is due back at the home office at the end of the week.

Ted Reed, who came to New York to see the George Abbott production, "What a Life," his next assignment for Paramount, will start back to Hollywood tomorrow night with a short stopover in Detroit.

WILLIAM BISHOP, M-G-M exploiter in Chicago, is at a Detroit convalescent home after four weeks in St. Luke's Hospital, Chicago. He will not return to his desk for several weeks.

STANLEY CHAMBERS, managing director of the Fox Tower, Uptown and Esquire, Fox Midwest first runs in Kansas City, has left for a six-week vacation in California.

HERR EISBERG, press representative for Esquire Theatres in Chicago, and manager of the World, is recuperating at home from an attack of the flu.

A. H. Blank, president of Tri-State Theatre Corp., Des Moines, has left with Mrs. Blank for two weeks on the coast before sailing on a vacation cruise.

NATALIE VISANT, designer of the costumes in Cecil B. DeMille's "Union Pacific," will sail for Europe with Lucy Dache on the Ile de France Saturday for the Paris fashion openings.

GEORGE DEMBOW, general sales manager for National Screen Service, returns from Washington tomorrow.

GEORGE SCHWARTZ, publicity manager for Consolidated Amusement Enterprises, returns Monday after a short vacation.

ALBERT LEWIN will sail for England on the British Orient Line for the next two months of research on "Knights of the Round Table," his next for Paramount.

THE MERCURY

OVERNIGHT TO LOS ANGELES

Fly the Southern SUNSHINE route overnight to Los Angeles. Through service. No change of planes. Giant SKYSCRAPERS. Complimentary meals served by stewardesses.

THE MERCURY

Giant SKYSCRAPERS

Lax, 5:10 p.m. (Via Southern)
Lax, 10:45 p.m. (via Salt Lake City)

FOUR ROOSEVELT ROYAL CONС:s: Call Your Travel Agent or VANDERBILT 3-2400. Ticket Officers: 65 Vandervil Ave., and Rockefeller Center, 18 W., 46th St.

AMERICAN AIRLINES

Wednesday, January 18, 1939

MOTION PICTURE DAILY

Ille de France Is in 
With Many Notables

Margaret Lockwood, star of G. B.'s "The Lady Vanishes," arrived on the Ile de France yesterday to play in "Sugar" and "Supercapitaine," in both of which will star Shirley Temple. This will be her first Hollywood picture, and before accepting this assignment, she will return to England to make "Rob Roy" for Gain- sborough-20th Century-Fox.

Among other arrivals were Eugene Forde, 20th Century-Fox director, who made the first of the "Inspector Harker" series in England; E. Andre Tabackman, who brought a print of his "Katia," Danielle Darrieux film; Jack and Mrs. Oastle and Lee and Mrs. Tracy, from European vacations; Sydney Chaplin, brother of Charlie, en route to Hollywood; Ruth Chatterton, who will make two films in England for Herbert Wilcox and may do a Broadway play: Miles Mander, actor, and Irene Bordoni.

The above mentioned is all, and daughter, also arrived.

Goldwyn Plays Lone Hand in UA Talks

(Continued from page 1)

consider reported ultimatums and pro-
posals made for and against the pro-
promulgated policy changes. They meet again tomorrow at the Ambassador Hotel, where Murray Silverstone and Alexander Mancall are staying. Previous meetings had been held at the U. A. lot.

The stockholders may wind up tomorrow, with Korda and Silver-
stone staying over for product con-
ferences until next week.

Lynn Farnol, U. A. advertising and publicity head, plans to spend tomorrow night in New York, after viewing Edward Small's "King of the Turf" and Hal Roach's "It's Spring Again."

Korda, Asher to Sail

Alexander Korda, head of London Films, and Irving Asher, associate producer, are expected to sail from New York Jan. 28 on the Champlain.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

MARTIN OOSTRIDGE, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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Subscription rates per year $6 in the Americas and $12 foreign. Single copies 15c.
\section*{Royal Train Will Have Newsrelab Lab}

\textbf{Toronto, Jan. 17.—}Arrangements for the tour of Canada by Their Majesties King George and Queen Elizabeth this spring may provide for the use of a coach in the royal railway train which will serve as a traveling film laboratory for news cameramen who will be under the direction of R. C. Hodgley, director of the Canadian Government Motion Picture Bureau.

Newspaper crews will work only under special authority and under definite restrictions which will be drawn up in advance. Promiscuous shooting will not be tolerated.

Construction of the issuance of permits to cameramen will be announced in the near future.

\section*{\textbf{Motion Picture Daily}}

\section*{\textbf{Allied Puts Off Decision on Pact}}

continued from page 1

meeting, all of which had been devoted to discussion of the trade practice proposals.

At a conference Monday between the negotiating committee and distributor representatives, the matter was referred to the attention of the directorate almost immediately upon opening of the annual meeting. Rodgers was called in for further discussions on the various points, but despite his efforts to secure acceptance of proposals, the board held firm for further research.

Later the following report of the negotiating committee was made public:

"The negotiating committee reports that it has received a written draft of proposals dated Dec. 1. With revisions during the course of negotiations, and materially different from the original proposals outlined to the board of directors in Chicago Nov. 3. The only points of difference are minor clarifications of language, together with the wholly tentative outline of an arbitration proposal, but complete as to either principles or details.

\section*{Claim Draft Incomplete}

The distributors requested that counsel for Allied sit in with their counsel and endeavor to draft a suitable declaration of principles without the arbitration rules and other details. Distributors also invited counsel for Allied to suggest clarification of other provisions of the proposals.

"The substance of the proposals remains as reported at Chicago and our committee has been informed that so far as the suggestions are concerned the distributors are agreed that they have gone as far as they will go.

"The draft in its present form does not, in the opinion of your committee, meet the requirements of the situation at Chicago that it obtain from distributors their complete plan. In complete and detailed proposals as to what is the draft being incomplete in the particular clauses above mentioned, the committee does not feel that it can recommend that it be either accepted or rejected.

\section*{Dr. Phil Hill, Odeon Bank Here: G.B. Merger in Spring}

Projected merger of Odeon Theatres and the Gaumont British circuit in England may be effected in the spring. It would combine G.B.'s 350 theatres with Odeon's 390.

The London banking firm of Philip Hill, in association with others, plans 
\textbf{\$20,000,000} public financing on behalf of Odeon. (Deutsch) in three or four months. This will depend on the condition of the financial market abroad. No financing will be sought here.

Hill arrived last night on the \textit{Ile de France}. He will leave tomorrow for his usual vacation in Palm Beach and was reluctant to discuss the project for now.

Before the merger can be effected, controlling voting shares must be acquired in the Metroplex & Bradford Theatres, property of the Board, held by Isidore Oster, G.B. head, and his brothers. They cannot sell without consent of the 20th Century-Fox and Loew's who own a substantial part of G.B.

Hill, while in Florida, may have an opportunity to talk to S. R. Kent, 20th Century-Fox pres., and Nicholas M. Schenck, president of M-G-M.

Seated at Miami Beach, Kent left yesterday for Florida. Also, Joseph M. Schenck, chairman of 20th Century-Fox, is expected to be in Florida soon. (Deutsch) Robert Robin, M-G-M general counsel, left yesterday to join Nicholas M. Schenck.

Sam Harris, publisher of \textit{Today's Cinematography} in Toronto, was a passenger on the \textit{Ile de France} and added some information to that already known about the deal. He said the Odeon bank has added 82 new theatres in the last two years.

Harris is here with his son, the actor, for "in view of four important business matters," he said. They will leave for the coast late this week.

\section*{Dramatists Writing New Contract Draft}

\textit{(Cont'd from page 1)}

\textit{take place before actual production with payment to be made on a graduated scale depending on the length of the play's run. Another problem then arise where the copyright to the work is held by or outside the above-allotted period of time should be by option or outright purchase.}

\section*{'Submarine' Captures 
\textbf{\$7,500 in Montreal}}

\textbf{Montreal, Jan. 17.}—"Submarine Patrol" and "Flirting with Fate" took \textbf{\$7,500} at the Princess. "The Duke of West Point" and "Mr. Doode Kicks Off" grossed \textbf{\$5,500} at the Orpheum and "Doodle Kicks Off" is paired with "Flirting with Fate" at the Capitol, took a fair \textbf{\$9,800}.

Estimate takings for the week ending Jan. 14.

\begin{itemize}
  \item \textbf{"Dramatic School" (M-G-M)}
  \item \textbf{"Flirting with Fate" (M-G-M)}
  \item \textbf{"The Duke of West Point" (PA)\textit{}}
  \item \textbf{"Doodle Kicks Off" (RKO)}
  \item \textbf{"Submarine Patrol" (20th-Fox)}
\end{itemize}

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  \item \textbf{"Flirting with Fate" (M-G-M)}
  \item \textbf{"The Duke of West Point" (PA)\textit{}}
  \item \textbf{"Doodle Kicks Off" (RKO)}
  \item \textbf{"Submarine Patrol" (20th-Fox)}
\end{itemize}
they'll plant a million dollar kiss smack right on to your box-office!
Topper 15

- Dissolving Rhumba Dancers
- Driverless Taxis
- Riderless Bicycles
- Invisible Jail-Breaks

HAL ROACH presents TOPPER... who spies Mrs. Topper and starts to vanish!
and up to his old box-office magic once more! Biggest opening in 13 months at ALDINE, PHILADELPHIA! Wows 'em for 158 percent business at STRAND, HARTFORD! Crowds ignore ALBANY blizzard to rush to STRAND! NEW HAVEN receipts 148 percent of average at ROGER SHERMAN!

here she goes!...into pokey nothingness...
...leaving Topper dancing happily alone.

TAKES A TRIP

starring

INSTANCE BENNETT • ROLAND YOUNG

W BILLIE BURKE • ALAN MOWBRAY • VERREE TEASDALE

FRANKLIN PANGBORN • ALEXANDER D'ARCY • MR. ATLAS (The "Thin Man" Dog)

Nothing Down to Earth Except
A BIG PRE-SELLING CAMPAIGN

with ads in
GOOD HOUSEKEEPING • LIFE • COLLIER'S
LOOK • SATURDAY EVENING POST • TIME
**'Going Places' Frisco Leader With $14,000**

**San Francisco, Jan. 17.—**"Going Places," on a dual at the Paramount with "Underworld," grossed $14,000 to lead here in a week of slow business.

"Sweethearts," in its second week at the Warners, took a fair $13,000, and "You Can't Take It With You," in the eighth week at the Orpheum, grossed $8,100.

Estimated takings for the week ending Jan. 13:

"Gangster's Boy" (Mon.)
GOLDEN GATE—(3c-4c-5c) 7 days. Stage: vaudeville. Gross: $14,000. (Average, $2,000.)

"The Yeung in Heart" (U. A.)
PARAMOUNT—(3c-4c-5c-6c) 7 days, 2nd week. Gross: $6,600. (Average, $928.)

"You Can't Take It With You" (Col.)
ORPHEUM—(25c-35c-40c-50c) 7 days, 3rd week. Gross: $7,000. (Average, $1,000.)

"Kentucky" (20th-Fox)
CHARLIE CHAN IN HONDURAS (20th-Fox) WORLD—(3c-4c-5c-6c) 7 days, 2nd week. Gross: $14,000. (Average, $2,000.)

"Damsel Portrait." (W. B.)
APOLLO—(2c-3c-4c-5c) 7 days, Average, $6,000. (Average, $857.)

"Going Places" (W. B.)
KING OF THE UNDERWORLD (W. B.)—(3c-4c-5c-6c-7c) 7 days. Gross: $14,000. (Average, $2,000.)

"Sweethearts" (M-G-M)
WILLIAM SHERMAN—(2c-3c-4c-5c-6c) 7 days, 2nd week. Gross: $13,000. (Average, $1,857.)

"Life Dances On" (AFE Corp.)—(2c-3c-4c-5c) 1st week, Gross: $1,500. (Average, $178.)

"Prof. Mamlock" (Ambico)
LARKIN—(3c-4c-5c-6c) 7 days. Gross: $1,000. (Average, $143.)

**'Stand Up' Garners $10,500, New Haven**

NEW HAVEN, Jan. 17.—"Stand Up and Look Over Here, Little Girl Downstairs" led the town's business, grossing $10,500. "Trade Winds" and "Newshawks" shared the honors. The Rogers Sherman grossed $7,000. Second week of "Sweethearts" at the College plied up $3,000.

Estimated takings for the week ending Jan. 13:

"Sweethearts" (M-G-M)
COLLEGE—(3c-4c-5c) 7 days, 2nd week. Gross: $1,000. (Average, $2,500.)

"Trade Winds." (M-G-M)
PARAMOUNT—(3c-4c-5c) 7 days, Average, $800. (Average, $114.)

"The Storm" (Univ.)
SWING, SWING, SWING! (Univ.)—(3c-4c-5c) 5 days. Gross: $1,500. (Average, $483.)

"Trade Winds." (U. A.)
ROGER SHERMAN—(3c-4c-5c) 7 days. Gross: $7,000. (Average, $1,000.)

**Student Screenings Set**

Screenings of films of significance in the development of motion pictures will be given by the Film Library of the Museum of Modern Art for students of the Department of Fine Arts of Columbia University every Wednesday at 4:30 at the Library's projection room. Films selected for the first five screenings beginning today are: "Sherlock, Jr.", "The Strong Man," "Greed," "Intolerance," and "Four Horsemen of the Apocalypse."
Stockholders Get
New Plan of Pathe

New plan of liquidation for Pathe Film Corp., was mailed yesterday to the company's stockholders, who are scheduled to vote on the proposal Feb. 16.

Under the plan a new company, to be known as Pathe Laboratories, Inc., will be formed to take over the Round Brook Farm and all other assets of Pathe Film with the exception of the 3,500 shares of duPont Film Mfg., Co. stock, which will remain with the present company. This stock will be used as collateral for a $200,000 bank loan which will be advanced to the new company for working capital.

In return, the new company will give 11,600 shares of its authorized issue of 25,000 shares to Pathe Film. Within 60 days after consummation of the plan, Pathe intends to distribute 90 per cent of the new company's stock to its stockholders as a bonus and the remaining 10 per cent within the next 12 years "as practicable." Distribution is to be on the basis of one share of new stock for each 50 shares of Pathe Film stock held.

On retaining possession of the assets, it is the company's intention to make dividends from the duPont stock available for distribution to Pathe stockholders. The new company will also get the approval of two-thirds of the shareholders, as contrasted with the 80 per cent required under the liquidation plan which was abandoned in December.

Union Demand Halt
Appearance of Star

Toronto, Jan. 17.—Elsa Lanchester, actress-writer-director, did not make a scheduled personal appearance at the Uptown, Toronto, on the occasion of the presentation of "The Beachcomber," in which she is starred, because of the demand of the Toronto musicians' union that her presence on the stage would necessitate the engagement of a 10-man orchestra at full schedule rate. Announcing the withdrawal of Lanchester's appearance was Miss Lanchester's agent, but there was no damage to the amount of wages involved but the principle at stake.

Miss Lanchester arrived in the city for the engagement but merely attended the opening performance as a patron of the theatre, declaring that she had not previously had an opportunity of seeing the complete feature on the screen.

'St. Louis Blues' Open on Mississippi

Hollywood, Jan. 17.—Paramount's "St. Louis Blues" will be shown in cities along the Mississippi River in 19 pre-release day and date engagements. The engagements are in St. Louis, Cincinnati, Louisville, Evansville, St. Paul, Cape Girardeau, Hannibal, Mo., Quincy, Rock Island, Davenport, La Crosse, Port Madison, Huntington and Cincinnati.

'Set to Music' Is Tonight's Opening

"Set to Music," a revue written and staged by Noel Coward, starring Ben Lillie, opens to the Music Box tonight. John C. Wilson is the producer. Included in the cast are Richard John, Eva Ortega, Hugh French, Gladys Henson, Penelope Ward, Bronson Dudley and Moya Nugent.

Compromise Due in London Seat Fight

London, Jan. 17.—Following

conversations between the London County Council and the London Branch of the Film Producers Association, the seat price regulation dispute is expected to be settled in the near future.

Reginald Stamp, chairman of the Entertainments Committee of the council, visited C.E.A. branch officials yesterday. He and other officials of the exhibitors association are expected to confer tomorrow with Herbert Morrison, chairman of the council. Morrison has stated the London sitting dispute is believed here to be inevitable. Exhibitors are not contesting the practicability of the seat pricing, but the impracticability of an inflexible interpretation of it.

Woonsocket Raises
Theatre License Fee

PROVIDENCE, Jan. 17.—In a move to increase municipal revenue, the Woon-
socket, R.I., Board of Police Com-
missons has increased theatre licence fees and authorized Mayor Felix A. Tompil to consider placing firemen on duty at all theatres daily.
In place of the $2,150 paid by Woon-
socket theatres last year to the city for the year, the increased license fees and anticipated cost of the firemen would bring $13,728 into the city treasury. Theatres had been paying $12 or a week as license fee; now it is $30.

Understood managers of the the-
atres affected have placed the matter in the hands of attorneys to determine whether the increase is legal. Thea-
tres affected have special ordinances approved by the fire chief, who acts as part-time janitors. Placing regular members of city force in the theatres would mean an extra $2.50 a day charge for each house.

Local 52 Asks Changes
Officials of Local 52, eastern sound men and grips' union, presented day's work and increased day's work, which yesterday's council said no action was taken on the demands.

Goldwyn Signs Sweering
Hollywood, Jan. 17.—Samuel Goldwyn has signed Jo Sweering, screen writer, to a three-year contract. His next will be "The Last Frontier."

Injunction Denied
In Ticket Code Suit

N. Y. Supreme Court Justice Louis A. Valente yesterday denied the application of Michael Atlas and Walter Friedmann, doing business as Acme Theatre Ticket Office, for a temporary injunction restraining the League of N. Y. Theatres, Inc., its officers and directors, the Ticket Exchange Assn. and a number of theatre ticket brokers from enforcing the Code of the theatre industry regulating the sale of tickets.
Justice Valente set trial of the suit for Feb. 14, stating that "a serious and grave doubt exists in my mind as to the plaintiffs' right to an injunction but that he did not wish to express an opinion at the present time. Plaintiffs have contended that the refusal of the League to deliver tickets to them until they had agreed to abide by the ticket which restricts advances on tickets to 75 cents was in violation of Section 340 of the General Business Law.
Justice Valente observed that the League seemed to him a dilatory abuser of the theatre and stated that no attempt was being made to drive the plaintiffs out of business, but that it was merely exercising the right of every citizen as one of its objects the protection of the public.

Hamilton Rites Set

Funeral services for Gordon Hamilton, 20, who was killed in a automobile accident on River Road Monday, will be held tomorrow at the Episcopal Church of the Good Shepard at Port Lee. Hamilton was playing with Pearl White in "Perils of Pauline" and in minor roles with Charlie Chaplin, Mary Pickford and Owen Moore.
GUNG OPEN WEEK
Pre-release
RADIO CITY MUSIC HALL
LOS ANGELES
MIAMI
Simplification of Air Questionnaire Is Sought by NAB

WASHINGTON, Jan. 17.—National Association of Broadcasters will continue its efforts before the Federal Communications Commission to simplify the questionnaire concerning ownership and control of broadcasting stations.

The N.A.B. membership will be advised immediately following any change made by the F.C.C.

Commission officials have advised the N.A.B. that any station unable to answer questions completely should answer to the best of its ability, with notice that a further report would be filed, new CBS and Bums could be obtained.

Radio attorneys in Washington have expressed the opinion that stations should answer the questionnaire, but that requests for its simplification should be pressed.

The N.A.B. has released another booklet, "The ABC of Radio," in its campaign to acquaint the general public with the aims and functions of the radio industry. The booklet will be distributed to the public.

New Dramatic Show To Start on WPRL

Providence, Jan. 17.—WPRL, local CBS outlet, on Saturday will originate a new dramatic show from 9:30 to 10:00 P.M. The series will be dramatic adaptations of plays, selected by the Providence writer, Walter Hackett, who formerly did similar work with WPRL; Engineer Brunstein, veteran of several New England summer theatre companies and associated here with both WPRL and Bums, and undergraduate players at Brown University, and other theatre groups, will direct.

The opening offering, "The Man Without a Country," will be presented by WPRL, radio actor and WPRL staff announce. WPRL is presently preparing the program under consideration, the first of its kind to originate here.

Hammond Is Signed

By American Record

John Hammond, critic on swing, has been engaged by American Record Corp. to broadcast his "Swing Scout" and associate recording director.

First orchestra to be signed by the company since its acquisition by CBS is Jimmy Lunceford's.

NBC to Air Louis Fight

Clem McCarthy and Edwin C. Hill have been signed by the Buick Motor Co. to broadcast blow-by-blow and color commentary, respectively, of the world championship fight between Joe Louis and John Henry Lewis Jan. 25, at New York's Polo Grounds. The program will be heard on NBC Blue and Red networks.

Cairns Visits Toronto

Toronto, Jan. 17.—John Cairns, production comptroller for the Australian Broadcasting Commission, is now in Toronto for a four-month study of Canadian radio technique. In exchange, Frank J. Willis of the CBC Maritime Region is now in Australia.

NBC Hunting Commentator Of Caliber of Kaltenborn

NBC is currently engaged in a quiet search among newspaper writers on the staff of the Associated Press to find a personality who may be developed as a radio commentator of the caliber of H. V. Kaltenborn of CBS.

Writer whom NBC is most anxious to obtain is Arthur Krock, head of the New York Times' Washington Bureau, but Krock has turned down the network's most recent offer of a few days ago, just as he has turned down similar offers in the past. Krock yesterday explained in the capital that he has put such offers before his paper, which feels he should not go on the air.

With Krock definitely not available for the job, NBC program heads are engaged in conferences of talks made by various noted European correspondents of newspaper and news services during the Czech crisis. It is believed that the choice will come from this field.

Among those whose Czech coverage has interested NBC are: American, Eleanor and Reynolds Packard, UP; Frances, Walter Kerr, Herald-Tribune, AP; Paris, John Lloyd, AP, Paris; Louis Loeb, AP, Berlin; Henry Cassidy, AP, Paris; William B. Reed, of the New York Sun, Paris office; Eduard Traus, AP, Brussels; Matthew Halton, Toronto Star, Paris office; Wallace Duffield, Chicago News, Berlin; Karl Von Wiegen, INS, corresponding; William Hillman, INS, Latin American and a number of others.

NBC is without the services of an outstanding commentator on national and international affairs. John B. Fuller, 

Mann Award on WHN

WHN will air proceedings Sunday from the Hotel Astor when Dr. Mann receives the American Institute of Physical Anthropology's Albert Einstein Medal for Humanitarian Service. The broadcast will be from 11:30 to 1:00 p.m., and will include Postmaster General Farley, Secretary of the Interior Teles, Governor Lehman and Mayor LaGuardia.

Hedda Hopper on NBC

Hedda Hopper will be starred in "Brent House," new NBC series which makes its debut Jan. 21 from 8:30 to 9:00 P.M. The show will emanate from Hollywood.

Knox Sponsors Show

Charles B. Knox Gelatin Co. has signed Charles L. Colton, known as "Man of Tomorrow" on NBC, for 13 weeks. Kenyon & Eckhardt placed the account.

New Shows on the Air

"The Circle"

"The Circle," pretentious Sunday night variety program, by every standard, should be a program to evokesuperlatives. Star-loaded and smartly produced, pegged about a new and novel idea, consisting of a wheel spinning of a small and select club whose members entertain each other and the listening membership at the meetings, the show took off on its maiden airing with every indication that it would be a smash. In many respects, the opening "Circle" was out of the reach of any radio's best bets, yet somehow it never quite attained its potentials. Interestingly enough, another weekday evening, a loose anchor exerted its dragging effect, slowing up the program to the point of trudging.

We attribute this slow pace to the conversation of the members of the "Circle" which had reached the intervals between performances. It was smart, sophisticated dialogue to be sure—especially Ronald Colman's—but it was pointless talk, and in our estimation far above the heads of most listeners.

During those periods when the membership stepped out to give individual performances—the comedy moments by the Marx Bros., reading of poetry by Colman, the singing by Lawrence Tibbett dramatization by Cary Grant, Colton's show was perfect. But always thereafter came those pace-killing interruptions. This defect can be remedied easily, and remedied it will be, we believe.

With that accomplished the program should have clear, enjoyable sailing.

Colton is a suave radio M. C. with a voice of pure melody. Tibbett, of course, was superb in his renditions. Cary Grant's voice is perfectly cast, and Gershwin's "I Got Plenty of Nothin," and the Marx Bros. and Cary Grant segments were well rehearsed and should have been given more to do.

"The Circle" is sponsored by the Knudtson Co., produced by J. Walter Thompson, and broadcast Sundays from 10 to 11 P.M. on the NBC-

Actor Unions Back AFRA on Walkout

(Continued from page 1)

production guilds, supply the talent, and regulate production, in return for payment of $10,000 weekly to the Motion Picture Relief Fund.

In New York, Paul Duell, executive secretary of Actors and Artists of America, which voted its support to A.F.R.A. of Chicago, declared: "All actors and artists are solidly behind their affiiliate in radio."

Thus far, of the 11 union affiliates. including the Associated Artists of America, and Actors and Artists, more than half have already adopted resolutions declaring their intentions to support A.F.R.A. in the event a strike is called. These include Actors Equity, American Federation of Actors, American Guild of Variety Artists, American Guild of Variety Artists, and S.A.G. The remaining union branches are expected to come through to complete a 100 percent average, before the balloting starts.

Attitude of the American Federation of Musicians is unknown in the person of its president, Joseph H. Weber, who is in Florida attending a board meeting of the musicians union. In union circles, however, it is confidently expected that the AFM will support the radio actors.

Following the balloting in New York, the National Howard, local president of the A.F.R.A., will leave by plane for Los Angeles to advise the A.F.R.A. membership prior to the voting.

Fail to Get Dismissal In Withycomb Action

Federal Judge Murray Hubert yesterday reserved decision on an application of WFL Broadcasting Corp. to dismiss suit for $50,000 damages brought against it by Donald Withycomb, its former general manager. The corporation claims that the case was not brought before the Federal Court has jurisdiction of the suit. The action was brought for all damages for unfair competition and was made on May 11, 1937.

Green Replaces Morgan

Johnny Green will replace Russ Morgan as the orchestra leader of the Phillip Morris program on NBC, "Johnny Presents," making his first appearance Jan. 31. On the same date the program renewal for another year becomes effective.

Plan New CBS Serial

Personal Finance Co. will sponsor a new serial script show over 29 CBS stations, beginning Jan. 23. Quarter-hour program will be heard at 2 p.m. Mondays through Fridays. Its title is "Doc Barclay's Daughter." Blackett-Sample-Hummert is the agency.

Program "Aired"

Entire cast of "Howie Wing—The Adventures of a Young Aviator" has been flown from Newark Airport on Jan. 20 to broadcast the first of the series sketches from an airplane. The program will be heard at 6:15 p.m. over CBS.

JACK BANNER

Wednesday, January 18, 1939
Wage Law Not To Affect Film Unions in East

Procter Pacts Won't Be Renegotiated

Contracts with eastern film unions will not be renegotiated because of the Federal Fair Labor and Hour law, union heads and eastern producers have decided. The procedure is the same as that being followed by the west coast and studio, which relies on the opinion that properly negotiated labor contracts are not affected by the law. Procedure also covers pacts with the unionized cameramen's union, which will not be renegotiated at this time. Assumption is that whether or not eastern cameramen follow the lead of the west coast members in classifying themselves as professionals, all cameramen eventually will be exempt from the wage and hour law under the amendment being pushed by Administrator Emlen E. Andrews, which would waive the hours provisions of the law in the case of all workers receiving more than $300 per month.

Pat Casey, producers' labor representative, who signed in New York pending decisions on the renegotiation of contracts here will leave for coast tomorrow. He plans to be back in New York in March for the annual negotiations with the five international studio unions which are signatories of the basic agreement.

AFRA Will Vote On Strike Tonight

Membership of the American Federation of Radio Artists employed on sponsored network programs emanating from New York tonight will take a strike vote in the Sun Room at the Hotel Edison. The Chicago membership of the radio men will vote tomorrow, while the west coast contingent will vote on Saturday. More than 6,000 performers, comprising actors, singers and announcers, will cast ballots.

If a strike is voted, network operations will be so badly crippled as to make broadcasting almost impossible for the three national networks, Mutual, the three transcendential web.

AFRA has obtained the promise of support from virtually all branches of the union in the event a strike is declared.

Additional developments in radio are found on page 8.

Television to Be Shown in Capital

Demonstrations of the latest television equipment developments will be made before members of Congress next week by NBC. The NBC television van left New York for Washington yesterday, planning a stop in Philadelphia before continuing on to the capital. Six television receivers will be installed in the National Press Club, the plan embracing the interviewing of Congressmen and administration leaders at the radio camera. From the mobile unit the images will be beamed to the Press Club.

Ban on U.S. Funds For WPA Theatre Denied by Senator

WASHINGTON, Jan. 18.—Senator Alva Adams, sub-committee chairman, Senator Adams declared that he had not heard of such a plan and would give no consideration to it, if proposed.

“We are not going to earmark funds in or out for any particular group. Congress cannot undertake administration of the details of the law,” he said.

James Roosevelt Repeats Denial of US Suit Interest

By VANCE KING

Los Angeles, Jan. 18.—James Roosevelt today, in the presence of leading motion picture executives and others, repeated his denial that his entrance into films had anything to do with the Government's anti-monopoly suit against major distributors.

[This statement was made in Chicago, printed in the Motion Picture Daily of Dec. 15, when he was on his way home after signing the contract with Goldwyn. At that time he said: “I shall take no part whatsoever in the negotiations or proceedings with the Government.”]

Cost of honor at luncheon tendered him at the Ambassador Hotel by J. F. T. O'Connor, former comptroller of currency, young Roosevelt, now vice-president of Samuel Goldwyn Productions, was praised highly by O'Connor, Joseph M. Schenck, Jack L. Warner, Goldwyn, Louis B. Mayer and Bishop W. Bertrand Storm. They welcomed him into cinema fold and in response Roosevelt rose, thanked them, and read prepared statement which said in part:

"One amusing thing to me has been to find that the motion picture industry is not so far from politics in numbers and accuracy of its rumors. "I have adopted in the past, and will in the future, those familiar words—if you disapprove of what you (Continued on page 3)

U.A. PARTNERS VOTE SLIDING SCALE PLAN

Made Retroactive for '38; Applies to All Future Deals

Los Angeles, Jan. 18.—United Artists owner members today concluded annual sessions by voting unanimously plan advanced by Maurice Silverstone, owner of the company, under which all U.A. producers would have sliding scale of distribution charges with pictures crossing more getting lower rates. Plan made retroactive for all producers whether stockholders or not for current year. It will also apply to present and future deals.

Silverstone at press conference following the final session declared that the plan would bring down the lower distribution costs in the history of the company and industry.

Silverstone declared that amount of product for the new year would be greater than last year, although full schedules of individual producers have not yet been set.

Lauding Walter Wanger as one of the greatest assets, Silverstone said he would make six pictures for the new season at a total budget of six to seven million dollars. Hal Roach productions will be taken up next week by Silverstone, who is staying here for some time.

Concerning the possibility of Selznick International remaining with U.A. Silverstone declared he would rather have David Selznick make his own announcement. He admitted one of the principal reasons for his stop over here was scheduled parcels with John Hay Whitney, who arrives next week.

Declaring twentieth anniversary year prospects the best in history Silverstone pointed out that the date for the first half of 1939 at this point was greater than the total amount for the first six months last year.

Silverstone made his stewardship report covering his activities since taking office in July and received a vote of confidence from the stockholders.
Purely Personal

JACK GОТZ OF Du Art Laboratories had a birthday party at his home on West End Ave. Tuesday night. Attending were DAVID LOW, ARThUR GOTTLIEB, OSCAR DOU, LOU HECKER, MORT SPRYNG, LAUDY LAWRENCE and others.

LYNN FАRNоl, United Artists advertising and publicity director, is expected back at his office today after a delay in his trip back from the coast when this plane was forced down at Nashville yesterday.

S. W. SHEЕTZ, Ross Federal re-search sales manager, recently became the father of a daughter. Another Ross Federal birth is that of JOHN J. TARPEY, 3rd, son of Jack Tarpey, branch auditor.

E. C. GRAINGER, general manager of Fеχеr & SІa circuit, has returned to Bradford, Pa., after two weeks of inspection of the circuit’s 35 theatres in New York, Ohio and Pennsylvania.

PHIL REISSMAN, RKO foreign chief, is in Miami, from where he will fly to Cuba on business. He will stop in Miami for the opening of “Gunga Din” on his way back to New York.

JОLES LЕVY, general sales manager of RKO, is on a business trip to Mon-treal, where he will confer with L. M. DEVANEY, Canadian district manager for RKO.

MRS. ABE SCHNEIDER, wife of the Columbia treasurer, gave birth to a seven-pound boy at Fitch Sanitarium yesterday, the family’s third son.

SHERWOOD ANDERSON, author of the current Broadway hit, “Abe Lincoln in Illinois,” has left for a month’s cruise to South America.

Mr. and Mrs. LЕE TRАCY, who arrived here yesterday from London, left tomorrow for Wilkes-Barre to visit the actor’s mother.

L ЕЕ CLAIRE, secretary to George SCLAFFER, president of RKO, will leave New York tomorrow for a short vacation in Florida.

“DУKE” CLAIRE, Paramount Cleveland branch manager, broke his arm when he slipped in his home.

L. W. CONWОY, president of Alteг Service Corporation, has returned from Boston.

JОHN FORD will entertain the New York film critics tomorrow.

MRS. VОКIАTIA CАRTоN ВАLERk is here from San Francisco.

TIE LEVY of WCAU, Philadelphia, is in town on business.

DICK POWELL arrived here from the coast yesterday.

MARVIN SCHENЕK will go to Havana Jan. 27.

SАM KОРР goes to Florida today.

H. J. YATES has laryngitis.

Winds’ Does Well Despite Snow, Cold

Cold weather and snow are slowing box-office grosses along Broadway, but “Winds” finished a good week at the Music Hall yesterday with $70,000 estimated. The Capital, “Marie Antoinette” grossed an estimated $27,000. Today, the “Great Man Votes” and “The Rising Sun” are at the Capitol.

Three Managers Win Ross Federal Prizes

Three annual awards to branch managers have been made by Ross Fedеral Service. C. R. (Chuck) CORRA-DINI, Cincinnati, and Harold W. KETTE, Dallas, are the winners of the two awards. Both men showed the greatest efficiency and initiative in branch operations.

Court to See ‘Remus’

ALBANY, Jan. 18.—Judges of the Appellate Division of the N. Y. Su-preme Court are scheduled to see a special screening tomorrow of the sec-ond down-town production (“White Cliffs of Dover”) a foreign made film which has been banned by Irving Esmond, head of the State film board. An appeal to the Board of Regents was denied last March. Anthony Mayer and Joseph Bursky, the distributors, brought the proceedings.

Holzmans’ Rites Held

Funeral services for Abe Holzmans, 64, composer of popular music, were held yesterday in St. Marks. He was affiliated with Leo Feist and Re-mick Music Corp., and was advertis-ing manager of the National Musi-cians’ Federation, organ of the national musicians’ association. He died Tuesday after a long illness.

Stockholders Get Bondy RKO Order

Copies of the order approving the RKO reorganization plan, which was signed by Federal Judge WILSON BONDY on Tuesday, will be mailed to all creditors and stockholders of the company before the end of the week. In addition, further notice will be given by publication of the order in the Daily News Record on or before Saturday.

The order of approval signed by the court was in the form authorized by H. C. RICKBY, of counsel for Atlas Corp., proponent of the plan. The order, which denied the petitions of such objecting creditors as Ernest W. STIRN, agent, and J. J. HILLET, of Edward J. HILLET, specifies that an order confirming the plan will be signed by the court shortly after Feb. 1, providing sufficient consents are still on file after that date.

Korda Almost Ready On Two New Pictures

ALEXANDER KORDA will complete preparations for release of “Four Feasters” and “Thief of Bagaid,” London Films’ newest productions for United Artists release, on his return to Denham in about two weeks. Korda, now at the United Artists stockhol-ders’ meetings on the coast, is scheduled to sail for England Jan. 28 on the Champlain.

Arriving at Denham at approxi-mately the same time will be Alexander KORDA, who recently completed shooting “Four Feasters” in the Sudan, and Victor Korda, who has been doing work on “Thief of Bagaid” in Morrocco.

Loew Sees Dividend

Directors of Loew’s, Inc., yesterday declared a regular quarterly dividend of $1.625 per share on the $6.50 cum-ulative preferred stock, payable Feb. 15 to stockholders of record Jan. 31.

Winds’ Does Well Despite Snow, Cold

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Directors of Loew’s, Inc., yesterday declared a regular quarterly dividend of $1.625 per share on the $6.50 cum-ulative preferred stock, payable Feb. 15 to stockholders of record Jan. 31.

Winds’ Does Well Despite Snow, Cold

Cold weather and snow are slowing box-office grosses along Broadway, but “Winds” finished a good week at the Music Hall yesterday with $70,000 estimated. The Capital, “Marie Antoinette” grossed an estimated $27,000. Today, the “Great Man Votes” and “The Rising Sun” are at the Capitol.

Three Managers Win Ross Federal Prizes

Three annual awards to branch manag-ers have been made by Ross Fedеral Service. C. R. (Chuck) CORRA-DINI, Cincinnati, and Harold W. KETTE, Dallas, are the winners of the two awards. Both men showed the greatest efficiency and initiative in branch operations.

Court to See ‘Remus’

ALBANY, Jan. 18.—Judges of the Appellate Division of the N. Y. Su-preme Court are scheduled to see a special screening tomorrow of the sec-ond down-town production (“White Cliffs of Dover”) a foreign made film which has been banned by Irving Esmond, head of the State film board. An appeal to the Board of Regents was denied last March. Anthony Mayer and Joseph Bursky, the distributors, brought the proceedings.

Holzmans’ Rites Held

Funeral services for Abe Holzmans, 64, composer of popular music, were held yesterday in St. Marks. He was affiliated with Leo Feist and Re-mick Music Corp., and was advertis-ing manager of the National Musi-cians’ Federation, organ of the national musicians’ association. He died Tuesday after a long illness.
J. Roosevelt Denies U. S. Suit Interest

(Continued from page 1)

...say but I will defend to the death your right to say it.'

"But here and now may I lay these things:

1. Believe me, the term of my as-

sociation with Mr. Goldwyn and the

industry, if I can help it, will not be

measured in months, but by years and

many of them.

2. To you gentlemen, as well as to

my family, I wish to express my regret and

obligation of making sure that no one
can honestly or honorably ever connect
my association with you to the industry
troubles with the Federal Government.

I cannot believe that any fair minded

person would ever expect me to dignify
such insinuations. I would not even

mention the matter here except that it
has been brought up in such a way that I
may consider it once again and for the last
time this essential fact.

Schick described young Roosevelt as

a "young man of truth, courage and

honesty who will make splendid contribu-
tions to the industry. Then he concluded:

"Many aspirations have been cast

upon his entry into film business. He

feels that a little right will make this

time right. I agree with him and hope

that all of you also do."

Warner to Cooperate

Warner promised cooperation to

Roosevelt in learning the business and

added jocularly: "Anything you have

want to try and get." He added to the effect:

"I feel," said Goldwyn, "that we in

the industry who desire to see motion

to picture go on to better and better

ing things should be on the lookout for

young men who will be guaranty that

American films shall maintain high

ranks that they now enjoy. Jimmy Roose-

velt is the man of the future. We pio-
niers in industry are getting old and

we must be on the lookout for some-

one to take our place.""s

Mayer joyfully declared Goldwyn's

use of word "old" and declared, "I'm

not old. I'm going places with Jim-

myself. I have offered to Warner

forswearing to desire Roosevelt to join

him.

I do not think that Jimmy Roose-

velt will contribute much to our indus-

try and I know we all will get greater

satisfaction in what you accomplish in

the years and years."s

Bishop Stevens declared as final

speaker: "It is a great compliment to

motion pictures to have such a young

man in its midst."s

Among Those Present

Guests present in addition to speak-

ers were: William Schreiwanger, Jo-

seph Rosenberg, Herbert Ivey, John

Considine, Mervyn LeRoy, Walter

Kubin, Sam Katz, Lou Wertheimer,

Jack Warner, Jr., Hal Wallis, James

Muvevy, Reeves Epp, Murray Silver-

s, Walter Caulkins, William Reith,

Richard Dwight, Walter Wangler,

R. A. Carrington, Norman Chandler,

Dr. Frank Barbiar, Harlan G. Palmer,

Alston G. Button, U. S. Attorney for

Harrison, Federal Judges Leon Yan-

kiev, Paul J. McCormick, Ralph E.

Joseph, Albert A. Lee, Stephen- W.

R. Shedd, Neil McCarthy, Jay

$9,108 Net Is Shown

By Federal Theatres

Federal Theatres Co., a subsidiary

of Warner Bros., and Bird Theatre

corp., its wholly owned subsidiary,

report net profit of $9,108.63 for

the year ended last Aug. 31. The

companies operate nine theatres on

the South Side of Chicago.

The statement shows net income of

$379,790 before interest income and

before $192,344 amortization and de-

preciation and $146,390 interest ex-

pense. Deficit is currently carried at

$1,480,844. Amount of $145,995

is owed to Warner Bros. Film-

ness. Michael Redgrave is ef-

fective in the masculine lead. The

film has universal appeal.

$3,154,300

The auction of three pictures

on April 23 included a $3,154,300

bid on "Little Caesar," which went

to the Fox for distribution to

theaters in the South. "Dr. Jekyll

and Mr. Hyde" went to the

Paramount for distribution

in the East. "Call of the Cows-

trails" went to the Loew

Theatres. Both the Warner

and the Loew bids were over

$200,000. The Fox bid was

over $10,000. The lots were

contested in court. "Dr. Jekyll

and Mr. Hyde" was later

sold to the Fox for $600,000.

Hays Staff Meeting

On Coast Is Delayed

Hollywood, Jan. 18.—Will Hays,

who has spent the first few days of

his coast visit conferring with Holly-

wood personnel, has not as yet called

a meeting of the staff. He is expected
to set a date on the return of Fred

Boswell of the Motion Picture Pro-

ducers and the M. P. P. A. in San

Francisco as a member of the mayor's

committee to preview the World's

Fair there.

Sign William for Two

Hollywood, Jan. 18.—Warren

William has been signed for two pictures—

"Tenderfeet" and "The Farmer's Wife"—for

the same day, Paramount for "The Gracie

Allen Murder Case" and Edward

Small for "The Man in the Iron Mask.

To Arbitrate I. T. O.

Operator Wage Scale

Negotiations on wage scales and

conditions for operators in L.T.O.

member houses will be submitted to

arbitration, it was reported at a meet-

ing of the L.T.O. at which the late

I. T. O. president, William A. Scully,

was present. Harry Brandt, president,

reported on the recent trade practice meetings

with the distributors. He expressed the view

that the 90 cents was not sufficient to

cover the distributors' costs.

There was no discussion of the move

to eliminate giveaways in New York.

No meeting of the exhibitor commit-

tee has been scheduled.

Mayor Vetoes Bill

To Allow Nine-Foot

Signs on Marquees

Bill introduced by N. Y. City Coun-

cilman William Keegan to amend the

present advertising law authorizing the

display of nine-foot marquee signs for the-

aters was vetoed yesterday by Mayor

LaGuardia and returned to the Coun-

cil. Passage of the bill over the May-

or's veto is not regarded as likely in

City Hall circles.

Reasons for the veto will not be

made public until this morning when the

message will be published in the City

Record. Reports indicate, how-

ever, that the Mayor is regarded as

with the whole problem of illuminated

signs in the city as too complicated for treat-

ment by separate bills and will ask for a

governmental study of the subject. 

It is also understood that the Mayor is

chiefly concerned with possible tem-

taneous hazard presented by elec-

tric signs.

The present two-foot limitation on

marquee signs has existed for a little

more than one year. Previously, the

limit had been nine feet and the Keegan

bill attempted to restore the former

standard. Whether the Board of Stan-

dards & Appeals has the right to waive

the limit will be determined in a Supreme

Court case involving the Broadway sign

at 72nd St. This case, which has been

adjourned pending the Mayor's action,

will be heard on Jan. 26.

Universal May Set

1939-40 Schedule

At Coast Meeting

Universal's new season production

plans may be decided during the studio

conferences which get under way next

week with Nate J. Blumberg, presi-
dent; Walter A. Scully, vice-president

and general sales manager, will leave

New York to join the coast tomorrow.

No decisions have been made on

next season's schedule by the home

office executives in advance of the

studio meeting. Blumberg said that

the conferences will decide whether Uni-

versal will release more or fewer pic-

tures in 1939-40 than the company's cus-

tomary 36 features and six west-

erns. The meeting also will deter-

mine the exact contributions to the

program to be made by Harry Edug-

ton, whose first picture for Universal,

starring Douglas Fairbanks, Jr., was

announced recently.

Such make the arrangements for

Universal's annual sales meetings im-

mediately following the product con-

ferences. He plans to continue to

Honolulu on his trip through the Far

East and return to New York shortly

after the first of February. He will

be accompanied by his executive vice-

president and foreign manager, who

preceded Blumberg and Scully to the

studio, may return earlier to sail on a

South American trip, Cliff Work, Uni-

versal's executive vice president and

head; Matthew J. Fox, vice-president,

and John Joseph, advertising and pub-

licity, may not return until March in

order to participate in the product

conferences.
FOR ALL THE WORLD TO WITNESS THAT AMERICA WILL

WING

OF THE

NAVY

Filmed with the cooperation of the United States Navy at the $200,000,000 Atlantic and Pacific Air Bases!

FOR ALL THE INDUSTRY TO WITNESS THAT THE DETERMIN
UNPREPARED . . .

with George Brent
Olivia De Havilland
John Payne
Frank McHugh • John Litel
Victor Jory • Henry O'Neill
Directed by LLOYD BACON
Original Screen Play by Michael Fessier
A COSMOPOLITAN PROD'N

WILL NOT FAIL!
**‘Kentucky’ Is Boston Smash With $21,000**

**New York Reviews**

**Fighting Thoroughbreds** (Republic)

An entertaining film of the race track, “Fighting Thoroughbreds” is not unusual as to story. It starts with a feud between rival stable owners and a romance between their offspring—although in this instance the girl is finally won by an opposition lover, a doctor who finds himself treating horses instead of humans. Of course, too, there are plenty of race scenes. Ralph Byrd, “Dick Tracy” of the Republic serial, is likable as the doctor.

With the feature established early in the film, Battleground, famous stud horse of the rich breeder, breaks loose and visits Queen, a mare belonging to an impoverished neighbor whose possessions are about to be sold out. Queen is auctioned to a milk company, and in time gives birth to a foal which later develops into a track champion. Through an error, a physician is called instead of a veterinarian, and supersedes the equine delivery. Follows the introduction of gamblers who resort to kidnapping to insure the proper horse winning the race and the last minute rescue, allowing the foal, now known as Sweet Revenge, to win the race. Running time, 65 minutes. “G.”

**Smashing the Spy Ring** (Columbia)

“Smashing the Spy Ring” is a melodrama which develops many moments of genuine tenseness. Following as it does the recent exposes and denunciations of foreign spies who operate in this country, its timeliness makes it readily available for exploitation.

After the death of several G-men killed during an investigation of the enemy ring, Washington details Ralph Bellamy to take up the search. Fay Wray, as the sister of one of the murdered G-men, joins the Government forces to assist Bellamy. Taking loss of memory, Bellamy is admitted to Dr. Carter’s (Walter Kingsford) sanitarium where the espionage gang makes its headquarters.

There is little let-up in the excitement as the action shifts from one close tussle to another. This excitement more than makes up for the moments when the film becomes somewhat unreal or over sentimental. Christy Cabanne directed.

Running time, 62 minutes. “G.”

**Arrest Bulldog Drummond** (Paramount)

“Arrest Bulldog Drummond” is a lively and entertaining action picture of the intrepid gentleman sleuth who gets in the hair of Scotland Yard, but always gets his man.

This one deals with foreign agents who murder an eccentric electric wizard and steal his death-ray machine. Drummond, always on the lookout for entertainment, when he hears of the church and sets out to avenge the murder of his old friend and to destroy the machine. Hair-raising but plausible adventures follow, relished nicely by some fine comedy moments.

John Howard is effective as Captain Drummond and plays the part to the hilt. Heather Angel is an appealing about-to-be Mrs. Drummond, and E.E. Clive and Reginald Denny are unusually fine in their roles of Benny and Algy, respectively.

Running time, 65 minutes. “G.”

**Code of the Fearless** (Atlas-Spectra)

A new series of musical westerns released by Spectrum Pictures gets off to a good start with “Code of the Fearless.” It is well balanced, with plenty of action highlighted by a lengthy fist fight.

Fred Scott, who plays the ranger in search of a gang of bandits, sings two original and tuneful ballads. One of them, “Cactus Pete,” should amuse most audiences.

It was out to capture the outlaws who have been staging a series of holdups. Fred, under instructions from his chief, quits the rangers while under suspicion. He joins the bandits, who are led by John Merton, and working from the inside, captures the gang.

Clair Rochelle, as Fred’s sweetheart, is an excellent horsewoman and the splendid horse, Butterflies, adds to the action. Direction is by Raymond K. Johnson. C.C. Burr produced. Running time, 56 minutes. “G.”

**M-G-M Reorganizes Its Pittsburgh Staff**

Herbert W. Genter, former office manager for M-G-M in Pittsburgh and who has directed M-G-M’s Latin American operation for the past eleven years, has been transferred to the Kansas City exchange as office manager.

Joseph Markowitz, who joined M-G-M as assistant manager, is taking over the Pittsburgh branch, with Frank Jelenko, New York division sales manager, taking the Pittsburgh sales manager’s post.

**English Group Hits Fewer Pictures Plea**

London, Jan. 18.—A statistical investigation of production similar to that made last year is to be made again this year by the Motion Picture Form. Forms are to be sent out to producers and studios at the end of January.

A statistical investigation is to obtain information concerning employment, cost of films produced and the like. Its objects are stated, officially, to be to obtain information as to the progress of the trades and industries to which it applies.

**Goldrick of Erpi Off On So. America Trip**

Milco A. Goldrick, assistant general foreign manager of Erpi has left for the Latin Americas to introduce the company’s expanded lines of motion picture booth equipment. He will be gone about three months.
MOTION PICTURE DAILY

Thursday, January 19, 1939

New York Reviews

Philadelphia Gives ‘Fight’ Near $17,000

PHILADELPHIA, Jan. 18.—Outstanding in a mediocre week, “Standing Up and Fight” grossed $17,000 at the Stanley. The Earle got the same figure for the combination stage and screen bill with Ethel Merman’s and “Going Places.”

“Artists and Models Abroad” at the Fox took $12,500, and “Duke of West Point” topped off its last six days with a neat $7,000 at the Aldine.

Estimated takings for the week ending Jan. 12.

“Duke of West Point” (U.A.)
ALDINE—$1,300 (20c-35c-45c) 6 days.
AVERAGE—$200.

“Sweethearts” (G.M.)
$8,000.
AVERAGE—$1,200.

“Going Places” (B.)
EARLE—$2,000 (30c-40c-50c) 5 days.
STANLEY—$3,700 (25c-35c-45c) 5 days.

“Dawn Patrol” (W.B.)
$1,200.
AVERAGE—$100.

“Artists and Models Abroad” (B.)
$3,000.
AVERAGE—$500.

“Standing Up and Fight” (ZOth-Fox)
$3,700 (40c-55c-65c-75c) 7 days.
$1,200.
AVERAGE—$170.

“Dawn Patrol” Is
Kansas City Hit,
Grossing $11,400

KANSAS CITY, Jan. 18.—“Dawn Patrol” hit the belt at $11,400 at the Newman, to lead here. “Charlie Chan in Honolulu” has Roy Atwood were $10,000 a week at “Kentucky” at the Esquire and Uph- town in the second week was strong with $3,300 at the Uptown, and $3,200 at the Esquire. Weather was mild.

Estimated takings for the week ending Jan. 12.

“Kentucky” (20th-Fox)
ESQUIRE—$100 (25c-30c-40c) 7 days.
STANLEY—$1,200 (25c-40c-50c) 7 days.

“Dawn Patrol” (W.B.)
$1,200.
AVERAGE—$100.

“Sweethearts” (G.M.)
$3,000.
AVERAGE—$100.

“Going Places” (B.)
$1,200.
AVERAGE—$100.

“Charlie Chan in Honolulu” (20th-Fox)
FOX TOWER—$2,000 (25c-40c-50c) 7 days.

“Dawn Patrol” (W.B.)
$1,200.
AVERAGE—$100.

“Duke of West Point” (U.A.)
UPHOWN—$2,000 (25c-40c-50c) 7 days.

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“Duke of West Point” (U.A.)
UPHOWN—$2,000 (25c-40c-50c) 7 days.
Radio Personnel


MOTION PICTURE DAILY

Radio Industry

DENVER, Jan. 18.—Demand for legislatrice relief from the present status of radio stations in political broadcast, whereby stations cannot limit libelous remarks, will be made of Congress by the broadcasting industry, declared Neville Miller, president of the National Association of Broadcasters, at the meeting of the 14th District of the N.A.B. here today. Thirty-five radio executives from Colorado, Wyoming, Nebraska and Kansas were in attendance.

Miller declared that the radio industry will demand self-regulation, with stations determining what should or should not be broadcast. The N.A.B. president took the stand that radio stations do not, or cannot be censors but at least want to be able to protect themselves from libel actions.

A man’s discussion under the theme of “Under discussion at today’s session included Ascap negotiations, copyright and labor relations. On Thursday the convention will take up discussion of the programming standards—High School news on the wireless loop. Following the close of the session here, Miller and Ed Kirby, public relations counsel of the league, will leave for the west coast to attend regional meetings of the N.A.B. there.

Several New Shows

On CBC Schedule

MONTREAL, Jan. 18.—A number of new shows and special programs are lined up by Canadian Broadcasting Corp., for presentation over national and regional networks.

Two regular weekly shows are “Let’s Consider,” a series of weekly talks on family problems, from 8:30 to 9 P.M. from the WBTC, Montreal, on the national hook-up, in which he will cover the Canadian family from a psychological viewpoint, and “Appointment with Agostini,” also from CBM, Montreal, Tuesdays, 9 to 9:30 P.M. It is a musical program under the direction of Lucio Agostini, featuring Charles Jordan, baritone, and the eight-voice Continuo Choir.

CBC also will handle a series of broadcasts from London, beginning next week. H. Rooney Pelletier, program director, will be in London, to plan the hook-up with BBC on an exchange basis and will produce four radio sketches of famous London personalities, to be broadcast from London, which will be short-wave to Canada and piped to the national network.

Special programs lined up include a broadcast Jan. 26 from Hamilton, Ont., to the national hook-up featuring George Shillan, regional adjudicating officer of the National Film Board. He will be in a talk on the theatre; Fort William male choir under the direction of James H. Booth in a half-hour program to the network; Wiking and Robert Scholz, German duo pianists, on their second American tour in a musical program from Montreal, to the central and midwest nets, and Dr. Hans Kindler, permanent conductor of the National Symphony Orchestra, Washington, as guest-conductor of the Toronto Symphony Orchestra Jan. 24, to the national network.

Broadcasting Pact

For North America

Vetoed by Mexico

MEXICO CITY, Jan. 18.—Mexico has turned down the North American Broadcasting Co. request for a broadcast hookup made Dec. 13, 1937, at the regional convention in Havana, attended by representatives of the United States, Cuba, Mexico and the Dominican Republic. The Mexican Senate refused to ratify the pact, with President Lázaro Cárdenas, and the Senate’s recommendation has given rise to much speculation here. It is considered doubtful that there will be any change in the new agreements disputes the efforts of Ambassador Joseph Daniels.

The Senate’s attitude is considered strange in view of the fact that it ratified the Inter-American convention on radio communications of the same date at Havana as the North American agreements, and the Inter-American radio pact made at that time. Approval then was given without explanation or comment.

RCA Is Defendant

In Two More Suits

Another stockholder applied yesterday to the N. Y. Supreme Court for permission to intervene in the stockholders’ suits against RCA, Westinghouse Electric & Mfg. Co., General Electric Co., American Telephone & Telegraph Co., and 18 officers and directors of the corporation, to seek declaration that the alleged owner of 22 shares of RCA, in seeking to intervene, charged the transfer of $6,580,735 shares of RCA common stock to General Electric and Westinghouse, without consideration. This is the fourth stockholder’s suit filed.

RCA also was named along with N. Y. Post, Inc., and Publishers’ Service Co., Inc., in a suit brought by Nations United Hurdwitz. The plaintiff claims to have originated the idea of distributing musical recordings and turntables to newspaper readers for a change in the radio industry. He seeks an injunction to restrain RCA from awarding exclusive agency to any other company.

WBO Is Ordered to

Show Books in Suit

WBO Broadcasting Corp. was ordered yesterday by the N. Y. Supreme Court Justice A. R. Gottwald to submit its books and records on Jan. 25 to inspection by Jonas Schainberg & Son, public accountants, for $32,983 damage suit against the broadcasting company. Suit, which is also against Bess & Skillin, Inc., contends that the plaintiff, a retail clothing business, brought over WNEW daily until April 3, 1937 and that the defendant, in violation of a stay order, also scaled down plaintiff’s broadcasting installations in an extended period.

Renew WABC Show

Horn & Hardart restaurant have renewed sponsorship of the children’s tour on WABC, effective Feb. 19. Program, one of the oldest at CBS, is broadcast Sundays from 10:30 to 11:30 A.M.

Super-Power Meets

F.C.C. Opposition

WASHINGTON, Jan. 18.—Adoption of super-power was opposed tonight by the F.C.C. committee on proposed new broadcast rules, but the way was left open for further study of the question and possible action when more accurate evidence and experience has been secured.

Reporting to the Communications Commission on the proposed rules, on which the last move of the committee declared super-power has advantages and is economically feasible in the principal markets of the United States, but that serious difficulties and complications of economic and social character were more impelling.

The committee’s recommendation was in keeping with other suggestions, including one that the commission adopt a plan of equalization of facilities which they should give every listener in the country a choice of at least two programs. Such objective, it was pointed out, could not be attained with super-power, which would starve out small stations.

The committee took no definite stand on newspaper ownership, but recommended the commission give full weight to its radio competition with established newspapers in passing on future applications for new stations.

“Hit Parade” Renewed

“Hit Parade,” American Tobacco Co. musical program heard Saturdays on WABC, will be renewed for another year starting Jan. 28, at which time Mark Warnow assumes duties as the program’s band leader, Lord & Thomas is the agency.

Dick Belt to WHIO

DAYTON, O., Jan. 18.—Dick Belt, formerly connected with Columbus stations, has been added to the announcing staff of WHIO here. He will be assigned to the night shift where he will handle virtually all remote programs.

Form Radio Company

ALBANY, Jan. 18.—Tested Radio Features, Inc., has been chartered, with capital stock of $15,000, divided into 1,500 shares. Officers are R. C. Form, chairman, J. R. Furman, vice-president, George Pelling, treasurer, and John G. Campbell, secretary.

‘Mystery’ Renewed

Standard Brands has renewed “I Love a Mystery,” adventure serial, for another 50-week run on the air, effective at once. The program, a half-hour in length, is heard over the NBC Pacific Red network. J. Walter Thompson is the agency.
Distributors Alter Pact on MPTO Basis

Committee of Allied Is Continuing Talks

Distributors will try to revise the trade practice draft on the basis of the recent series of meetings with the M. P. T. O. A. and a number of affiliated exhibitors. Distributors expect to have this ready in about three weeks.

Allied's committee will continue discussions, it is reported, and will report to the national board within six weeks.

The proposed trade practice program depends on the ability of industry lawyers to work out an arbitration system that will meet legal and practical objectives. Allied opposes conciliation and insists on arbitration, under set rules.

M.P.T.O.A. Idea

The M. P. T. O. A. idea is that local board secretaries can be empowered to see that the machinery for mediation and conciliation of disputes with only general instructions on objectives sought. Persuasion rather than compilation is sought. Arbitration would be resorted to only if this should fail.

Allied wants arbitration procedure (Continued on page 5)

Academy Award Date Now Set at Feb. 23

Hollywood, Jan. 19.—The Academy of Motion Picture Arts and Sciences has advanced the date of the eleventh annual awards event to Feb. 23 at the Biltmore Bowl. The committee wished to conform more closely with the calendar year.

A committee to arrange the dinner was named as follows: Maryn Le Roy, chairman; Basil Rathbone, Robert Ruskin, Howard Estabrook, J. Le Roy Johnston and Donald Gaffhill. Nominations ballots will be mailed to eligible persons on Jan. 23 to be returned by Feb. 10. Final ballots will be mailed Feb. 20 to be returned by Feb. 20. Price, Waterhouse & Co. will count them.

N. Y. AFRA Local Votes to Strike

Milstein to Coast; Small to Make 6-8, Adds Erpi Studios

By JACK BANNER

New York members of the A.F.R.A., "baby union" of the Association of Actors and Artists of America, paved the way for a paralyzing cessation of sponsored national newspapers last night by voting to support the union in a strike.

Pledges of support have been received from Los Angeles and San Francisco and they will vote tonight and tomorrow on the walkout.

About 1,200 New York radio actors, singers and announcers thronged the sun room of the Hotel Edison for the strike vote meeting. Organized to fight the impending walkout was started and all subscribed sums ranging from $50 to $500 contributed by Lawrence Tibbetts, vice-president of the A.F.R.A.; Dick Powell subscribed $250 as did Helen Menken.

Strike Resolution

The strike resolution was that: "We will obey the national board when a strike is called in the field of commercial broadcasting, against any agencies, producers or others and any programs and at any time."

The actual strike call will come from the president. No date has been set for the call.

Instructions were issued for the number to hold itself in readiness for the decision which will be given shortly after balloting by the remaining key locals. The membership was informed by the National Board that "captains" have been assigned to every commercial program now on the air, and that when these "captains" walk (Continued on page 7)

Name H. R. Winthrop Director of Loew's

Henry Rogers Winthrop, partner in the Wall St. firm of Winthrop, Mitchell & Co., has been elected a director of Loew's, Inc. He succeeds William A. Phillips, who has retired from business and left the city. Phillips was a director for a number of years.

Winthrop is a director of the Metropolitan Opera Association and other enterprises, including the Walbash Railroad, U. S. Rubber Co., American Express Co. and Long Island Railroad.

Television Is Ready for Public, Says Farnsworth

Washington, Jan. 19.—Television is now sufficiently perfected to offer to the public, and his company this year will ask the F.C.C. for a commercial license, Philo T. Farnsworth, vice-president of Farnsworth Television, Inc., today told the Temporary National Economic Committee.

Testifying at the hearing on patent monopoly, Farnsworth found the members more interested in picture radio than in patents and devoted much of his discussion to the television situation.

Explaining that at least three companies will have transmitters in operation in the near future, he said production of receiving sets to sell as low as $250 will be started and declared that his company is arranging to take over a large plant in Ohio for manufacturing. Farnsworth said the proposed television station could be financed by advertising.

As asked by Senator O'Mahoney as to the truth of reports that television (Continued on page 7)

Additional developments in radio on page 7.

Moss Seeks Chance Games Ban on S. 1

License Commissioner Paul Moss yesterday conferred with Stenin Island exhibitors with a view to arriving at a plan for the elimination of chance games. The borough was selected because most of the houses are operated by three circuits and there are two small exhibitors, with competitive conditions similar to the metropolitan area. This is in line with Harry Brandi's idea to use Stenin Island as the proving ground for the elimination of chance games.

Hearings Sought on Block Booking Bills

Counsel for major distributors have filed formal application for Congressional hearings on pending anti-block booking bills. The requests were filed with the Interstate Commerce Committee of the House and Senate shortly after the measures were introduced early this month. No action has yet been taken.

Similar requests for hearings on the Neely-Pettengill measure last year were rejected on the ground that previous hearings and voluminous testimony on file were sufficient.

Early action by both houses is anticipated in industry circles here. Bills pending were introduced by Representative Edmiston of West Virginia in the House and Senator Neely, also of West Virginia, in the Senate. Representative Pettengill, former champion of the House bill, did not see legislation. The bills are companion measures.

Raft in New Film

Hollywood, Jan. 19.—George Raft is feeling over story angles with Paramount again. A conference is scheduled tomorrow morning at Paramount over Raft's new tangle.

First in Film and Radio News Brief, Accurate and Impartial
**Insiders' Outlook**

By SAM SHAIN

**Ben Washler** has resigned from United Artists, where he was publicity manager. He was signed yesterday to a more important post in another end of show business.

Elsewhere in this edition, Philo T. Farnsworth says television is ready for the public. However, others, including experts of Philco, and Conm. McDonald, of Zenith, recently indicated otherwise. And—Dumont, which Paramount owns, has a substantial equity, is advertising its receivers to radio dealers.

The suggestion has been forwarded, we understand, to the Slezicki-International Circuit in California, to change the name of Vivien Leigh to Virginia Lee, as an offset to her. British background and to give her name a southern connotation.

One of Russell Birdwell’s new accounts will be The Love Game.

Here’s a nice projection room laugh from S.J. Soutte. In “Four Girls in White,” Una Merkel, playing a nurse, (complies to the orderly, played by Buddy Eisen, that there’s a fly in her ice cream. Eisen retorts: “Can I help it if he likes winter sports?”

Theater operators will be interested to learn from Dr. M. Alonzo Kich, director of the lighting research laboratory of General Electric at Nela Park, Cleveland, that motion pictures are viewed by the public under highly unsatisfactory lighting conditions. Dr. Luckesh, who knows his lighting, suggests increased intensity of light for the projection machine, and diffused lighting through the rest of the theatre to reduce eye strain and blinding on the part of the customers. Dr. Luckesh, himself, has perfected a meter which tests eye strain by counting the number of times the eye blinks.

The fact that some 18 theatres in the New York metropolitan area operated by Loew’s have played the “best pictures” (critics’ selection) for the successive years, 1936-37-38, has impelled the creation of a novel trailer by Oscar Doob for the screens of these theatres. “You will see every big picture made.” It’s a strong selling point for the box-office.

Harry Gold, eastern sales manager of United Artists, who is in New York, takes his pen in hand to elaborate on Maurice Silverstone’s statement from the coast, the other day. Mr. Gold wants the world to know that United Artists now has a circulation of one of the largest schedules of big time pictures assembled.

Warners have prepared a compelling newspaper-size broadside in connection with “Wings of the Navy,” to illustrate the timeliness of the release of that picture. The broadside encourages the theatres to take advantage of the newspaper headlines which have been devoted to our national defenses particularly the air force. Reproduction of an ad on the back page of the broadside emphasizes the aviation side of the Government’s armed forces, as shown in the picture, an angle which Keynote the entire W.B. campaign, and also appears in the regular press book. The picture will be released Feb. 17, the day before Lincoln’s Birthday.

**La Guardia Seeks Higher Sign Fees**

La Guardia seeks higher sign fees for licenses to maintain signs in New York will be sought by Mayor F. H. LaGuardia, together with more rigid supervision over them. This was revealed by publication of message yesterday, vetoing two bills which sought to tend the limit on theatre marquee sign size to 30 feet.

In his message Mayor LaGuardia declares that the practice of using illuminated signs throughout the city has been the subject of numerous study. The problem of both illuminated and non-illuminated signs should be considered in the course of a “piecemeal” basis, the Mayor feels. Special attention is sought by him to avoid traffic dangers and violation of traffic laws, he declared. These increased fees which will be proposed are meant to cover the cost of stricter supervision.

The Mayor suggests that the question of changes and repairs to existing signs should be handled through the Board of Standards and Appeals.

This right of the board to modify existing requirements has been challenged in the N. Y. Supreme Court. Judge Little has set a bill to permit the nine-foot limit. At that time His Honor indicated he would approve the bill if it was applied only to theatre marquees.

The present veto came as a surprise to the bill’s sponsors.

**RCA Photophone’s Export Parcel Ends**

RCA Photophone’s export division yesterday concluded its annual convention at Camden. Attending from Long Island were, W. C. Gardner, British manager, and W. E. Garling, chief engineer.

Fernand Cruz were Fred Peters, managing director of Dominion Sound Equipment, with Lloyd Pearson, sales manager, and H. S. Walker, public relations manager. The attendees were Felipe and Fernando Mier, Mexico representatives, and delegates from the following countries, Columbia, and Cuba. Van Ness Phillip, general export manager, presided.

**Made Me Criminal! Is at Strand Today**

“They Made Me a Criminal!” opens at the Strand today. Leo Reisman and his orchestra head the new stage show.

“Jesse James” rolled up an estimated $76,500 in its first week at the Roxy, ending last night. There were more than 16,000 paid admissions.

“Going Places,” with Louis Armstrong and his band on the stage, played a full house, grossing $29,000 at the Strand in the second and final week. “Pervamal” grossed an estimated $12,000 at the Astor in its sixth week and continues there.

**Mayer, Burstyn Move**

Arthur Mayer and Joseph Burstyn, film distributors, have moved their offices to the Rialto Building, 1481 Broadway.
"JESSE JAMES"

The Thrill of the Industry

GIVES LOS ANGELES ITS BIGGEST THRILL IN A YEAR!

Chinese and Loew's State headed for new highs! All indications that "Alexander's Ragtime Band" history will be repeated!
THEATRE CHANGES

MIDWEST OPENING TWO
Mt. Vernon, Ill., Jan. 19.—Fox Midwest will reopen the Royal here on Feb. 1. It has been closed for about a year. Homer Marvel is manager. Star in West Fox Midwest house at Benton, Ill., which has been closed since silent days, is being remodeled and will reopen about March 1.

TAKES MISSOURI HOUSE
Kansas City, Jan. 19.—C. C. Rhodes, who owns the Roxy, Warsaw, Mo., has taken over the theatre at Buffalo, Mo.

CHASE TAKES HOUSE
Cincinnati, Jan. 19.—Maurice Chase has closed his independent exchange, known as Chase Features Inc., established about two years ago, to devote his time to the new Avon, neighborhood house recently opened.

FAITH HAS ANOTHER
Udinsville, Conn., Jan. 19.—Joseph W. Faith, owner of Faith's Variety and Williams Theatre, has reopened the Variety here. Mr. Faith is a native of Udinsville.

TO BUILD IN N. C.
Lenoir, N. C., Jan. 19.—Lenoir Theatre, Inc., has purchased property here on which they plan to erect another theatre.

LEGENDRE BUILDING
Lumberton, N. C., Jan. 19.—Legends is being established in this new house, to seat 900.

CROSBY TO THEATRE
San Francisco, Jan. 19.—Dick Crosby has named as assistant manager of the New Embassy.

CLOSES IN FORT LEE
Metro, Fort Lee, has closed for an indefinite period.

STANDARD REMODELING
Oklahoma City, Jan. 19.—Ritz, neighborhood house operated by Standard Theatres Corp., has been closed this week for remodeling.

REMODEL IOWA HOUSE
Webster City, Ia., Jan. 19.—Pioneer Theatre Corp., has closed the Granada house for remodeling. It is expected to be ready for reopening by Feb. 15.

ROCKWELL TO NEW YORK
Providence, R. I., Jan. 19.—Kenneth Rockwell, manager of the RKO-Albee here, has gone to the RKO Colonial, New York. He is succeeded at the Albee by Harry McDonald, former division manager for RKO and brother of Charles McDonald, New York division manager.

BLAIR IN PARTNERSHIP
Cedar Falls, Ia., Jan. 19.—M. R. Blair, owner of the Regent here and vice-president of the Independent Theatre Owners of Iowa and Nebraska, has formed a partnership with the Tri-States Theatre Corp., and been named president of a newly formed company. He is to be known as the Cedar Amusements, Inc. He will continue as manager of the Regent.

REMODEL IN ILLINOIS
Kansas City, Jan. 19.—The Illinois at Jacksonville, Ill., is being completely remodeled. Opening is scheduled for March 1 by Ralph Barnett, Jacksonville manager for Fox Midwest.

EL REY TO CIRCUIT
San Francisco, Jan. 19.—El Rey, 1,200-seat neighborhood house formerly operated by San Francisco Theatres, Inc., has been taken over by Golden State Theatres, bringing the latter circuit to 13 houses. L. J. Williams remains as house manager.

BALDWIN LEASES HOUSE
Marble Rock, Ia., Jan. 19.—O. C. Baldwin of Mount Pleasant, Ia., has leased the Towne here.

ENLARGE IN IOWA
Coon Rapids, Ia., Jan. 19.—Floyd Rafferty has closed the Lyric here for an indefinite period while the entire building is being remodeled to enlarge the seating space.

LIGHTMAN HANDLES TWO
Helen, Ark., Jan. 19.—M. A. Lightman, Jr., who has succeeded Hal Howard as manager of the Paramount here, also will be in charge of the Palace. Howard has taken over Lightman's former duties as manager of the circuit's theatres in Hope.

OPENS KANSAS HOUSE
Kansas City, Jan. 19.—D. A. Shadid has opened the Shadid at Dexter, Kan. The new house seats 325.

BUYS CONN. THEATRE
Windsor Locks, Conn., Jan. 19.—Joseph Walsh of Hartford, who acquired the Colonial, Southington, last month, has purchased the 650-seat Rialto here, formerly owned and operated by Alfonso and Tambucci.

FORM THEATRE FIRM
Lexington, Ky., Jan. 19.—Phoenix Maysville Theatre Co. here, has been chartered with capital of $5,000. Incorporators are Hubert R. Emmett, R. E. Wallace and Alton Doederler.

LEASES IN KANSAS
Kansas City, Jan. 19.—Arnold Burn has leased the Sunflower, Peabody, Ia.; to George Bush, formerly at the Kansas and Crawford theatres, Wichita.

OWNSBY TAKES HOUSE
Seattle, Jan. 19.—The Pic Theatre in Hoquiam, Wash., has been taken over by H. G. Ownsby. The house will reopen soon following alterations.

TAKE OVER NAVARRE
Leff & Sevish have taken over operation of the Navarre, Brooklyn.

MANAGE DENVER HOUSE
Denver, Jan. 19.—Two men new to the exhibition field have been named managers of Denver Fox houses. Robert Seig, former district manager of the Alvord in Boston, is manager of the Hiawatha, succeeding Ralph Batschelet, who has been manager for some time. Al Yolden, publicity director for other amusement enterprises, is managing the Webber, succeeding Harry Lane, resigned.

ROSS SHIFTS HENDERSON
Chicago, Jan. 19.—Harold F. Henderson has been named assistant manager of the Ross Federal office here. Henderson, who comes from Pittsburgh, succeeds Charles Graves, who takes over the management of the Denver branch.

SHIFT 3 MANAGERS
New managers have been appointed to three theatres in the Bronx operated by Consolidated Amusement Enterprises. William Slater will manage the 1,600-seat Jerome; David Silverman the 925-seat Moshulu, and Irving Gitzenberg will manage the Ogden, 1,900-seat house.

STEVENS PARA MANAGER
Amsterdam, Jan. 19.—J. H. Stevens has become Paramount branch manager here, succeeding E. J. Bernard, who died recently. Stevens has been with Paramount in Portland, Me., and in Boston. William Esch, who has been acting manager, returns to his post as city salesman. Don MacPadden returns to the Milwaukee branch.

DESCH GOES TO GN
KANSAS CITY, Jan. 19.—Douglas Desch, until December branch manager for G. B. G. Co., with Grant National as head booker, city salesman and office manager. The appointment was made by Oscar Montgomery, branch manager. Desch, who succeeds John Muchmore, was with G. B. G. several years.

GETS BOOKER POST
New Haven, Jan. 19.—Sal Popolizio, former salesman and poster clerk at 20th Century-Fox, has been promoted to assistant salesman, replacing Helen Hanley who resigned after eight years.

ALLEN TRANSFERRED
Spartanburg, S. C., Jan. 19.—Severn Allen, formerly of Charlotte, is the new manager of the Criterion here. He succeeds Oscar Montgomery, who has been transferred to Salisbury, N. C., as manager of the Victory.

BISSELL QUITS MONOGRAM
Brooklyn, Dec. 31.—C. Bissell has resigned as salesman for Monogram Pictures in northern Ohio. No successor will be appointed here. John Schultz, former salesman, will assume his duties as sales supervisor.

BISHELL RESIGNS
Seattle, Jan. 19.—Arthur Bishop, office manager for Edward Hudson's Film Attractions exchange, has resigned. He plans to open his own exchange here.

PERSONNEL MOVES

SCHINE BOOKERS SHIFT
Cleveland, Jan. 19.—Harry Thompson and Ray Friz, bookers for the Schine circuit, have switched territories. Friz was northern Ohio booker, and Thompson was in Cincinnati.

DOBSON TO PREMIER
Toronto, Jan. 19.—Harry Dobson, former chief inspector of theatres for the Ontario Government, is slated to become chief projection supervisor for Premier Theatres Ltd., Ontario circuit, operated by Jule and J. J. Allen.

ANDERSON LEAVES NTs
Oklahoma City, Jan. 19.—C. P. Anderson, former manager of the local branch of National Theatre Supply Co., has left to become associated with the Oklahoma Theatre Supply Co. here. Jacob Watkins, formerly of the Dallas branch of the National Theatre Supply, succeed Anderson.

POWELL IS PROMOTED
Springfield, Mass., Jan. 19.—William T. Powell, district manager for Western Massachusetts Theatres, with headquarters here for seven years, has been promoted to assistant division manager of the circuit under Harry Smith and will be located at the home office here.

PECHNER TO PALO ALTO
San Francisco, Jan. 19.—Warren Pechner, publicity manager at the Paramount here for seven years, has been named manager of the Varsity in Palo Alto, Fox West Coast house. At Dunn succeeds Pechner at the Paramount, where he formerly was treasurer.

JOINS WILLISTON
Indianapolis, Jan. 19.—Robert G. Heseldenz, who has been manager of the Uptown of the Bair circuit af- fordably, has joined the Doc Weiss and John J. Williston circuit as an assistant to Williston, who operates houses here and in Louisville.

G. N. NAMES PATZ
Cleveland, Jan. 19.—Louis Patz, former manager of Grand National in Milwaukee, has been appointed manager of the local G. N. exchange. He succeeds John Himmelen, who has left for Sarasota, Fla.

NOLAN TO YONKERS
John Nolan, former manager of the Savoy, Manhattan, has been appointed manager of the Broadway in Yonkers, replacing Al Saunders, resigned. John Gutteridge replaces Nolan.

HORN JOINING G. N.
Omaha, Jan. 19.—Fred Horn, with RKO here for the past 13 years, will become manager of the Omaha Grand National branch here, Feb. 1. He will succeed Samuel Goldstein, who will return to the St. Louis office.

LAMART QITS
Seattle, Jan. 19.—Jules Laumont has resigned as salesman in the local Universal exchange.
Outdoor Pictures Staging
Comeback, Ford Declares

By EDWARD OF JIF

"Outdoor films with a action motif are staging a comeback and they will dominate 1939 production. Westerns are among those receiving special popularity," asserts John Ford, director, who has just completed "Stagecoach" for Walter Wanger. Ford is stopping at the American Museum for a few days before he goes to Maine early next week to assist in the settlement of his father's estate. There is no question of the recouping action of the cycle," Ford continued, "but there can be no doubt that the trend is away from the story which pictures a 40-year-old horseman in the outdoor action type of film. After all, the western formula is the purest technique of the screen.

Sheaffer Acquires
"U" Common Shares

WASHINGTON, Jan. 19.—Acquisition in September of 2,000 shares of Universal Pictures Corp. by Daniel M. Sheaffer, Philadelphia, director, through Universal Corp. was disclosed today by the Securities and Exchange Commission.

The S.E.C. semi-monthly summary of the transactions of officers and directors in the stocks of their corpor- ations showed that at the end of September Sheaffer, through Universal Corp., held 250,927 shares of the company’s common stock, 250 shares of its first preferred and 20,000 shares of second preferred.

For sale is also the reported disposition in October of 3,000 shares of Trans-Lux Corp. common stock by H. P. Farrington, New York, director, whose holdings at the close of the month were 5,000 shares.

Operator De-stocks
Reel Signal Device

WEST UNION, Ia., Jan. 19.—O. G. Hemmington, projectionist for the "User" device, has been granted patent on his "reel end" device that signals the end of the reel and enables the operator to start the second ma- chine. The device is a black slotted sheet showing between reels. It is being manufactured here by the Signal Manu- facturing Co.

“Dudley Nichols, who worked with me on "Stagecoach," and I thoroughly enjoyed our return to the fundamentals of a good camera story.”

Color is not a major factor in the RKO PICTURES NEWS. “Most action shots are far more effective in simple black and white. Generally, good action pictures can be produced on lower budgets while continuing to attract plenty of patronage at the box-office, Ford says. He points out that the best proof of the rising popu- larity of this type of film is the fact that every major producer either has added such pictures to their 1939 production plans or has them under considera- tion.

Screen ‘Remous’ Today

ALBANY, Jan. 19.—Screening of “Remous” (“Whirlpool”), scheduled for today before the Appellate Divi- sion of the N. Y. Supreme Court, was postponed after a former picture of this film had been banned by Irwin Esm- ond, head of the state censor board.

Howard to Fleischer

Hampton W. Howard has been signed by Paramount to handle pub- licity for Max Fleischer cartoon studios at Miami. The studios are working on "Gulliver’s Travels" in color.

Form Overland Film

ALBANY, Jan. 19.—Overland Film Corp. has been incorporated to deal in films and film apparatus.

Butler, Green Signed

HOLLYWOOD, Jan. 19.—David But- ler has been signed by Paramount to direct Bing Crosby in "Star Maker." Paramount also signed Al Green, di- rector, for one film.

Modern Takes Series

Modern Film Corp., has closed with Star Alges. This deal entitles the company to exclusive rights to the series of six "Head- ley Family" features and six "Radio Reporter Mysteries."
<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>
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<tr>
<td>Dec. 16</td>
<td>Strange Case of Dr. Meade</td>
<td>A Christmas Carol (G) (D)</td>
<td>Regional Owen</td>
<td>Terry Kilburn</td>
<td>I Am a Criminal (G) (D)</td>
<td>William Boyd</td>
<td>Red River Range</td>
<td>3 Mesquites</td>
<td>Down on the Farm (G) (C)</td>
<td>James Family (920)</td>
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<td>Dec. 23</td>
<td>There's That Woman Again</td>
<td>The Girl Downstairs (G) (C)</td>
<td>T.wayne</td>
<td>Tony Connolly</td>
<td>Wild Horse Canyon (G) (O)</td>
<td>Jack Randall</td>
<td>Tom Sawyer, Detective (G) (D)</td>
<td>(9316)</td>
<td>Thanks for Everything (G) (C)</td>
<td>Menjou (917)</td>
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<td>Dec. 30</td>
<td>Smashing the Spy Ring (G) (D)</td>
<td>Pay Wray</td>
<td>Ralph Bellamy</td>
<td>Stand Up and Fight (G) (D)</td>
<td>Robert Taylor</td>
<td>Wallace Berry</td>
<td>Florence Rice</td>
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<td>Otto Kruger (D) Fights Throughbreds</td>
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<td>Jan. 6 1939</td>
<td>Homicide Bureau</td>
<td>Bruce Cabot</td>
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<td>Convict's Code (A) (D)</td>
<td>Convice T. O'Connor</td>
<td>Anne Nagel</td>
<td>Robert Kent</td>
<td>Zaza (A) (D)</td>
<td>Colbert Marshall</td>
<td>Bert Lahr (3819)</td>
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<tr>
<td>Jan. 13</td>
<td>The Thundering West (O)</td>
<td>Starrett Meredith</td>
<td></td>
<td>Burn 'Em Up O'Connor (G) (D)</td>
<td>Dennis O'Keefe</td>
<td>Cecilia Parker</td>
<td></td>
<td>Arizona Legon (G) (O)</td>
<td>George O'Brien</td>
<td>Mr. Motor's Last Warning</td>
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<td>Jan. 20</td>
<td>Frontiers of '49 (O)</td>
<td>Bill Elliott DeLanais</td>
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<td>Drifting Westward (G) (D)</td>
<td>Jack Randall</td>
<td></td>
<td>Ambush (G) (D)</td>
<td>Swarhout Lloyd Nolan</td>
<td>(3820)</td>
<td>Arizona Wildcats (G) (C)</td>
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<td>Jan. 27</td>
<td>Lone Wolf Spy Hunt</td>
<td>Warren William Ida Lupino</td>
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<td>Sundown on the Prairie (O)</td>
<td>Tee Ritter</td>
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<td>Paris Honeymoon (G) (O)</td>
<td>Bing Crosby</td>
<td>Boy Trouble</td>
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<td>Feb. 3</td>
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<td>St. Louis Blues</td>
<td>Lamonor Gunear</td>
<td>St. Louis Blues</td>
<td>Lloyd Nolan</td>
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<tr>
<td>Feb. 10</td>
<td>Fast and Loose</td>
<td>Montgomery Russell</td>
<td></td>
<td>Huckleberry Finn (C)</td>
<td>Rooney Conolly</td>
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<td>Navy Secrets</td>
<td>Pay Wray</td>
<td>Grant Wilkerson</td>
<td>One Third of a Nation (O)</td>
</tr>
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**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.**
Radio Personalities

Fred Weber, general manager of Mutual, back from Chicago today. Dorothy Gordon of the Kelleys has returned to Washington today to address the Federal Federation of Women's Clubs and the child. ... Announcer Harry von Zell sick with grippe and unable to appear on his programs.

William Rolston, director of the CBS Washington Bureau, recently sent out a BBC invitation to go to England to direct several radio plays, and will leave next month. John Knaeble of WNYC has been promoted to manage the house. ... Benny Venuta back on Mutual this Sunday after a week away from the mike. ... Hyla Kiczales, general manager of WOW-BIL, has been appointed to the World's Fair Advisory Committee.

Louis Ruppell, Columbia's new publicity director, leaves for Chicago today to straighten out personal matters and bring his family, formerly he was managing editor of the Chicago Tribune. ... Jack Stapp, assistant program director at CBS, was in Raleigh for a week's vacations starting Feb. 4.

JacksonTeagarden, trombonist in Whitman's band, bandleader of his own unit. ... Bunny Berrigan will disband his own orchestra to replace Harry James in Benny Goodman's crew. James is now with the orchestra. ... Max Jordan, NBC Central European representative, has returned to the Continent.

Pick and Pat are going on vacation, with Pick to Florida on a fishing trip and Pat to Memphis to golf and visit friends. ... H. V. Kaltenborn, Ed Murrow and Maurice Hendus, CBS "Big Three" during the Czech crisis, will broadcast for "CBS' Next in Hot Europe" today. ... Frank Capra will direct the first all-dramatic Screen Actors' Guild program on Jan. 22. "Can We Forget," in which will appear Bette Davis, Bob Montgomery and Basil Rathbone. ... Howard Chisum, engineer in charge of the audio division of CBS general engineering department, is on leave as technical consultant to the American Record Corp., the new CBS affiliate.

Sign First Feminine Television Director

Television's first woman program director, Thelma A. Prescott, has been added to the staff of NBC. Miss Prescott will produce fashion shows and other programs for women. NBC will be on the air next spring with television programs. Miss Prescott has been in Paris, where she worked on the Paris Tribune.

North Carolina Bill Would Tax Stations

Raleigh, N. C., Jan. 19.—Representative Taylor has introduced a bill in the North Carolina legislature to place a franchise tax on all radio broadcasting stations.

Calls Television Ready for Public

(Continued from page 1)

was being suppressed, the witness explained, no suspension of the extent that when television is adopted it will "freeze" the art and the technique of the future. He expressed his belief that television is out too quickly and before it is properly organized. Personally, he added, he is of the belief that the care within the industry has been too lenient.

Answering the Senator's questions as to the development of home receivers, Forsyth said, "There have been so far been standardized that they will pick up any of several types of transmissions, while broadcasting has been so far practiced that both studio and outdoor scenes can be sent without flicker and with the clarity of motion pictures.

So far as patents are concerned, however, while it is necessary to use the patents of at least three companies in the production of television equipment, no difficulty has been encountered in obtaining licenses and no effort has been made either to control the industry or fix prices.

Without the present patent system, television would be a race of starting enterprises of the character of television "because it takes too much money and you must have some start," he said. Also, the licensing of patents, he said the value of patents would be so decreased that inventors might as well not have them.

Finch Is Guest of Crosley at Dinner

CINCINNATI, Jan. 19.—W. H. Finch, who developed the facsimile radio broadcasting method which bears his name; Frank Kenneth Telcommunications Laboratories, New York; engineers and staff members of W.L.W, and representatives of stations using the Finch equipment, were guests of Povel Crosby, Jr., president of the Crosley Corp., at a dinner at the Statler Hotel.


Sign Jemail for New WOR Sidewalk Show

Jimmy Jemail, Daily News Inquiring Reporter has been signed for a new series of sidewalk interview programs to be broadcast from 3:15 to 3:30 P. M. over WOR. Wilbert Products Co. will sponsor the contract. The show is for one year.

Two new programs which will appear on WOR are transcribed shows—Chapell Bros. Studio M. Free, to the Borden Milk Co., Tuesdays and Wednesdays, the latter through WOR, Barton, Discussions & music.

Additionally, Bulova Watch Co. has placed an extensive time signal schedule, through the Bloow agency.

Anthem on WNYC

WNYC, Municipal broadcasting station, will open and close its broadcasting day from now on with a recorded vocal chorus of "The Star Spangled Banner." New Yorkers may become more familiar with the words of the national anthem.

Parent Group Cites 
12 Child Art Shows

United Parents Association has selected a dozen children's programs for merit citation, of which five are on NBC, three on WOR, four on NBC, two each over the Red and Blue networks.

The selected programs for Mutual are "Answer Man," "What's My Name?," Dorothy Gordon children's hour, "Johnny Family," and Stan Lomans "March of Gals." The others are "Uncle Jim's Question Bee," NBC; Irene Wicker, NBC, Malcolm Claire, NBC; Paul Lysaey's fairy tales, Mutual; "Let's Pretend," Philharmonic; broadcasts for children, CBS, and "March of Gals," CBS.

8 Short-Wave Units Available for CBS

Eight short-wave stations located in sites covering the coast-to-coast area will be available for experimental use by CBS following the inauguration on Feb. 1 of W6XDA, new CBS international station.

These frequencies and ultra short-wave stations now owned, operated or affiliated with CBS include W2XKE, New York; W3XAU, Philadelphia; W2XHK, Los Angeles; W6XDA, Los Angeles; television station WXAN, New York; WIXL and WIXX, Boston.

Drops Injunction in 'Perfect Crime' Suit


WFIG Suit to Referree

Federal Judge Murray Hubert has referred the application of WFIG Broadcasting Co., to dismiss a $50,000 damage suit of Donald Withycomb to the commissioner to determine the question of jurisdiction. Withycomb claimed that he was "wrongfully discharged" as manager, after entering a contract in May, 1937.

Playing Radio Film

Omaha, Jan. 19.—"Radio Goes to the Fair," a film by W.O.Y. Special Events Division, has been booked in 200 midwest picture houses. The films were taken at the Iowa and Nebraska state fairs.

Radio

N.Y. AFRA Local Votes for Strike; Others to Act Later

(Continued from page 1)

out of the studios, it will be the signal that the strike is on.

The strike, problems which may be obstacles to a complete tiemp of programs—those of contract obligations and supported by the American Federation of Musicians was discussed by George Heller, assistant executive secretary. As to contractual obligations, he said "here these would have to be handled individually in the same manner as by the Actors Equity in its famous strike and by the Screen Actors Guild, which smounted this problem.

Negotiations with the musicians are still under way, he explained.

Messages of support were delivered by the leaders of most of the branches of talent unions, including Frank Gilmore, A.F.A.; Paul Dulzell, Actors' Equity; Ruth Richmond, Chorus Equity; Mrs. Gersh Whalen, Guild; Melville, American Guild of Musical Artists.

Wires from Hollywood were received encouraging the local to action and promising support. Among such were messages from Ralph Morgan, Edward Foy, Benny, Burns, Dorothy Lamour, Tyrone Power, George Arlis, Edwin Arnold, Robert Young, Warren Hull, Gene Raymond and Jean Hersholt.

FCC Calendar

WASHINGTON, Jan. 19.—The Federal Communications Commission has announced broadcasting hearings, as follows:

Jan. 20. Applications of WRR, Dallas, for increase of power from 500 to 1,000 watts; and KAND, Corsicana, Tex., for extension of time from December 31, 1937, with 100 watts night, 250 watts day.

The commission has ordered hearings on the application of Don In Broadcasting Co. for a new television station in San Francisco.

Hearings were also ordered on the application of Lawrence J. Heller for a new synchronous station to operate on 1,310 kilocycles with a power of 10 to 100 watts. His application for a new 1,310-kilocycle station in Washington is granted, and KSCJ, Sioux City, Ia., for increase of night power from 1,000 to 5,000 watts.

Hearing on the application of Yubasutter Broadcasters for a new 1,280-kilocycle station in Marysville, Cal., has been set for Jan. 27.

The commission also announced that on the day he will also be held on the application of WPHS, Port Huron, Mich., for extension of time from day to unlimited with 100 watts night, 150 watts day, and that a hearing will be held April 18 on the application of WJBW, New Orleans, for extension of time from varying to unlimited.
“TRADE WINDS” RECEIPTS SOAR HIGHER AND HIGHER

CHICAGO Three smash weeks Roosevelt Theatre. Second week $2,000 bigger than first week.

CINCINNATI Biggest United Artists gross at Palace Theatre in recent years.

DENVER Four weeks continuous first-run at Denver, Rialto and Aladdin Theatres.

HARTFORD Strand Theatre ... 133% of average.

HOUSTON Majestic Theatre ... Top gross for last ten months.

MILWAUKEE Warner Theatre ... TRADE WINDS biggest non-holiday opening in more than one year.

NEW HAVEN Roger Sherman Theatre ...

PORTLAND, ORE. Broadway Theatre ...

ATLANTA Grand Theatre ... In three days tops average gross for entire week.

SYRACUSE ... Loew's Theatre ... 154% of average biggest United Artists opening of current season.

PHILADELPHIA Aldine Theatre ... played 23 days continuous first-run at Aldine and Keith theatres.

WALTER WANGER presents

FREDRIC MARCH • JOAN BENNETT

TRADE WINDS

RALPH BELLAMY • ANN SOTHERN • SIDNEY BLACKMER • THOMAS MITCHELL • ROBERT ELLIOTT

© TAY GARNETT PRODUCTION  Released thru UNITED ARTISTS
Moss Brings Pressure to Smash Games

Calls Meeting to Start Staten Island Test

Indications are that License Commissioner Moss may ask Mayor La Guardia and Police Commissioner Valentine to interest themselves in his effort to rid Greater New York of cash games and giveaways in theaters, churches and clubs.

As the first step in this direction, he has called a meeting of Staten Island organization and church leaders for next Friday at 2:30 P.M. The Commission will also call a banton cash giveaway operators. Of the 14 theaters on the Island already agreed to a voluntary ban of the practice provided the non-theatrical opposition does so.

Will Ask Pledge

Commissioner Moss pointed out that non-theatrical places running Bingo and similar parties are licensed by the city. Declaring that he has obtained agreement from the exhibitors' committee to a city-wide ban, he said that a similar pledge will be sought from clubs, churches and the like:

"If they don't do it voluntarily, we will have to take police action," he stated.

Commissioner Moss over the weekend sent letters to the six organizations and the church conducting games on Staten Island, calling them to Friday's conference. The Island has been selected by the Commissioner as the growing ground of the proposed elimination. The test is expected to indicate a method for applying the city-wide ban.

Commissioner Moss, who has been attempting to stamp out chance games for three years, said he has been contacted by the New York Fderated Churches and civic groups for his efforts. He regards cash games as illegal.

No Queries, Please

In the event that a bill is introduced in Congress for a Government short-wave station, a Federal Reserve newspaper, queries by stating that it is a matter for Congress and the government to decide and that as far as the broadcasting industry is concerned, it will be a question of the contract, the industry, through the National Association of Broadcasters, will take a positive RCA advisory board agreed on this policy at its recent meeting.

Producers to Be Requested to Make Picture at Fair

Picture companies will be asked again by a committee of the World's Fair officials to make a feature picture on the fair grounds, according to a three-part plan adopted at a meeting of officials and artists of the amusement industry held on Friday in the Terrace Room of the World's Fair. The meeting was called by John Golden, chairman of the fair's advisory committee on entertainment.

Personal of the committee will be decided upon by Grover A. Whalen, golden and Lewo Loe. The latter, NBC president and formerly director of Chicago's Century of Progress Exhibit

(Korda Will Make Six Features for Release by U. A.

Following a meeting between Alexander Korda and Maurice Silverstone, operating head of United Artists, on the coast, it was disclosed here that Korda will make six films during 1939-40, two of them in Hollywood. Production on the new season's schedule will start as soon as "Four Feathers," now in production in London, is completed. Korda was to arrive in New York by plane today.

Four of the six films will be done in color. "Thief of Bagdad" will be followed by "With Lawrence of Arabia," "Jungle Book," "The Conquest of the Air" and two undetermined stories in which Merle Oberon will star.

Harry Gold, U. A. eastern general sales manager, left Saturday morning on a special trip to Boston. He conducted a sales meeting there over the weekend with members of the New England division of the company.

(Cocontued on page 4)

Court Upholds Loew Board; Denies Contract Injunction

Supreme Court Justice Louis A. Valente, in a 25-page opinion handed down on Friday, upheld the action of the board of directors and officers of Loew's, and denied the application of Loew's minority stockholders for an accounting, judgment for breach of contract, and for excessive salary and bonus payments and an injunction to restrain continuance of personal service contracts. At the same time the court, stating that it "does not involve any fraudulent act on the part of any defendant but an error of construction of the contract," directed certain deductions estimated at about $500,000 total from sums due to Nicholas M. Schenck, Louis B. Mayer, David Bernstein, J. Robert Rubin and the estate of Irving Thalberg for interest payments due to incorrect accounting estimates.

The opinion, which first outlined the history of the Loew's since its inception, stated that the claim of fraud, misrepresentation or waste was not made by a study of its history and the " undisputed evidence as to the

(U. S. Conciliator Named; Agencies Show Sign Of Weakening

By JACK BANNER

Prospect of a nationwide radio strike appeared to be greatly dimmed today as a consequence of the appointment by Secretary of Labor Frances Perkins of a Federal conciliator to mediate the strike. Another hopeful sign of peaceful settlement was the action of Blackett-Sample-Hummert, the largest employers of talent in the radio advertising agency field, in declaring that it regards the minimum rates set forth by the Advertising Agency Association of America as too low, and expressing a willingness to meet with A.F.R.A. to fix a "fair" rate of talent payment.

Meanwhile, announcement of these hopeful rays, the divisions of A.F.R.A. in Chicago, Los Angeles and San Francisco carried out the determination of the New York delegate of radio actors by enacting New York's decision to strike rather than to accept the minimum wages set forth recently by the A.A.A.A. Chicago balloted Friday evening, Los Angeles on Saturday, and San Francisco last night. The vote in each case was unanimously for a strike unless the A.A.A.A. accepts A.F.R.A.'s fair practice code and adjusted salary upward.

C. J. Post Conciliator

Charles J. Post, a commissioner of conciliation for the United States Labor Department, is the mediator designated to seek settlement of the controversy. Post conferred on Saturday with Paul N. Turner, counsel for A.F.R.A., and with members of the A.A.A.A. He will report to Mrs. Perkins today with the issues placed forth by both sides.

Frank Hummert, New York head of Blackett-Sample-Hummert, in a letter made public Saturday revealed that his company favors granting greater salaries than the A.A.A.A. has proposed.

Two other advertising agencies issued letters to their performers the past weekend. These are Compton Co. and Young & Rubicam.

Meanwhile a meeting of the national board of AFRA is expected to be held late tonight or some time tomorrow.

Additional developments in radio on page 12.

Giveaway Study

In this issue Motion Picture Daily begins publication of a survey which it has made on chance games and giveaways around the country. Motion Picture Daily invites reader comment on this subject.—Page 10.
PURELY PERSONAL

R. E. ANDERSON, former financial vice-president of Paramount and more recently associated with National Films, has resigned from the latter company to become financial adviser to the Maritime Commission in Washington.

Adolph Zukor, John W. Hicks, David Ross and C. J. Deickson, having completed a tour of Paramount's British exchanges, are now in Ireland inspecting company operations there.

Alexander Korda is due in from the coast by plane today. Emanuel Silverstone and Irving Ahzei will arrive by train. The latter will accompany Korda to London when he sails next Saturday.

Harry Buxbaum, New York branch manager for 20th Century-Fox, was given a surprise birthday party at his home in Long Island Thursday evening.

Oscar Morgan, Paramount southern division manager, is house hunting, planning to move his family here shortly from Atlanta.

Gary Morlay and Jacques Cate- lain, French players, sailed Saturday for Paris with their troupe following a Canadian tour.

William Keighley has returned to Hollywood from Wisconsin where he has been gathering background material for Warners' "Each Dawn I Die."

Sydney Chaplin has arrived in Hollywood from abroad to assist in the production of Charlie Chaplin's new picture, "The Dictator."

Leo Schlesinger, producer of Warner cartoons, left New York last night for Chicago from where he will go to Hollywood.

Bruce Cabot has arrived in New York for a short vacation after completing his role in Warners' "Dodge City."

Arthur Pacey, formerly associated with Ernie Dowling, is now press agent for Manny Wolf's Restaurant.

Evelyn Flynn is scheduled to arrive in New York today from the coast for a two-week holiday in the east.


Lois Phillips is due back at his office today from Chicago.

Alec Moss is vacationing in Florida.

Tom Ricketts Dies

Hollywood, Jan. 22.—Tom Ricketts, veteran producer, actor and director, died here Friday at the age of 86. He came to Hollywood with David Horsley to form the old Nestor company.

SONJA HENIE'S deal with Madison Square Garden calls for a 70-30 split. She receives 70 per cent of the gross, and on the week she stands to get more than $100,000. The expected gross, and there are no matinee performances, is estimated at more than $200,000. The show is selling out at every performance. Miss Henie's 70 per cent is inclusive of compensation for the entire troupe, which she pays.

That Italian film situation has taken a peculiar turn. Resident trade agents in New York, presenting representations of F. I. C., the film distributing monopoly of the Italian Government, have approached independent producers and distributors on film into Italy. Companies, both independent and companies not discussing the matter. Whatever conferences have been held are described as "exploratory." No terms have been mentioned.

Soon there may be in radio a commentator code comparable to the production code now followed in the film industry. The purpose of this commentator code, which is now being discussed among certain of the more careful radio people, is to remove from broadcasting the purely gos- sip type of commenting, particularly objectionable matters of a personal nature, such as is employed by some of the networks' film commentators. These lads intend to organize themselves into a national group and to set up a code of ethics to guide the type of comment, so as not to bring unnecessary injury to individuals or groups.

In Argentina, now, they have prohibited the importation of film advertising matter. It is a strange act, but the Argentine explanation is that the law has been adopted in the interest of aiding the native printing and engraving trade. Under this new Argentine law, all forms of foreign-made advertising are banned. There is one exception. The edict does not cover trailers in the film accessories line.

They were shooting a picture in the Grand Central Terminal at 3:30 A.M. Friday. About 100 extras were seated or standing about. Redcaps milled around the lighted area. At quick intervals one of them would start across the space reserved for extras. Two station policemen were busily engaged trying to keep the redcaps from walking into this reserved area. The boys were trying to get into the picture.

Late commuters on their way home, who didn't know what all the shooting was about, seemed to care less, peering enough, skirted around the kieg-flooded area of the rotunda to keep out of the picture and get the warm, milk-boat seats to settle down for their matinal snoozes. The big moment of amazement for the regular red-cap force came when a retinue of well-groomed colored gentle- men in bright, shiny uniforms flanked a large man with red face, and brief case, who was emerging from the shadows around Gate 25.

Of course, those "baggage smashers" who were with him were regular redcaps. They were extras. Some of the extra girls were seated on the baggage room counters, swinging their silk-clad legs, and men extras along the tracks beneath the ticket windows.

Instead of "Camera, lights, action!" the assistant director said "Let's go! There was no shotgun and no beret. His trousers were baggy, his hat slouched, and he wore a nondescript sweater.

A girl with a purple hat dashed out madly from an archway to pose for the camera man. Evidently she was on the wrong side, for she reeled around, reversed herself at the strident cry of the assistant director, 'Wrong side! Get over on the other side.' Then a tall, gray man walked into the lighted area as if he were looking for an incoming passenger.

At that moment, without any noticeable sign or signal, the kiegs fladed slowly and the ro- tunda took on again its familiar early morning appearance. The scrubwomen waddled through on a mission to the officers which they were to tidy, and the night guards plodded their weary way across the station out into the street. The stars in the terminal dome resumed their pale glow as the artificial lights faded. "Hollywood" retired and the Grand Central was again part of the New York scene.

RKO Re-Signs McLaughlen

Hollywood, Jan. 22.—RKO today signed Victor McLaglen for one more picture.

Col. Signs Ruggles

Hollywood, Jan. 22.—Columbia has signed Wesley Ruggles to a producer-director picture.

No New Shows on B'way This Week

No new shows are scheduled to open this week on Broadway legitimate stages. Maurice Evans' revival of "Harvey" is playing well with highly praised performances, just short of the 100 mark for which most revivals of the melancholy Dane survive. Although the Evans show was still doing a first-rate box-office business, other commitment forced the producer to kill the play.

Total of 25 still remain on the boards, of which two, "Tobacco Road" and "Put 'Em Up!" are low-flying. Dearth of hits is still puzzling the Rialto. The season has not been lacking in productions, but the survival rate has been very low.

Only 12 new dramatic pieces are among the survivors. Additionally, there are two plays based on novels, four based on other dramatic works, and two new revues. "The Primrose Path" is a dramatization of "Pend Oriole" by Victoria Lincoln, and "Mamba's Daughters" is taken from a novel of the same name by Sarah Orne Jewett. "Tobacco Road," now in its sixth year, was also adapted from a novel of the same title. Entered as second verse is "The Importance of Being Earnest," "Outward Bound" and the Gilbert & Sullivan operetta "Leave It to Me" is a musical adaption of "Le Troubadour." "Tuesdays' Children," is based on Shakespeare, with modern dialogue added. "There's a Will," based on Sabin Gruy's "Le Neveu Testament," closed Saturday after seven performances.

Soskin Asks Extension

London, Jan. 22—Simon Soskin and Amalgamated Studios have asked the court for an extension of the option of taking over the Soskin studio. McAlpine & Sons opposed the application, claiming there is no likelihood of a sale by Soskin. It is believed the sale, if made, will be to a company interested in the land and buildings.

MOTION PICTURE DAILY

Monday, January 22, 1939

MARK QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Associate Publisher and Editor; JAMES A. CRON, Advertising Manager. Published daily by Quigley Publishing Company, 905-907 Avenue of the Americas, New York. Entered as second-class matter, Sept. 29, 1930, at the post office at New York, N. Y., under the Act of March 3, 1879.

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DRAMATIC...

It's a DAVID O. SELZNICK stroke of showmanship to make Lombard go dramatic!

CAROLE LOMBARD • STEWART

"MADE FOR EACH OTHER"

Directed by JOHN CROMWELL • Screen play by JO SWERLING
presented by SELZNICK INTERNATIONAL
RELEASED THRU UNITED ARTISTS
Southeastern Unit Accepts Pact in Part

None of 16 articles in the distributors' trade practice program were accepted without change by the Southeastern T. O. A., an M. P. T. O. division, following a meeting called for modification or clarification and one was rejected in entirety, it was shown in a report issued by the organization to the M. P. T. O. executive committee. The report is characteristic of those received from other M. P. T. O. units.

Article 14, relating to the return of "false" reports on box-office receipts for percentage bookings, was rejected in its entirety. Articles accepted without change include those on trade announcements, exhibitors limited playing time, rooms and existing customers, forcing of shorts newsreels or trailers, picture allocations, notices at the conclusion of license agreement, selective contracts and playing of pictures in order of release.

Suggested Changes

Suggested changes include a 21 instead of a 10-day period for notifying distributors of intention of cancelling an available picture, and 21 instead of 14 days for giving notice of picture rejection on grounds of community offensiveness, both applying to Article 1, covering cancellation. In Article 4 on preferred playing time, 10 days instead of 6 was suggested. The report concludes, "that the distributor regards a designated picture unsuitable for the playing of a particular territory and...

Par. to Redeem Bonds on Feb. 20

Paramount has set Feb. 20 as the date for payment of redemption of 75% of its six per cent debentures, as authorized recently by the company's board of directors. The debentures to be called are those due at 15% and in excess of the $26,500,000. The remaining was elected by the directors and holders of the open market or exchanged by holders for the new 3 1/2% per debentures. The February payment will effect an annual interest saving of $300,000.

To Ask Producers For Picture at Fair

(Continued from page 1)

position, has been appointed chairman of a special committee to develop ideas for the amusement area of the fair. The committee will go to Hollywood to confer with producers.

Three resolutions were adopted at the meeting to strengthen the amusement features of the fair. One provided for the appointment of a committee to confer with film producers to arrange production of a complete film on the fair grounds. A second called for a report on plans to stage legitimate productions and vaudeville in the fair, and the third for appointment of a committee to induce sponsors to broadcast from the fair grounds.

The meeting was attended by Edward M. Roos, George Barrie, Harry Richman, Frank Gillmore, Gene Buck, R. H. Burnside, Vinton Freedley, Eddie Dowling, John Johnstone, Martin Beck, William Jaffe, Max Gordon and others.

Par. Cancels Raft's Pact in Story Tiff

Hollywood, Jan. 22.—Paramount has canceled the George Raft contract for failure to accept a part in "The Magnificent Fraud." He was re-nominated by Lloyd Nolan, after eight years with the studio, the last two years being marked by three tiffs over casting. He recently completed "The Lady from Kentucky." An article by motion picture arts and sciences. The nominations will be considered this year by the Research Council instead of by a special board.

Technical Awards Nominations Sought

Hollywood, Jan. 22.—Letters have gone out to all studio technical department heads, equipment makers and development companies requesting nominations for the scientific and technical awards to be made by the Academy of Motion Picture Arts and Sciences. The nominations will be considered this year by the Research Council instead of by a special board.

‘Remous’ Decision Later

Albany, Jan. 23.—The appellate division reserved decision on”Remous’ ("Whirlpool"), foreign film banned by the N. Y. state censor, after it was screened for them Friday, Arthur Garfield Hays made a plea in behalf of the picture.

Ohio Exhibitors Get No Tax Rise Pledge

COLUMBUS, Jan. 22.—Ohio exhibitors found additional cheer in the question of future taxes when Gov. John W. Bricker, who has emphasized his stand in the matter.

This administration is pledged to no sales tax, and the report of the legislators has not indicated the possibility of any tax increase. The Ohio theatricals, who have been following developments with interest, may have little to fear from any increase in the next session of the legislature.

Pre-inaugural opinion had prevailed that the legislature would be inclined to reinstate the previous 10 per cent admission tax to replace the existing three per cent impost.

Warner Sales Drive Up 15% Over 1937

Reports on the first quarter of the Warner Sales drive show an increase of 15 per cent over a similar period last year. Fred Jack, president and treasurer, and R. P. Lohrenz, midwestern district head, are in New York for conferences with eastern and southern sales manager, on plans for the remaining 13 weeks of the drive.

The court has exonerated our board of directors, and that the profit-sharing contracts have been approved. I can only repeat what I said in my letter to the shareholders December 28, 1937, that I have no hesitancy in saying to the stockholders that in my opinion the court's decision will be in the best interests of the company and its stockholders.

As to the relative minor respects in which the court has found that and four other executives were in advertently overpaid in 1934 and 1937, that our executives would desire to retain any money which they had received through mistakes, will be handled for us to be guided by counsel as to the correctness of the decision on that point.

Emil K. Ellis, chief counsel for the plaintiffs, said he was informed of the decision, that he could not comment on the question of appeal until he had "digested the opinion." Suits was started in January, 1938, and trial lasted for almost four weeks before Justice Valenti. A number of actions which had been consolidated were tried simultaneously.

Joseph M. Proskauer, ex-judge of the "That pellet and District of Directors," represented the defendants.

Ben Washer Goes With George Abbott

Ben Washer, who resigned as publicity manager of United Artists on Friday, has accepted the position of general press representative for George Abbott Productions. He wrote a number of the plays produced by "The Boys from Syracuse," "Primrose Path," "Becky Sharp" and "Mrs. O'Brien Entertains." The latter opens a week from today in Baltimore and on Broadway February 8.
"JESSE JAMES"

The Thrill of the Industry

NOW THE THRILL OF THE NATION!

NEW YORK—"Jesse James" roars into 2nd spectacular week at Roxy—after playing to 165,138 people in first week and topping "Alexander's" biggest day to set a new all-time record!

LOS ANGELES—"Jesse James" continues "Alexander's Ragtime Band" pace at Loew's State and Chinese!

19 OTHER PRE-RELEASE ENGAGEMENTS—set up strategically to cover the country—get off to "Alexander" start over week-end!

19 OTHER PRE-RELEASE ENGAGEMENTS
This ad . . . appeared in all New York newspapers, promising a great entertainment . . .

Here's how the critics backed up that promise!

"A great film show! . . . Has a powerfully potent charm that cannot help but attract patronage! Garson Kanin may find himself chosen as favorite director by New York film critics for 1939."

—Kate Cameron, N. Y. Daily News

"A disarming and enchanting film . . . Story has been told with such warmth and such a sure sense of screen values that you will be making a mistake to miss it."

—Howard Barnes, N. Y. Herald-Tribune

"A noteworthy picture . . . Has a simplicity which is en
"A picture with its heart in the right place ... Engaging performances lift it now and again into charm, pity and tenderness."

—B. R. C., New York Times

"Like a breath of fresh air on a sultry evening—invigorating, refreshing, relaxing, most welcome ... As fine and engrossing an entertainment as the screen has offered in months."

—William Boehnel, N. Y. World-Telegram

"A real picture, a tender, rollicking comedy with all the drama it needs ... Might have been written originally with just its present cast in mind."

—Eileen Creelman, N. Y. Sun

"Has both charm and humor ... adroitly fashioned and thoroughly enjoyable ... well worth seeing."

—Rose Pelswick, N. Y. Journal & American

"Yesterday's premiere audience charmed ... picture packs a wallop appeal and a divine sense of humor ... Barrymore puts forth a magnificent performance which certainly won't be forgotten this year."

—Irene Thirer, N. Y. Post

The GREAT

JOHN BARRYMORE

in

"THE GREAT MAN VOTES"

PETER HOLDEN • VIRGINIA WEIDLER

Donald MacBride • Katherine Alexander • Directed by Garson Kanin • Produced by Cliff Reid • Screen Play by John Twist

RKO Radio Picture, Pandro S. Berman in Charge of Production

"The Great Man Votes," which opens at Radio City Music Hall Thursday, January 19th, is first of a number of truly fine pictures with which the RKO Radio Studios greets the dawn of a new day in its history. Next at Radio City Music Hall will be "Gunga Din," heroic adventure inspired by the drumbeat rhythm of Rudyard Kipling's lines, starring Cary Grant, Victor McLaglen, Douglas Fairbanks, Jr. This is the greatest spectacle picture ever produced by RKO Radio Pictures.

"Love Affair," co-starring Irene Dunne and Charles Boyer, a smart modern romance admirably fitted to these stars. A bright fascinating story becomes a brilliant picture under the direction of Leo McCarey, who produced "The Awful Truth."

Fred Astaire and Ginger Rogers as "Mr. and Mrs. Vernon Castle," will appear soon in their first dramatic roles telling the true life romance of the world's most famous dancing stars, set to the fine melodies and rhythms when the romantic Castles held sway.

It has been the privilege of our company to bring to the theatres of the world many of their finest pictures, "Snow White," "Little Women," "Top Hat," "The Informer," "Stage Door" and many others. But never before has there been a like privilege to bring to the screen so many fine pictures in so short a time as will bear the RKO Radio trademark during the coming weeks. We are proud to start off the new year at Radio City Music Hall Thursday with "The Great Man Votes," the picture about a man with a hole in his pants ... it is priceless entertainment.

George J. Schaefer, President

RKO Radio Pictures, Inc.


**MOTION PICTURE DAILY**

*Monday, January 23, 1939*

**Hollywood Previews**

**“Pride of the Navy”**
*(Republic)*

Hollywood, Jan. 22.—Although considerable padding is resorted to, particularly in the romantic conflict and comedy sequences, “Pride of the Navy” makes the grade as acceptable entertainment. While the production has a different kind of naval activity background, the love interest assumes the familiar triangle in which James Dunn, Rochelle Hudson and Gordon Oliver are concerned. Dunn has quite a bit to do in the comedy contrast, but most of the picture’s fun is developed by Horace MacMahon.

Failing to perfect a new type splinter torpedo boat, Oliver also fails to lure speed boat pilot Dunn back into the service. The grandstanding racer with a heart of gold is easy prey, however, for the admiral’s daughter, Miss Hudson. The little encouragement the girl gives Dunn is sufficient incentive for him to try to steal her away from Oliver. Meanwhile the experimental boat meets with disaster and grandstander Dunn, taking too much for granted, finds himself in wrong with Miss Hudson, Oliver, Captain Charles Towerbridge and his buddy, MacMahon. Inseparable by marriage and love, he decides about face, perfects a dual hulled splinter boat and demonstrates its practicability and efficiency as a naval weapon by exploding a runaway torpedo. Recommissioned in the service, he is rewarded with a clear field to Miss Hudson’s hand.

Ben Markson and Saul Elkins did the screenplay on an idea supplied by producer Webb and Joseph Hoffman. Wisely, director Charles Lamont chose to inject a liberal amount of comedy into the romantic and action episodes.

Running time, 65 minutes. "G.*" G. McC.

---

**Fight, With ‘Peck’ Denver Top $10,400**

**‘Honeymoon’ with Stage Show Draws $21,000 to Capital**

WASHINGTON, Jan. 22. — “Paris Honeymoon” at Warners’ Earle was the best bet here with $21,000, aided by a personal appearance of Ken Murray and Gene Autin.

“Sweethearts” was good in its sec- ond week at the 9th Street Palace with $12,500. “Devil’s Island” at Warners Met and a return of “The Young Heart at Loew’s Columbia took $7,500. “Thanks.”

Estimated takings for the week ending Jan. 18:

- "Dawn Patrol" (W. B.)
- "Thank’s For The Memory” (Param.)
- "Blue Mouse” ($4,000.
- "Duke of Winds" (U. A.)
- "Fifth Avenue" ($4,000.
- "Duke of West Point” (U. A.)
- "Liberty" ($4,000.
- "Sweethearts” ($4,000.
- "Sweetheart” ($4,000.
- "WW" ($4,000.
- "Shine On Harvest Moon" (Repul.)
- "Orphans of the Street” (Repul.)
- "Palomar” ($4,000.
- "Sunshine and Paradise Island Revue” ($4,000.
- "Stand Up and Fight” (M-G-M)
- "Nancy Drew, Detective” (W. B.)
- "Panda” ($4,000.

**‘Trade Winds’ and ‘Marry’ Do $8,000 To Lead Milwaukee**

MILWAUKEE, Jan. 22. — “Trade Winds” next day in New York and “Next time I Marry” grossed $8,000 for the week’s high at the Warners. Only other house to clear average was an average Riverside, where “Adventure in Safari” and Major Bowes’ Swing School unit collected $6,000.

For F. C. Finocchi opened its new show on Wednesday, shifting “Kentucky” and “Up the River” into the circuit’s Strand the same day, following an 11-day run of the dual.

Estimated takings for the week ending Jan. 12:

- "Preston Macklock” (Aminko)
- "Little Theatre” ($500.
- "Dramatic School” (M-G-M)
- "Palace” ($600.
- "Adventure in Safari” (Col)
- "River City” ($800.
- "Young Dr. Kildare” (M-G-M)
- "Street” ($1,000.
- "Up the River” (25c-30c)
- "Shade” ($1,000.
- "Stand Up and Fight” (M-G-M)
- "Sons” ($1,000.

**CEA London Branch May Form New Unit**

LONDON, Jan. 22.—London Branch of the Cinematograph Exhibitors’ Association, at its annual meeting on Jan. 24, will consider a motion for the formation of an independent group within the branch.

The annual report is expected to appeal for a discontinuance of the double billing of "A" features and to express concern over the importance of the problem of overbuilding.

**Standees Bring Arrest**

COLUMBUS, Jan. 12.—John Pancak, assistant manager of the Kuecker bocker, downtown subsequent run, was arrested for allowing patrons to stand in the aisles, contrary to the law. He was released on probation.

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**Plan ‘Slapped’ Remake**


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**Cinema Exhibitors News**

DANĚN (1,750) (25c-50c-40c), 7 days, Gross: $3,700, (Average, $600.

-Ken Murray (U. A.)

-DENVER (1,255) (25c-50c-40c), 7 days, Gross: $3,500, (Average, $600.

-Sweetie’s Island” (W. B.)

-Swing, Sister, Swing” (Univ.)

-New York (1,200) (25c-50c-40c), 7 days, Gross: $3,400, (Average, $500.

-Trade Winds” (U. A.)

-Texas (Warners) (Univ.)

-TALHTO (2,500) (25c-50c-40c), 7 days, Gross: $1,000, (Average, $150.

-Million Dollar Liner” (R-K-O)

-ROKEFELLER (1,363) (25c-40c-70c), 7 days, Gross: $2,000, (Average, $200.

-Paris Honeymoon” (Para.)

-FIFTH AVENUE” (1,500) (25c-40c-60c), 7 days, Stage: Ken Murray & Gene Autin. Gross: $2,000, (Average, $200.

-Devil’s Island” (W. B.)

-Metropolitan” (L. M.) (1,350) (25c-40c-70c), 7 days, Gross: $1,000, (Average, $1000.

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**Aid Paralysis Drive**

DANES, Jan. 22.—The Tri-States Corp., will assist the National Infantile Paralysis drive by taking two collections a day, for the drive, at all of the theatres in their circuit during the week of Jan. 26-30, to arrangements made by G. Ralph Bristow, business manager.

**Retile Hopalong**

Hollywood, Jan. 22.—Paramount has set "Reneagade Trail" as the re-lease title of Harry Sherman’s film Hopalong Cassidy production of 1938, formerly called "Arizona Bracelets.”

**Vallee in Henie Film**

Hollywood, Jan. 22.—Rudy Vallee has been signed by 20th Century-Fox for a featured role in the next Sonja Henie picture, “When Winter Comes.”

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**’Trade Winds’ Is $7,300 for Seattle High**

SEATTLE, Jan. 22.—“Trade Winds,” at the Fifth Avenue, was strong here, taking $7,300. The dual of “Stand Up and Fight” and “Nancy Drew, Detective,” grossed a good $7,100, in the second week.

“Sweethearts” took $4,300 in its third week at the Music Box and the dual of “Dawn Patrol” and “Thanks for the Memory,” grossed $4,100 at the 13th.

Estimated takings for the week ending Jan. 20:

- "The Dawn Patrol” (W. B.)
- "Thanks For The Memory” (Para.)
- "Blue Mouse” ($4,000.
- "Duke of Winds” (U. A.)
- "Fifth Avenue” ($4,000.
- "Duke of West Point” (U. A.)
- "Liberty” ($4,000.
- "Sweethearts” ($4,000.
- "Sweetheart” ($4,000.
- "WW” ($4,000.
- "Shine On Harvest Moon” (Repul.)
- "Orphans of the Street” (Repul.)
- "Palomar” ($4,000.
- "Sunshine and Paradise Island Revue” ($4,000.
- "Stand Up and Fight” (M-G-M)
- "Nancy Drew, Detective” (W. B.)
- "Panda” ($4,000.

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**‘You Can’t Get Away With Murder’**
*(Warner)*

Hollywood, Jan. 22.—In addition to the attention getting title, exhibitors have, for showmanship purposes in connection with showings of “You Can’t Get Away With Murder,” the fact that the film is based on a well-known stage play, “Knute’s” in starring Lewis E. Lawes of Sing Sing, and Jonathan Finn.

Plus these, there are the names of Humphrey Bogart, whose most recent picture was “King of the Underworld”; Gale Page, Billy Halop, one of the “Dead End” kids; John Litel and others.

“You Can’t Get Away With Murder” is the story of a youngsters whose worship of a thief leads him into robberies and subsequently a murder. The fantasy of his sister is sentenced to die for the crime in the same prison to which the thief and the boy have been sent. In a prison break, led by the crook, the boy is wounded, but makes a death-battle dash to the key.

Robert Buckner, Don Ryan and Kenneth Gamet wrote the screenplay. Lewis Seiler directed, Sam Bischoff receiving associate producer and Hal B. Wallis executive producer credits.

The story’s unfolding is grim, brightened only by occasional light touches of comedy. It maintains a low tempo, quickened for the climax.

Running time, 80 minutes. "G." Vance King

*“G” denotes general classification.*
INSTANT ACCEPTANCE

NEVER before have new negative materials been as enthusiastically received... as quickly put to use... as Eastman's three latest motion picture films. Fast, fine-grained Plus-X, for general studio work... high-speed Super-XX, for all difficult exposures... ultra-fine-grained Background-X, for backgrounds and all-round exterior work... Typically Eastman in uniformity and photographic quality, these films have won instant acceptance in the industry. Eastman Kodak Co., Rochester, N.Y. (J.E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN Plus-X...
Super-XX... Background-X
Giveaways a Major Gambling Enterprise

Prize Money Totals Yearly $10,000,000

Philadelphia
Population, 2,000,000; 10 first runs, 17,160 seats, 25c-75c; 198 subsequent runs, 195,503 seats, 10c-40c; only one subsequent run this year; no legitimate"stolen" money has been reported.

Detroit
Population, 1,800,000; five first runs, 15,000 seats, 20c-65c; 132 subsequent runs, 1,000 seats, 10c-35c. Games were in effect for only about two years at most of the neighborhoods and suburban areas, but not at the first runs. The city stopped games about a year and a half ago. Dishes, silverware and cosmetics giveaways have replaced them, and exhibitors say they are better off with such stimulants than with the games. Sales and collections have increased, and some of the "stolen" money has been returned.

Baltimore
Theatre here never used games extensively, but they had been prevalent in previous non-theatrical years. Police stopped them, as they were getting to be a "racket," with 63 organizations running them. Weeding out the games was not an easy task, but the police succeeded. One of the most successful schemes was an advertising campaign to sell "charity" tickets to a non-profit organization.

Biggest Bank Night
The greatest Bank Night ever held was one which was conducted in New York by Loew's, perhaps the most representative of the "big" house class. The bank night was held in the Grand Opera House, New York, and the bank was the Bank of America. The bank night was a great success, and Loew's did not make much money out of it, but it was a good example of what can be done with the right kind of promotion.

Ohio Cities Free of Games

"There never has been a Bank Night, or similar scheme operated in Cincinnati, Dayton or Columbus, Ohio. One did get started in Akron a few years ago, but was promptly squelched. With 52 theatres in operation, there is no severer competition than in the city of Columbus, but from the very beginning we realized that bank nights were bound to result in a severe headache, and that it would be to the best interest of all theatre owners to act as our own police force and keep the rackets out of all theatres."

Game Profits "Stolen" from Rest of Week

Hackensack
Population, 25,000; two first runs, one subsequent, 30c-40c. No games or giveaways. Theatres do not want them. Patrons take their films straight and do not demand stimulants or premiums.

Racket Cut in
In some towns the chance game has become a racket. In one Midwestern city, rackets have grown in number, and the police are doing little or nothing about it. It is a rule in the games that the prize is not given until the rackets are cut out of the game. The games are not popular in the city, and the police are not interested in them.
Omaha
Population, 225,000; three first runs, 6,400 seats, 25c-35c-40c; 17 subsequent runs, 5,000 seats, 15c-25c-35c. Games were used seven months, but banned by court ruling in June, 1937. First runs and all subsequent estimated to be in distribution, $21,000 in seven J.Libs. Bank Night was used. Churches, clubs, etc., had small Bingo games before theatres adopted cash games, but did not increase prices after adoption by theatres. Running-theatrical games are still running, but exhibitors are not concerned. No complaints by merchants or others are on record. Exhibitors say games eliminate cut gross, eliminate high rent and reinstate them if legally possible. Chance game ban has increased giveaways among subsequent runs, but not on big scale. In Nebraska, there are 325 theatres, including Omaha. Some Nebraska exhibitors had other giveaways since Bank Night was declared illegal. Work Nite is now running in 32 houses. New attorney general, Walter R. Johnson, had backing of A.H. Blank and other theatre interests in election, and exhibitors are awaiting his attitude on chance games.

Wilmington
Population, 130,000; four first runs, 4,900 seats, 25c-50c; eight subsequents, 7,600 seats, 15c-35c. Bank Night and other chance games were banned by Attorney General Green in April. Theatres subsequently adopted giveaways. Most affected were towns outside Wilmington, where games were played in virtually all places with community theatres. Some now use giveaways. Only one Wilmington house was affected, the Ace, independent neighborhood, which now uses giveaways.

Cincinnati
This city, which has 66 theatres, now has a strict ban on games in theatres but permits churches and clubs to run them under police control, and such places must be licensed. This situation arises from the fact that games reached "ticket" proportions here among non-theatrical places, with individuals reaping the profits. Now they can be conducted only for charity, with a nominal sum given away and no advertising. This has reduced the competition to theatres, which formerly was heavy.

Outside city limits, Hamilton County officials are lenient with theatres running games, and a number of Cincinnati suburban houses have them. Typically, the Andalus, in St. Bernard, has Bank Nights Tuesdays and Wednesdays, with weekly prizes of $40. This exhibitor does not approve of games but blames poor product for the necessity of using them. Cincinnati theatres near the county line have strong competition from county houses using games.

[This is the first of a series of articles surveying the giveaway situation in the country. The next will appear in an early issue.]

Seattle
Population, 450,000; seven first runs, 13,100 seats, 20c to 55c; 32 subsequent runs, 24,600 seats, 10c to 35c. With the exception of about a dozen small towns, the state of Washington is free of chance games and giveaways. Seattle exhibitors have never used box-office stimulants. There have been no non-theatrical cash games. Fact most Washington theatres are circuit-controlled makes this policy more readily enforceable. M. P. T. O. of Washington, to which majority of theatres are said to belong, opposes games and giveaways.

Spokane
Population, 130,000; three first runs, 4,500 seats, 20c-40c; 10 subsequent runs, 5,200 seats, 10c-25c. The situation in Seattle applies in Spokane and Tacoma, other leading cities in the state. The NRA film code boards banned stimulants of all kinds in Spokane, and since then a "gentlemen's agreement" has kept them out. Though independents claim business is off, without attributing this to the game ban, they are sticking to the agreement. Exhibitors consider games uneconomic and bad for the industry. Games are reported to have been dropped in additional towns during 1938, but a few near here still use them, the closest 30 miles from here. Bingo variations are in vogue at church bazaars and lodge parties.

Columbus
Population, 300,000; five first runs and 53 subsequents. City regards as one of most heavily overstocked in the country, and competition is keen, yet there have been no games or large-scale giveaways. There are a few giveaways in store windows, but not extensively. A large country club and a few churches and lodges run Bingo, without affecting theatre attendance.

There are no games in Dayton or Canton. In Akron they were banned by officials a year ago.

Birmingham
Population, 275,000; five first runs, 4,000 seats, 25c-40c; 17 subsequent runs, 4,000 seats, 10c-20c; 14 subsequent had games, but not the first runs. For about four years, but were stopped early in 1938 by a court decision holding games to be lotteries. Prize they charged $1,000 per theatre per year. Bank Night was banned by merchants, but there was no organized protest. There have been no club or church games. Elimination of games caused an estimated 10 per cent business decline. Exhibitors would reinstate them if they could.

Andy Devine as Buck - raucous-voiced driver - scared to go ahead thru the Indian-infested plains - yet preferring even that to the thought of returning to his wife, eight children and twice as many relatives.

Walter Wangier's "Stagecoach" Directed by John Ford - Released by United Artists
CAB to Open 3-Day Meet at Toronto Today

HAL KEMP back in New York after a road tour and about to embark on another tour, of college proms...Skinnay Emms, vocalist and pianist for the Canadian Broadcasting Corp., has been de- clared dead at 34 by the coroner of the Canadian Broadcasting Corp. Emms was a prominent figure in the Canadian music scene and had a successful career both in Canada and abroad.

Radio Personalities Around the Country

San Francisco
Jack Burnett, former KROW local manager, has joined the staff of KGUV, Missoula, Mont...Jerry Rogers, former KSFO publicity staff to work for new Adolph Olson ad agency here...New KSAN dancer is Charles Cooper, formerly of KGW, San Jose...Don Gilman, NBC's coast vice-president, in town on semi-annual inspection trip...KPO's Billie Eyers, actress whose leg was fractured in crash three months ago, now broadcasting in "Women's Magazine" of the Air...Robert J. McAndrews has been named sales promotion manager for NBC here, succeeding Charles A. Brown, who has come to Hollywood as western division sales manager.

Columbus
Radio broadcasts will be used sparingly, according to John W. Bright, a recently appointed official who recently assumed office, "because he has no funds for line charges necessary on an Ohio network." This is in contrast to his predecessor, Martin L. Davey, who employed state-wide hookups almost constantly. Gov. Brown's first message to the legislature was carried only by WBNs, local Columbus affiliate.

Winn CKCL Contest
Toronto, Jan. 22—Jane Tiers, 20- year-old Toronto girl, has been declared winner of the "Movie Stars of Tomorrow" dramatic series, featured for the past 16 weeks over CKCL, in a contest arranged by the Grand National Film Office in Hollywood with all expenses paid by the sponsors, Century Cleaners and Dyers.

Moore Quits Fider
Bill Moore has resigned from Jimmy Fider's radio staff effective Jan. 1 to join Tom Fidzile, Inc., in the motion picture department.

Columbia Broadcasting System has dissolved transcription in 10 volumes of the network's broadcasts during the European crisis of last September to save broadcasting world wide.

Irene Beasley, broadcasting her "F.R.D. No. 1" program on CBS Monday, devoted most of her program time to giving recipes using garlic as an ingredient, and concluded with a song rendition of "You Took My Heart Away." Walter O'Keefe told it to us the other night—a grand anecdote about his late Route Krockne and Heywood Broun. It happened after the World had folded. At the time O'Keefe was working at Barney Gallants, and his hero, Heywood Broun, has fallen ill, dropped in to see Walter, a dear friend. Broun, present at the radio studio, asked Walter to introduce him to Rokie. "Oh yes," said Rokie at the introduction, "it's his real radio column every day in the New Year Sun." It was an honest mistake on Rokie's part, not a radio. Without batting an eye, Broun came back with, "Thanks, coach, and that's a fine team you have. I never miss one of your softball games when they play here."

There's no end to the job radio does, After Foster May, WOW's man-on-the-street, interviewed a young physician looking for a new location, 72 letters from towns in seven states were received by the station stating that the town was in need of a full-time physician. Norman Corwin of the CBS direct- ing staff formerly worked for a film company in Hollywood, which perhaps may explain his desire to ob- tain realism, even in a radio program. Scenery of the Corwin-directed drama, a realistic series "County Seat" the other afternoon called for a fight between two youngsters, so Corwin brought boxing gloves to the studio, told the lads to forget all dialogue save cue lines, and let them go to it. They say it was quite a bout.

Air Canadian Serial
Toronto, Jan. 22—The first complete- ly Canadian dramatic serial over the CBC network is "Miss Trent's Children," written by J. E. McDougall and produced by Rupert Grant, which deals with the problem of youth re- habilitation, the action of the story setting in Toronto and eastern and central Canada. Episodes are broadcast every Friday night at 8:30.

Banner Lines

Monday, January 23, 1939

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Shift Mexican Station
Mexicali, Jan. 22—Frequency of XEXX here, operated for educa- tional purposes by the National University of Mexico, has been changed to 860 kilocycles.
Union Urges AFL to Act in ‘Big’ Nick Case

Asks Green to Intervene to Avert ‘Whitewash’

St. Louis, Jan. 23—In adopting a resolution asking William F. Green, president of the A. F. of L., to intervene in affairs of the Motion Picture Industry, the Chicago Federation of Labor Union No. 13, the Central Trades and Labor Union yesterday denounced “gangsterism and racketeering in labor organizations.” In its action Green by the C. T. L. U. went over the head of George F. Browne, international president of the theatrical union, who has his own representative here making an examination of union affairs, which disgruntled members have declared they expect to result in a “whitewashing” of John P. “Big” Nick, boss of the local organizations.

Nick, recently indicted on charges of extorting large sums from theatre owners on threats of ruinous salary increases, is still at his home suffering from arthritis. He was put under bond of $25,000.

Hepburn Rehearsing In New Barry Play

Rehearsals of the Theatre Guild’s “The Philadelphia Story” with Katherine Hepburn in the leading role started yesterday. Philip Barry wrote the play “Jeremiah” and “Five Kings” also are in production.

Tugs Race to Scoop Survivors’ Air Tale

Like an oldtime paddle-wheel race on the Mississippi was the huffing and puffing of two tugboats, vying to be first to reach the Esso Baytown, aboard which were the survivors of the wrecked Imperial Airways flying boat Cavador. The tugs were hired by CBS and NBC special events departments, and the idea was to obtain an exclusive first hand radio interview with the survivors. But neither made the goal. Mutual didn’t bother to go to sea but planted mikes at the dock and waited for the Esso Baytown to make port.

All the networks got to the survivors upon landing, at the same time.

Cole Foresees Changes in Film Industry’s Structure

By AL FINESTONE

Col. H. A. Cole, newly elected president of Allied States, foresees radical changes in theatre structure and methods in the next two or three years. He believes that the “evolution” will come about as a result of developments within and outside the industry.

“Allied hopes that when the new structure has been developed, the distributing companies and the theatres will have been destroyed and the good remain,” Col. declares. “Allied’s members are a part of the industry, and they do not want to see it destroyed.”

Gives View on Bills

He thinks that the Senate will pass the Neely anti-block booking bill in 90 days. Also he anticipates that the commercial college bill may have difficulty getting early House committee consideration, but that under pressure from exhibitors and public groups the committee will act.

If the committee vote is favorable, the measure will pass the House without amendment, Col. Cole feels.

The Senate Interstate Commerce Committee, according to Cole, may not find it necessary to have a hearing on the Neely bill, since it obtained sufficient data in previous hearings and it can call on the Department of Justice for additional information, but the House committee will for the present year, an increase of 18-20 per cent in seat, usage for the 365 days, the theatres in that city being open on Sundays as well as weekdays. The 11 first-run theatres in Montreal averaged 24 per cent in attendance; 44 second-run houses showed 25.4 per cent while 11 third-run registered 36 per cent.

Republic Starts ’39 Sales Parley Today; Plans 31 Features

Conferees on the lineup and sales policies for the new year started today at the Republic home office.

For this season the company is releasing 31 features, 24 westerns and four serials. There might be a slight change in the feature classification, but the number of westerns is expected to be the same. The westerns will continue in three series featuring Gene Autry, Roy Rogers and the Three Mesquites, each in eight films.

James R. Grainger, Republic Pictures president, has called in district managers for the meetings, which will be attended by M. J. Siegel, president of Republic Productions, Chills Hilfiers, special sales representative, H. J. Yates and others.

District managers attending the conferences are: C. G. over San Francisco; Max Roth, Chicago; Harry LaVine, Philadelphia; Jack Belman, New York, and Heck Everett, Charlotte.


AFRA to Deal With Agencies And Producers

New Arrangement Ends Prospect of Strike

American Federation of Radio Artists yesterday ended prospects of a general radio strike by abandoning all dealings with the American Association of Advertising Agencies to negotiate direct with individual agencies and other radio producing units. The new policy of dealing with individual agencies rather than with the central agency group leaves the way open for individual agencies to accept the radio union’s wage fixation and minimum wage codes and thus escape stoppage of broadcasting of products programmed by those agencies. Advertising agencies which refuse to meet AFRA’s demands will be unable to continue for lack of talent.

One of the first to subscribe to AFRA’s new offer is the William Wrigley Co. and its advertising agencies, Neisser-Myerhoff Co., and the Frances Hooper agency. A half-dozen New York agencies yesterday indicated their willingness to sign individually with AFRA it was said at the union’s headquarters yesterday. However, until the documents are signed and deposited with AFRA the union prefers to withhold the identity of the agencies.

The fair practice code, containing the AFRA wage demands and other provisions, are now being printed and will be distributed possibly this morning. AFRA will not hold the agencies to a deadline, but is believed that the agencies will not be given more than 10 days to two weeks in which to accept the AFRA demands.

George Heller and Emily Holt, executives of AFRA’s national board, returned to New York yesterday afternoon following the strike rallies in Chicago, Los Angeles and San Francisco.

Comrade!

Vittorio Musolinl, son of the Italian dictator, has been captured by the Gestapo according to the masthead of the Italian film paper, received here yesterday.
WHEN Alexander Korda, the London-based producer-director, was recently home on his annual trip to Hollywood for a brief vacation, he was not only meeting with studio heads, but also calling on a galaxy of film personalities. One of the highlights of Korda’s stay was his meeting with Anthony W. James, who represents Korda in the United States, and with RKO’s top executive, Sam Shain.

Korda was in town to discuss the advisability of making a film version of his novel, “Lawrence of Arabia,” which has been a great success in London. Korda was also interested in the possibility of making a film version of his other novel, “The Garden of Allah,” which has been filmed in France.

The meeting with Shain was particularly important, as Shain is responsible for the distribution of Korda’s films in the United States. Korda was interested in Shain’s plans for the American distribution of his films, and the two men discussed the possibility of making a film version of Korda’s novel, “The Garden of Allah.”

As a result of this meeting, Korda decided to return to London, where he is working on the script of “Lawrence of Arabia.” He is also in the process of negotiating with various studios in Hollywood for the distribution of his films.

Korda is known for his dedication to making films of high quality, and his commitment to producing films that are both entertaining and thought-provoking. He has a long history of success in the film industry, having produced films such as “Lawrence of Arabia” and “The Garden of Allah.”

The meeting with Shain was an important one for Korda, as it gave him an opportunity to discuss his ideas for future films with a top executive in the United States. It is likely that this meeting will result in a fruitful collaboration between Korda and Shain, and we can look forward to seeing more of Korda’s films in the coming years.
“JESSE JAMES”
BEAT “ALEXANDER” IN
19 OUT OF 21 SPOTS
SO FAR OPENED!

Baltimore
Fort Worth
Cleveland
Dallas
New Haven
St. Louis
Miami
Hartford
New York

Oklahoma City
Kansas City
Houston
Tulsa
Bridgeport
Detroit
Scranton
Salt Lake City
Los Angeles
Portland, Ore.

Close to “Alexander” at Stanley, Phila., and Comerford, Wilkes-Barre

•

THIS IS NOT PICKING “GOOD”
SPOTS—THIS IS THE COMPLETE RECORD OF ALL “JESSE
JAMES” OPENINGS TO DATE!
The First Great Dramatic Hit of the New Year!

LET
LIVE

MAUREEN O’SULLIVAN • FONDA
RALPH BELLAMY

ALAN BAXTER • STANLEY RIDGES • HENRY KOLKER

Screen play by Anthony Veiller and Allen Rivkin
Based upon a story by Joseph F. Dinneen
Directed by JOHNN BRAHM • Produced by William Perlberg

A COLUMBIA PICTURE
1938 Ticket Tax Revenue
$19,661,337

Washington, Jan. 23.—Federal ad-
mission tax collections for the calen-
dar year 1938 totaled $19,661,337, com-
pared with $20,974,631 in 1937, a de-
crease of $1,312,294, the Internal Rev-
ue Bureau reported today. Col-
lections for the first half of the cur-
cent fiscal year were placed at $10,-
314,574, compared with $11,454,017 in
the corresponding half of the previous
fiscal year, a decrease of $1,139,443.

Admission tax collections last De-
ember totaled $2,020,376, a slight gain
over November's $1,985,127, but consid-
erably below the $2,320,027 col-
lected in December, 1937.

The trend of admission taxes was in
keeping with other levies, the Bu-
reau's December report showing only
19 taxes increasing in the past six
months over the corresponding 1937
period while 49 showed decreases.

December collections in the Third
New York (Broadway) District were
$17,721, compared with $392,561 in
November and $756,525 in December,
1937, the bureau reported.

Collections on box-office ad-
misions were $551,291, against $688,327
in the same month of 1937, while re-
cipts from free or reduced rate ad-
misions dropped to $1,625 from $9,-
467; tickets sold by brokers, to $10,-
558 from $18,380; tickets sold in ex-
cess of established prices, to $1,338
from $2,441, and admissions to road
gardens and cabarets, to $49,608 from
$57,985.

Connery Is Elected
By New York Allied

ALBANY, Jan. 23.—Mitchell Connery
of Ravenna, head of the Connery cir-
cuit, was elected regional vice-
president at a meeting of New York All-
ied's Albany unit here today. A for-
mal organization luncheon will be held
here Feb. 6.

Representatives of 25 theatres at the
meeting agreed to set up a three-man
grievance board which will meet
monthly. No action was taken on
pending legislation.

E. Thornton Kelly of New York, execu-
tive secretary of the state or-
ganization, presided. He said the
organization has more than 400 mem-
bers.

Kelly will attend a regional meet-
ing of the unit at the Syracuse Hotel,
Syracuse, on Wednesday.

N. J. Allied Meets

New Jersey legislative matters were
discussed at a statewide meeting of
New Jersey Allied yesterday at the
Stacy Trent Hotel, Trenton.

Six Fellowships Are
Given by Dramatists

Dramatists' Guild has awarded six
$1,000 fellowships to young play-
wrights to assist them financially
while they work on their next plays.
Winners of the fellowships are Leo-
Dold Atlas, Alladine Bell, George H.
Corey, Ali De Sola, Ben K. Simko-
vitch, and Arnold Sundgaard.

Awards are made under a grant
from the Rockefeller Foundation. One
previous fellowship has been granted
to Betty Smith.

Elman Celebrates
30 Years in Films

Henri Elman, president of
Monogram's Chicago and In-
dianapolis exchange, will
celebrate his 30th year in the
industry in connection with the
Schenck Pictures' Perfor-
dance of the Charles Urban Wa-
terman Award, and is presi-
dent, during February and March.

Chicago exhibitors are sponsor-
ing a playdate for the Elman ce-
lebration.

Will Hold Services
For Hulburt Today

Funeral services will be held today
at Ambler, Pa., near Philadelphia, for
Merritt Hulburt, 35, former produc-
tive of the former Atlantic-
showing circuit. He was
a West Palm Beach hospital of a heart
ailment.

Hulburt left an associate editorship
of the Saturday Evening Post to be-
come story editor for Paramount in
1931. He was married to the edi-

correspondent.

In 1935 he joined Samuel Goldwyn as a
producer. A year ago he quit pro-
duction for health reasons.

Last summer he felt his health had
improved sufficiently, and agreed to
return to Hollywood as a producer
for David Selznick. He was never
able to resume his new post.

Last fall he underwent a major opera-

Winchell to Address
A. F. A. Chorus Girls

Walter Winchell will address chorus
and show girl members of the Ameri-
can Federation of Actors at a meeting
at Edison Hall tomorrow. Sophie
Tucker also will speak. In recogni-
tion of Winchell's past efforts in the
improvement of working condi-
tions in night clubs, the chorus and
show girl division of the A.F. A. will
be named the Winchell Chapter.

Lind Named Aide to
Weeks at Monogram

Lloyd L. Lind has been named as-
istant to George W. Weeks, general
sales manager of Monogram Pictures.
Other changes at Monogram include
the appointment of Ben Ager as
comptroller to succeed J. P. Fried-
hof, who has been transferred to the
west coast as treasurer of Monogram in
Hollywood.

Schenck Quits Bank Post

Hollywood, Jan. 23.—Joseph M.
Schenck, chairman of the board of di-
rectors of 20th Century-Fox, has res-
igned from the board of the Bank of
America. Additional duties placed on
him by his position as president of the
Motion Picture Producers' Association
was given as the reason for Schenck's
tirement.

Catlett Fined $6,877

Hollywood, Jan. 23.—Federal Judge
Jenney today entered judgment of
$6,877 against Walter Catlett in favor
of Paramount Pictures for the Actor's
alleged failure to report for work.

CLAIRE TREVOR as Dallas... a dance hall girl run out of town. She wasn't good enough for a respectable woman to ride with but before the journey's end, she had clutched the woman's baby to her breast and saved it's life.

Walter Wonger's "STAGECOACH" Directed by John Ford
Released thru United Artists

Asher Will Devote
Most Time to Col.

At Denham (London Films), Irving
Asher, together with Alexander Kor-
da, will concentrate upon new pictures
to be made here under a prospective
three-year deal which now
awaits final discussion with Jack Cohen,
who heads the coast. Under this deal the
Denham studio plans to make four pictures
yearly for Columbia.

Harry Cohn favors this plan. It ap-
pears likely that Cohl will cut out
Cary Grant in one of these pictures, which
Wesley Ruggles will direct.

Harry Kohn is, in a sense, favoring
expanding his company's British pro-
duction, "O'Planes," made at Den-
ham by Asher, is to be released in the
United States. Another film shot there is
"Spy in Black."
Radio PERSONALS

DEALERS of the Crossley Corp., about 1,500, attended the Casa Manana on Sunday where they saw a demonstration of facsimile radio receivers which they were informed were available with weekly rates for the average home. Addresses were made by W. G. H. Finch of the Finch Telecommunications Laboratory, the engineer of WOR... Martin Block of WNEW has turned song writer and is under contract to Irving Berlin... Nelson Eddy concludes his current season on the Chase & Sanborn hour Sunday... Eleanor Powell and Robert Young will offer a preview of their new picture "Honolulu" on the M-G-M show Feb. 2.

Bill Lewis, CBS vice-president, to Washington yesterday to attend the invasion of England, now. Hollywood for a combination business-vacation stay of three weeks... Henry Godwin has replaced on the Camel program by Bob Crosby's orchestra, according to a report yesterday.

Agency Heads Judge "Idea Mart" Program

HOLLYWOOD, Jan. 23—A jury of 10 programs in NBC Coast Red network's "Idea Mart," which has been heard on Fridays, will pick the best from this program. The program winner will have complete control of radio. The jury will select the three best entries.

Representing the agencies are: Joseph Stauffer, Young and Rubicam; Danny Rose, in New York; Tiny Ruffner, Ruthrauff and Ryan; Tom Revere, Benton and Bowles; and Tom McFadden, Lash and Ford. On Saturday are representatives of the programs: Jack Helfman, Bill Bleecker, Austin King, Dave Glickman, Leonard Green, and Vance King.

Abramson Drops His Suit Against Philco

Joseph L. Abramson, plaintiff in a $100,000 suit against Philco Radio & Television Corp., has filed stipulation of discontinuance of the action in the U. S. District Court. The plaintiff charges that the defendant induced Roskin Distributors, Inc. The Philco distribution in New York, to enter into a contract whereby Abramson had been made general manager of Roskin.

Opticians on WNEW

Community Opticians has placed an order for 10 hours per week participation in WNEW's "Music Hall" program for the next four weeks. Another order was placed for participation on "Kitchen Kapers" for 11 weeks by Peter Marton's Sons.

Carmichael Promoted

CINCINNATI, Jan. 23—Cecil O. Carmichael has been appointed press relations director of the Crosley stations, WLW and WSAI, succeeding J. N. Bailey, promoted to supervising editor of the station's joint news rooms.
7 OUT OF THE FIRST 20
chosen by 22,000,000 people
in "King and Queen of the Movies"
annual nation-wide poll
ARE 20TH CENTURY-FOX STARS!

Tyrone Power is "King"!...with 63% more votes than nearest contender
in 1939 poll sponsored by New York Sunday News and more than 50
other key city newspapers, reaching 22,000,000 readers.

Other 20th stars in the select First Twenty are: Sonja Henie, Loretta
Young, Richard Greene, Shirley Temple, Alice Faye, Don Ameche.

Power and Henie tops in New York! Readers of the N.Y. Sunday News,
with its 3,250,000 circulation, voted Tyrone Power and Sonja Henie
"King and Queen".

Richard Greene's record! Richard Greene, in pictures only since last
April, took 5th place among all men stars!

THE KEYSTONE OF YOUR FUTURE
RKO to Show
Profit In '38
Of $125,000

Plans for Board of
11 Members Almost
Completed

RKO will show a profit for 1938. Current income reports reflect
that a net of about $125,000 will be shown for the year after provision for
approximately $700,000 on the company's six per cent debentures out-
standing. This showing would be equivalent to a net of more than $800,000
on the bond of the reorganized company. The new RKO will have no debentures
outstanding. In addition, the result is achieved after a loss of $490,000 for the first half of 1938, indicating a net for the final half of about $600,000, after
interest.

With agreements presumably reached on 10 nominees for a board of
directors of reorganized RKO which in all probability will consist
(Continued on page 10)

ITOA Is Making
NY Games Survey

Exhibitors in the New York metropoli-
tan area are being asked their views on change games by question-
naire sent to approximately 1,200 the-
atres by the L. T. O. A.

Information sought in the question-
naire is whether the games improved
business at once and if they still draw
business; if churches or social halls and
the like play Bridge in the theatre's
vicinity; if exhibitors find that patrons are
reigning of games; the effect on
tickets when there are no giveaways; if
exhibitors think games are profit-
able, considering the expense of prizes
and the competition of club games; and if exhibitors would be willing to
discontinue games if all games were eliminated.

Giveaway Study

In this issue Motion Picture
Daily publishes another in-
stallment of a survey which it has made on change games and
giveaways around the country. The first install-
ment was published on Mon-
day Jan. 23. Motion Picture
Daily invites reader comment
on the subject—Page 8.

British Houses Pay
$25,000,000 Taxes

London, Jan. 24.—C. F.
Campbell, chairman of the
National Provincial Bank, has
estimated the weekly attend-
ance in England at film
houses as 2,500,000, or 20,000-
000 annually. He estimated
also that about $25,000,000 is
paid annually in entertain-
ment tax, and that annual
theatre receipts are about
$250,000,000.

RoosEvetL UrGes
DISCARDING OF FCC

Audience of Notables
Sees Miami Beach
‘Gunga Din’ Opening

ROOSEVELT asked in
his message to the
FCC that it dispense
with the licensing
of exhibitors.

WASHINGTON, Jan. 24.—President
Roosevelt today moved to forestall
a congressional investigation of the
F. C. C. by asking Senator Wheeler,
chairman of the Senate Interstate
Commerce Committee, for legislation
that would reorganize the commis-
sion.

Noting the many violations
of commission rules, the
President declared that he
hoped to inaugurate a
new body to admin-
ister the broadcasting law.

In a letter to Chairman Wheeler,
a copy of which went to Congress-
man Lea, chairman of the House Inter-
state and Foreign Commerce Committee,
the President declared himself "thor-
oughly dissatisfied with both the ad-
mnistration and the ‘legal frame-
work’ of the commission.

The President’s move is seen as his
acceptance of the viewpoint of Chair-
nan Frank R. McNinch, appointed by
him last year to ‘clean up’ the F. C.
C. situation, that the present or-
ganization never will achieve sufficient
unanimity of thought to develop an
efficient administration, communi-
cations act, McNinch said Friday with
the President.

(Continued on page 11)

Additional developments in radio are found on page 11.

Anti-Bigotry Bill
Offered at Albany

ALBANY, Jan. 24.—Theatres
owners and operators in New York State
would be prohibited from renting their
houses, and radio stations from selling
time, to speakers whose utterances
would be likely to arouse or spread
racial or religious hatred, if a bill in
consideration of the legislature today
becomes law.

The measure was introduced by Sen-
ator William Condon (Rep.) of Von-
lers, who has penalities are provided
for violations.

Brulatour recovering
From Gun Accident

Jules Brulatour, who was removed to Lenox Hill Hospital Sunday night suffering from a gunshot wound, was
reported resting comfortably last
night.

Atending physicians stated that the
injuries is not of a serious character
and that early and complete recovery
is expected.
Germany is risking the withdrawal of American films. Dispatches from abroad indicate that the German Government is tacitly providing encouragement for a boycott of American product. According to recent dispatches from Berlin, none of the first run theatres in that city is showing an American picture properly. It is difficult to do any business in Germany, and most of the American companies which are doing business in the Reich cannot withdrawal exchange from the country. And so it appears to be a distinct possibility that in the near future American firms might decide to withdraw from Germany, just as they have withdrawn from Italy.

Dietz Makes a Speech

Howard Dietz addressed the New School for Social Research the other night and he had some interesting things to say regarding motion pictures. Dietz expressed the belief that motion pictures are honestly trying to portray true modern social trends.

Films do not deal with the causes of crime," he said. "They deal with the effects of crime. Correct the fictions in the law, before correcting the fictions in the films! An artist is not required to solve social problems merely to state it.

The M-G-M advertising and publicity director disagreed with the belief held by some that American films are superior to American product. To Dietz, part of the popularity of certain foreign films is due to the fact that the change from American films relieves critics' tedium.

He also discussed games, upon which subject he expressed himself thus:

"Games are a direct manifestation of the overbuilt condition of the American movie—just like Macy's selling books below the publishers' price."

Upon the E. I. C. film situation Dietz thinks that the dissatisfaction which Italian audiences will experience with American product will bring back the American pictures to the Italian market upon good terms.

Loew's has "The Dollar Club." It was started several years ago by Oscar A. Doob. Membership in the club is obtained by theatre managers or their staffs when they purchase a certain number of products. Each of them results in a net profit of more than $100 to the circuit. One of the conditions attached to membership qualifications is that the stunts must be such to which actual ticket sales can be traced.

Now it is learned that the "Dollar Club" stunts for 1938 brought over $21,000 extra business to the circuit. It is also known that in 1937 the total was $18,000.

Shakes of Max Bake!

The United Press, from Rome, reports that Primo Carnera, former world's heavyweight champion, will appear in an Italian film, "The darkness."

United Artists is spending $125,000 to advertise Walter Wanger's picture, "Stagecoach," which was directed by John Ford. This amount does not include appropriations for a local billboard campaign. A contract for 100 boards was signed yesterday, and for the first time there will be a four-week advance billboard show on the picture. Additionally, double size street car cards in 111 cities have been signed for.

Did you know that there is a theatre in San Antonio which charges only two cents admission?

It would be no surprise were Lynn Farnol to name Al Margo lie to succeed Ben Washer, as publicity manager of United Artists. Washer, who resigned, will be associated with George Abbott, in leg. (Opens)

Some of the boys were sitting around in one of those east-side spots, the other night, talking shop. Mention was made of the Goetz brothers, who are so actively employed in the business, and A-Mike Vogel spoke up: "Them that Goetz gets.

* Fly United's DeLuxe * MAINLINERS TO CHICAGO!

8 fast flights daily— all over shortest route—
To CHICAGO—4 hrs., 55 min.

*Mainliners* are tops in luxury and comfort! Only United flies the famous deluxe Skyline Mainliners on routes of 2,000 miles, 7:30 A.M., 11:30 A.M., 4:30 P.M., 7:30 P.M. Round-trip rates: First Class, $55.50; tourist, $40.75. For travel brokers, hotels.

UNITED AIR LINES

* The Main Line Airway

**Today's Mail**

Seeks Survey Constructive Editor of Motion Picture Daily.

To us who have been hoping to see the end of giveaways and money games in all theatres and especially in the New York area we have been enjoying the roundup of the games and giveaways situation nationally was extremely interesting. We are sure that the findings of this survey, the more evidence—you will find that so-called "games" are harmful to theatres in the long run. As a result the problem during frantic efforts to meet depressed conditions. They were unwisely even then -and under the Nazi belief. However, the cure has now developed into something worse than the disease. The more facts you can present on this situation the sooner we may get action in New York.

Let's stick to "Showbusiness." CHARLES C. MOSIRWITZ

**B & K Counsel Ask To Limit Questions**

Chicago, Jan. 24—A petition for limitation of questioning will be presented to Federal Judge Igoe tomorrow in the suit of independ ent exhibitor A. B. & K. and other majors. Defense attorneys are seeking statements of profit and loss from exhibitor plaintiffs.

**Screen Writers File 10 New Complaints**

Hollywood, Jan. 24—Ten additional complaints were filed yesterday by members of the Screen Writers' Guild charging the major studios with failure to bargain collectively and the intimidation of guild members. (Publishers)

**Bargain Battle**

Chicago, Jan. 24.—In the battle for Loop business, Jones, Liniick & Schaeffer tout their poolable features and eight acts of vaudeville for their Oriental.
A prominent exhibitor said:

“Without M-G-M this past year, it would not only have been tough sledding for the average exhibitor, but it would have been nothing short of a calamity.”

We announce easy sledding again this year, for M-G-M exhibitors!

Hop on your sleds, boys! “SWEETHEARTS,” “STAND UP AND FIGHT” are just samples.

Followed by A MONTH OF SUNDAYS!

Honestly, have you ever in your career as a showman witnessed the like of this:

Four weeks in a row! Look!

NORMA SHEARER, CLARK GABLE in the powerful “IDIOT’S DELIGHT”.

“HONOLULU”, the Darling of Musicals, starring ELEANOR POWELL, ROBERT YOUNG, GEORGE BURNS, GRACIE ALLEN and Hundreds of Hula Honies.

MICKEY ROONEY, the box-office kid himself in “Adventures of HUCKLEBERRY FINN”.

JOAN CRAWFORD in a million dollar role “ICE FOLLIES of 1939” with James Stewart, Lew Ayres, Lewis Stone.

And more easy sledding thereafter!
Skouras to Preside at National Meeting Opening on Monday

Los Angeles, Jan. 24.—Spyros Skouras, head of National Theatres, will preside at its annual meeting here next Monday and Tuesday. He arrived today from New York.

Attending the meeting will be five division managers, including Richard Rickeyton, Denver; Arch Bowles, San Francisco; E. C. Rhodes, Kansas City; William James, St. Louis; and Harold Fitzgerald, Milwaukee.

Others attending will be Al Finkelstein, Portland district manager; John Hasty, assistant to Spyros Skouras, and others on the coast.

New season film buying and policies are among matters to be discussed.

Skouras will remain here another two weeks, supervising the west coast division in the absence of his brother, Charles, who is abroad.

William Powers, National Theatres head film buyer, and Ed Zabel, film buyer, left New York last night for the coast conferences.

Loew's '38 Profit Totals $9,924,934

(Continued from page 1)

Distribution, $12,596,072.70; amortization and write-off of film costs, $42,808,845.35; film advertising accessories, $896,849.46; outside producers' share of film rentals, $5,663,057.06; general and administrative, $1,930,805.96.

Common stock dividends total $5,996,593.30 on 1,599,053 shares outstanding. Common stock dividend the year before was $13,945.129.

Preferred dividend was $888,893 on 130,722 shares, the same, of course, as the preceding 12 months.

Undistributed income from partly owned companies incorporated dropped from $92,345 at the end of the 1936-1937 year to $6,764.

$4,537,127 Cash in Hand

Cash in bank and on hand was $4,537,127 on Aug. 31. This includes $661,256 in foreign banks subject to export restrictions, reduced from $1,428,088 the year before.

Inventories, at cost, are carried at $37,170,995, an increase of $3,351,500, and divided as follows: film production in process, $17,725,779; production materials, $2,917,874; finished goods, $5,917,384; production released, $4,147,401.

$3,600,199 in G-B.

The company's investment in Gaumont-British is listed as $3,600,199, which is included in $4,704,232 investment in and advances to all companies.

Among other investments, the company has $797,977 in foreign Government securities.

Fixed assets are: land, $28,537,636; buildings and equipment, $67,908,390; pianos and organs, $6,902,212; total, $101,943,296, less $27,792,880 reserve for depreciation. Among the deferred charges is $355,002 for preliminary and development expense in the foreign field.

Hollywood Preview

"Idiot's Delight"

(M-G-M)

Hollywood, Jan. 24.—Robert E. Sherwood's Pulitzer Prize play comes to the screen in slightly modified form as an intensely interesting vehicle for Clark Gable, Norma Shearer, Edward Arnold, Burgess Meredith and half a dozen other players of marquee importance. Sherwood wrote his own screenplay and M-G-M put Hunt Stromberg in charge of productions, with Clarence Brown directing. The result is a stimulating screen experience for adults.

As is rather well known, the play places a mixed company of individuals in a mid-European winter resort hotel on a day when the world happens to start an unannounced general war. Gable is a hoofer, present with half a dozen dancing blondes. Miss Shearer is present as the momentary suitor companion of Arnold, the arms merchant who has supplied the warring nations with their martial equipment. Meredith is a self-ordained apostle of peace who gets shot down for voicing his views. News seeps in of the capital's being bombed and, when it is made known that retaliatory bombing of a nearby airport will incidentally demolish the hotel, Arnold arranges for his paramour, who has irked him by mildly criticizing his armaments policy, to be left behind to certain death.

Gable, who has recognized her as his overnight partner of years ago in an Omaha episode of still warm memory, remains to meet death with her. But both live through the bombing.

Gable's performance is superb all the way and Miss Shearer's portrayal of the impulsive young woman matches up gracefully. The film contains several intervals of rich comedy in which Gable dances with a male chorus, with a girl chorus and, briefly, with a male partner. Miss Shearer also has some humorous moments.

The picture is admirably produced in every particular and care has been exercised to avoid offending any nation by name. The point of it is, of course, that war is detestable and that the manufacture of arms is one of its chief causes. The film has, therefore, a certain reverse timeliness just now in view of the proposals for armament appropriations currently before Congress.

Running time, 100 minutes. "A."

Roscoe Williams.

New York Preview

"Gunga Din"

(Continued from page 1)

that are the extraordinary production values of a really "big" picture, and the action is thereby enhanced to the point where the showman can "go to town" in his selling of the picture.

George Stevens, who directed, made the most of the material given him by the screenplay of Joel Sayre and Fred Guiol, and the story by Ben Hecht and Charles MacArthur.

Of love interest there is little, and that was wise, since it would have served only to retard the smooth flow of action. Fairbanks, Jr., intends to quit the army and marry, thus deserting his two pals, but thinks better, and that is the extent of it. But there is a world of romance in the picture, the romance of adventure and crashing action.

The comparatively small cast of principals has chiefly in support Sam Jaffe, in the title role as the native servant, whose greatest desire is to be a soldier with his three beloved sergeants, and who proves his worth by sounding the alarm as the troops are about to be ambushed in attempting a rescue of the four, held by the Hindoo band. Jaffe's performance ranks high, while Edoardo Ciannelli, as the leader of the fanatic murderers, is properly sinister.

Highlighting the film, which has its few moments of splendidly turned comedy, are the action scenes of the charge of the mounted soldiers of the king, as they sweep down on the enemy forces, the impressive scenes in the "golden" temple of the band, during the worship of the idol, the lovely temple scene, and especially the temple scene. The reviewer.

It is a correspondent visiting the garrison. It is a picture carved for popular consumption, and in that purpose it must certainly serve with admirable box-office results.

Running time, 117 minutes. "G."* Charles S. Aaronson.

*G denotes general classification.

Air Film Critics Organizing Here

Radio Film Critics Circle will be organized Friday at a meeting of the local radio film commentators. A preliminary session was held yesterday at the Edison. A code of ethics for radio film deputations "is one of the first orders of business. Attending yesterday's meeting were Martin Starr, WMCA (Inter-City Network); Radie Harris, WOR ( Mutual); Martin Weldon, WINS; Dave Hume, WNEW; Sam Taylor, WHN, Mrs. James Powers, WMCA and WBBA; 26 other stations; Sidney Kaufman, WQXR; Mary Bryan, CBS reviewer. A representative from NBC and others who did not attend yesterday will be invited to Friday's meeting.

Grainger Addresses Ampa Tomorrow

James R. Grainger, president of Republic Pictures, will address the group at its lunchbox meeting at the Astor tomorrow.

Leota Lane, one of the Lone sisters, will make an appearance. She is under contract to the Metropolitan Opera and is scheduled to appear at the Music Hall soon. Mickey MacDougal, "card detective," will perform card tricks.

Plan Film House on Cohan Theatre Site

Specifications were posted yesterday by Walker & Gillette, architects; for permission to construct a 600-seat film house in a three-story building on the site of the old George M. Cohan theatre which is now being demolished, New York Life Insurance Co. owning the property.

Baldwin Refugee Fund Net $125,000

London, Jan. 24.—Contribution of British film houses to the Baldwin Refugee Fund from their performances on Jan. 14 is estimated at $125,000.
The Monster Roams Again!

Scans the country into new Box office records...... Hold overs every opening date!

Keiths Memorial, Boston, HOLDS OVER
Hillstreet, Los Angeles, HOLDS OVER
Pantages, Los Angeles, HOLDS OVER
Hippodrome, Cleveland, HOLDS OVER
Keiths, Baltimore, HOLDS OVER
Keiths, Washington, HOLDS OVER
Lafayette, Buffalo, HOLDS OVER
Byrd, Richmond, HOLDS OVER

Basil RATHBONE
Boris KARLOFF
Bela LUGOSI
Lionel ATWILL

Son of Frankenstein

SEPHINE HUTCHINSON DONNIE DUNAGAN Emma Dunn Edgar Norton

Original screenplay by Willis Cooper • Produced and directed by ROWLAND V. LEE
A ROWLAND V. LEE Production • A NEW UNIVERSAL PICTURE
Between shows, there is a trailer announcing the next picture, "They Made Me a Criminal." I defy you to look at it and not get a thrill out of the performance of John Garfield. This trailer is no longer than the ordinary one, and Garfield doesn't occupy all of it. But the impression he makes is indelible. Nine out of ten actors won't establish that much authority in a full-length feature. Unless that trailer is a bald-faced hoax, Garfield's second movie performance will eclipse his widely-acclaimed first without trying.

**Did you ever hear a critic rave about a Trailer? This one did! He's famous Archer Winston of the N.Y. Evening Post.**

**THIS SAYS YOU CAN CONVINCE ANY AUDIENCE IN 2½ MINUTES THAT WARNER BROS. MADE JOHN GARFIELD A SENSATION WITH THE 'DEAD END' KIDS IN 'THEM MADE ME A CRIMINAL'**

Claude Rains • Ann Sheridan
May Robson • Gloria Dickson

*The Daily Beast* Screen Play by Sir Howard Furness, Jr.
Our Hat's Off to Warner Bros!

And why shouldn’t we congratulate Warner Bros. on this ticket-selling trailer!

After all... our entire business life for twenty years has been exclusively dedicated to helping the exhibitor boost his ticket sales.

Any and every trailer that accomplishes this purpose, whether furnished by us through the co-operation of our producer distributors... or made by any company that distributes its own trailers, helps the exhibitor.

That, after all, is the purpose of the trailer... and that is why our hat’s off to Warner Bros.

National Screen Service Prize Baby of the Industry!
**Authorities Differ on Legality of Games**

**By SAM SHAIN**

Law makers and enforcement authorities are at variance as to the legality of chance games.

In Connecticut a bill is pending to legalize giveaways under sponsorship by civic, educational, charitable, fraternal or religious groups. Saul Rubinstein, of the state board, has been quoted as saying that in about 1,000 towns, including the larger ones, there are farm groups sponsoring games under the guise of charity.

In New York and Massachusetts, the legislature is considering bills to legalize chance games, and some bills have been introduced in New Hampshire. There is also a bill pending in Rhode Island to legalize games.

There is little or no real concern in most of the states. In New Hampshire there is also a bill pending, the purpose of which is to legalize games. It is apparent that the purpose is to legalize games.

Not long ago Boston authorities banned Bank Night. The city, however, permitted certain charity games under licensing fees. Boston theatres, churches and fraternal organizations give away an estimated $250,000 yearly.

Birmingham, Ala., authorities have been militant against chance games. About a year ago Bank Night and similar games were held to help the city. There were several arrests. As a result the state is partly rid of the games.

Instances are widespread of complaint that theatres and other operators have withheld prize money from patrons, and that in many cases throughout the country the games are not conducted honestly.

In Nashville, recently, a patron went to court to collect a prize from a local theatre. It was the manager's contention that the number drawn had been switched on him. However, the court found against the manager.

**Games Lead to Court Action**

Unscrupulous patrons, realizing potential legal risks engendered by operators of the games, often bring suits charging fraud and asking for refund of admissions in the hope of obtaining a pay-off.

There was a case in Westport, Conn., where a patron who did not win in a Sweepstakes game at the local theatre, brought suit against the house, asking for exemplary damages and refund of admissions paid over a particular period. The plaintiff charged the theatre was conducting a gambling game. This action, and another of similar nature filed by a second party, are pending.

In Somerville, Mass., suburb of Boston, six halls are necessary for a fraternal group to accommodate its patrons twice a week at one of these games. The attendance sometimes reaches above 5,000 persons.

In Reading, Pa., private groups, professional operators and charitable societies have taken the play almost entirely away from theatres. There are between 15 and 20 games operating nightly in this town. Newspapers carry a half page of advertising on these games, in special editions which are not mailed out of town. The first run houses in Reading have not resorted to games. Subsequent in lesser, downtown houses, however, are trying to use games to draw crowds. A few places have been able to use the games.

In Allentown, Pa., three theatres play Bank Night. Churches and clubs do not have games, and exhibitors feel their games do not encourage adoption of the theatre by clubs, etc. Exhibitors intend to continue the practice, and authorities have made no attempt to stop games. Newspapers do not carry ads on games.

Westport, Stratford, Conn.

Population, 6,075 and 19,220, respectively; one first run in each, seating 500, 300 at 30c each; no other. Bank Night at the two second run. Two theatres have Bank Night, and the two Marion theatres Sweepstakes.

New Haven

Population, 165,000; four first runs, 9,087 seats, 25c-50c; 23 second runs, 14,500 seats, 15c-25c. The Supreme Court banned all games in March, 1938. They had been in effect for three years. Merchandise giveaways increased since the ban. First run houses did not play games, but 21 subsidiaries did, with $27,000 estimated annual "take." There were few Bingo parties at churches, etc., before theatres adopted games, but since they have been in every Catholic church and mostly in organizations, especially Knights of Columbus, Elks and other lodges, begun running games. After theatres were forced to stop playing, they continued to use the machines for a while, but have been stopped entirely. Many theatres claim they are not doing so well, and they complain of losses. Games enabled them to play slough films on money nights and many booked additional films from independent exchanges for this purpose. Most houses would reinstate games if permitted by law.

**Trick Ads on Giveaways Run By Newspapers**

**Cleveland**

Population, 900,429; six first runs, 15,904 seats, 10c-30c; 100 runs, 10,000 seats, 10c-30c. First runs are clear of chance games, but independent subsec petrol and neighbouring boroughs have used them for four years, including Bank Night, Screeno, Bingo, Movie Sweepstakes, Ten-O-Seven Night and Prosperity Night. Total yearly take at peak was, $250,000. Only five sub-

sequences are now given away. Premiums are on the increase.

Majority of exhibitors say games have been profitable, but some differ. Practice here is to stand entrenched here, and exhibitors are looking for new schemes. They may be induced to go with Bingo because it has resulted in 100 per cent and non-theatrical places also discarded them. Non-

theatrical games are extensive, especially in Ohio, where 50 per cent of Little league games dominates. Exhibitors say their use of games has no bearing on churches, lodges, etc., because they can not be tracked.

Night clubs were prosecuted when it was first introduced, but the courts ruled it "no lottery." A mild attempt to stop Bingo at swinger parties failed. Non-theatrical games do not give unusually big prizes. Newspapers do not carry ads on theatre or club games. Lobby and marquee signs are the only advertising media.

**Elsewhere in Ohio**

Games have been found to be a strong patronage builder in the Cincinnati (Kentucky-Ohio) territory, and theatres intend to continue them. Lately there is public demand. Nine of the 11 theatres of the Northlo circuit, a Paramount subsidiary, in four Ohio towns, have had operations conducted in various games. The circuit asserts it was forced to practice in "self defense" against fraternal and church organizations which promoted petty chance schemes. Northlo theatres adopted games about three years ago and continue.

Racketeers have taken over the games in some parts of Ohio, and chances are sold in drugstores and fountains with guarantees that coupon buyers will be represented in theatres. Theatres are doing nothing against this, they say, they find the schemes help business.

Sweepstakes run at first run in Hamilton, St. George, C. G. Night and Bank Night at the two second runs. The Middletown first run has Bank Night, and the two Marion theatres Sweepstakes. The Dunville, Ky., run Prosperity Club. Policy has been in effect three years or more in these towns. Bank Night prizes run as high as $800 or $900. Theatres distribute from $1,000 to 2,500 a year, with Sweepstakes running as high as $3,000. There are merc-

chandise giveaways, including auto-

mobiles, in tieups with stores.

Trailers are used mostly to ad-

vertise games. Newspapers run "sub-agents," but direct advertis-

ing is permitted on non-theatrical Bingo for charity. Palace Theatre, Marion, was raided, but jury found defendants and Sweepstakes was re-

sumed.

In Alliance, O., three theatres play Bank Night. Churches and clubs do not have games, and exhibitors feel their games do not encourage adoption of the theatre by clubs, etc. Exhibitors intend to continue the practice, and authorities have made no attempt to stop games. Newspapers do not carry ads on games.

**Games Often Are Basis of Fraud Action**

Topeka: Games virtually have been aban-

donated in Kansas since the State Su-

preme Court in 1936 held Bank Night and similar devices illegal. The attorney general has been fairly active in rubbing the state of so-called lotteries. Exhibitors would use them if permitted by the authorities. They claim business has been off because of the elimination.

Neosho, Mo.

Population, 4,000. Hughes Gurd-

her has two theatres here, in the Kansas City area. He handled games at both with excellent box-

office reaction, but the county at-

torney banned them in a drive against gambling. Business has suffered. Other operators have lost machines in the town before the anti-gam-

bling drive, but no club or church games.

**Grand Rapids**

Population, 200,000; three first runs, 4,000 seats, 20c-40c; 27 sub-

sequent runs, 14,000 seats, 10c-25c. Games are confined to four subse-

quent, with total of 2,500 seats. Butterfield Theatres, Inc., a Par-

amount partner, by taking a firm stand against games, has kept them down. No increase is in prospect. The nearby area is free from such stimulants. Non-theatrical Bingo and such have been curbed by the authorities, and they are not as prevalent as formerly. They used to hurt theatre business.

[This is the second of a series of articles surveying the giveaway situ-

ation in the country. The next will appear in an early issue.]
Picture Exports to Canada During 1938
Improved Over 1937

Washington, Jan. 24.—Exports of motion picture film to Canada last year showed further improvement, in contrast with the downward trend in trade with that country generally, the Department of Commerce has reported following a review of U. S.-Canada trade.

The department's conclusions were based on the first 10 months of 1938, in which shipments of motion picture film totaled 18,000,000 feet, as compared with 17,445,000 feet, valued at $545,000, in the corresponding period in 1937.

Imports of unexported film from Canada, however, decreased, totaling 127,124,000 feet, valued at $957,000, against 146,980,000 feet, valued at $948,000, in 1937, for the 10-month period, the department reported.

Examination Sought
In Ticket Code Case

N. Y. Supreme Court Justice John E. McGehee will hear today an application filed yesterday by Michael Atlas and Walter Friedman, doing business as Acme Theatre Ticket Office, for an order directing James F. Reilly, as executive secretary of the League of N. Y. Theatres, Inc., and Paul Dulitz, as executive secretary of Actors Equity Association, to submit to examination before trial, in connection with its attempt to restrain the enforcement of the Code for the sale of theatre tickets.

Acme was the firstCourt to require the defendants to testify as to the personnel and membership of the League, and the circumstances surrounding the drafting of the Code. Trial of the suit has been set for Feb. 14.

Roxy Is Reorganized,
Trusteeship Ended

Howard S. Cullman was discharged from his office as trustee of Roxy Theatres Corp. yesterday in an order signed by Federal Judge Francis G. Caffey who at the same time terminated the Roxy Theatres reorganization proceedings, stating that the company had "fully consummated" its plan of reorganization. The Roxy was acquired by the 20th Century-Fox under the reorganization plan and is operated by that company.

The order, which was based upon the final report of Mr. Cullman, confirmed that report and provided for the immediate discharge of the company from all debts and liabilities, and for the termination of all rights and interests of its stockholders.

Bars Injunction
Principal Film Case

Appellate Division of the N. Y. Supreme Court yesterday reversed an order which granted Superior Talking Pictures Corp. a temporary injunction against a receiver for Principal Film Exchange. The court ruled that the lower court had erroneously granted the order. Trial was set for Jan. 30.

Out Hollywood Way

Hollywood, Jan. 24.—Universal has assigned Rowlan V. Lee to produce and direct "The Sun Never Sets," a story of the British coffee service which will star Basil Rathbone. It is budgeted at $600,000, according to T. H. Gondran, manager of the screenplay, "The Fighting Irish," which Warners will make under the title of the late Knute Rockne. "Lloyd Bacon will direct . . . Paramount has changed Shirley Logan's name to Janece Logan . . . Dorothy Lamour, Akim Tamiroff and Robert Preston draw the top roles in Paramount's "Disputed Passage," from the Maxwell C. Douglas novel. "Haram V. Thompson will produce and Anthony Veiller will do the screenplay."

+ RKO has purchased "The Spellbinder," original story by Joseph Anthony, which Clifford Reid will produce . . . Tom Brown has been signed by Edward Smail to a term contract calling for two pictures a year for the next three years, "6,000 Enemies," story by Wilson Menard and Dr. Leonard Stanley, the latter an surgeon at San Carlos, concerns the tale of a district attorney incarcerated in the same prison to which he has sent countless men. Berkeley Pierce is directing the script . . . Warner will release "Sweeps and St. Winner," March 26, to tie in with the running of the Irish Sweepstakes . . . Franklyn Warner, president of Fine Arts Pictures, producing for his Sand National, is preparing three pictures to start this month. They are "Panama Caper," featuring Leon Ames and Charlotte Wynters, and versions of the "Caper" series; "Full Speed Ahead," to be directed by John Rawlins, and the third untitled, to be based on early Indian wars when the French and the British were fighting for the possession of the American colonies.

New Film Forum Is
Begun in Columbus

COLUMBUS, Jan. 24.—An organization representing local cultural groups, known as the Finer Films Forum, has been formed here to sponsor a series of five art films, not ordinarily seen here, to be shown at the Indianola neighborhood house. "Moonlight Sonata" will open the series Feb. 14.

Dr. Edgar Dale, director of educational research, Ohio State University, and Mrs. C. C. Gross, head of the Ohio Motion Picture Council, are among those on the Forum committee.

Refugee Art Drawing
Extended One Month

The time limit of the drawing of pictures by the Motion Picture Art Fund for German Refugees has been extended from Feb. 12 to March 15. The committee made the change because of the heavy demand for tickets. Tickets will be sold until March 1 and the drawing will be held on March 15 at a place to be selected later.

Hotter' In
Philadelphia

Philadelphia, Jan. 24.—In spite of heavy snow, the customers flocked to "Topper Takes a Trip" at the Aldine and registered $14,000.

The Earle stood up well under the bombardment of bad weather and scored $19,000 with "Pacific Liner" on the screen and Phil Regan and Will Osborne's orchestra on the stage. "Zaza" took in $15,000 at the Boyd. Estimated takings for the week ending Jan. 19:

"Topper Takes a Trip" (U. A.)
ALDINE—$1,000 (40c-55c-65c), 7 days. Gross: $14,000. (Average, $2,000)
"Cagoon's Bay" (Monogram)
ARCADE—900 (30c-40c-55c), 7 days. Gross: $1,000. (Average, $200)
"Zaza" (Para.)
BOYD—(2,400) (40c-55c-65c), 7 days. Gross: $12,000. (Average, $1,900)
"Pacific Liner" (RKO)
EAGLE—$2,000 (25c-40c-55c), 6 days. Stage: Phil Regan. Will Osborne and Gross: $19,000. (Average, $4,000)
"There's That Woman Again" (Col.)
FOX—$1,000 (40c-55c-65c-75c), 7 days. Gross: $9,000. (Average, $1,240)
"Duke of West Point" (U. A.)
KARLTON—(1,000) (25c-40c-55c), 7 days. Gross: $1,000. (Average, $140)
"Paris Honeymoon" (Para.)
STANLEY—(1,700) (30c-40c-55c), 7 days. Gross: $10,000. (Average, $1,830)
"King of the Underworld" (W. B.)
STANLEY—(1,900) (25c-40c-55c), 7 days. Gross: $10,000. (Average, $1,680)

BERTON C. CHURCHILL as the broker . . . pompous man of affairs . . . demanded deference and respect on a journey he called a business trip . . . but was actually a flight with a stolen fortune hidden in his small black bag.

Walter Wagner's "STAGECOACH" Directed by John Ford
Released this United Artists
**Labor News**

**ELECT IN WILMINGTON**

**WILMINGTON, Del., Jan. 24—Stage Hands’ Local 284 of Wilmington has installed the following newly elected officers: president, Albert W. Wilson; vice-president, John Kelleher; secretary-treasurer, Howard Oster; sergeant-at-arms, Gilbert Jenkins; business agent, Frank J. Fappo. The executive board includes William Miller, W. H. Behringer, Herbert Springbett and A. N. Cole. Delegates to the Central Labor Union are William Wilson, Kelleher, Cole and James Mackin, and to the State Federation of Labor, Behringer and Cole.

**HEADS FRISCO MUSICIANS**

**SAN FRANCISCO, Jan. 24—** Walter Weber has been reelected president of Musicians’ Local No. 6, Vice-president Ed Moore and recording secretary Eddie Love were reelected. William Benecke and Ulysses Emery were designated secretary and business representative, respectively, of Oakland branch.

**ORGANIZES IN N. H.**

**NEW HAVEN, Jan. 24—** John Gatesee, manager of the local of the I.A.T.S.E., is here to organize front-of-the-house theatre employees. Gatesee also will attend the regular meeting of Local 481 of the exchange employees union at the Hotel Garde.

**RKO Will Show $125,000 Profit**

(Continued from page 1)

of 11 members when completed, indications are that the board names will be submitted to Federal Judge William Bondy for his approval within the next week.

Representation on the board will be evenly apportioned as between RCA and Rockefeller Center, on the one hand, and Atlas Corp. and Lehman Bros., on the other, with each of the two parties in interest having four board members. Unsecured creditors will have one board member and the remaining two, if it is definitely decided to limit board membership to 11, will be management men.

Indicated are that David Sarnoff, RCA president, and James G. Harbord, chairman, will not serve on the board. Nor will Nelson Rockefeller. The RCA Rockefeller Center representatives are expected to be George S. de Souza, J. Leslie, P. Yandell, W. G. Van Schmus and Hugh Robertson. Atlas-Lehman representatives are believed to include Floyd B. Odlum, Peter J. Rathvon, Fred Ehrman and a fourth, not made known. Unsecured creditors will be represented by Lawrence Bernhardt, while General Judges Bondy, vice-president, and Ned E. Depinet, vice-president, will represent the management.

The reorganization hearing scheduled for tomorrow before Federal Judge William Bondy will be postponed probably until around Feb. 8, at which time the court may sign the final order confirming the reorganization plan. The reorganized board will not receive formal court attention until then.

Final payment of $50,000 on RKO’s secured six per cent gold notes falls due Feb. 1, but the probability is that an extension will be asked.

**Legislatures And the Screen**

**MAY AMEND OHIO LAW**

**COLUMBUS, O., Jan. 24—Representative Thomas O’Dwyer, of Cleveland, has introduced in the legislature an amendment to the Ohio law, which would prohibit the censoring of pictures because of their political content.

The amendment was prepared after Dwoirkin had viewed a private screening of "Professor Mamlock," the censor board has banned in Ohio.

**ASK GAME TAX REPEAL**

**LITTLE ROCK, Ark., Jan. 24—** Representative Weisenberger has introduced a bill to repeal the 1937 act taxing theatre Buck Night.

**APPEAL OPERATOR CODE**

**ALBANY, Jan. 24—** Newburgh’s proposal, requiring the licensing of operators and employment of two operators in a booth, was the subject of an invalidation attack in an appeal by Orange County Theatres, Inc., against the City of Newburgh, Mayor James F. Tweed, the chief of police and members of the Common Council. Ordinance was passed in 1928, adopted into the city code in 1933, repealed in 1935 and set in again in 1936. Mayor Tweed, a union official, was business agent of the Newburgh union. Decision was reserved.

**DEL SUNDAY BILL**

**DOVER, Del., Jan. 24—** A Sunday film billlegalizing Sunday films in Delaware under local option after 2 P.M., has been introduced by Rep. Casby in the present session of the legislature. The act contains a clause providing a referendum for cities and towns on the matter.

**Brokers Start Suit Against Monogram**

Claiming to have raised $3,807,412 in investments for Monogram Pictures Corp., individuals claiming to be William A. Graham, investment brokers, have filed suit in the N. Y. Supreme Court for $205,370, allegedly due in commissions from Monogram. J. A. Sisto & Co. and the individual members of the firm, Joseph A. Sisto and Jefferson Davis Cody, were also named as defendants in the complaint, which asked for $30,000 in commissions from Monogram.

The plaintiffs state that in April, 1934, they were employed by Monogram to raise capital at 25 per cent commission.

**Will Hold Hearings On N. Y. Lottery Bill**

**ALBANY, Jan. 24—** At the request of its sponsor, the Phelps bill legalizing lotteries in New York State was referred to a subcommittee of the Assembly judiciary committee. Instead, a joint public hearing by both Senate and Assembly committees is likely to be set for the near future.

The film industry is vigorously opposed to the measure.
London CEA Plans Independent Group

London, Jan. 24.—Independent members of the London branch of the Cinematograph Exhibitors’ Association have gained another point, with the imposition of a six-months’ suspension on the part of an executive commit-tee at the annual meeting today to consider the formation of a committee of independents. The new committee, which now has 20 members, will be unionists and will voice their views and will meet regularly before each monthly council meeting.

Independent need a “mouthpiece,” it was said during debate today, especially against court interests. The special concern of independents is a possible product shortage. Members were cautioned at the meeting on the danger of a strike. Arthur Moss was elected new chairman of the branch, and Abe Freedman, vice-chairman.

Bank to Distribute ‘Quiz’ Winner List

Motion Picture’s Greatest Year campaign headquarters have arranged with Chemical Bank & Trust Co. to distribute the list of 5,404 winners in the independent’s $250,000 contest to theatres for announcement the night of Feb. 20.

The contest, through its correspondents, will deliver letters to independent theatre managers promptly at 8 P.M. that night. All deliveries will be made at the same time. No theatre will have an advantage. Only theatre managers which have paid their pledges in full will receive the list.

J. J. Cuniliffe, head of the bank’s Times Square branch, is in charge.

CEA Settles Dispute With London Council

London, Jan. 24.—Amicable settle-ment of the dispute between the Cine-matograph Exhibitors’ Association and the London County Council has been announced recently.

The C.E.A. has abandoned its planned court action against the new regulations concerning the pricing of seats, declaring the objection was only to the regulation but dangers in the interpretation of it. The council has promised no extension of the present rule.

Protest Sign Bill Veto

Members of a number of A. F. of L. labor unions picked City Hall yester-day in protest against Mayor LaGuardia’s veto of the Keegan bill, which would have permitted nine-foot signs on theatre facades, was not from the sign and electrical trades.

UA to Put Out ‘Windows’

United Artists will distribute the second series of “World Windows” to be made next season by Count and Countess Friedrich Keller. Nine shorts in the series are now being distrib-uted by U. A.

Mexico Extras Organize

Mexico City, Jan. 24.—Mexican extras are organizing a union under the aegis of the Cinematographic Confederation of Mexican Workers.

JOHN TAYLOR, general script supervisor of the Compton agency, to Chicago for one week to handle production on a program of his agency . . . Dot Haas, who handles publicity for the Al Pearce Gang,Back in town today after several months at the coast . . . Rhea Diamond, secretary to WMCA publicity director Louis Goldenstein, leaves the station next week to take up domestic life . . . Kay Kyser, whose program is being forced off the air tomorrow because of the heavy weight of Greatship flight broadcast, will go on the air nevertheless as the guest of Fred Allen . . . Sid Whipple and John An-derson, dramatic critics on the World-Telegram and Journal-American, re-spectively, will be interviewed by Bide Dix, National Correspondent, and now managing di-rector of CFRB, this city. Elected to other offices were H. Gordon Love of Cinema Exhibitors’ Agency, as directors, F. H. Elpine, CJCA, Edmonton; Harry R. McLaughlin, CJC, Winnipeg and CJRM, Regina; Bill Leich, CJM, Montreal; Henry Gooderham, CKCL, Toronto, and Major W. C. Borrett, CHNS, Halifax.

Harry Sedgwick Is Elected CAB Head

Toronto, Jan. 24.—Canadian As-sociation of Broadcasters today elected as its president Harry Sedgwick, for-merly an executive of Famous Players-Lasky Corporation, and now managing di-rector of CFRB, this city. Elected to other offices were H. Gordon Love of Cinema Exhibitors’ Agency, as directors, F. H. Elpine, CJCA, Edmonton; Harry R. McLaughlin, CJC, Winnipeg and CJRM, Regina; Bill Leich, CJM, Montreal; Henry Gooderham, CKCL, Toronto, and Major W. C. Borrett, CHNS, Halifax.

4 Midwest Stations Appoint Weed Agent

Four midwestern stations have appointed Weed & Co. as national sales representatives, effective Jan. 1. The stations are WEOA and WGBF, Evansville, and WBOV, Terre Haute, Ind., and WCOL, Columbus, Ohio. All the units are “basic supplementary” stations, WEOA on the CBS roster and the other three on Mutual.

Both Evansville stations are owned by Evansville on the Air, Inc., and are managed by Clarence Leich. The Columbus station is owned by WCOL, Inc., and has Kenneth R. Johnston as general manager and Jack Kelly as national sales director.

Take “Problem Clinic”

San Francisco, Jan. 24.—“Pro-blem Clinic,” featuring informal chats on problems of production, which has been signed for sponsorship over KSFQ and six other CBS coast sta-tions by Duart Manufacturing Co., makers of cosmetics. Program will be heard Sunday nights for 52 weeks, conducted by Marcia Miller and Vance Graham, aided by a reporter, housewife, lawyer and businessman.

CBS Cut $140,000 commercials in ’37

Washington, Jan. 24.—The Cus-tody Bureau has cancelled 20 day commercial programs to the extent of $75,000 and night commercial programs amounting to $65,000. V. B. Lewis, head of the program depart-ment for CBS, told the F. C. C. mo-nitor yesterday that the bureau would be doing “prospective tax” and only programs that are ads for products that make real differences in a person’s life will be permitted.

Revenue loss in 1938 was much greater than $140,000 of the preceding year, he testified, because of the Aus-trian and Czech crises, during which commercial programs were repeatedly can-celled to permit broadcasting of news developments.

Discussing the setup of the program department, Lewis said Columbia has copyright licenses from ASCAP and several other major organizations, as well as some 175 independents. He pointed out its licenses covered only network programs and Spot and individual stations, which must obtain their own licenses. Columbia’s music library, he said, has nearly 350,000 items and has been established for philharmonic, symphonic and other musical organizations.

Hook College Unit With Two Stations

Albany, Jan. 24.—WHAZ, experi-mental unit at Rensselaer Polytech-nic Institute, Troy, will henceforth carry programs of WABY, following completion of a financial operating agreement between the two stations. The deal was worked out between John L. Allen, chairman, and Major W. C. Borrett, CHNS, Halifax.

Roosevelt Urges Discarding of FCC (Continued from page 1)

Wheeler tomorrow, and later in the week the committee will meet to study recommendations which the F. C. C. head will make.

“Although considerable progress has been made as result of efforts to re-organize the work of the F. C. C. under its present administration, it is not satisfied with the present legal frame-work and administrative machinery of the Federal Communications Commission,” Senator Wheeler, chairman of the sub-committee and Senator Kefauver, a member of the committee, both of Tennessee, said.

The President’s letter was received with apparent satisfaction by Senator Wheeler, who said he had “the best ideas” of his own regarding the re-orga-nization of the F. C. C., whose situ-a-tion, he commented, was due to “too much politics.”

RADIO

Agencies End AFRA Accord

By Shop Stand

The apparent near-accord achieved by the American Federation of Radio Artists and the radio advertising agencies under the “closed shop” principle gained a temporary reprieve through an agreement by which the advertising agencies are again seeking to organize a national station contract, which has provided for a preferential or “AFRA” shop.

The apparent near-accord was announced by the radio advertising agencies yesterday, which had given the AFRA a fair code and which was virtually a confirmation that the “closed shop” principle, AFRA, however, contends it is not a “closed” shop.

This statement of policy of the agencies allegedly was voiced at a conference early yesterday by Chester LaRoche, vice president of Young & Rubicam and head of the committee of the American Association of Ad-verising Agencies which has been negotiat-ing for the past year with AFRA.

Charles J. Post, mediator designated by Secretary of Commerce Weeks to seek settlement of the controversy between the radio union and the advertising agencies, yesterday sub-stantiated that the remark to the effect that the agencies are in agreement not to sign a contract that provides for a preferential shop was made in his presence, it is understood, however, that no such agreement was reached, however, with regard to the radio station contract, which would be another code.

Meanwhile, AFRA will continue to negotiate with the individual agencies. Proponents of the AFRA fair code, containing the salary and rehearsal fee provisions, and terms of employ-ment, were mailed to agencies yesterday a draft of a station contract which code will be enabled to continue broadcasting their programs. Against the contract, which was signed by WABY and WHAZ, some programs will be piped to the “satellite station” by wire, with others going by radio directions.

Renew ‘Battle of Sexes’

Cummer Products Co., sponsoring the “Battle of the Sexes,” has renewed the contract for another year, effective Jan. 30. Program features Julia Sanderson, Frank Cunnett and Allan Kent on the NBC-Red Tuesdays and Wednesdays. The program network is 42 stations, but in the spring nine additional stations are to be added. Stack-Goble is the agency.

Gulf Oil Renews Time

Gulf Oil Co., now sponsoring the Screen Actors Guild series, has renewed its CBS Sunday 7:30 to 8 P.M. and 8:30 to 9 P.M. program for another year, effective today, 19. The time renewal makes Gulf’s sixth year of radio time on CBS. The series covers 61 stations. Young & Rubicam represents the account.
Canada Bans Broadcasting Fee Increase

Copyright Board Fails to Permit Rise

Toronto, Jan. 25.—The proposal of the Canadian Union for Right to permit broadcasting for an increase in the annual license fee for broadcasting stations for 1939, has been rejected. The Copyright Appeal Board has ruled that the levy remain at the 1938 level, about half of the proposed schedule for 1939.

The Society collected $3,081 in royalties from broadcasting stations last year. Of this amount $33,377 was contributed by Ontario stations which served 42,613 receiving sets.

After the Society's suggested schedule of $154,888 would have been collected this year. This would have been at the rate of 14 cents on a receiving set on the 1,104,207 licenses issued at the end of the last fiscal year.

In addition the Society proposed to collect $10 from each of the 3,639 receiving sets in commercial use, or a total of $36,000.

Margolies Is Named U.A. Publicity Head

Albert Margolies becomes publicity manager of United Artists under Lynn Farnold, director, succeeding Ben Packer, Margolies takes charge Feb. 13. Packer, who was formerly with Samuel Goldwyn, leaves to become advertising and publicity manager for George Abbott, in leg.

Margolies, during the past two years, has been in charge of Gaumont-British publicity for America. He had served with United Artists previously, under Hal Horne.

Zukor Will Broadcast From England Today

Adolf Zukor, Paramount head in England, will broadcast to this country via short-wave from the Scottish National Studio at Edinburgh today at 4 P.M., New York time, and tomorrow he will speak over Radio Athlone, Ireland, at 3 P.M. local time. Zukor will discuss film making in Europe.

Parra. 4th Quarter Earnings $2,200,000

Paramount probably will show earnings of approximately $2,200,000, for the fourth quarter, this year. This will bring the company's earnings, before preferred dividends on the fourth quarter, to about $4,200,000, for the year. This about 73 cents per share on the company's common.

Film Exports in '38

Total $4,519,594;

Rise in So. Africa

WASHINGTON, Jan. 25.—Film exports last year dropped to the lowest level in 1937 figures, with all leading markets except South Africa showing a decrease, Nathan D. Golden, chief of the Motion Picture Division of the U. S. Department of Commerce, reported tonight.

Film footage to South Africa increased 90 per cent. France led in film footage imported, with 7,876,093 feet and Canada led in value of film imported with $223,716.

Drop of 13,000,000 feet in the amount of film exported was reported. Entertainment film, sound and silent, totaled 202,526,821 feet, valued at $4,119,944 in 1938, compared with 215,721,956 feet, valued at $4,797,644, in 1937.

Unexported film less than one inch wide, projection equipment for sub-standard gauge film and sound reproducing equipment rose but other (Continued on page 4)

German Films Unpopular in LatinAmerica, Says UA Chief

Reports of penetration by European dictators governments in Central and South America are exaggerated in the opinion of Paul Wir, general manager for United Artists in Central America with headquarters in Cristobal.

Wir is here on a short visit, his first in four years. He said German films are shown only at first runs, but are not popular at subsequent runs and in the interior.

There are regular short wave broadcast from Germany to Latin America, but they can be received only on powerful sets, Wir said.

American films and broadcasts lead in popularity in Central America, as they contain entertainment features keyed to that territory, Wir declared.

Wir covers Panama, Trinidad, Costa Rica, Ecuador, Guatemala, Nicaragua, Salvador, Venezuela, Honduras, British Honduras and Jamaica.

Exhibitors in the area are gradually adopting American showmanship methods, with the result that grosses are increasing. Wir said that 1937 was U.A.'s best year in the territory, with 1938 also big, comparatively.

The entire section has about 300 theatres, with 87 in Venezuela, which is the outstanding revenue producing country. U.A. this year will distribute between 36 and 40 features in the territory, including several Spanish language films.

ALLIED VIEW WON'T HALT PACT ACTION

RKO Hearing Today; Naming New Board Slated for Feb. 4

Minor matters pertaining to the RKO reorganization may be presented to Federal Judge William Bondy at his first meeting with the presentation of the personnel of the new board of directors and the terms of the underwriting agreement on $1,500,000 of new RKO stock probably will not be offered for court approval until a subsequent hearing after Feb. 4. Confirmation of the plan can not be had under the court's order until after that date.

Irving Trust Co., RKO reorganization trustee, will file a petition in Federal court today asking an extension of time beyond Feb. 1 for making the final payment of $50,000 on the last of the RKO secured gold notes outstanding. There is no opposition to the extension as it is designed merely to avoid continuation over title to the collateral securing the notes, which could be claimed by either the trustee, the bank or the company. If the secured notes are not retired until after the reorganization, as contemplated in the extension being asked, the collateral would be recovered by the company automatically. Collateral includes RKO studio properties and most of the other assets of the company.

Majors to Put Plan in Effect Regardless of Its Attitude

Major distribution companies will put the final trade practice agreements into effect regardless of whether or not Allied States approves the ultimate program.

Every reasonable effort will be made during the next few weeks to effect an agreement on trade practices with Abram F. Myers, who has been designated by Allied to prepare its version of a trade program and present it to the committee of attorneys for major distributors which is now engaged in revising the initial trade draft in accordance with urgings of national and regional exhibitor organization representatives. This failing, the plan will be put into effect by distributors as individual company policy.

Every major distribution company is committed to the basic provisions of the trade practice draft, with the (Continued on page 4)

Albany Bills Would Restrict Road Signs

ALBANY, Jan. 25.—Roadside signs more than 32 square feet in area within 100 feet from the road, and signs of dimensions greater than 25 feet by 12 within 300 feet would be banned under the terms of bills introduced today by Senator Thomas A. Desmond, of Newburgh, and Assemblyman Herbert Whitehall.

ALBANY—The march of "Time" officials yesterday revealed that their "Refugee—Today and Tomorrow" has been banned by France upon the recommendation of Foreign Minister Georges Bonnet. No reason was given by officials at the Quai d'Orsay for the action.

Also, the same reel was ordered withdrawn from Montreal theatre by the motion picture censors of the Province of Quebec. The censor board holds a hearing today to determine whether the subject will be banned permanently.
Today’s Mail

Predicts Survey Results
Editor of Motion Picture Daily:
You are to be commended on your very able article on “The Problem of Changing Costume ‘Steerage’,” as published in the Motion Picture Daily of Monday, Jan. 23.

I believe a steady stream of articles covering the current situation of hammering at the subject would eventually bring results and open the eyes of the movie industry to the urgent need of eliminating these racketeers which are now cluttering up the lobbies and screens of our theatres.

If the theatres lead the way other organizations will stop automatically or be forced to either a public outcry or pressure of local authorities.

J. J. O’Connor

Maloney Is First in ‘Test Pilot’ Contest
H. H. Maloney, Loew’s Poll manager in Worcester, won first prize of $250.00 and a special medal in the “Test Pilot” sponsored by M-G-M.

Dave (Skip) Weshner and his associates, Warner Brothers, Philadelphia, won second prize, $50. Third prize of $20 was won by Leonard Norley, manager of the Madison, Peoria.

Honorable mention was awarded to Ray Brenner, Castle Theatre, New York, Ill.; J. E. P. Miller, Wichita, Kans.; Mort Berman, Orpheum, Springfield, Ill.; W. Jerry Gerbracht, Ritz, Charleston, Ill.; Fred Alt, Fox; Wally Caldwell, Loew’s Valentine, Toledo, and the Sturt Theatre, Lincoln, Neb.

Grainger Unable to Attendampa Today
Ampa will have a substitute speaker for James R. Grainger, Republican president, at the Astor today. Grainger, who is in New York since he is conducting a district managers’ meeting on new season’s plans. Grainger has been added to the program, which includes Leota Lane and Mickey MacDougall.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
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MOTION PICTURE DAILY
Thursday, January 26, 1932

Insiders’ Outlook

By Sam Shain

VIVIEN LEIGH’s film services are contract-bound for seven years, jointly to Alexander Korda and Selznick-In

vestment, this nocontractor was arranged at the time it was agreed she should play the role of Scarlett O’Hara, in “Gone

With the Wind.”

An honor not frequently bestowed on the living has come to Walt Disney. There will now hang in the Metropolitan Mu

numum of Art a Walt Disney watercolor, one of the many which went into the production of “Snow White and the Seven

Dwarfs.”

U. S. Internal Revenue experts are examining the cost records on the 20th Century-Fox merger, for possible income tax

information.

United Artists, under the direction of Maurice Silverstone, is making its first attempt to break into the language films for the

coming season. The company is leading the field in its endeavor with the signing of a new three-picture deal with Felipe Mier, Mexican producer. The Silverstone company is now assured of having at least six such pictures. Fortuno Bona Nova is in planning three.

There is some talk around in the trade that one of the better known members of the U. S. diplomatic corps may resign in

July, and that he will become associated with the film business, in a capacity of mediator between the industry and the Depart

ment of Justice.

Shepherds of the trade have something to think about in the scant attention which the lay press has given recent events in

regard to the difficulties with the Italian Government. Not a paper lifted its voice to cry out against the unjustified discrimination

of the Italian film industry by the great American industries, which literally was thrown out of Italy. Worse still, the press gave the event only passing notice, despite the form of wired dispatches, which, because they emanated from Rome, had to be wired in a manner which met the Italian viewpoint only.

Du-Art Suit Trial
Is Set for Feb. 6

Trial of the suit of Du-Art Film Laboratories, Inc., and Arthur Gottlieb against Consolidated Film Industries, Inc. for $1,000,000 damages was set for Feb. 6 by Federal Judge John C. Knox recently released from the James M. Cramer, Roes & Paskus, attorneys for Consolidated.

Plaintiffs, who each seek $500,000, charge the defendant, including Universal Pictures Corp. and its subsidiary, U. Film Laboratories, Inc., with interfering with their tire laboratory equipment and an employment contract of Gottlieb, as manager. Plaintiffs claimed that Consolidated loaned nearly $1,000,000 to Universal as part of the deal.

Reserve Decision in Suit on Ticket Code
N. Y. Supreme Court Justice John E. McClellan has reserved decision on plaintiff application of Michael Atlas and Walter Friedman, trading as Acme Theatre Ticket Office, to examine before Trial Justice P. R. Reilly, president of the League of N. Y., Theatres, Inc., and Paul Dulzell, executive secretary of Actors’ Equity Association.

Examination is sought in connection with plaintiffs’ suit to restrain enforecement of the code for sale of theatre tickets.

Laemmle Joins Kohner

Hollywood, Jan. 25—Ernst Laem-

male, former director and production executive, has joined Paul Kohner’s agency to concentrate on the handling of writers.

Purely Personal

DENNIS F. O’BRIEN and Edward C. Raftery, attorneys for Mary Pickford and Douglas Fairbanks, Sr., will leave Hollywood by train today en route back to New York following the United Artists meetings on the coast. Maurice Silverstone, United Artists chief executive, is not expected to leave the coast for several days yet.

RALPH CLARK, managing director for Warner in Australia, is stopping at San Francisco for a week before coming to New York to confer with Sam E. Morris.

WALTER J. HUTCHINSON, director of foreign distribution for 20th Century-Fox, returned to his desk yester-

day after being ill with the flu and an eye infection.

JAMES ROOSEVELT, Lynn Faenol, Ben Washor, Andrew Leeds, Jean Hersholt comprise a United Artists delegation which will go to Wash-

ington tomorrow to attend the Presi-

dent’s Birthday Ball.

HERBERT T. SILVERBERG left for the coast.

Ben Miggs and F. L. Harley, 20th Century-Fox executives in Eu-

erope, are due here early next week from studio conferences.

J. CHEEVER CONWIN, Universal board chairman, has gone to the coast by plane to join in the current production conferences at the studio.

Rube JACKETT of Columbia has gone to Florida for three weeks’ vacation.

Lillian DaCosta, secretary to Al Wulff at Paramount, has left the Wickersham Hospital. She had the flu.

Sam Bischoff, Warner producer, and Mrs. Bischoff arrive today on the Champlain from a European vacation.

A. H. BLANK and Mrs. Blank, who are in California on vacation, plan to return to their home in Des Moines about Feb. 10.

Al Sherrman is moving to Green-

wich Village from Montclair.

Joseph Friedman, Columbia’s man-
mager in the United Kingdom, may sail Saturday for London.

RAYMOND BLANK has arrived in New York from Des Moines. He will sail tomorrow on a Caribbean cruise.

George Trenkle is in New York from Detroit for conferences with Barney Balaban.

O. C. Doreing, Jr., of counsel to the RKO trustee, has been confined to his home with a chest cold.

Roy Disney arrived in New York from the coast yesterday.

SAM ECKMAN, M-G-M British di-
rector, is due Feb. 2.

Allied Acts to End
5-Cent Admissions

SYRACUSE, Jan. 25.—Elimination of five-cent admissions in this territory will be effected by a committee of New York Allied appointed here today at the first meeting of the organization.

The committee will report at the unit’s meeting Feb. 1. The next meet-

ing will be devoted also to the election of the regional secretary and the ap-

pointment of a grievance board of three members to adjust exhibitor dis-

putes with the unit exchanges.

Trade practice also will be discussed.

Raypyle Merriman, regional vice-

president of the Syracuse unit, presi-

ded. The unit comprises Central New York from Watertown to Bing-

hamton.

F. Thornton Kelly, state executive secretary, discussed various matters. Members expressed opposition to film stars on radio programs. Action on this question is expected at the next meeting.

Para. Board Meet Today

Regular monthly meeting of the Paramount board of directors will be held today. Only routine matters are scheduled for action by company officials. Barney Balaban, president, will leave for a Florida va-

cation tomorrow.

Signs Midland Decree

KANSAS CITY, Jan. 25.—Federal Judge Albert L. Reeves has issued the final decree of the Midland Investment Co. which owns the Midland Theatre and the Midland Office Building.

Incidently, the United Artists Orchestra, under the direction of the late Frank Reaney, will make its debut in the theater at 8 o’clock tonight.
Step lively and stay lucky. Step up snappily to the booking desk where there’s more gold to be gathered like ‘Brother Rat’, ‘Angels’, ‘Dawn Patrol’ and ‘Devil’s Island’. This is the big week we smash home with sensational John Garfield and the ‘Dead End’ Kids in 'They Made Me a Criminal'! For Lincoln’s Birthday and National Defense Week ‘Wings of the Navy’! Then ‘Yes, My Darling Daughter’, comedy twin to ‘Brother Rat’. Then more! (Bette Davis in ‘Dark Victory’; Warden Lawes’ ‘You Can’t Get Away with Murder’, with Humphrey Bogart; Cagney in 'The Oklahoma Kid'). And More!

WARNER BROS.
for Satisfaction!
To Ask Dismissal of Suit Against B & K As Waste of Time

Chicago, Jan. 25.—"This lawsuit is a waste of time, and the plaintiff has failed to seek a recovery of the entire suit," Robert Golding, a defense attorney in the suit brought by independent exhibitors against Balaban & Katz and major companies, told Federal Judge Igoe at a hearing today.

Motion by plaintiffs to take the depositions before trial of John Johnston, of Washington, D.C., and Jack Oxnerman, RKO, on Feb. 3 was granted. Hearing on another motion to prevent the defense from taking the depositions of plaintiffs was postponed to Feb. 10 when Federal Judge Willerson will return.

In asking that the taking of depositions be stayed, plaintiffs cited the contention that the examination is being sought in bad faith, and that the purpose of annoying, embarrassing and withering witnesses. It is alleged that disclosure of profit and loss statements from plaintiffs' books not relevant to the suit or to acquiring neighborhood competitive theaters. It was also charged that John Balaban had stated some months ago that it would not be worth his while to compel the disclosures and that plaintiffs would be forced to pay increased films.

In stating the grounds on which he would seek a dismissal, Golding charged that the plaintiffs had failed to show "any special damages" and that the complaint should be dismissed.

File Three Motions In Momand's Action

Oklahoma City, Jan. 25.—Three new motions were filed by the defendants in the $4,000,000 anti-trust suit in which A. B. Momand, Shawnee, Okla., theatre operator is plaintiff against the major distributing companies and several operating circuits in Oklahoma.

Regal Theatres, Inc., filed a motion denying all material allegations in the amended bill of complaints. The Griffith Amusement Co. filed a motion asking that the plaintiff name the companies in the complaint against the Griffith company.

A motion to ask the plaintiff to make the petition more definite and certain asking for names of persons referred to was filed by 20th Century-Fox, United Artists, Universal Film Exchange, Loew's, Inc. and RKO.

Weeks on Coast

Hollywood, Jan. 25.—George Weeks, Monogram sales manager, has arrived here from New York for a series of conferences. He will visit the DuMont, lap, production head, and W. Ray Johnston, president.

Cinema Screen Feb. 3

Final meeting of creditors in the reorganization proceedings of Cinema Magazine, Inc., will be held before Bankruptcy Referee Peter B. Oleyn, Jr., at the Federal Court on Feb. 3.

Pickets Picketed!

Omaha, Jan. 25.—Picketing of the Paramount building by a group of dealers in protest to the showing of "Inside Nazi Germany" brought a virtual cessation of picketing in the evening. The first pickets, opposing the film, appeared at the matinee. Outraged exhibitors called seven members of the sponsoring committee to withdraw their support of the truck drivers' union then picketed the picketers in support of the film.

Allied Stand Won't Halt Pact Adoption

(Continued from page 1)

exception of United Artists whose policy on cancellations is to be decided individually. The other majors have a blanket policy.

indications are that little, if any, negotiating remains to be done as between the distributor and exhibitor representatives. Indeed, according to tell-all books, the unions have been given complete the bulk of the unfinished work on the proposals and, after study by the distributors' committee, the finished program may go out to exhibitor organizations in a form which will not require further negotiations.

Lewis Takes 55th St.

Operation of the 55th St. Playhouse, one of the oldest foreign film houses in the city, to end at midnight on Tuesday, Jan. 27, according to Martin J. Lewis, manager of the Fifth Ave. Playhouse and the Thalia, and his partner, Hans Rosenwald, Stig- man Gottlieb, of the Advertising Guild, is also reported interested in the deal.

To File RKO Claims

Federal Judge William Bondy yesterday granted the application of Lehman Bros. for leave to file a claim of $9,065 and of the Lehman Corp. to file a claim for $4,511 against RKO. Both claims arise out of alleged disbursements made by the claimants for stock transfer stamps on 10-year six per cent gold debentures issued to J. W. Seligman & Co. as depository.

Will Hear Florida Trust Case Jan. 31

Miami, Jan. 25.—First hearing in the anti-trust action brought against Paramount, Enterprise, United and National Theatres and eight large distributors by Herman Weingarten, local exhibitor, was held for Jan. 31 in Federal Court here.

Weingarten, who operates two theatres in Miami Beach, asks triple damages of $432,000 in his action charging violation of the anti-trust laws by the defendants in the setting of admission prices, releasing advertising, overbuying and unreasonable clearance.

‘Cowboy’ Has Strong $8,500, Indianapolis

Indianapolis, Jan. 25.—"The Cowboy and the Lady’s," dined with "Burn Em Up O’Connor," gave Loew’s strong business of $8,500 in a relatively quiet run.

"Kentucky" was good for $6,000 in its fourth week at the Circle and was a good figure for the film, which has run for more than 10 years. "Zaza" took $5,000 at the Indiana. "Charlie Chan in Honolulu" shared the bill.

Distributors' hearings for the week ending Jan. 19-20:

Paris "Honeyymoon." (Para.)

Apollo, (1,000) $8,250; (25-40c) 7 days, 2nd week. Gross: $2,700. (Average, $3,900.)

Kentucky." (Fox-

Down on the Farm." (20th-Fox)

Circle, (25-40c) 5 days. Gross: $4,000. (Average, $4,500.)

Zaza." (Para.)

Indiana—(80) $300; (25-40c) 7 days. Gross: $4,200. (Average, $5,000.)

The Cowboy and the Lady." (U. A.)

Burn ‘Em Up O’Connor." (2,800)

Lorde, (25-40c) 4 weeks, 6th week. Gross: $8,500. (Average, $7,500.)

Devil’s Island." (Univ.)

Lyric—(2,000) $2,000; (25-40c) 7 days. Stage: $2,200. Pure profit at $1,450, 4,200, $1,165; $1,620; $1,080; $1,115.

"cowboy" and the Lady." (M-G-M)

Lorde—(2,500) 3 weeks. Gross: $8,800. (Average, $7,500.)

Italy Will Carry Out Terms of Film Ban

Rome, Jan. 25.—Italy is determined to carry out the terms of the monopoly to the letter, was the consensus following a four-hour session of officials on the subject today. Foreign films will be bought only under terms of the monopoly, it was decided.

Johnston Assigned

Hollywood, Jan. 25.—For the eighth consecutive year, John LeRoy, Motion Pictures’ publicity director, will supervise the making of all pictures at the annual Academy of Motion Picture Arts and Sciences awards dinner.

Brulatour Recovers; Dewey Investigating

Jules Brulatour, who suffered a gunshot wound Sunday night while playing a loaded revolver was reported ready to leave the Lenox Hill Hospital yesterday. Meanwhile, District Attorney Thomas asked his arrest for technical violation of the Sullivan law for possession of a revolver without a permit.

Curtiz to Direct Short

Hollywood, Jan. 25.—At his own request, Michael Curtiz will direct his first short subject, "Sons of Liberty," Warnings' historical picture based on the life of Hyman Salomon, who helped finance the American Revolution.

FILM EXPORTS TOTAL

$4,519,594 in 1938

(Continued from page 1)

types of equipment dropped below 1937 figures.

Exports of sensitized unexposed 35 mm positive film totaled 132,573,556 feet, valued at $1,258,184, against 134- 403,657, valued at $1,264,376 in 1937; negative film amounted to 41,034,667 feet, valued at $1,086,493, against 109,106,374 feet, valued at $1,107,946.

Exports of unexposed film less than one inch wide amounted to 44,011,816 feet, valued at $1,059,435, against 36,391,856 feet in 1937.

Silent Negatives Drop

Golden reported exports of silent negatives decreased 33.9 per cent in footage compared with 1937, totaling 2,009,143 feet, valued at $95,344, against 3,052,775 valued at $113,689, while sound film dropped 11.4 per cent to 1,498,012 feet, valued at $390,300, against 1,700,011, valued at $454,578.

Standard gauge 35 mm projector exports were 1,070, valued at $382, 729, against 1,625, valued at $494,142, in 1937. Sub-standard gauge projector numbers increased, valued at $754,822, against 21,327, valued at $662,750.

Exports of 35 mm cameras totaled 199, valued at $659, against 199, valued at $161,903 in 1937; sub-standard gauge cameras were 25,085, valued at $43,945 and against 39,435 valued at $1,001,487.

Recording sound equipment exports were valued at only $285,139, compared with $1,745,532 in 1937. Recording producing equipment was valued at $1,340,438, against $335,639, Golden reported.

Film Exports Total

$4,519,594 in 1938
Cleveland, Jan. 24.

"Stand Up" (M-G) and "Sons of the Desert" (MG), good $13,000 at Ohio's (65) ... Monday (18). Substantial $3,000 at Wednesday's (18). Last week's cut to five of $4,000 after $9,000 opening. Orpheum (RKO, 1,000) and Orpheum (FN) Barrymore film got $3,000 in notices. Pacific Liner at $5,000. Comet Over Broadway (FN) and March of Time "Refugee" release at $5,000.

Jesse's Big 16G
In 2 K. C. Spots;
Snow Hits B.O.s.

Kansas City, Jan. 24.

A three-inch snowfall hit here yesterday (Monday) and cut into all grosses. Traffic has been severely hindered. Midwest preem of 'Jesse James,' day-and-dating at Esquire and Up-town, getting the fans' attention this week. Film is a natural here and biz is good in both spots. Biz mediocre in other spots, only 'Zaza,' at Newman, giving good account of itself.

Jesse's Haul in L. A. Big $38,000,
Crosby-Canova, $16,000, 'Record'
Off, $10,000, 2 Spots; 'Pyg' Strong

Los Angeles, Jan. 24.

'Jesse James' closing up at State and Chinese and had for two weeks, Bing Crosby's $38,000 at Warner Bros. 'Paris Honeymoon,' with Jack Oakie's 'Paramount' on stage, was taking a fairly healthy week with Warners house and Orpheum just off the record. And Panama holding so-so. 'Son of Frankenstein,' for five days and later for four, with second stanza okay 'Pygmalion,' was second strong at the 'Four Star,' where it closed its fifth week.

Power Vaude
Sock 30G,DET.

Broadway Grosses
Estimated Total Gross
This Week
Based on 12 theatres
Total Gross Same Week
Last Year
Based on 12 theatres
Devil's Island" (WB), $3,000. 
'Richard' (Fox, 8k) week. 
'Detroit' (UA) after 
'Philadelphia' (20th).

Key City Grosses
Estimated Total Gross
This Week
Based on 26 cities, 18 theatres, 
Chiefly first runs, including 
M. Y.
Total Gross Same Week
Last Year
Based on 24 cities, 162 theatres

Power Big 8G in Port;
Woman's Weak $3,700


'Jesse James,' at the Paramount, was the big winner, House being the holder and Bing Crosby's "Tres Passantes," is the hot item. 'Carnival,' at Pantages and Red Barber's "Jesse James," are also doing well. 'Paris Honeymoon,' at Palais, is another good show. 'Orpheum,' at 'Jesse James,' is the best in town.

Jesse's Wow $20,000 in Freezing
Philly; Bernie 'Record OK $21,000


Snowy streets and sub-freezing blasts have not kept patrons careful of their pix, or sticking close to the fireside. Only product showing strength is 'Jesse James,' which is steady, and 'Topper Takes a Trip.' Practically everything else is T.E. 'Babs' Stanley,' is set to betler $20,000. All three weeks will be fine if the drama holds up, as nothing is inked up in the way of 'Babs.' On Feb. 3, 'Topper' is in another spot at the Aldine and will get another week. Son of 'Frankenstein,' at the Fox is somewhat disappointing in view of the dual of its Sather and 'Dracula' recently.

Estimates for This Week
Aldine (WB) (1,300); 52-57-68-75—
'Topper' (IA) (2d wk). Traveling along nicely at $11,000, a second week after successfully $10,000 in the opening. Set for one more week.
Boyd (WB) (2d wk). Traveling strongly from bad word-of-mouth, which is causing one of the steepel second-weeks ever to be seen here in a long time.

Not all of the business in downtown New York is in the second week of 'Jesse James,' now its second big week at the Roxy, but more of it is. In the face of unfavorable weather, the picture grossed through to $76,000 last week, its first to over $100,000 in the box office. The house has been closed since the second stanza opened. It ran into cold weather, but is over all obstacles for a $1,000 or better.

The Thrill of the Industry

"Jesse's Big 9½ G in O. C.

Oklahoma City, Jan. 24.

"Jesse James" smashing through to near $3,500 at Western, with possibility of $10,000, equal to 'Alexander of the Day' which broke all records for weekday openings, with some $8,000 in the box office. Another holding on to "Alexander," possibly good $6,000 on Duke of West Indian State.

Estimates for This Week
Criterions (2d),
"Topper," (2d),
"SFollow the Leader," (2d),
"Jesse James," (2d).

"Jesse James" (2d) still going great guns at $2,000. Good for fat at the half-way point and was expected to go two more weeks. "Carnival," (2d) was well held at $1,000. Last week with "Gang Busters," had only $1,000 on stage, led $16,000.
Big box-office REWARD for showmen who cash in on America’s tremendous interest in the great war on foreign espionage!

A COLUMBIA PICTURE
FICTION'S FAVORITE ROGUE IS IN THE HEADLINES NOW!

From the Louis Joseph Vance stories, he leaps onto the front pages of a nation's press! Shrewd showmanship gives you a grand combination of adventure and the real spy-smashing that all Americans are talking about!

"THE LONE WOLF SPY HUNT"

with
WARREN WILLIAM • IDA LUPINO
Rita Hayworth • Virginia Weidler • Ralph Morgan
Based on a story by Louis Joseph Vance • Screen play by Jonathan Latimer • Directed by PETER GODFREY
Hollywood Previews

"Persons in Hiding" (Paramount)

HOLLYWOOD, Jan. 25.—"Persons in Hiding" is from J. Edgar Hoover's book of the same name. That is, quite manifestly, the ace line of copy for any studio as a driver behind in behalf of the picture, the public and the F.B.I., by reason of Hoover's fame as the man who knew what to do about making crime unpopular. If they don't come in to see this picture, billed in that fashion, there's no use in making any more gang films.

However, story, adapted for screen purposes by William R. Lipman and Horace McCoy, is about people who get on the wrong side of the law and hide out. It shows what happens to them, psychologically, economically and, finally, physically. It shows how the F.B.I. men proceed against criminals who transgress Federal laws and it depicts both criminals and government agents as human beings instead of supernmen. All gangster films show that crime does not pay. This one shows why.

The pivot character in the story is a young woman who wants luxury and, as a means of getting it, marries a thugs she can dominate, coaching him to big-shot rating and acquiring, ultimately, a gang of followers. Robberies ranging from gas station stick-ups to bank jobs lead to kidnap for ransom and the attention of the F.B.I. Ways and means by which the F.B.I. men bring the band to justice are explicitly presented.

Patricia Morrison is outstanding in the difficult role of girl criminal and Lynne Overman is quietly impressive as the F.B.I. man. J. Carroll Naish gives his usual gumman portrayal. Edward T. Lowe produced the picture and Louis King directed it, both in what impresses as the manner. Hooper is uncredited.

Running time, 70 minutes. "G"**

ROScoe WILLIAMS

"Code of the Streets" (Universal)

HOLLYWOOD, Jan. 25.—"Code of the Streets" has been designed to attract the attention of the more impressionable adults and the kids. The picture's appeal is the second group. While grown-up players are concerned, youngsters, especially Frankie Thomas, James McCallion and the Little Tough Guys, are the real heroes. They contribute convincing characterizations, as do Harry Carey, Paul Fix, Leon Ames, Mark Lawrence and El Brendel, who handles the meager comedy contrast.

Save for Juanaita Quigley, the Arthur T. Horneman original screenplay is a "men-without-women" story which leans heavily toward the melodrama but in which there is a definitely appealing human interest story under it. Both qualities are forcefully accentuated by Harold Young's direction and they are further strengthened by the character of production detail.

By circumstantial evidence, Fix is convicted of murder, an injustice which makes his younger brother, McCallion, and the members of his union, hoodlum gang, themselves. He goes to see his opinion that Fix is innocent, detective Carey is denoted to a beating gang job. This second injustice brings his son, Thomas, into the action. Alliving himself with McCallion's gang, who at first believe in him but later give him the works in realistic underworld fashion when they discover he is a cop's son, Thomas does prove to McCallion that they have common interests to average. Playing at detectives, with young Thomas making use of his scientific knowledge, they get incriminating evidence on Ames. Unable to get police cooperation, they take the law in their own hands and, giving their victim a sinister third degree, drive from him a confession that exonerates Fix and reinstates Carey.

Running time, 71 minutes. "G"**

G. MCC.

Play Suit Up Tomorrow

Final hearing to determine damage in the infringement suit brought by Edward Sheldon and Margaret Ayer Barnes against Mooreland Realty Corp., operators of the Capitol, will be held tomorrow before Special Master Hugh E. Wallace. Plaintiff alleges infringement of their play, "Dishonored Lady."

Plan Crime Sequel

HOLLYWOOD, Jan. 25.—Jack Chertok, M-G-M subject producer, is planning a sequel to "They All Come Out," the hit-talkie subject depicting federal penal institutions. John C. Higgins, writer on the Crime Does Not Pay series and on "They All Come Out," is gathering material for the sequel which will deal with discharged and paroled prisoners.

Censor in Holland

Rejected Only 17 Features in 1938

By PHILIP DE SCHAAP

AMSTERDAM, Jan. 25—Censorship in Holland during 1938 was less restrictive than during 1937. Last year only 17 features were banned, while in 1937 the censor turned thumbs down to 186. One of the contributing factors to the board, the banning of the Dutch version of "Snow White and the Seven Dwarfs" for children under 14, met with widespread public approval. Even the Dutch Motion Picture Federation tried to alter the decision, but without success.

A feature product during 1938 maintained its dominant position in the Dutch market. Despite some press attacks, domestic production, no such restriction is planned by the Government. The volume of production released in 1938 showed little change from the previous year. The most successful film produced here in 1938 was a Dutch version of "Pygmalion," directed by Ludwig Berger, and distributed by Filmex. The picture did better than any importation. "Veering Janus" ("Forty Years") dedicated to Queen Wilhelmina's 40th reign, was also very successful, necessitating 32 prints, the highest number ever used in this country.


French pictures are growing in popularity here, especially successful having "Le Juge Qui Fume Des Briques" and "La Grande Illusion." American and French pictures are far more successful here than German product, despite the adjacent location of Germany.

The effort of the Motion Picture Federation in getting a reduction in admission taxes during the year met with little success, only a few towns reduced the tax from 20 to 15 per cent. Theatre business generally showed an improvement in 1938 over 1937. In the three leading cities, Amsterdam, Rotterdam and the Hague, gross receipts of all film theatres showed definite increases.

An interesting decision of a Rotterdam court held that the action of an exhibitor in cutting a picture below the length of the film when passed by the Federal Board of Censorship against violation of the law. It was held that with the elimination of some parts, a film was not unchanged as to story and continuity.

Art Direction Award

Committee Appointed

HOLLYWOOD, Jan. 25.—Frank Capra, president of the Motion Picture Academy of Arts and Sciences, appointed his own personal group to make up his Director Award committee: Roland Anderson, Lionel Banks, Perry Ferguson, Louis D. de Rochemont, W. Austen Hoffman, Bertram DeWitt Otterton, Hans O. Peters, Bertram Teitelbaum and Lyle Wheeler.

Syracuse Will Give Management Course

A course in motion picture theatre management, arranged by Syracuse University's College of Business Administration beginning in February, with Harry Utermoehl, manager of the Syracuse RKO Schine Keith house, as lecturer. Under arrangements made with Dean Charles R. Raper, all phases of theatre management from booking, exploitation, theatre operation and advertising will be covered in the course.

Among guest lecturers scheduled for the course are men from Schine's home office in Gouverneur and from upstate RKO offices. No academic credit will be given for the subject to be known as "Theatre Management." Syracuse University pioneered in 1934 with one of the first college courses in cinema appreciation given by Prof. Sawyer Falk, director of dramatic activities.

Ross Federal Changes

Ross Federal Service has made management changes at these branches: H. F. Henderson has been named Chicago assistant branch manager. J. C. Page has been shifted from Denver to be assistant in Denver office, with C. W. Grimes the new manager in Denver.

Ohio Passes "Mamlock"

COLUMBUS, O., Jan. 25.—The Ohio censor board has reconsidered and approved "Professor Mamlock," which it had previously banned. The reversal followed a press campaign against the board's action. Certain deletions were made.
six **BIG** keys go to market and come home singing...

**it's a “PARIS HONEYMOON”**

for that Beebe boy, Bing, is in the groove again with his latest picture . . .

“PARIS HONEYMOON” is running “Sing You Sinners” a neck and neck race. These big key towns have just reported the following percentages on “PARIS HONEYMOON”: Hartford, Conn., Allyn Theatre—130% . . . New Haven, Conn., Paramount Theatre—125% . . . Washington, D. C., Earle Theatre—150% . . . Worcester, Mass., Capitol Theatre—130% . . . Des Moines, Ia., Paramount—124% . . . Boston, Mass., Metropolitan—120%.
Chicago, Jan. 25.—"There Goes My Heart" stood out in a dull week in the Loop, giving the Roosevelt $13,200. "There's That Woman Again" at the Garrick took $6,000, and "Illegal Traffic" at the State-Lake drew $13,500.

Unrestored weather cut into business sharply.

Estimated takings for the week ending Jan. 18-21:

"Kentucky" (20th-Fox) APOLLO—$1,400 (55c-65c) 7 days. Gross: $6,000. (Average, $850.)

"Dawn Patrol" (W. B.) CHICAGO—$4,000 (55c-75c) 7 days. Stage: Varnish. revolver. Gross: $13,200. (Average, $1,886.)

"There Goes My Heart" (Col.) GARRICK—$1,600 (55c-50c) 7 days. Gross: $11,500. (Average, $1,643.)

"The Great Waltz" (M-G-M) ORBIT—$1,000 (55c-50c) 7 days. Stage: "Girlie Gained" Revue. Gross: $1,000. (Average, $143.)

"Secrets of a Nurse" (Univ.) ROOSEVELT—$1,400 (55c-55c) 7 days. Stage: "Secrets of a Nurse" Revue. Gross: $1,400. (Average, $193.)

"Illegal Traffic" (Para.) STATE-LAKE—$2,500 (55c-45c) 7 days. Stage: Romo, Vincent & Revue. Gross: $13,500. (Average, $1,929.)

"Sweethearts" (M-G-M) UNITED ARTISTS—$1,100 (55c-75c) 7 days. Week: Gross: $9,900. (Average, $1,350.)

"Storm and Weems" Bring $11,800 in Kansas City Snow

KANSAS CITY, Jan. 25.—Snow and cool weather didn't help first run business which averaged $11,800.

"Stats" from the "Girl Doin' Stairs" grossed $11,300 at the Midland. In its third week at two houses, the Esquire and Uptown, "Kentucky" continued running.

Estimated takings for the week ending Jan. 17-19:

"Dawn Patrol" (W. B.) NEWMAN—$1,900 (50c-65c) 5 days, 2nd week. Gross: $3,100. (Average, 5 days, $620.)

"Kentucky" (20th-Fox) ESQUIRE—$2,000 (55c-65c) 7 days, 3rd week. Gross: $14,200. (Average, $2,029.)

"The Girl Doin' Stairs" (M-G-M) MIDLAND—$2,500 (55c-65c) 7 days. Gross: $11,000. (Average, $1,571.)

"Paddle Steamer" (Para.) SHAWNEE—$1,400 (50c-65c) 7 days. Gross: $5,600. (Average, $800.)

"Coney Island Broadway" (W. B.) ORPHEUM—I$1,200 (35c-40c) 7 days. Gross: $8,400. (Average, $1,200.)

"The Storm" (Univ.) FOX TOWER—$2,200 (35c-45c) 7 days. Stage: Ted Weems and Ensemble, Elmo Bemis, Elmo, Galeke, Olga, Elmo. Gross: $7,000. (Average, $1,000.)

"Kentucky" (20th-Fox) UPTOWN—$2,000 (55c-65c) 7 days, 3rd week. Gross: $5,000. (Average, $714.)

"The Saxon Contract Up

Cameron's Union, Local 644, has requested the I. A. T. S. E. to take up the matter of negotiating a new contract with the newsreels here.

"My Heart" Is Chicago High With $13,200

"Hollywood Previews

"The Lone Wolf Spy Hunt" (Columbia)

Hollywood, Jan. 25.—Comedy and melodrama are the principal ingredients of "The Lone Wolf Spy Hunt." There's romantic interest, too, but the laughs and expense are the qualities which give the film its real entertainment value. Moving speedily, with glib dialogue and cleverly conceived situations maintaining interest, the picture may be expected to hold attention and satisfy.

In the beginning, Warren Williams, playing the role of "The Lone Wolf," an ex-crook, establishes himself in legitimate business in Washington. Unable to keep his occupation, he turns detective, and is soon involved in a spy plot. Unable to get secret government military plans, an international gang of spies, headed by Ralph Morgan,kidnaps the former file-cracker to do the job. William escapes, of course, and, joining the forces of law, with whom he has many comedy brushes, succeeds in recovering the plans which have been stolen.

Both Miss Lupino and Miss Weidler, as well as Rita Hayworth, have a lot to do in helping William round up his enemies.

Given quality production support, the performances of the principals are uniformly good, and competent support is contributed by Tom Douglas, Don Bedloe, Leonard Carey, Ben Wheldon, Brandon Tyren and Helen Lynd.

Based on a Louis Joseph Vance story, the screenplay was by Jonathan Latimer. Peter Godfrey's direction manages to counterbalance melodramatic tension with comedy.

Running time, 65 minutes. G.**

"Beauty for the Asking" (RKO)

Hollywood, Jan. 25.—As the title somewhat indirectly suggests, this is a picture about the cosmetic and beauty parlor business and persons engaged therein. Possibly there are exploitation possibilities in this circumstance, although the film, while in a mild way "exposing" long profits to be made in the beautification industry, also makes a mild call for the importance of beauty in romance. Names of the players principally engaged in the picture are Lucille Ball, Patric Knowles, Donald Woods and Frieda Inescort.

Produced by B. P. Fineman and directed by Glenn Tryon, the story, credited to five writers, is a somewhat indecisive account of what happens to Miss Ball, a beauty parlor owner, when her sweetheart, Knowles, jilts her and marries Miss Inescort for her $10,000,000.

Woods, an advertising man, meets Miss Inescort to back Miss Ball's new salon, a success of which everybody takes the trouble, and a lot of misunderstandings occur before Miss Inescort divorces her ex-crook husband and marries the millionaire."

The most interesting passages are those which present the gadgets and practices of the modern beauty shop in operation. Some of these are fetchingly photographed. Acting throughout is formal, and an evident effort to steer a safe course between condemnation and commendation of the cosmetics industry is possible in an entertainment expense.

Running time, 65 minutes. G.*

"Cowboy Rides to Big Capital Capturing $13,000"

WASHINGTON, Jan. 25.—Despite a two-day snowfall, "The Cowboy and the Lady" took a good $13,000 at Loew's Palace, while a return trip of "Out West with the Hardy's" did a splendid $6,100 at Loew's Columbia. "The Son of Frankenstein" held its own at RKO-Kathy's with $11,000.

Estimated takings for the week ending Jan. 19:

"Artists and Models Alfred" (Para.) LOEW'S—$2,000 (25c-65c) 7 days. Stage: Surprise Party. Gross: $14,600. (Average, $2,086.)

"Out West with the Hardys" (M-G-M) LOEW'S—$2,500 (25c-65c) 7 days. Stage: "Out West with the Hardys." Gross: $6,100. (Average, $1,150.)

"The Son of Frankenstein" (Univ.) RKO—$1,500 (50c-65c) 8 days. Gross: $9,000. (Average, $1,125.)

"Let's Have the Lady" (M. G.-M.) LOEW'S PALACE—$1,500 (25c-65c) 7 days. Gross: $11,000. (Average, $1,571.)

"Goldwyn Signs Von Cube"

HOLLYWOOD, Jan. 25.—Framgand Von Cube has been signed to a term writing contract by Samuel Goldwyn. The Paul Kohner Agency set the deal.
‘Duke of West Point’
And ‘Dr. Meade’ Get
Providence $11,000

PROVIDENCE, Jan. 25.—In a week when most of the downtown houses had closed, the screening of the ‘Ice Follies,’ $11,000 was registered by “The Duke of West Point” and “The Strange Case of Dr. Meade.” The ‘Ice Follies,’ a foreign language film, did $7,000 to the RKO-Alibee.

Estimated takings for the week ending Jan. 18-19:

“The Duke of West Point” (U. A.)
LOEWS’ STATE—(G-300) (35c-35c-3c) 7 days. Gross: $11,000. (Average, $1,571.)

“Smashing the Spy Ring” (Col.)
MAJESTIC—(2-G-30) (35c-35c-3c) 7 days. Gross: $2,400. (Average, $343.)

“The Strange Case of Dr. Meade” (Col.)
CASTLE—(2-G-30) (35c-35c-3c) 7 days. Gross: $12,000. (Average, $1,714.)

“Thanks For the Memory” (Para.)
ILLEGAL TRADE—(2-G-2) (35c-35c-3c) 7 days. Gross: $7,500. (Average, $1,071.)

“The Lifeboat” (Para.)
STRAWBERRY—(2-G-30) (35c-35c-3c) 7 days. Gross: $7,500. (Average, $1,071.)

“Strange Faces” (Univ.)
FAY’S — (1-G-30) (35c-35c-3c) 7 days. Gross: $6,000. (Average, $857.)

“Grand Illusion” (Foreign)
“Exposed” (M-G-M)
Gang Bullets” (M-G-M)

PLAYHOUSE—(1-G-30) (35c-35c-3c) 7 days. Gross: $4,400. (Average, $630.)

“Frankenstein” Nets
Fine $7,300, Buffalo

BUFFALO, Jan. 25.—Everything but duals had taken a quick beating in this frosty, bitter week. The Lafayette took $7,300 with “Son of Frankenstein” and “Smart Money.” At the Century, “Pacific Liner” and “Nancy Drew, Detective,” pulled $6,500.

A touring troupe with “Kiss the Boys Goodbye,” at the Elranger drew first rate crowds.

Estimated takings for the week ending Jan. 18-19:

“The Young in Heart” (U. A.)
BUFFALO—(1-G-30) (35c-35c-3c) 7 days. Gross: $10,000. (Average, $1,429.)

“Paris Honeymoon” (Para.)
GREAT RED—(1-G-30) (35c-35c-3c) 7 days. Gross: $7,500. (Average, $1,071.)

“Out West With the Havells” (M-G-M)
HIPODROME—(G-300) (35c-35c-3c) 7 days. Gross: $5,500. (Average, $800.)

“Pacific Liner” (RKO)

“Nancy Drew, Detective” (W. B.)
CENTURY—(1-G-30) (35c-35c-3c) 7 days. Gross: $6,000. (Average, $857.)

“The Son of Frankenstein” (Univ.)

“Swing That Czar” (Univ.)

LAFAYETTE — (1-G-30) (35c-35c-3c) 7 days. Gross: $3,900. (Average, $557.)

Paton’s Get Cake—
MANSFIELD, O., Jan. 25.—Warner’s Ohio is currently celebrating its 11th birthday anniversary, with stage show and distribution of birthday cake and ice cream.

Mintz Gets “Illusion”

Robert Mintz has acquired the New England rights on “Grand Illusion,” distributing through local offices of Imperial Pictures in Boston and New Haven.

Small Signs Val Paul

HOLLYWOOD, Jan. 25.—Val Paul, formerly studio manager at Universal, has been signed by Edward Small Productions, Inc., as production manager.

Competition Stirs
Mexico Film Union

MEXICO CITY, Jan. 25.—Competition for pictures produced in Mexico from films in Spanish produced in Hollywood, is beginning to alert the national film studios worker’s union. The labor organization is now considering a letter to the RKO Palace last week of several persons acting the house this season. The tax was $2,500, with “Dramatic School” on the screen.

“The Son of Frankenstein” at Warners’ Hippodrome took top picture honors, garnering $12,000. Weather was cold.

Estimated takings for the week ending Jan. 18-19:

“Brides” (Col.)
SMASHING THE SPY RING (Col.)
WARNERS’ HIPPODROME (“RKO Palace”)
Dramatic School” (M-G-M)

JOAN DAVIS HIT IN
Cleveland, $23,500

Cleveland, Jan. 25.—Joan Davis rolled up the biggest gross at the RKO Palace last week of any in person attraction playing the house this season. The tax was $2,500, with “Dramatic School” on the screen.

“The Son of Frankenstein” at Warners’ Hippodrome took top picture honors, garnering $12,000. Weather was cold.

Estimated takings for the week ending Jan. 18-19:

“Brides” (Col.) 3 days
“Smashing the Spy Ring” (Col.) 4 days
WARNERS’ HIPPODROME (“RKO Palace”)
Dramatic School” (M-G-M)

Studios Busy on
36 New Features

HOLLYWOOD, Jan. 25.—Thirty-six pictures were before the cameras this week, as nine finished and seven started. Twenty-six are in preparation, and 74 are being edited.


Columbia started one short subject and finished it during the week. Five are being prepared, and 11 edited.

Brandt Plans Vaude
In Flatbush Feb. 10

Brandt circuit will put vaudeville into the Flatbush Theatre, Flatbush, Feb. 10, according to present plans.

The combination policy may be extended to several other theatres in the circuit shortly thereafter.

The circuit has been planning vaudeville for months. Delays have been occasioned by inability to reach an agreement with the stagehands’ unions on wage scales.

Essick in Hospital

CLEVELAND, Jan. 25.—F. E. Essick of the Scoville, Essick and Reif circuit, is at Charity Hospital.

JOHN WAYNE as the Ringo Kid, escaped convict, hurrying to Lordsburg although, he knew three men were waiting there to plug him full of bullets. Yet he surrendered to the U.S. Marshall in order to be taken along, to pay it better than other businesses.

Judge John R. Higgins, counsel for two of the theatre, quoted Mayor Felix A. Tompkin, chairman of the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying: “We’ve got to raise a great deal of revenue and they (the theatres) can afford to make the police commission, as saying:

Stokowski to Direct
Disney Film Music

HOLLYWOOD, Jan. 25.—Plans for making a feature length picture from “The Sorcerer’s Apprentice” are mat- erializing. Walt Disney today took up options on an agreement to have Leonard Stokowski direct the music and make the recording with the Philadelphia Symphony Orchestra. Deems Taylor will act as technical advisor and narrator. Recording will start in April at Philadelphia.
Washington, Jan. 25.—President Roosevelt's recommendations for renewal of the F. C. C. continued to attract approval today as plans were laid for Congressional action.

Chairman Frank R. McNinch of the F. C. C. continued to attend meetings today and will be in charge of the legislation. McNinch favors a three-man, rather than a seven-man, board. His views and recommendations were attentively heard, but it was made clear that the new bill will be written by Congress and not the F. C. C. or any member thereof.

Support of the President's plan was voiced today by Neville Miller, president of the F. C. A. Association of Broadcasters, who declared there is need for adoption of clear and definite policies by the government.

McNinch's office said today he had “nothing to say” about the meetings and refused to comment except to say he was supporting the President's bill. But the last thing he would have to say until he appeared before the congressional committee.

It is believed that the commission will be reduced from seven to three members, and that the reorganization will give the President an opportunity to name a new board, with indications that none of the present members of the F. C. C. will be appointed.

**CAB Session Closes Without Policy Act**

**Toronto, Jan. 25.—**The convention of the Canadian Association of Broadcasters adjourned today without a decision on policy in relation to the Canadian Broadcasting Corp., and on the position of private stations to the F. C. C. Government with respect to the network speeches by individual citizens. Those subjects were left to a committee of CAB with a report to be made.

Sedgwick will represent private broadcasters at a conference with Canadian Broadcasting Corp., government and a radio committee of Dominon Parliament members to be held in March.

**Sue Healy on Contract**

Tim Healy has been named defendant in a suit filed in the N. Y. Supreme Court by Jacques Koepel for $10,000 damages. Plaintiff asserts the breach of contract by having made a new $1,000,000 studio in Outremont, because of opposition from landowners. Another site for the studio will be sought.

**CBC Drops Studio Plan**

Montreal, Jan. 25.—Canadian Broadcasting Corp., has dropped plans to build a new $1,000,000 studio in Outremont, because of opposition from landowners. Another site for the studio will be sought.

**Radio Personalites**

Bob Decker, free lance announcer, has joined the WNEW-Iou Bender, former all-American from Columbia, will start a new sport series today on WNEW, and will present as his first guest Lou Little, Victor Van der Lind, NBC general sales counsel, back at the hospital for a second operation on his hip... Constance Hope, press agent to most of the opera and concert people, will be the mistress of ceremonies on WHN's "Refugee Theatre" broadcast tomorrow night.

**WLW Superpower License Extended**

Washington, Jan. 25.—WLW's experimental superpower license for 500,000 watts was extended today by the Federal Communications Commission to February 9 months to August, depending a decision as to superpower policy.

The extension was granted with a provision incorporating making it subject to whatever action may be taken on the station's application for renewal of its permit, with which hearings were held last summer.

The committee in charge of the superpower investigation submitted a report some weeks ago recommending against an extension of WLW's superpower permit.

**FCC Permit Sought By Martinsville Co.**

Washington, Jan. 25.—Application for a construction permit for a new 1,420-kilocycle station, to operate with 100 watts power night, 250 watts day, was filed with the Federal Communications Commission today by the Patrick Henry Broadcasting Company, Martinsville, Va.

The commission also received applications from Stations KINY, Juneau, Alaska, for an increase of power from 250 to 1,000 watts and change of frequency; Station WCO, Martinsville, Va., and Station WJNO, West Palm Beach, Fla., for an increase of night power from 100 to 250 watts.

**Two Companies Join In Ed East's Program**

Two additional companies have signed for participation in Ed East's program over WHN. They are Goodman & Sons, placed by Al Paul Lepton agency, and Steen Electric Iron Co., through the Smith-Benny Sales Corp.

Additionally, contracts for announcements over WHN are placed by Silver Pine Mfg. Co., through Dudas & Frank, Inc., and Oxo, Ltd., placed by Platt-Forbes, Inc.

**Radio Networks**

**Around the Country**

Albany

Charles Blanchard, NBC red net-work announcer, has again been heard over WGY, Schenectady...

WTYR's program director will be a new feature now heard over WSYR...

Roy Schudt is inaugurating a new sports program over WHAZ...

Gren Rand and Sherb Herrick, who have been the管理部门 for Albany baseball broadcasts last year, under Wheatie and Atlantic Refining sponsorship, both spoke at the Ells' dinner for Rabbit Maranville, new manager...

Newest WOKO program is "For Immediate Release," on music...

Des Moines

Ruck Rash of the KRNT staff has replaced the late Thomas, L., of the "Sunday Club" on KRNT, has married studio engineer Ray Rates... Hayda Evans has been named commercial manager of WNAQ, Yankton, S. D. ... Roland Peterson, formerly a member of the KUSO-KRNT promotions staff, joins Evans at the station.

**Pelletier to Start London Broadcasts**

Montreal, Jan. 25.—II. Rooney Pelletier of CBC, now in England, and his wife, Sormiel, are present in Canada on the producer exchange arrangement between the two nations. Broadcasts will each go on the air shortly with their first work away from home.

Pelletier, from London this Sunday, will start a series, "London's Royal Palaces," dramatizing the history of the old Hampton Court. Besides airing it to the English net, CBC will short-wave it to Ottawa for the Canadian coast to coast hookup.

From Vancouver, Smielmac will present his first Canadian show on Feb. 2, a dramatization of "Consider Your Verdict," Lawrence Hausman's play.

**Foreign Station Unit Is Organized Here**

Association of Representatives of Foreign Broadcasting Stations has been formed here by representatives of commercial broadcasting stations in other lands.

The new organization has as its objectives the promotion of radio stations and their equipment, rates, study of listeners' habits, market data, etc. Members include All-American Newspaper Representatives, Inc., Broadcasting Abroad, Ltd.; Chalmers-Ortega, Inc.; Conquest Alliance, and Melchior Guzman Co.

**Fred Allen Renewed For 2 Years More**

Fred Allen, who has starred on "Town Hall Tonight" for Bristol-Myers Co. for a number of years, has had his contract renewed for another two years. The contract was signed yesterday.

Young & Rubicam handled the pact.

**Basketball on KYA**

San Francisco, Jan. 25.—Associated Oil Co.'s KXA has an "A" sports code, 22 Coast Conference basketball games over KYA, and 11 more on KJBS, during the winter-spring season. Important non-conference games are included.

**KSFO Gets Newscasts**

San Francisco, Jan. 25.—A fifty-two-week contract for three newscasts a week has been signed with KSFO by the Swayze-Whitehorne Candy, through Emil Brissac and Staff. Bob Garred will handle the broadcasts.

**Friends Joins Deane**

Friends Bros, Inc., has entered participation in the Martha Deane series on WOR. The contract is for one year and is to take effect immediately. Ingalls advertising agency placed the business.
25 Theatres Are Razed in Chilean Quake

Twenty-five theatres were in the area in Chile where the earthquake struck Wednesday night. They were mostly in Concepcion, Chillan and Talca, sections which were virtually razed.

Most of the theatres are believed to have been completely destroyed, and those not demolished were seriously damaged, according to a cable received yesterday from Santiago by Teatro al Dia, a Quigley publication for the Spanish language market.

Distributors' foreign departments have received only meager information from their Chilean headquarters in Santiago, which were not affected. Several, including M-G-M, Warners, Paramount and United Artists, had branch offices in Concepcion. These are believed to have been destroyed, as only four buildings were left standing in the district. Two domestic film companies' headquarters were destroyed.

Manager Escapes

Arthur Ruszica, 20th Century-Fox manager in Chile, was in the stricken district of Chillan during the upheaval, but escaped safely, according to a wire received by the home office.

Foreign departments have expressed fear for the safety of their staff in Concepcion. Cables sent to Chilean offices in that city and Santiago have mostly been unanswered.

Theatres in the path of the earthquake follow:

Lontue, Lontue: Universal Cinema, Teatro Municipal, Palet, Imperio, all in Talca or Talca Province; Teatro Municipal, O'Higgins, Col университет, all in Chillan; Teatro Puchuo, Chillan; Canal, Tenera, Tencel Fraternia, Penco; Sorrento, San Rosendo; Puren, Puren; Imperio, Dante, Fraterna, Imperial, Colun, Apostadero Naval, all in Talcahuano; Teatro de la Gia; Carbonifera, Rialto, Aturo Pratt, Central, all in Concepcion Province.

March of Time' Reel Approved in Quebec

Montreal, Jan. 26.—After being ordered withdrawn from local houses the "March of Time" reel "The Refu- man of the World" was re-screened for the Quebec censor board and approved. It was reissued without changes.

SEC Checking Sales of Film Securities

Washington, Jan. 26.—Secretary of the Commission tonight called upon 39 financial houses to report whether they took part in direct placement of securities with institutional investors between Jan. 1 and Dec. 31. Data to be reported will include names of buyers, prices and commissions.

Drama Guild Denies Theatre League Bid To Film Negotiations

Request of the N. Y. League of Theatres to the Dramatists' Guild that a representative of the League be invited to negotiations now being conducted with film companies has been turned down by the Guild, it was learned yesterday. The Guild took the stand that discussions with J. Robert Rubin, vice-president and general counsel of Loew's, and Jake Wilk, story editor of Warners, were informal.

An invitation at this point would be "premature," the guild said after pointing out that any modification or addition to the basic agreement should have to be submitted to the league, which is a party to the contract. Mr. Manheim, president of the league, attended conferences about a year ago but has not been invited since.

The league has under consideration a plan for a central ticket agency to take the place of the present method of dealing with ticket agencies. A committee will be appointed next week to study the matter. The new agency may be started before the World's Fair opening, but the likelihood is that it will not begin before next season. Twice before, the managers attempted to set up central agencies but both efforts failed.

AFA Maps Plan for Drive to Organize Chorus, Show Girls

Plans for a drive to organize chorus and show girls were made yesterday at a meeting of the American Federation of Motion Picture Employees in Hotel Edison. The drive is directed especially at stage presentations in film houses and night clubs.

Peter Winchell, who was made an honorary member of the A.F.A., made the short address in which he promised his cooperation in the organizational drive. The girls voted to call their division the Walter Winchell Chapter. Others who addressed the meeting were Sophie Tucker, member; Raphael Whitehead, executive secretary, Mrs. Van and Harry Richmond, members of the council.

Harry Callins, eastern organizer of the A.F.A., is conducting negotiations with Loew's, for a union agreement covering the stage show. On Feb. 3, the union will hold a meeting about the formation of an independent hospitalization fund for members and a system which will insure payment of salaries to members.

Loew's Ziegfeld to Run Single Feature

Loew's will put the Ziegfeld, 54th St. and Sixth Ave., on a single feature policy, tentatively February. At the same time the night price will be cut from 50 cents to 40 cents in orchestra and balcony, with logees remaining 35 cents. C. C. Moskovitz, Loew executive in charge of New York circuit operations, said that if the policy is successful it may be extended to "a few other houses on the doubtful border between singles and doubles."

More likely to succeed is the Ziegfeld. The film has been experimented with singles for six months, playing them on the "short end" of the week. It is expected to increase greatly in sales, Moskovitz said.

Many Notables See 'Gunga Din' Opening

Many notables of the stage and screen were in the audience which witnessed the opening of RKO's "Gunga Din" at the Music Hall last night. Among the guests of W. C. Van Schmus, managing director, were Mrs. Eve Sunburn, Douglas Fairbanks, Jr., George Stevens, Joel Sayre, the Duke of Albermarle, Mr. and Mrs. Jack Whiting, Irving Asher and Mrs. John Walker Hunday and Bruce Elmore.

Neighborhood Scales Cut by Loew's, RKO

Downtown Underselling on Weekend

Because in many instances the neighborhoods are being undersold on early-bird Sunday prices, in Brooklyn and Manhattan by downtown dealers, Loew's has decided to reduce the Sunday morning price in several of its city theatres and in some others to meet weekend competition from downtown under-scales, also on weekend nights. In some spots, the Saturday scale will be changed, RKO is going to follow Loew's in this respect, and undoubtedly will meet the Loew scales, it was said officially.

Loew's will cut five and ten cents in nine Brooklyn and Manhattan theatres, along these lines, beginning probably Feb. 4 and 5. The extent of the cut will be applied in accordance with the particular theatre involved.

General Revision Seen

The Loew and RKO changes may lead to a general revision of neighborhood scales in neighborhoods affected.

Houses involved are Coney Island, Kings, Oriental, Boro Park, 46th St. and Alpine, all in Brooklyn, and the Loew, Sheridan and 175th St. in Manhattan. All are second or third runs, with the exception of the 175th St., a first run.

Some will cut for opening hours, others for matinees and others for all day Sunday. Top price in the group is charged by the Kings, which gets 50 cents on Sundays.

Many Notables See 'Gunga Din' Opening

Many notables of the stage and screen were in the audience which witnessed the opening of RKO's "Gunga Din" at the Music Hall last night. Among the guests of W. C. Van Schmus, managing director, were Mrs. Eve Sunburn, Douglas Fairbanks, Jr., George Stevens, Joel Sayre, the Duke of Albermarle, Mr. and Mrs. Jack Whiting, Irving Asher and Mrs. John Walker Hunday and Bruce Elmore.
Jean and Via Hershaft were guests of honor at a cocktail party given by Bland Johanson of the "J"-hotel on Wednesday. About 40 were present, including the Lauritz Melchior, the Richard Bonelli, Douglas Fairbanks, Jr., Ole Olsen, Patricia Ellis, Kate Cameron, Wanda Hale, Dorothy Masters, Rose Peleswick, Dan Walker, William B. Boring, Mrs. Jack McNam, the Dick Hymans, Katharine Best, Kenneth McCal, John Mosher, Van Van, Warren Kelly and Capt. Rhodie Borge.

Joseph Siegelman, Universal vice-president and foreign manager, is expected back from the coast Monday and may sail for South America the following day. J. Cheever Cowden and Nave J. Blumberg are not expected back in New York until later next week. W. A. Scull starts a vacation in Hollywood following the current production conferences at the Universal studio.

Louis Brecker, owner of the Roseland Ballrooms, Gay Blades ice rink, etc., gave a farewell party for Mr. and Mrs. David Low Wednesday night. The Lowes leave for the coast tomorrow. Among the guests were Jack Goetz, Leopold Friedman, Joseph Rosenthal, Joseph Scully, Oscar Doctor, Arthur Gotlieb and Mervin Ash.


Monty Banks, 20th Century-Fox, director, arrived in Chicago last night and will sail with Gracie Fields tomorrow on the "Champion." Karl T按时, and Donald Ettinger, writers, accompany them.

Ralph Rolan of RKO is in Washington on the "Gateway to Hollywood" talent search. With him are Arthur Will, Bryant Washburn and Ralph Palmer.


John H. Ruger, president of M. P. Drucker, 702, will marry Edna Stahl today. They will honeymoon in the south.

Morris Epstein, Republic's New York manager, left last night to join Mrs. Epstein, who is spending the winter at Miami Beach.

Sonnja Henie has left for Florida and a southern cruise. She will return here late in February and then go to the coast.

Barney Balaban, Elmer Upton, Dave Blum and Harry Melniker, at Sardi's, for lunch, the other day.

Insiders' Outlook

By SAM SHAIN

Short Takes

SHOOTING of "Gone With the Wind" started at the Selznick-International Studios on the coast, at 11 A.M., yesterday.

Only instance of its kind, so far as we know, where a press agent had a manager in the case of Perry Terry, who is handling publicity for the studio. The William Morris office handled the Turner deal.

W. M. Gladish we learn that the Warner Bros. eastern head office has no word that Harry Weeden, Odeon (Deutsch) Theatres architect, is coming from London to launch a circuit in Canada. There has been no correspondence between the two men.

The Newsreel Parade

Contributions of dunes for the paralysis campaign, fishing, fashion, king and queen of films crowned and record scrummage of tenure have all been included in the new issue of the newsreels. The reels and their contents following:


H. M. Richery, RKO director of theatre relations, is expected back in New York today from London and intermediate stops.

Irving Mack, head of Filmack Trailer in Chicago, has left for his first trip to Hollywood, despite 30 years in the business.

Arthur Lee of G-B leaves for Toronto and Chicago tonight on the first leg of a business trip of indefinite duration.

Joseph P. Kennedy, Ambassador to Great Britain, will address the N. Y. Financial Writers' Association on Feb. 21.

Edward Everett Horton, comedian and His Majesty's "Paris Honolulu," arrived in New York yesterday from Europe.
“Hey Dad, didn’t you say I’d get a new fur coat the next big booking you made?”

Yes, my Darling Daughter

You’ll get it for Washington’s Birthday!

Yes indeed! Thanks to WARNERS and terrific performances by PRISCILLA LANE and JEFFREY LYNN (The sweetheart of ‘4 Daughters’) ROLAND YOUNG • FAY Bainter • MAY ROBSON Genevieve Tobin • Ian Hunter Directed by William Keighley Screen Play by Casey Robinson From the Stage Play by MARK REED A First National Picture
**Rumors-Get another original screenplay, based on the “Nancy Drew” series, by Carolyn Keene. William Clemens directed, under the supervision of Associate Producer Bryan Foy.

Winning with five others a journalism prize, Miss Graville competes for a new honor by entering a contest on a daily paper as a “cub” reporter. She thrill’s her assignments and covers inquest, getting clues which eventually lead to the solution of the murder.

Running time, 67 minutes. G**

**Four Girls in White**

Hollywood, Jan. 26.—As the title indicates, “Four Girls in White” is a hospital story, of nurses in particular, and of surgery, doctors, illness and insanity more or less violent, in general. The pall of grimness usually associated with hospitals and most film stories of the medical profession, is heavy in this, but for occasional buoyant bits of comedy.

The cast consists of Florence Rice, Una Merkel, Ann Rutherford, Mary Howard, Alan Marshal, Kent Taylor, Buddy Ebsen, Jessie Ralph, Sara Haden, Phillip Terry and Tom Neal. Miss Merkel, Ebsen and Miss Ralph supply the comedy deftly, and the other characterizations are well drawn. Dr. Levinson produced this, his last effort on the M-G-M lot before leaving recently.

Dorothy Yost wrote the adaptation of the original story by Nathalie Bucknell and Endre Bohem. S. Sylvan Simon directed.

Miss Rice, anxious to marry well and leave the drudgery of nurses’ training, indirectly causes the death of a nurse, Miss Howard, by her fellow students. Her plans for marriage to Taylor, a wealthy playboy, fail because her sister loves him. But she manages to get back into the good graces of all because of her heroism during a train wreck and a dam break.

Running time, 70 minutes. G++

**Topper’er Takes $6,200**

In Oklahoma City

OKLAHOMA CITY, Jan. 26.—“Topper” Takes a Trip” was the best grosser here, with $6,200 at the Criterion in a generally slow week. The only other film to do better than average, took $2,700 at the Tower. Rain and snow brought business down. Estimated takings for the week ending Jan. 19:

**Topper Takes a Trip**

CRITERION—$1,200 (25c-35c-40c) 7 days. Gross, $1,200. (Average, $171.43)

RICE—(1,000) (35c-55c) 7 days. Gross, $900. (Average, $128.57)

LOEWS—(300) (35c-40c-50c) 7 days. Gross, $2,900. (Average, $414.29)

LIBERTY—(1,200) (35c-55c) 7 days. Gross, $2,200. (Average, $314.29)

Going Places” (W. B.)

MIDWEST—(1,500) (25c-35c-40c) 5 days. Gross, $2,200. (Average, $440)

FLAZA—(750) (35c-40c-50c) 7 days. Gross, $2,000. (Average, $285.71)

“Gangster’s Boy” (Mono.)

STATE—(1,800) (25c-40c) 7 days. Gross, $2,100. (Average, $300)

**Nancy Drew, Reporter**

Hollywood, Jan. 26.—Second of the Warner “Nancy Drew” series, “Nancy Drew, Reporter,” is a fast moving melodrama aimed directly at adolescents. It again features the activities of Bonita Granville in the title role, this time determined to win the daily newspaper’s prize for being the best amateur reporter. While doing so, she stumbles into the solution of a murder and manages to bring the killers to justice, but not before involving herself and Boyd Irwin, played by Frank Thomas, Jr., in a series of hilarious, yet dangerous, episodes.

Supporting the juvenile pair are John Litel, Mary Lee, Sheila Bromley, Larry Williams, Betty Amman, Thomas Jackson, Dickie Jones, Olin Howland and Frank Orth.

Rumors-Gamet, wrote the original screenplay, based on the “Nancy Drew” series by Carolyn Keene. William Clemens directed under the supervision of Associate Producer Bryan Foy.

Winning with five others a journalism prize, Miss Granville competes for a new honor by entering a contest on a daily paper as a “cub” reporter. She thrills her assignments and covers inquest, getting clues which eventually lead to the solution of the murder.

Running time, 67 minutes. G++

**‘Topper’er Takes a Trip’ at Strong $8,300 Is Best Denver Gross**

DENVER, Jan. 26.—“The Beachcomber” did the best comparative business here, with $6,300 at the Denver, generally good business.

“Thanks for Everything” strong at the Denver, with a gross of $11,000. Career took $4,500 in its third week, at the Aladdin.

Estimated takings for the week ending Jan. 22:

**M-G-M**

ALADDIN—(1,400) (25c-40c) 7 days. Gross, $8,000. (Average, $1,142.86)

“Stand Up and Fight” (M-G-M)

OREPHIM—(1,000) (25c-40c) 7 days. Gross, $0.00. (Average, $0.00)

“The Beachcomber” (Para)

DURAN—(2,000) (25c-40c) 7 days. Gross, $8,000. (Average, $1,142.86)

“Thanks for Everything” (25c-40c) 7 days. Gross, $11,000. (Average, $1,571.43)

**‘Topper’ Takes a Trip’ (M-G-M)

BROADWAY—(1,000) (25c-40c) 7 days. Gross, $2,700. (Average, $385.71)

**‘Thanks for Everything’ (25c-40c) 7 days. Gross, $11,500. (Average, $1,642.86)

**‘Thanks for Everything’ (25c-40c) 7 days. Gross, $11,500. (Average, $1,642.86)

**‘Stand Up and Fight’ (M-G-M)

SHARPSHOOTERS—(1,400) (25c-40c) 7 days. Gross, $2,700. (Average, $385.71)

“The Beachcomber” (Para)

PACIFIC—(1,200) (25c-40c) 7 days. Gross, $0.00. (Average, $0.00)

**‘Topper’ Takes a Trip’ (20c-40c) 7 days. Gross, $4,500. (Average, $642.86)

“Thanks for Everything” (25c-40c) 7 days. Gross, $11,500. (Average, $1,642.86)

**‘Stand Up and Fight’ (M-G-M)

SHARPSHOOTERS—(1,400) (25c-40c) 7 days. Gross, $2,700. (Average, $385.71)

**‘Thanks for Everything’ (25c-40c) 7 days. Gross, $11,500. (Average, $1,642.86)

**‘Stand Up and Fight’ (M-G-M)

SHARPSHOOTERS—(1,400) (25c-40c) 7 days. Gross, $2,700. (Average, $385.71)

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Advisers on Four Years of Operation

Charlotte, N. C., Jan. 26.—Whitaker Smith, manager of the Monroe, N. C., took a double-page ad spread recently to tell about four years of successful operation of the State. Using a two-page display in the Monroe, N. C., Ledger, Smith printed pictures of all connected with his theatre, including janitors and janitor's traps. In addition to other advisers and the paper looked like a theatre publication.

To Elect Cinema Lab Directors on Feb. 10

Stockholders of Cinema Laboratory, Inc., of Hollywood, which was recently reorganized through Federal court action, will meet on the 10th to elect directors.

R. L. Wilhelmin, who has been general fiscal agent of the corporation for three years, has left for Los Angeles after conferences here with a view to obtaining "picture management." The company formerly was operated by San Francisco stockholders.

Wilhelmin said there were $180,000 in claims against the company, including $61,000 owed to E. Brubaker for raw stock, accounts receivable are $120,000, with Grand National owing $82,000, a large company.

The company formerly was known as International Cinema Laboratory. It has handled printing for Grand National, Monogram and other companies. Several independent producers' negatives held by the laboratory have been assigned to Producers Finance Corp. for liquidation.

Granger Leaves on Tour After Meeting

James R. Granger, Republic president, left last night for a field trip after winding up district managers' meetings at the home office on this season sales policies and product plans.

He will visit Montreal, and in Toronto will confer with N. L. Nathanson and Oscar Hanson, head of Empire Films, Republic distributor in Canada. From there he goes to Detroit to confer with Sam Seppowin, franchise holder there.

Plans for next season are understood to be all-out. Heek Everett, southern district head at Charlotte, left last night. Others are remaining.

Schwartz Relected By Cleveland MPEA

Cleveland, Jan. 26.—Ernest Schwartz was unanimously elected president of the Cleveland Motion Picture Exhibitors Association for the sixth consecutive year. A. P. Pak was reelected vice-president, M. R. Horwitz treasurer and George W. Erdmann secretary. L. G. Baldwin and Frank Porozicky were elected to the board of directors for the third year and Jack Shulman and Myer Kaplan for a year.

Delay Association Meet

Meeting of the Motion Picture Associates at the Hotel Astor, scheduled for yesterday, has been postponed to Feb. 3.

'Tail Spin' Air Tour Starts Tomorrow

"Tail Spin" tour sponsored by 20th Century-Fox starts tomorrow in Los Angeles, with four women aviators and eight players flying to New York by southern and northern routes.

The flight will end here Feb. 7. On Feb. 9 the company will give a dinner in the grand ballroom of the Imperial while Karl Wallin will present "Tail Spin," for which army and naval officers, aviators and civilians helped Tommy Tomlinson will speak at the dinner, and Mayor F. H. LaGuardia may attend.

Flying the southern route in the tour are Betty Huyler Gillies and Cecile Kenyon, aviators, and the Weserer Twins, Alice Arnow and Eva Stewart, players, accompanied by William Chambless of the home office. In the party taking the northern route are Ruth Nichols, Arlene Banneker, aviators, and Lillian Porter, Dorothy Dearing, Joan Valerie and Helen Erickson, players, with Johnson of the publicity department.

Delivery of prints of the film will be made in 19 cities en route, with receptions at each stop.

IA and AFIM Refuse Opera on Tour Views

Local offices of the American Federation of Musicians and the I. A. T. S. E. refused to comment yesterday on their future activities with reference to a 20-city tour. On Thursday, N. Y. Supreme Court Justice Kenneth O'Brien granted an injunction restraining the unions from stopping their members from working for Opera on Tour.

At the request of the musicians, the stage hands refused to work for the public welfare. The company offers road shows of opera with electrically-transcribed orchestral accompaniment.

Amplis Hears Johnson On WPA Film Book

Leota Lane, one of the four Lane sisters, Herman Bing, Dr. Oakley Johnson of the WPA's Writers' Project and Harold Leonard were guests at the Amplis luncheon yesterday at the Astor. Miss Lane, who shortly will appear at the Metropolitan Opera, sang several numbers.

Dr. Johnson described the forthcoming three-volume reference work on films which is to be published by the Museum of Modern Art Film Library. The writers' project is handling the preparation. Leonard is editor of the work, first volume of which will be out in the spring.

Warners Win 3 Dec. Champions in Herald

Three of the six "Box Office Champions" for December selected by Motion Picture Herald are Warner pictures. Under the Handbook's criteria two and United Artists the sixth.

December "champions" are 

"Angels with Dirty Faces," "Dawn Patrol" and "Hard to Get." All were 

"Out West With the Hardys" and 

"Sweethearts," both Warner-G. M., and 

"The Young in Heart," Schenck-U. A.

Mounties Forbidden To Aid on Pictures

Toronto, Jan. 26.—Canada's glamar boys are "out as far as screen and radio are concerned. The Royal Canadian Mounted Police will lend its aid no more to the producers or authors responsible for narratives depicting the exploits of the force, according to official announcements by the R.C.M.P. Commissioner, because such cooperation tends to cheapen the corps—"the Mounties must now run down their prey without thought of glorification on the screen.

Stars Will Appear At Benefit for NVA

Many stars of the stage, films and radio will appear on the benefit program for the National Variety Artists Jan. 26, at the Alvin. Among them are Billy Gaxton and Victor Moore, Olsen and Johnson, Molly Dixon, Ann Trahn, Eddie Gage, Bill Robinson, "Fat's" Wolly, Sonya Marmaenue Ballot and Ted Friend. The affair is being sponsored by George M. Cohan and James J. Walker.

Morris Bischoff Dies

SANTA MONICA, CAL., Jan. 26.—Morris Bischoff, father of Sam Bischoff, Hollywood producer, died of pneumonia here today. He was a retired real estate broker and contractor of Hartford, Conn.

B'way Grosses Hit By Continued Cold

Continued cold kept business away from the box-offices along Broadway. Evening shows were most affected. The "Shining Hour" grossed an estimated $28,000 at the Capitol and was replaced yesterday by "Stand Up and Fight." At the Music Hall, the "Great Man Votes" finished with an estimated $62,000. Opening day business for "Gang Din" was good.

First week of "They Made Me a Criminal" at the Strand grossed an estimated $40,000 and it was held over. Jesse James' continued as the leading grosser with an estimated $62,000 in its second week at the Roxy, where it is continuing. Total of $15,000 have seen the film since its opening. "Gang Bullets" will open at the Central Saturday.

Fight Objectionable Oklahoma City Films

OKLAHOMA CITY, Jan. 26.—A committee to take steps to stop the showing of objectionable pictures here, has been named by the board of managers of the Oklahoma City Parent-Teachers Association.

The committee plans to call on Mayor Martin to protest the showing of films such as "Slave in Bondage" which was shown for a week at the Kadlo. "What we object to most is the theatre's advertising," Mr. C. E. Hall, president, said. "This advertising was both in the newspapers and in front of the theatre."

John Carradine, as the mysterious Mr. Hatfield, and Jeff with cards, gaffton to ladys. Running away from a past no one could guess. And paying with his life to balance unconfessed crimes with one good deed when the wilderness death death.

"STAGECOACH" DIRECTED BY JOHN FORD

Released thru United Artists.
<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>
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<tbody>
<tr>
<td>Dec. 23</td>
<td>There's That Woman Again (G)</td>
<td>The Girl Downstairs (C)</td>
<td>Wild Horse Canyon (O)</td>
<td>Tom Sawyer, Detective (D)</td>
<td>Shine On, Harvest Moon (C)</td>
<td>Thanks for Everything (G)</td>
<td>Trade Winds (G)</td>
<td>Newsboys Home (G)</td>
<td>The Dawn Patrol (G)</td>
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<tr>
<td>Dec. 30</td>
<td>Smashing the Spy Ring (G)</td>
<td>Sweethearts (M)</td>
<td>Tough Kid (Q)</td>
<td>Federal Man Hunt</td>
<td>Fighting Throughhobeds (G)</td>
<td>Kentucky (G)</td>
<td>Duke of West Point (D)</td>
<td>Going Places (G)</td>
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<tr>
<td>Jan. 6 1939</td>
<td>Homicide Bureau (C)</td>
<td>Stand Up and Fight (G)</td>
<td>Convict's Code (D)</td>
<td>Mysterious Mis X (G)</td>
<td>The Great Man Votes (G)</td>
<td>Topper Takes a Trip (G)</td>
<td>Last Warning (D)</td>
<td>Devil's Island (G)</td>
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<td>Jan. 13</td>
<td>The Thundering West (O)</td>
<td>Burn 'Em Up O'Connor (G)</td>
<td>Zaza (A)</td>
<td>Arizona Legion (G)</td>
<td>Mr. Moto's Last Warning Lorre; Cortez Smiling Along (O)</td>
<td>They Made Me a Criminal (G)</td>
<td>Off the Record (G)</td>
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<td>Jan. 20</td>
<td>Frontiers of '49 (O)</td>
<td>Drifting Westward (O)</td>
<td>Ambush (G)</td>
<td>Arizona Legion (G)</td>
<td>Mr. Moto's Last Warning Lorre; Cortez Smiling Along (O)</td>
<td>They Made Me a Criminal (G)</td>
<td>Exile Express (G)</td>
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<tr>
<td>Jan. 27</td>
<td>Lone Wolf Spy Hunt (G)</td>
<td>Idiot's Delight (A)(D)</td>
<td>Sundown on the Prairie (O)</td>
<td>Pride of the Navy (G)</td>
<td>Jesse James (D)</td>
<td>Made for Each Other (G)</td>
<td>Ride 'Em Cowgirl (G)</td>
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<td>Feb. 3</td>
<td>Texas Stampede (G)</td>
<td>Honolulu (G)</td>
<td>Paris Honeymoon (G)</td>
<td>The Woman Doctor (G)</td>
<td>Jesse James (D)</td>
<td>The King of the Underworld (G)</td>
<td>Torchy in Chinatown (G)</td>
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<td>Feb. 10</td>
<td>Adventures of Huckleberry Finn (C)</td>
<td>Honolua (G)</td>
<td>St. Louis Blues (G)</td>
<td>Fisherman's Wharf</td>
<td>The Arizona Wildcats (G)</td>
<td>Pirates of the Skies (G)</td>
<td>Wings of the Navy (G)</td>
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<td>Feb. 17</td>
<td>Fast and Loose (re-issue)</td>
<td>Little Pal (re-issue)</td>
<td>Navy Secrets (C)</td>
<td>Home on the Prairie (O)</td>
<td>Girl Slaves (G)</td>
<td>Tall Spin (C)</td>
<td>You Can't Cheat an Honest Man (O)</td>
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<td>Feb. 24</td>
<td>Let Us Live (G)</td>
<td>Star Reporter (G)</td>
<td>Persons in Hiding</td>
<td>Forged Passport</td>
<td>The Three Musketeers</td>
<td>The Phantom Stage (G)</td>
<td>Nancy Drew, Reporter (G)</td>
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**ED. — G. N.**

- The Long Shot (G) (D)
- Gordon Jones (G) (D)
- Marsha Hunt (Jan. 6)
- Water Rustlers (O)
- Dorothy Page (Jan. 6)
- Trigger Pals (G) (O)
- Art Jarrett (O)
- Leo Pough (O)
- Al St. John (Jan. 13)
- Exile Express (O)
- Anna Sten (Jan. 20)
- Ride 'Em Cowgirl (G) (O)
- Dorothy Page (Jan. 20)
- Crashing Through (Renfrew Series) (O)
- James Newill (Jan. 20)
- To the Rescue (Renfrew Series) (O)
- James Newill (Feb. 10)
ESSENTIAL BOOKS FOR SUCCESSFUL THEATRE OPERATION

AIR CONDITIONING

by CHARLES A. FULLER

567 pages, dealing with air and its properties, plant load calculation, air distribution, grilles, heating and dehumidification, fans, cooling coils and air-washers, mechanical refrigeration processes and machinery, well drilling and well-water cooling, ice cooling, storage refrigeration, evaporative condensers and water saving devices and methods, unit coolers, automatic control, air cleansing and purification, and codes and ordinances regulating installation. Book is bound in cloth, has index system and psychrometric charts.

F. H. RICHARDSON'S

BLUEBOOK of PROJECTION

This is the revised sixth edition and is now in its second printing. It includes 722 pages of up-to-the-minute text, charts and data with detailed description of assembly, wiring and functioning of all modern sound and projection apparatus. It is a practical "trouble shooter," and is cross indexed for immediate reference in any projection room emergency.

MOTION PICTURE ALMANAC

The 1938-39 edition is bigger and more comprehensive than ever before. International in scope, it contains over 1200 pages crammed with vital facts and figures covering every phase of the Motion Picture Industry. The Who's Who section alone, includes more than 12,000 biographies. Every exhibitor needs this annual industry reference. Edited by Terry Ramsaye.

THEATRE ACCOUNTING

Written by William F. Morris. Acknowledged to be the best bookkeeping system for theatres. Enables you to keep your accounts easily and accurately, tabulating each day's receipts and expenses. Guards against income tax troubles and losses through errors. Thousands of exhibitors are using this ledger because it is easy, self-operating and accurate. Order yours to-day.

MOTION PICTURE

SOUND ENGINEERING

547 pages; illustrated; covers every practical method and process in present-day sound engineering. Leading engineers explain every detail of apparatus and its arrangement, with diagrams, tables, charts and graphs. This manual comes straight from the workshops of the studios in Hollywood. It is indispensable to everyone working with sound equipment.
Yankee and Giant Home Games to Be Aired Over WABC

WABC, local key station of CBS, will broadcast the games of the New York Giants and New York Yankees baseball clubs, in a deal involving spots from three clients, who will share the cost equally. Only the home games of the teams will be broadcast, exclusively.

Participating will be General Mills, Socony-Vacuum and Procter & Gamble. It is expected that the clients will share the games by means of a rotating system. Reports indicate that the management of the Yankees and Giants each will receive $100,000 for the broadcasting rights to their home games.

Socony-Vacuum and General Mills for the past several years have been radio's heaviest spenders for sports broadcasts.

Meanwhile, a station for broadcasts of the games of the Brooklyn Dodgers still remains to be secured, although rights to the games have already been purchased jointly by Socony-Vacuum and General Mills. WOR has been offered the deal but has refused unless radio and home games are included. Taking only the home games, WOR would have no income from its afternoon baseball program.

NBC, it is understood, has taken much the same stand as WOR and it is likely the Dodger games will be broadcast over one of the unaffiliated New York stations, possibly WMCA or WHN.

Quebec Delays Ban On Radio Beer Ads

MONTREAL, Jan. 26.—Canadian Broadcasting Corp.'s decision to ban radio advertising of beer and wines in the Province of Quebec has been denounced.

With strong liquor ads banned on the air throughout the Dominion, and beer, wine ads ruled out in every other province, Quebec is left as one of the last stronghold of such promotion, campaigning on the part of the Quebec Temperance League and Cardinal Rodrigue Villeneuve, Canadian head of the Roman Catholic Church, eventually gained strength and late last month local advertising agencies were preparing for the stroke that would wipe out one of the most remunerative lines of their business. They had set March 31 as the last date that ads would be allowed on the air in Quebec.

Murray Major of the CBC, however, now says that the board of governors "is exploring the views and suggestions of the interested authorities" and will consider the matter when they meet in April.

House Leaders Map Wide Radio Inquiry

WASHINGTON, Jan. 26.—Representatives Conomy and Wigglesworth, who preside over a House Indian resolution for a House investigation of the Federal Communications, took over the lead in blocking the bill with the viewing of the hearings into an open forum on radio. Their aim is to make the bill for reorganization of the Commission vehicle for an investigation of the entire broadcasting situation.

Chairman McNinch of the F.C.C. general has begun writing the measure which will be submitted next week to the hands of the Senate and House Interstate Commerce Committees. The new legislation will be in two parts, the first to provide a new three-man body and the second to set forth definite policies on superpower, ownership, etc., as set forth by President Roosevelt.

CBS Adds WRVA in Southeastern Area

Improved coverage of the southeastern area is in prospect for CBS time users, beginning this month in Richmond, Va., and culminating with the addition of a station in Asheville, N. C., in June.

WRVA, Richmond, will begin operating at 1000 on Jan. 15, a 10-fold increase in power, and WWNC, Asheville, will rejoin CBS as a member of the southeastern group in June. Base rates for the Asheville station will be $125 per evening hour. Also, a new sales policy will be inaugurated for this group on Feb. 1. Thereafter stations in the group will be available with the basic network, in a group of not less than four stations in this territory.

Quebec Delays Ban On Radio Beer Ads

Ogilvie Says BBC Plans Nationwide Television Service

London, Jan. 26.—F. W. Ogilvie, head of the British Broadcasting Corp., declared today that there will be no change seriously affecting television sets for some years, but that the television experimental days are not yet over.

British Broadcasting Corp. is aiming at a nationwide television service, he declared in an address at Alexander Palace. The meeting, televised in part as part of a new sales campaign, C. O. Stanley, chairman of the manufacturers' group, stated his association had challenged manufacturers in the United States to a sales duel, the winners to stage a dinner which will be televised.

Further plans to increase the time of German news broadcasts.

Joan Crawford Will Appear in "Gateway"

Joan Crawford will appear in RKO’s "Gateway to Hollywood" series for the first time in "The Night in the CBS, beginning the Feb. 5 broadcast. Also scheduled for a radio appearance that same day is Loretta Young, who will play in the "Silver Theatre" over CBS.

Would Join RCA Suit

Another application by a stockholder of RCA for permission to intervene as a plaintiff in the stockholders' suit instituted in the N. Y. Supreme Court against RCA, its officers and directors, Westinghouse Electric & Mfg. Co., General Electric Co., American Telephone & Telegraph Co., was filed yesterday.

The applicant, Herman Wangrow, is seeking to intervene, as plaintiff in three of the stockholders' suits as holder of 100 shares of RCA common stock.

Crosby on Guild Show

Big Crosby, Hugh Herbert and assorted Broadway talent will be in the Screen Guild show over CBS Feb. 5. Gregory LaCava will direct the broadcast.

WXYZ Uses Film Device to Describe City Departments

A new style of "documentary" radio for planned on-the-spot transcribed delivery of inlaying and cutting methods of motion pictures is being planned by WNYC, New York's municipal station. The general method resembles that of film production in that it involves "takes" and "retakes" and an editing process. In a particular number of programs that will afford a radio picture of various municipal departments, such as test programs. These include health centers, the Police training school, the Municipal market and similar places. Already completed is a recording of a day spent in a neighborhood health center. Recorded were actual conversations between mothers, children and nurses, and physicians and nurses. Several hours of material was recorded. Whenever necessary "retakes" will be made of unsatisfactory performances and a finally a narration will be written in.

This documentary" method of radio is new to America, but it has been used extensively by the British Broadcasting Corp. The French Government also uses the method and at the present time a French unit is touring the United States, recording American scenes and industries. The French staff is being assisted by men from NBC and CBS.

O'REAL of Mutual's special events staff in standing a day long watch on a windswept pier warping the docking of the "Estonia" into the harbor. Captain J. C. Hummert, the company's navigator, has been the entire crowd that worked the assignment. Air re-repored that Al Jolson, Arthur Lake, John Darrow and others were all present, discovering what his few intimates have known all the while—that he is an utterly fair, reasonable and understanding gentleman.

New York network stations have tended to ignore local coverage in the past, leaving that field almost exclusively to the independents. CBS recently reversed that policy with a new program and production setup for WABC which is proving itself. Hearst by George Allen, Dick Swift and Henry Untermeyer, such programs as Phil Cook's "Morning Almanac," Charles Stark's "Oddities in the News," and an sweeping "Early Morning News" and the new Bud Hulick stanza have been sold to local sponsors. CBS is also increasing community coverage and service. WABC is now featuring farm news, Mel Allen's sports programs, George "Town and Country," and the Ruth Brine's commentaries. The new CBS policy is bound to bring increased local color to the other New York network stations resulting in improved service in the eastern area.

This column is worth $1,000 today. According to Billboard, mention of the name of any radio performer in a trade paper is worth $3 for the publicly.

Heard on the air yesterday were: U. S. Army Band (50 pieces), Fire Dept. (35 pieces), "Peppler's Young's Family" (seven to the family), "Johnson Family" (six to the family), "Young and Morgan" (to each sex), Lud Gluskis' orchestra (18), Allan Kent, Easy Aces (2), "School of the Air" (2 at school), "Serenade the Survivors" (G. A. Trevor, Grand Duchess Marie, Gen. Hugh S. Johnson, Don Winslow of the Army (and eight drummers), Nicky Kenyon in comments, "Voice of Experience," Missing Persons News (14 missing persons) "Voice of the Still," "O'Neill's" (eight of em). Mr. Keen, Tracker of Missing Persons (nine m. p. traced), Van Steden's orchestra (16). Pay-off line forms to the right please.
Assign Crisis Role To British Houses

London, Jan. 29.—Following the example of the Cinematograph Exhibitors' Association and the British Home Office and other Government departments, a plan has been prepared which outlines the role of the film theatres of the country in the event of any international crisis involving England. Although details are not available, it is understood the plan covers the part to be taken by the theatres as places of public assembly and the powers and duties of the theatre personnel.

TEN STUDIOS FACE CHARGES BY NLRB

MP Fund Put On Workable Income Basis

By SHERWIN A. KANE

Hollywood's Motion Picture Relief Fund, which was given a modest boost by giving out two Mary Pickford in 1921, has carried on through the intervening years largely through the bounty of its friends, has achieved within recent months a business-like income plan which promises to care for the thousands who receive assistance from it annually without being faced at each year's end with a growing deficit.

Jens Hershold, president of the Fund, who is visiting New York, tells its story reluctantly. The last publicity the fund received resulted in new applications for aid and uncovered no new donors.

The Fund was reorganized early last year, with its management being turned over to a board of 33 trustees appointed by the various Hollywood guilds and unions. Every Hollywood employee earning $100 or more weekly is asked to give one-half of one per cent of his salary to the fund.

1938 Theatre Building Jobs Decline to 751

Total of 751 theatre construction projects, including new theatres and substantial remodeling, is reported for 1938 in the 37 states east of the Rocky Mountains. In 1937 the total was 884.

Value of theatre projects covered by the analysis is $20,966,000, compared with $27,227,000 the year before. The difference dropped from $1,034,000 sq. ft. in 1937 to 2,719,000 sq. ft. last year.

The figures are from the Dodge Report.

Radio Film Critics Circle Plans ‘Best’ Awards for ’38

Awards indicative of the relationship between films and radio will be made for 1938 by the newly organized N. Y. Radio Film Critics Circle. One will be a citation to the best radio personality in films and there will be one for the screen personality adjudged to have done the best work in radio during the year.

Sidney Kaufman of WQXR was named temporary chairman of the group at a meeting on Friday. De Ward Jones of the Radio City Music Hall publicity staff was named press representative. Election of permanent officers will take place at a luncheon meeting Thursday at the Edison.

A code of conduct on the air is to be adopted at the next meeting. The code will be aimed to promote higher standards in the relationship between films and radio and will include a definition of professional standards for film commentators on the air. Weekly meetings will be held.

Membership eligibility is restricted to commentators who have reviewed films for at least one year.

The Circle intends to issue a weekly digest of film programs. It will be available to the film industry.

Charter members include: radio Harris, WOR (Mutual); Martin Starr, WMCA (Inter City Network); Sam Taylor, WBNX; Martin Welden, WINS; David Love, WNEW; Mrs. James F. Loomar, WBNX; Sidney Kaufman, WQXR; Mary Bryan, WABC (CBS), and Frank Daniels, WWVF.

Hearing Set for Feb. 13 on Complaints of Screen Writers

WASHINGTON, Jan. 29.—Complaints charging 10 studios with violation of the National Labor Relations Act have been issued by the N. L. R. B. A hearing on the case has been called for Feb. 13 in Los Angeles. Named as respondents are Universal, Hal Roach, Selznick International, 20th Century-Fox, Loew's, Warners, RKO, Columbia, Paramount and Samuel Goldwyn.

The board charges failure to recognize the Screen Writers' Guild after it was certified as bargaining agent, alleging that this constitutes an unfair labor practice and further that the studios have "interfered with, coerced and intimidated" employees in exercise of their rights under the Act.

Efforts to discourage membership in the Guild are alleged. Certain studios are also accused of threatening to close down if certain changes occurred in the Guild organization.

The "plan of interference" also included an agreement with Screen Playwrights, which is charged, despite the fact that this group did not represent a majority of writers.

AlliedSponsoring

Patriotic Trailers

Allied States is sponsoring the production of a series of patriotic trailers, which will be available to Allied members through the regional units. Each will feature an outstanding living American, a message or excerpt from a public speech by the person featured, and the flag.

Production will be by National Screen Service. The first is on President Roosevelt and is now in production. The trailer will feature an excerpt from the President's message to Congress, stressing personal freedom and religious liberty and the Bill of Rights. The running time of the subject will not exceed three minutes each.

Allied's board has authorized the production of the trailers, as a reminder to patrons of "the glory of your country and the blessings of American citizenship." They will be available at cost.

National Screen has also in production a series of patriotic trailers for general distribution. The third, on the Bill of Rights, is being made.
Purely Personal

GEORGE P. SKOURAS, president of Skouras Theatres Corp., is at his home in Greenhaven.

Max Cohen, assistant manager at Universal’s New York exchange, left Friday for a two-week vacation in Miami. Leo Aubert, branch manager, is expected today or tomorrow from that resort. Ben Price, Universal salesman, left Friday for two weeks.

Jerry Buchinder, manager of the Majestic in Petoskey, Mich., left yesterday for a month’s vacation in Miami.

George Stroud, manager of the Palace, Hamilton, Ont., placed first in a Canadian contest for the best exploitation on “Love Finds Andy Hardy.” First prize for best comparative gross was won by N. J. Duncan, Orpheeum, Vancouver.

Walter Hoffman, manager of the Park in Morristown, leaves Feb. 11 for a month in Miami.

Martin Licht, French film producer, sailed on the Champlain Saturday. Other passengers were Andre Mercier, European representative of Columbia Concerts Corp.; Jacques Cauvin, French actor; Orion Nase and Argentinina, dancer.

Don De Leo, who was featured in “Desire to Live,” has been signed to appear in “Lying Lips,” to start Feb. 6 at Biograph Studios, under the direction of Oscar Micheaux.

Wayne Morris and his bride, the former Leonora Schiassi, flew from Havana over the weekend to attend the President’s birthday ball in Philadelphia.

Henry Hathaway has arrived to confer with Douglas Fairbanks, Jr., who will have the lead in “Knights of the Round Table,” which Hathaway, will direct.

Irvine Margulies of the M-G-M home office legal staff, is the father of a daughter, born to Mrs. Roberta Margulies at Doctors’ Hospital on Friday.

Grace Moore was informed on the eve of her performance of “Louise” at the Metropolitan Saturday that she had been made a member of France’s Legion of Honor.

Peter J. Rathvon has deferred his departure for the coast indefinitely. When he goes it will be on business other than for RKO.

Mr. and Mrs. John Barrymore have leased an apartment on Central Park West.

Fred Ehrman of Lehman Bros. leaves Feb. 10 on a visit to San Francisco.

Joseph Seidelman, Universal vice-president and foreign manager, arrives in New York today from the coast.

Sylvia Sanders of Sanders Films.

Insiders’ Outlook

By Sam Shain

A RADIO and legit performer who has been much sought for recently by film companies to make pictures for them, got an offer of $100,000 per film. It would have been his first picture role. Yet he rejected the offer. His agent might be told his wife he had turned down an offer of $100,000.

That was when two fools met,” the husband asked.

“Well—whoever offered you $100,000 per picture is a fool, and you were a fool for turning it down.

A courageous independent company chieftain has given Hollywood something to think about by ordering the main leader on all his firm’s product to be curtailed to include only the picture’s title and the cast list. The remainder of credits are to follow at the picture’s end. His order is predicated upon the fact that the public in that case, cost, interest Hollywood mainly, and not the cash customers."

Not many young newcomers to the screen can show how such plaudits as were conferred by all of the New York film critics on John Garfield for his work in “They Made Me a Criminal,” Warner Bros. picture. It is an impressive tribute when such a group rises unanimously to call film a star.

When a picture comes in under the budget, and particularly a picture which was made in the cast, it is worth noting. That picture is “One Third of a Nation,” to be released by Paramount soon. Harold Orlob had the film budgeted at $200,000, but the final pay sheet shows that financing a part of the money left in the treasury, with the film completed.

On the other hand, another film which was completed recently by and which was budgeted at $300,000, has cost $252,000. That’s worth mentioning also.

A producer who is noted for his broad eccentricities recently startled his fellow stockholders by asking them to make him sole trustee of their firm with sole power to name the company board, the shareholders returned in time to vote down the proposal.

“Gunga Din” is an achievement to make the industry proud. We have seen it. It is one of our truly great pictures. It has man-sized humor, romance and action.

Court Passes Plan
For Fox Liquidation

Circuit Judge Martin T. Manton on Friday handed down a decision approving the proposed plan of liquidation of the nation’s largest independent film company. He granted to Milton C. Weissman, receiver, which will effectuate discharge of Weissman from his office and transfer of the assets of the company to two trustees, to be appointed by Judge Manton.

Assets of the company were listed in the proposed plan at $150,785 current and $38,957 in investments in four sureties clubs, $7,500,000 against William Fox. Liabilities are listed at $80,103,500, plus a contingent claim of Fox for $7,186,000. An eight per cent dividend on allowed claims of $8,103,500 has been paid.

Judge Manton also handed down a decision disallowing a claim of $250,000 filed against Fox Theatres by Myers & Keating, Jack Leo and Harris Capital Trust Co., as assignees of Alfred E. Fiégl. The claim, which had been based on a contract for the solicitation of advertisements for the Fox Weekly, had been previously disallowed in a report of Special Master Courtland Palmer.

Today's Mail

Helprin Sails Feb. 10
For Talks with Korda

Morriss Helprin sails for London Feb. 10, on the Queen Mary. He is going abroad for conferences with Alexander Korda (Hollywood) in connection with the latter’s latest picture, “Four Feathers,” which is now being prepared for United Artists release. Helprin will be in London for several weeks.

Harry T. Moore Dies; Exhibitor in Tacoma

tacoma, Wash., Jan. 29—Harry T. Moore, a motion picture exhibitor for 33 years, died Thursday at Tucson, Ariz. One of the outstanding figures in the industry in the Northwest, Moore had operated in Tacoma for 25 years. He was 60 years of age. He is the brother of the Rialto and Lakewood here.

Mexico City Houses Must Pay Tax Daily

MEXICO CITY, Jan. 29—Daily payments of personal and real estate taxes is the new order of settlement for local film houses. The civic fathers say that day by day settlements of property taxes can eliminate the exhibitors headaches in auditing.
SOMETHING BIG IN A SINGLE REEL!
FANCHON & MARCO PRESENTATIONS
..FAMOUS FOR A GENERATION
..BRING THEIR DISTINCTIVE SHOWMANSHIP TO A NEW SERIES OF SHORTS. HERE IS A FANCHON & MARCO UNIT FOR YOUR SCREEN.

MUSIC HALL VANITIES
Produced and Directed by Arthur Dreifuss ... Featuring NAME talent from stage, screen and radio!

NOW IN RELEASE—The First Of The Series
"A NIGHT IN A MUSIC HALL"
with Pinky Tomlin, composer of "Object Of My Affections" singing his latest number, "If It Wasn't For The Moon" ... Nell Kelly, Betty Atkinson, Estelle Preston, The Majorettes, The Fanchonettes ... a bevy of dancing beauties ... and Ben Black and his Orchestra.

A COLUMBIA PICTURE
"Three Cheers

IT'S EVERYTHING PROMISED! . . . IN THE ALL-TIME TOP-MONEY BRACKET AT RADIO CITY, HOLLYWOOD AND MIAMI!

GET SET FOR YOUR 1939 RECORD-BREAKER!

“A real movie, with more action than you can imagine crowded into one picture . . . Pulls the motion picture out of the static state into which it has lapsed . . . I don’t think I’ve ever felt an audience so tense.”
—Eileen Creelman, N. Y. Sun

“Excellent . . . rousing melodrama . . . the entertainment characteristics of The Three Musketeers, Captain Flagg and Sergeant Quirt, and the Beau Geste-Bengal Lancer boys.”
—Archer Winsten, N. Y. Post

“A swell picture . . . has life and gusto and zest; it moves along with the force of a gale, sweeping everything before it.”
—Leo Mishkin, N. Y. Morning Telegraph
Three cheers for 'Gunga Din.'
A rip-snorting, swashbuckling thriller . . . A rousing screen spectacle that keeps Music Hall audiences glued to their seats for two thrill-packed hours.”
—Kate Cameron, N. Y. Daily News

Recommended most enthusiastically . . . Broadly comic, packed with thrills, ruthlessly tear-jerking . . . A complete show for any fan’s money.”—Bland Johaneson, Daily N.Y. Mirror

Great . . . a striking pageant of frontier warfare . . . stretched to the breaking point with suspense.”—Howard Barnes, N. Y. Herald-Tribune

Magnificently explosive action . . . most spectacular bit of cinema . . . taut with suspense . . . moves with discipline, dash and color.”
—B. R. C., N. Y. Times

Just about one of the finest films I have ever seen. A masterpiece of action and melodrama . . . brilliant and distinguished.”
—William Boehnel, N. Y. World-Telegram

Impressive action drama . . . filmed on a large and spectacular scale . . . Vividly staged battle sequences . . . stirring fighting . . . heroic story.”
—Rose Pelswick, N. Y. Journal & American
Big City Theatres Condemn Use of Games

Non-Theatrical Competition Is Leading Factor

By SAM SHAIN

Some exhibitors, particularly those in small localities, place so much box-office value on chance games that it is a wonder they bother to play pictures at all.

Big city and small-town exhibitors differ regarding the box-office worths of such games.

Big city theatre operators generally condemn the use of chance games to stimulate trade and would like to get rid of them. Most feel that they are obliged to use chance games to attract trade because of non-theatrical competition in this field. Denver is the exception.

Denver is one of the greatest giveaway cities of the country. The City of Denver was without any such games today, but all three first runs in Denver operate with some giveaway scheme.

Some Churches Have Quit Games

There are instances where churches, of their own accord, or by order of ecclesiastical authority, have ceased to operate games. Theatre owners, in the main, however, seek accord from their competitors before stopping the games.

In the wide open cities and towns, the chance games are considered highly unprofitable.

Denver has been one of the first cities to close such games.

There are some of the findings of today's installment of the cross-country survey on chance games and giveaways, by MOTION PICTURE DAILY.

Des Moines

Population, 146,000; four first runs, average 1,060 seats, 25c-41c; 15 sub- sequents, average 425 seats, 25c-50c. Bank Night is the game here. All first runs have it. Subsequent have been running Bank Night the last four years.

Tri-State Theatre Corp. (A. H. Blank) has all Des Moines first runs and four of the subsequents and is strong in the state. Of about 600 theatres in Iowa, all but a score have chance games.

Gives away Moine, Tri-State gives away about $13,000 yearly, the independent about $6,000. The State Supreme Court ruled Bank Night not lottery, in a case involving a theatre in Newton, la. Theatres say the games pay, otherwise they would discard them.

Tri-State advertises the games in newspapers, and stories of winners are printed in newspapers the following morning. The independents advertise results of drawings.

Denver intends to continue Bank Night, but some of the independents in the state are beginning to lose interest, but the games are said to be a great attraction in some small towns, and the merchants are not profiteers, as they bring people to town.

Myron Blank, who, with others, controls Bank Night rights in this area, claims "20 theatres would have to close" if it were not for Bank Night.

Denver

Population, 150,000; seven first runs, 12,453 seats, 25c-50c; 28 subsequents, 25c-40c, 10c-30c. Games have been used here several years. All first runs first about a half a mile, and grocery gives away have 'em. The City Council removed restrictions on theatre giveaways a few years ago. Auto and grocery giveaways are strong here.

Theatres claim games and giveaways pay and will continue. Halls and some churches have games and some dance halls started after they began in theatres. Theatres last year gave away about $87,000; prizes are advertised in newspapers indirectly and openly in a shopping paper since it does not go through the mails.

$400,000 Given in Conn. During 1938

In Connecticut during 1938, it is reported, $400,000 was distributed in theatres and churches in the form of cash prizes and giveaways.

Most of the theatres in the state run giveaway nights on two or three nights weekly. Certain theatres give away dishes for two days, others just glassware, and still others so-called beauty wares.

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New Orleans

Population, 50,000; four first runs, 12,000 seats, 25c-41c; 40 subsequents, average 700 seats, 10c-10c. Games have been used here about three years, but only at subsequence later on. They don't like them, claim they do not pay, and would be willing to eliminate them if all agreed and if not they'd do it themselves.

About one-fourth the tournaments, churches and clubs in the city run games, more than prior to the introduction of games in theatres. There have been no attempts to stop games, by law or otherwise. Exhibitors do not believe the law could stop them.

Newark

Population, 44,000; five first runs, 11,473 seats, 25c-55c; 33 subsequent runs, ranging from 500 to 1,600 seats, 10c-35c. Cash games are taboo here, but merchandise giveaways are prevalent, including Race- reel, Bingo, Lucky, Jumbo, etc. Twelve Warner giveaways are underway, and carry "hidden" messages on the theatre chance games, but have since learned them.

St. Joseph, Mo., in the Kansas City territory, uses games. The Dubinsky's, who control the town, claim the games "keep the theatre open.

Newark

Population, 50,000; two first runs, 2,400 seats, 40c-50c; 40 subsequent runs, 1,500 seats, 10c-25c. Theatres in Newark have been running games about six years ago. Now only one first run theatre, playing Ten-O-Win, giving away $1,800 a year. The theatre fees the game is profitable. This is a "wide open" town, with gambling countenanced. Newspaper takes chance game ads. Clubs and lodges do not run games, as there are plenty of other gambling places. The second run theatres offer no prizes.

[This is the third of a series of articles surveying the giveaway situation. The next will appear in an early issue.]

Jacksonville

Population, 150,000; three first runs, 35,000 seats, 25c-41c; 10 sub-sequent runs, total seating, 4,000. All theatres, including first runs, use games, which have been in vogue since six years. Exhibitors have no idea of stopping them. Bank Night is biggest draw. Total yearly giveaway is $10,000. Exhibitors feel games are profitable. They are not advertised in newspapers. Lodge, club and church games are few.

This has been no attempt to stop them.

Poor Films Excuse Called Poor Alibi

Harry Brandt, president of the New York L.T.O.A., has received a number of letters from exhibitors in other cities objecting elimination of giveaways.

Some of the letters blame poor product for the growth of chance games, which Brandt claims is just an alibi.
Hold your sides and watch your heart...

...here comes the big new Bobby Breen show...
Laughs, thrills and unique screen adventure midst backgrounds never before used for a picture—the colorful colony of fisherfolk who work and sing their way through life along San Francisco's colorful "Dead End"—that little bit of the Old World that begins at the foot of Taylor Street, and ends in the mists of the Golden Gate!...New, novel entertainment brought to you by a sterling box-office cast and a producer who knows what you want!
Loew's to Put Lower Scale in Effect in 9 Houses on Weekend

Revised admission scales effective at nine Loew houses in Brooklyn and Manhattan, next weekend, have been announced by C. C. Moskowitz, circuit executive, to the New York neighborhood offices, which will institute the revised scales immediately.

The changes are designed to meet comparable levels at de luxe first runs in those zones. The cuts are five cents at all instances but four, which are 10 cents.

Prices include tax in the revised scale, which follows:

- 1939 cases, $0.10.
- Prices enter.
- recent
- the
- the
- 9
- P.
- P.
- Miller,
- the
- script
- 1938,
- 2
- Al
- Hollywood.
- salary
- staff
- the
- amount
- suit
- Fallen
- 29.
- from
- 2
- Nick,
- Sunday
- Tickets,
- before
- Howard,
- eligible
- Brooklyn
- weekly
- examination
- P.
- 10
- staff
- include
- M.
- or-
- Fund
- set
- the
- net
- P.
- Brooklyn
- ILoew's
- a
- lin.
- arrangements
- profits.
- ture
- were
- dail
- ton".
- Charles
-hibitor
- Schlenger
- orchestra,
- prices
- orchestra
- and
- New-
- Realty
- in
- were
- and
- or
- Moskowitz,
- All
- Alpine,
- St.,
- Coney
- Island,
- Boro
- Park
- Theatre:
- Monday
- and
- holiday,
- opening
- to
- 2 P.
- M.
- adults
- 30.
- Kings
- Theatre:
- Sunday
- and
- holiday,
- opening
- to
- 2 P.
- M.,
- adults
- 30
- (formerly
- 40c).

Hearings Concluded In 'Letty Lynton' Suit

Hearings before Special Master Kenneth E. Walker in the "Letty Lynton" infringement suit against More- dale Realty Corp., operator of the Capitol, were concluded Friday. Both sides were given until Feb. 17 to submit briefs.

Question involved is whether an exhibitor who plays an infringing picture must surrender all his profits to the authors or merely that portion attributable to the film. The defense contends that its stage show policy, which was in force when the film was shown, accounted for a substantial part of the profits.

Plan Birthday Fete For Al Reid Feb. 8

Al Reid, general manager of Fabian Brooklyn Theatres, will be tendered a birthday dinner by the employees of the Brooklyn Paramount, Fox and Strand Theatres on Wednesday, Feb. 8. The following are in charge of arrangements: Tickets, Harold Fisher, Charlie Dowle and William McLaughlin; publicity, Joe Lee, Sonny Schlegler and Teddy Trusen; entertainment, Al Rogers, Bill Miller, Charles Dowle and William McLaughlin. Name bands and stars for stage, screen and radio will entertain. Delegations from Buffalo, Albany, Syracuse, Middleton, Schenectady, Nework, Paterson and Westfield will be on hand.

Mexico Sees First US Style Newsreels

Mexico City, Jan. 29.—American style newsreels of Mexican events are being made here for the first time by Salvador Fruneda and Luis Manjarrez.

St. Louis Operators Sue Union Leaders

St. Louis, Jan. 29.—Charges of gross mismanagement of union affairs were made in a suit filed here Friday by 19 members of Local 143, M. P. & Projecting Machine Operators Union. Named as defendants were John P. Nick, president of the local, Clyde Weston, business agent, and George E. Brown, of the I. A. T. S. E.

Petition alleges that $45,000 is missing from the union's treasury and asks for return of the amount, ouster of officials, and the appointment of a receiver. First hearing is set for Feb. 9 before Judge Ernest Oakley.

Mexico's Labor Czar Writes Film Serial

Mexico City, Jan. 29.—Lievte Vicente Lombardo Toledano, secretary general of the Confederation of Mexican Workers, Mexico's labor czar and former dean of the law school of the National University of Mexico, makes his bow as a movie scenarist. He has ready for submission to Mexican producers a script entitled "A Fallen Star."

Warner Bros. and subsidiaries reportedly net profit of $103,804 for the 13 weeks ending Nov. 26, 1938, after all charges, as compared with a net operating profit of $1,685,599 for the corresponding period of the previous year.

Gross income for the period after elimination of inter-company transactions was $25,418,166, compared with gross income for the comparable quarter of $11,898,000.

Warner Net Profit In 13-Week Period

Shown at $103,804

Don MEEK as the whiskey salesman... who wanted to be a preacher until his wife inherited a distillery. He mixed his sales talks with sermons... and met danger bravely when deadly arrows flashed through the dark.

Don MEEK's "STAGECOACH" Directed by John Ford

[Walter Wangen's "STAGECOACH" Released thru United Artists]
Radio Walkout Is Arrested by Agency Action

Eleventh hour action by the American Association of Advertising Agencies in appointing a new committee to confer with the American Federation of Radio Artists appears to have ended the immediate danger of a strike in radio. The committee is empowered to act for 80 per cent of the commercially sponsored network programs, and beginning today, will confer with AFRA without releasing until a conclusion has been reached.

The signal to strike was to have been given early yesterday morning. The 4-A committee was appointed late Friday and immediately approached AFRA with the offer to arbitrate. Formation of the 4-A committee was preceded by a plea from officials of CBS and NBC that nothing be left undone to effect a settlement. The new committee is the first empowered to negotiate with AFRA. A previous committee was merely a fact-finding group and had no power to reach an agreement.

Personnel of the committee includes Chester Yount & Ryhuben, chairman; J. G. Sample, president of Blackett-Sample-Hummert; John U. Reber, vice-president and Walter Thompson, vice-president, Chester B. Bowles, chairman of Benton & Bowles; W. B. Ruthrauff, vice-president Ruthrauff & Ryan; Leonard T. Bish, vice-president, Compton Co., and Don Francisco, president of Lord & Thomas.

Sign New NBC Series

Wander Co. has signed for seven NBC stations to air "Carters of Elm Street," a new dramatic serial, beginning Monday through Friday from 12 to 12:15 noon. The seven stations included in the contract, effective Feb. 15, are WFAA, KYW, WRC, WMAQ, KOA, KPO and KFI. The Wander Co. also sponsors "Little Orphans Annie." Blackett-Sample-Hummert is the agency.

Boys Name Smith, Cantor

Boys Athletic League of New York City, polling its 30,000 members for radio preferences, finds Kate Smith and Eddie Cantor as the most popular performers, and the Lux "Radio Theatre" and "Gangbusters" the favorite programs. The stars and shows all appear over CBS.

Columbia Gets Asher For Additional Year

Irvings' Asher's deal to produce Columbia's quota films in England has been extended for only one year. Harry Cohn had sought a three-year deal, but Asher, maker of quota films this year at Denham, where he is associate producer for Lord & Taylor, will continue. After conferences with Alexander Korda, it was decided inadvisable for Asher to tie himself up for three years. Details of the new contract remain to be decided, and production plans are yet to be set. Asher sailed for London Saturday aboard the Queenstown, Columbia's managing director in the United Kingdom, with Mrs. Friedman, also sailed.

Zanuck Sets Future Film for Grace Fields

Monty Banks, 20th Century-Fox associate producer, according to Grace Fields, sailed Saturday for London. Plans have been approved by Darryl F. Zanuck, 20th Century-Fox president, for "Sally Goes to Town," a story of shipbuilding in Scotland in which Miss Fields will play the part of a young woman, as her service picture. Details of the new contract, which will be made by Banks later in the year. These two will be made at Gaumont-British (British-Gaumont) studios in addition to the eight or 10 quota pictures Gaumont-British will make for 20th-Century Fox. Banks expects to return in June for conferences on Miss Fields' second film.

Johnston Is Honored At Hollywood Dinner

Hollywood, Jan. 29—Employees and executives of Monogram's west coast studio celebrated Ray Johnston's 25th anniversary in Hollywood, with a dinner and dance yesterday at the Lakeside Golf Club at which Johnston was presented with a gold watch. Guests included: Jackie Cooper, Boris Karloff, Dorothy Reid, Ed Finney, Mr. and Mrs. Scott R. Dunlap, P. J. Brennan, Ralph B. Cogswell, Randolph, John Trent, William Nigh, E. R. Hickson, Mr. and Mrs. Bigelow Cooper and many others.

Fisher Becomes Head Of CBS Camera Unit

Michael Fisher of the Chicago Times today will take up new duties as head of the photographic division of CBS. Fisher succeeds Joseph McElny, who resigned Friday. Fisher, until the past week-end, was assistant city editor and photo division head on the Times.

Menjou with Jolson

Yvonne Teasdale and Adolphe Menjou have been booked for an appearance with Al Jolson show in New York on Feb. 7. Joan Blondell goes before the microphone of the Texaco Star Feb. 8, also over CBS.

Mrs. Corona Maria Davis

Mrs. Corona L. Mason, 68, mother of Frank E. Mason, NBC vice-president, died Friday at the New York Infirmary for Women and Children. Funeral services and burial will be in Canaan, Ohio.

Maurice Evans in "Henry IV" Tonight

Maurice Evans brings another Shakespearean revival to Broadway tonight with the opening of "Henry IV, Part 1" at the St. James. Evans will play Sir John Falstaff, and promises to portray the character "not a drunk, but not a gentleman." Candy Christians, Wesley Addy, Henry Edson, Maxine Elliott, Edmond O'Brien, Donald Cameron and others are in the cast.

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British Bill to Seek Revision Of Films Act

Wanger Americanism Essay Wins Mention in Air Contest

Supreme Court Accepts Para. N. Dakota Case

Judge Thacher to Argue Case for Companies

Universal Sets Out To Better Relations With Latin America

Anti-Ascap Bill in Conn. Senate Limits Blanket Licensing

U.S.-Reich Interests Compete in Ecuador

British Bill to Seek Revision Of Films Act

Wanger Americanism Essay Wins Mention in Air Contest

London, Jan. 30.—The Government is planning the introduction in Parliament soon of a bill amending certain sections of the Films Act, it is learned from authoritative sources.

Revision of the quota law is believed to have been inspired mainly by the existing confusion over the multiple quota clauses and regulations will have as its principal aim the clarification of certain paragraphs of these sections. Parliamentary procedure will require presentation of even explanatory additions to the Act in the form of an amending measure.

It is believed that the Board of Trade already is working on details of the amendment, although the pressure of Parliamentary business makes introduction of the measure until after April improbable.

Bren Quits Roach; May Get RKO Post

Hollywood, Jan. 30.—Milton Bren, production head of Hal Roach Studios, will resign that post in two weeks to accept a production berth at one of two major studios seeking his services. It is believed he will join RKO.

Bren's parting with Roach is an amicable one, the latter consenting to release him from his contract.

R. I. Bill Permits Plays on Sundays

Providence, Jan. 30.—An amendment to the State law governing Sunday shows in Rhode Island, providing for the presentation of legitimate theatre attractions, has been introduced in the State Senate.

Senator Henry R. DiMascule (Rep.), who introduced the measure, said he did so at the request of "Providence Theatre Men." The present law on Sunday shows permits films, vaudeville, automobile shows and athletic events on Sundays at the discretion of the local licensing authorities.
You must have made a lot of money on 'Snow White,'" one of Roy Disney’s interviewers remarked the other day.

"Yea," Disney responded, "we’ve bought back our business from the bank.

The statement probably supplies a fairly accurate idea of the collateral involved in the purchase of "Snow White," one of the largest and the most extended single picture credits to be arranged in film financing. Production costs amounted to $1,600,000 and print costs (there were 789 color prints in existence at the last census) accounted for $270,000. The financing arrangements extended over a period of four days and one-half years, during which "Snow White" was in work, a credit term never before equaled on a single picture.

The loan has been completely liquidated long since.

The Disney staff was more than doubled during the period in which the picture was in work. The studio employed about 300 in 1934 and about 900 in 1938. All were specialists in a definite phase of animated cartoon production and in order to keep them busy after "Snow White" had been completed, several short features were planned simultaneously. Eventually, the Disney studio found itself ahead of schedule for the first time in its existence. It turned again to features, three of which are in work now and a fourth, which will make use of Leon Poll Tokstino and a symphony orchestra, will start during April. Of those in work, "Pinocchio" will be the first to be completed, some time next winter. Following it will be "Bambi" and "Alice in Wonderland."

Separate distribution deals will be made for the features now in work. Offers have been received from several distributors already, Disney said, but arrangements are nowhere near a final settlement on work now in progress. Eventually, a distribution deal with RKO expires next year. No renewal discussions have been held yet. Disney will be in New York any other 10 days.

Joe Rapf Rites Today
Hollywood, Jan. 30.—Funeral services for Joe Rapf, formerly M-G-M supervisor of vaudeville and radio, and brother of Harry Rapf, M-G-M producer, and Arthur M. Rapf, of Rapf & Rudin, N. Y., will be held here tomorrow. Rapf died yesterday of heart disease.

MITCHELL MAY, JR.
CO., INC.
INSURANCE
Specializing in requirements of the Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St., Los Angeles

Maurice Silverstone, United Artists chief executive, is due back from Hollywood by the end of the week. He leaves the coast by train either today or tomorrow.

Nate J. Blochberg, Universal president, expects to leave for New York at the end of the week. J. Cheever Cowdin, board chairman, may precede him on an extended trip within a couple of days.

George W. Weeks, general sales manager of Mongom, is due in New York from the coast Friday, with stops en route in Kansas City and Detroit.

Johnny Murphy of Loew’s theatre department returned yesterday from an Arizona and California vacation.

Robert Gilliam, Paramount advertising and publicity director, leaves for Hollywood at the end of the week for an extended stay at the studio.

Herbert Birnbaum, director of Radio, will address an appeal meeting to be held tomorrow on "Hollywood Goes for Peace."

Joe Vogel, Leopold Friedman, Oscar Door and Mort Spring of Loew’s were on the sick list yesterday.

Kenneth Thomson, executive secretary of the Screen Actors’ Guild, is in town to hold meetings with affiliated Actors & Artistas of America.

J. O. Guthrie, owner of the Karyl, New London, II., leaves shortly for Hollywood to study television developments.

Monroe Greenblitch of United Artists leaves for Miami today to prepare for the opening there Friday of "Trade Winds." Harry Gold, eastern division sales manager, leaves later in the week to be on hand for the opening.

Esther L. Golden of Loew’s acquires command of Arneswaile of Eugene Picker’s office at Loew’s will be married in May.

Pictures Named for Art Direction Award
Hollywood, Jan. 30.—The following productions have been nominated for the Academy Award for Achievement in Art Direction: "Adventions of Robin Hood," "Adventures of Tom Sawyer," "Alexander’s Ragtime Band," "All This and There and "Gold," Wool Polles, "Holiday, If I Were King," "Mad About Music," "Marie Antoinette" and "Merry We Live." The first of a series of showings of the picture before the direction awards committee has been held. On the committee are Williams, chairman; Roland Anderson, Lionel Banks, Perry Ferguson, Stephen Gooson, Charles D. Hall, Willard Herbrun, Jack Otterson, Hans Peters, Bertram Teitelbaum and Lyle R. Wheeler.

Penn Newsrel Closes
Penn Newsrel theatre, opposite Penn Station, which opened last fall with a news and short subject policy, and changed several weeks ago to a revival policy, has been closed.

C. C. Pettijohn of the M. P. D. was among the industry figures at the President’s Birthday Ball activities in Washington last night.

William A. Scully, Universal general sales manager, and Mrs. Scully sail this week for Honolulu with the Sam Rinzleres and Joseph M. Sidneyers, who will have their offices in Hollywood New York. They will return about the middle of March.

Em. S. Saunders, M-G-M western division manager, is spending two weeks in Florida.

Cresson E. Smith, Southern and western sales manager for RKO, returned yesterday from a tour of the circuit in his district in the midwest, west and south, in connection with the George J. Schaefer Drive.

Leon Frommkes, treasurer of Monogram, arrived in town from the coast yesterday with Mrs. Frommkes.

Robbie Robinson of TWA is flying east with the "Tail Spin" tour sponsored by 20th Century-Fox.

Al Pearce, just returned from Hollywood, tendered a press cocktail party yesterday afternoon, in the Times Square studios atop the New Amsterdam Theatre.

Fred Gropper of the Compton agency back at his desk after a siege of grippe.

L. M. Coxover, president of Altec Service Corp., has returned to New York from a trip to Atlanta. G. L. Carrington, Altec vice-president and general manager, is back in the office after a two-weeks’ siege of flu.

Harry M. Warren of Central States Theatre Corp., Des Moines, has arrived here with Mrs. Warren and their two sons.

Roger W. Clapp, manager WPIX, Philadelphia, back to the Quaker City after a brief visit here on business.

Funeral Rites Are Held for Shiffman
Funeral services for Harry Shiffman, 47, until recently head of Park-Land Theatres, were held yesterday afternoon at Riverside Memorial Chapel, Dr. Nathan Stern, rabbi of Park-land, conducted the service. Burial was in Pingel Cemetary.

Shiffman died in his sleep early Saturday morning of a heart attack at his home, 25 Central Park West. Besides his wife, Lucille Olive, surviving are three sisters, Mrs. Sylvia Hazen, Mrs. Mildred Trilling and Mrs. Ruth Felder, and one brother, Irving, with Universal in Boston, George Trilling, with the Si Fabian circuit, and Lee Hazen, an attorney, are brothers-in-law.

He was general manager of Park-land (Sol Brill) circuit for 25 years. A few weeks ago the Fabian circuit acquired eight of the remaining Brill theatres in the country and it is understood Shiffman had arranged to join the foreign department of a major circuit.

Shiffman started with his uncle, the late Sol Brill, at 14, as an assistant projectionist in a penny arcade at 700 Broadway. In 1911 he became film buyer for the Brill theatres, and later became general manager. When Brill died in 1931 Shiffman became president of the circuit, which included houses on Staten Island and in Brooklyn, Manhattan, Port Jervis and Lakewood, N. J.

Zanuck, Johnson and Answer Suit Queries
Darryl Zanuck and Nunnally Johnson were ordered yesterday to answer written interrogatories in Los Angeles in connection with an injunction suit brought by Morgan Wallace and Lawrence Shubert Lawrence against Warner in 1929.

Just before war time, Murray Hubert granted the motion at the request of the defendant, Suit seeks an injunction and an accounting for alleged infringement of the play, "Congratulations!" in the film. "Thanks a Million."
**'Cowboy' in 2 Hth Theatres Hits $39,500**

Boston, Jan. 30.—"The Cowboy and the Lady" dined with "Smashing the Spy Ring" at Loew's Orpheum, and the high, taking $21,500. The same film at Loew's State drew $18,000. Next in the line was "The Western Patrol" and "Nancy Drew, Detective," at the Metropolitan with $13,000 on a holdover. RKO Boston showing four pictures during the week with vaudeville on Friday, Saturday and Sunday, finished with about $11,000.

Estimated takings for the week ending Jan. 26-

-The "Dawn Patrol" (W. B.)
-Nancy Drew, Detective" (W. B.)
-Metropolitan (RKO)
-Loew's Orpheum (2,007)
-Duell's Island." (W. B.)
-"The Cowboy and the Lady" (U. A.)
-Smashing the Spy Ring" (Col.)
-Loew's State (2,260)
-
-Deville's Island." (W. B.)
-Off the Record" (W. B.)
-Paramount (1,790)
-"Deville's Island." (W. B.)
-
-Exposed" (Univ.) (3 days with vaude)
-The "Lady in改正" (Univ.) with vaude.
-Secret of a Nurse." (Univ.) (4 days)
-Next Time I Marry" (RKO) (4 days)
-"Kentucky" (K. K. B. S.)
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-Strand-G,1000 (35c-45c) 7 days.
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-Kentucky" (W. B.)
-"Deville's Island." (W. B.)
-"Lyric" (4,100)
-Zaza" (Para.)
-"The Blue Giant" (2,100) 7 days.
-Majestic-Armary (2,500)
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-Last Warning." (Univ.) (2 days)
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-"Stand Up and Fight" (M-G-M)
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Audiences demand that certain electric something that makes the skin tingle...that stirs...that rouses!

Here it is! Hammered out of life itself...uncompromising...unrelenting...unforgettable!

A gallant, human story of a humble boy and girl...battling a world that said a boy must die!
Wanger’s Essay on Americanism Wins

(Continued from page 1)
Wanger. There was no further identification.

Clean Bill of Health
Well, he got a clean bill of health—and his essay follows:

It’s a long time since Washington’s frozen and starving and dauntless troops, toiling day and night on the bleak, unmeasured frontiers of America, that spirit, not in its warlike phase but in its quality of a whole people in motion, rushed to conscious self-sacrifice. … working together, not merely talking, to serve the common good.

“We need a new understanding of the privileges, rights, and, above all, the duties and responsibilities. We need the kind of social and political understanding on the part of each of us so that the spirit is ready and willing to make the sacrifices required today for the preservation of the liberty which has been won at such great cost and the world’s envy in the end of the world. We need a newer Americanism imbued with a truer patriotism—a deeper respect for the constitution, the government, the American people, and the flag. Mere lip service to democracy is not enough. But that is devoted and self-sacrificing action.”

Solution Must Be Found
Praise of our system is not enough; it must be made to work, Wanger wrote. A solution must be found for the people’s pressing problems, the farmer’s, the housing problem, labor’s problem. Principally, he states, it means looking at liberty not as a pleasant abstraction, not as the freedom to do nothing, but as the living instrument for achieving a richer life.

“The day is past when democracy can be accomplished. At home and abroad its cunning and relentless enemies are on the offensive. Its great worth must be fully understood by every citizen, and every citizen must be made to pay for the privileges it confers by self-sacrificing duty. If each citizen did not mean more than merely sending a check to a worthy cause; it means more than conscientiously casting a ballot once a year. It means we must have a militant citizenry, reared in the defense of our great democratic heritage, and working together individually and cooperatively, to understand the problems facing our country and to solve them.

“The day of the free ride to freedom is over. Our greatest need today is to put American citizenship, through education and action, on a ‘pay as you enter basis.’

M-G-M Promotes Five
Five members of M-G-M’s Philadelphia exchange staff have been promoted. Harry Bache has been made booker, Paul Farrow succeeding him as postmaster at the exchange. Clifford Farrow as night shipper, William Fogarty has been made assistant day shipper and James Cassidy, weekend relief shipper. Gerard Hirsch, student salesman, has been sent to New Orleans as salesman.

Supreme Court Takes Para. N. Dakota Case
(Continued from page 1)

high court during the week of March 27.
This is the most important case relating to the decision of a State to suppress the sale of films that the United States Supreme Court of the United States has ever made.

The U.S. District Court of North Dakota held that there was no evil proved in the ownership of theaters by producing and distributing films but that the state had the right to legislate upon the subject. The firms involved contended that such legislation is unconstitutional because the law is a private property.

Judge Thomas G. Thacker of the New York bar, member of the firm of Simpson, Thacher and Bartlett and former Solicitor General of the United States, will argue in the Supreme Court. The New York law, however, is quite different from the New York law, and it is in violation of rights accorded the company under the Federal Constitution, and therefore the state will not be upheld.

The importance of the North Dakota statute is that it deprives the company of its property without due process of law, denies it equal protection under the law and is in violation of rights accorded the company under the Federal Constitution, and therefore the state will not be upheld.

The court will be appealed by Judge Griswold, who has been appointed as a Circuit Judge of the United States Court of Appeals.

Deny Independents Will Drop B & K Suit

Chicag., Jan. 30.—Jack Kirsch, a Chicago lawyer, denied today that independent exhibitors contemplated withdrawing from the litigation against B. & K. major companies. Kirsch asserted that funds for attorneys’ fees had been raised and that the law suit will be carried through.

Morgan Leonard, B. & K. counsel, was excused from appearing for defendants on Friday because he is leaving for a South American cruise.

Universal Expands In Latin America
(Continued from page 1)

ing Spanish dialogue. Screenings will also include advance material on Spanish language pictures being made for the company by Fernando de los Santos, which includes a version of "The Mikado," first Gilbert & Sullivan operetta to be screened, which Universal is distributing.

The screenings will be held aboard ship at Havana, Cristobal, Callao, Valparaiso, Buenos Aires, Santos, Rio Janeiro, Montevideo, Trinidad and Para.

In addition, Universal hitherto will make available virtually all of its studio facilities to its Spanish language film producers, and those who have been asked to work on the film will include story material, music and other studio properties which might improve the quality or importance of the product in the Latin American market.

Reilly Must Appear In Ticket Code Case
James F. Reilly, executive secretary of the League of N. Y. Theatres, was ordered yesterday to appear for examination before trial by N. Y. Supreme Court Justice John E. McGehee in connection with a suit brought to restrain enforcement of the ticket broker code. Paul Dullabell, executive secretary of Actors’ Equity, will not be required to testify, but must submit an affidavit of Equity's connection with the code.

No date for the examination has been set. Aene Theatre Ticket Office is the plaintiff.

Reilly yesterday designated the 14 members of the board of governors to act as a committee to consider the advisability of setting up a central ticket office to be operated by the League. William A. Brady was named honorary chairman.

Judge Greatest Year Quiz Entries Feb. 11

Entries in the exhibitors' exploitation competition for the Motion Pictures’ Greatest Year will be judged Feb. 11 at a luncheon for the judges committee given by campaign headquarters at the Astor. The committee includes trade paper representatives.

About 70 campaign entries have been received, today being the deadline. They are from all types of theaters, and some are elaborate. Total prize money will be awarded, in three classifications.

The Movie Quiz judges expect to complete their work in about 10 days. Prizes will be distributed to the 5,401 winners by the Chemical Bank & Trust Co.

California Unit Gets First Prize in Drive Of National Theatres

Los Angeles, Jan. 30—Arch Bowles, manager of the California division of National Theatres today received first prize of $3,000 in the circuit's third national drive. Dick Ricketson of Denver accepted the second prize of $1,000 for his Rocky Mountain Division, and an award of $3,000 went to the Southern California division, headed by Charles Skouras, which placed third. Spyros Skouras, head of National Theatres, presented the checks.

An additional $3,000 will be distributed among the divisions, on the basis of circuit receipts during the drive going over par. The campaign ran 16 weeks and ended Dec. 25.

Distribution of prizes was a feature of the first session of a twoday meet- ing Skouras is holding here with division managers and New York executives.

Selznick Names Shapiro

Hollywood, Jan. 30.—Victor Mansfield Shapiro today was appointed advertising publicity director of Selznick International starting tomorrow. He replaces Russell Birtwell who resigned to head his own publicity firm.

Bands at Coast Fair

San Francisco, Jan. 30—Three "name" bands, directed by John Scott Trotter, Ray Noble and Gus Arnheim, will provide rhythms for the 1939 exposition opening Feb. 18.

MOTION PICTURE DAILY
Tuesday, January 31, 1939

THOMAS MITCHELL as "Dog" Boone . hustled into the stage coach by an irate Temperance League, but he sobered up on a cup of black coffee long enough to deliver a baby on the clay floor of a cabin. A performance to recall his great work in "The Hurricane."

Walter Wanger’s "STAGECOACH" Directed by John Ford Released thru United Artists.
Variety Club

Out Hollywood Way

Cincinnati

Cincinnati, Jan. 30.—The first meeting of the new board of trustees, called by Chief Barker Joseph O'Mahony, moved to discontinue the semi-resident classification. These members would be given the same assignment as the non-resident division, and transfers will be made accordingly.

No change in the ticket fee has been made, but every new applicant who is hereafter expected to contribute $15 to the club will henceforth be a year for non-resident members.

A vote of thanks was extended to H. J. Wessel, Joe Gutek, Operators' Union, film companies, theatre supply branches and others for their cooperation in connection with the shows for shut-ins.

Paul Krieger was elected as the sixth director for a second ballot, made necessary by the tie vote of William Ben, Charles McDonald and Krieger in the regular election.

Cleveland

Cleveland, Jan. 30.—Nat Holt, RKO overseas manager, has been appointed general chairman for the annual Variety Club ball to be held at the Alhambra Hotel on Feb. 4. The following committee heads have been named by Holt: Col. Harry E. Long, Loew division manager, chairman of entertainment; with "Duke" Clark, Paramount branch manager, in charge of special events and decorations and May F. Drew, M-G-M branch manager, program chairman.

Kansas City

Kansas City, Jan. 30. — Earl Jameson heads the new home committee of the ball this year, with aids Les Durand, Russell Bong, Red Finkelson and Jack Shriner. Chief Barker George Baker, who succeeded Frennie Lucas, made the appointments.

Frank Hensler and Charles Shaffer are chairman of the committee which will present a $4,400 plate inagural banquet and dinner dance for incoming officers of the club at the Mohicked Hotel, Feb. 10.

Reel Theatre Using 16mm. Reel in Color

Rockefeller Center Newsreel Theatre is experimenting with a series of 16mm. reels, but no regular on local subjects.

The house is believed to be the first to project 16mm. color and sound film from standard booth equipment on a standard size screen, 11 1/2 by 14 1/2 feet. Current reel, which runs three and one-half minutes, is called: "On the Ice" and has been staged by the Rockefeller Center skating rink. The film must be shot in bright sunlight it is tends to become too green in insufficient light.

Three additional reels are planned, "Rockefeller Center," "Speed Demon" and "Carnival of Paris." The first two are expected to be successful, 16mm. projection equipment will be introduced into the three other newsreel houses and football games will be shot in color next year.

Hollywood, Jan. 30.—M-G-M will soon put into production "Broadway Serenade," which stars Eleanore Powell. No other member of the cast has been selected. ... Deanna Durbin's next vehicle, to follow "First Love," will be "Second Love," and the story for which is being written by Stephen Morehouse Avery and John Paxton. MacGregor, Dorothy Lamour and Robert Preston will get the top roles in Paramount's "Tender-Loin," from an original by John Farrow and James Erskine and Edward Grant. A highlight of the plot will be the singing of the Tito. ... A special finale has been written for M-G-M's "Broadway Serenade," to include Louis Fazenda and his orchestra. ... Charles Barton, director, makes his debut as an actor in Paramount's "Beau Geste.

Melynn Douglas has been signed by Paramount for the masculine role in "Air Raid." ... Louis R. Linek, music department supervi- sion, head, has arrived to take up his duties. ... Dorothy Tree has been set by Monogram to play opposite Boris Karloff in "The House of Mr. Wrong." ... 20th Century-Fox will place Sonja Henie, Don Ameche and Robert Stack in "Winter Comes." ... The firm of Max Factor has the wig making contract for "Gone with the Wind."

A virtual unknown, Patricia Mort- son, who made her film debut in Paramount's "Person in Hiding," has been purchased by the feminine department. The Magnificent Fraud," opposite Lloyd Nolan. ... RKO has signed Jackie Gleason to an exclusive contract. ... John H. Auer has been given production and direction responsibilities of Republic's "Hit Parade of 1939," which will star Paul Robeson and Martha Seif is writing the script. ... Connie Mack, veteran baseball manager, has been signed last to act as a technical advisor on "Hit and Run," which Warner's will make this spring with Pat O'Brien, Wayne Morris, Donald Meek and Ronald Reagan in the leading roles. The picture will tie with the centennial anniversary baseball ball, which was first played at Cooperstown, N. Y., in 1839.

Casting—Evelyn Keyes, borrowed from Paramount; Lana Turner, Robert Cummings, Ann Rutherford, borrowed from M-G-M, and Harry Davenport to "Gone with the Wind." Selznick International. ... Frank Jenks to "Key Women," Universal. ... Joan Fontaine to Republic's "Man of Con- tinental Exchange."


Directors—Ernst Lubitsch will direct Warners' "The Old Maid," with Bette Davis and Miriam Hopkins in the principal roles. ... William Clemens, his assignment of "Night Train to Paris," Warners. ... Roy Rowland will direct "The Incurable Optimist," M-G-M. ... RKO will adapt and direct "Nora in Thru Town." Warners.

Contracts—20th Century-Fox has extended the contracts of Joan Vale- rie and Mary Maguire. ... Doris Jordan and John Laing have been given term acting contracts by RKO. ... RKO also has a term writing pact with Michael Kanin, brother of Leonard Kanin. ... Garson Kanin, who works on the script with Jo Pagano of "They Made Her a Spy," is currently on "The Second Second." ... M-G-M has let Mary McCall as a term writer. ... Para- mount has exercised an option on Glen Dyer. ... RKO has length- ened Leigh Jason's directing contract.

Tickets—The final title of Warner's "Smashing the Money Ring" will be "Code of the Secret Service." ... Warners also has adopted the title of "Blind Spot," featuring Humphrey Bogart, Gloria Dickson and Frankie Burke, to "Waterfront." ... "Let Freedom Ring" is now the title for the M-G-M's Nelson Eddy vehicle, "The Dusty Road," formerly called "Song of the West."
Warner Statement
On Manton’s Loan

Hollywood, Jan. 30.—Harry M. Warner today issued the following statement regarding the Manton loan: “When I was in New York last November, Mr. Gurfein of the District Attorney’s office interviewed me regarding the Manton loan. At the time he gave him all facts which I saw in connection with the loan. The loan was made on the basis of personal interest which has at all times been paid and the principal has been repaid excepting an amount of $10,000 which is still owing. At the time the loan was made, I did not know of the existence of the Cinema patents case. The first time I ever heard of the case was when Mr. Gurfein mentioned it to me at our interview. Moreover, I have just learned that the decision of the Court of Appeals in the case affirmed the decree of the District Court and was the unanimous decision of the Circuit judges who heard the appeal.”

Loew Stockholder to Appeal Court Ruling

Permission to intervene in the Loew’s stockholders’ suit will be sought in the Supreme Court of New York today by Max Pakula, a stockholder. Pakula contends that the decision of Justice Louis A. Valentie, who excused Loew’s officers and directors as being without personal interest, was erroneous. He wishes to appeal if the other plaintiffs fail to do so. Motion to intervene is filed by C. T. Sherer, principal attorney for the stockholders, on the grounds that the action has been pending for over a year and that Pakula has done nothing in that time. Appeal will depend, Ellis stated, on certain technicalities in the judgment which will be submitted next week. If Justice Valentie’s findings are found satisfactory, no appeal will be taken.

Radio Audience Will See ‘Wings of Navy’

A radio audience will see a preview of a feature film and witness a regular radio broadcast on Thursday at the Kate Smith broadcast in CBS Playhouse No. 2. At 8:30, W. R. Warrens will show “Wings of the Navy” immediately following the broadcast. The show will open its New York run at the Strand Friday morning.

The stunt will mark the first time a radio audience will see a feature picture. Idea for the showing was developed by Ted Collins, manager of Kate Smith, Mrs. Isabel Turner of W. R. Warrens handled the idea for her company. George Brent, star of the picture, will be heard on the program in a dramatization of excerpts from the picture.

New CBS Educational Series Starts Feb. 2

CBS has completed negotiations with the New York Board of Education for broadcasts of the CBS Series of the Air” program to originate in the auditoriums of various New York high schools, starting Feb. 2. The innovation was hailed yesterday as a progressive step in educational broadcasting by Mayor LaGuardia of New York and U. S. Commissioner of Education Hugh Sandeblad.

CBS will install a broadcasting unit in the auditorium of a high school each week, and the students will be provided the radio class.

Studio Unions Move
For Local Autonomy

Hollywood, Jan. 30.—Representatives of major unions in motion picture production industry met today to set up machinery to settle jurisdictional disputes. Principally those affecting I. A. T. S. E. Business representatives of two locals agreed to adjust difficulties under which carpenters and utility workers’ locals engaged in a dispute with I. A. T. S. E. locals over jurisdiction of the various crafts, in accord with last week’s return of complete autonomy to four I. A. T. S. E. locals by the International executive board.

San Francisco, Jan. 30.—A forecast that radio faces “governmental regulation” unless it sets its own house in order, and properly “regulates its programs,” was made by Neville Miller, president of the National Association of Broadcasters, speaking before the Advertising Club on his west coast tour.

Miller declared radio must not be used to attack religion, or to arouse religion, or racial ill will.

“The choice cannot be made by wishful thinking, but by intelligent fighting for the first interests of our communities,” Miller stated.

Miller also spoke to a special meeting of northern California radio men, headed by Ralph Brunton, N.A.B. representative, who also is manager of KJBS.

11 Quebece Private Stations Organize

MONTREAL, Jan. 30.—Eleven private stations in the province of Quebec have banded together as the Private Stations Association ostensibly to “further mutual benefits,” but really to form more solid opposition to the increasingly stringent rulings of the Canadian Broadcasting Corp.

Dissatisfaction with CBC has simmered among the private stations is believed to be CBC’s proposed ban on some time. Chief reason for the sign of unity among the private stations is believed to be CBC’s proposed ban on some time.

Frank Beeton Dies

Hollywood, Jan. 30.—Frank C. Beeton, office manager for Edward Small Productions, died today at Huntington Hospital, Pasadena. He had been with Small nine years.
Now it's TAIL SPIN
TAKING OFF IN ITS FIRST PRE-RELEASE RUN
BLASTS 5-YEAR RECORD
IN OPENING DAY AT CALIFORNIA THEATRE, SAN DIEGO!

"Captures full wallop of sensational episodes! Packed with thrills and excitement! Has plenty of exploitation ammunition!"
—applauds Variety Daily

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE
Television to Create Market
For Dramatist

Middleton Says It Will Give Wider Field

Television will create an entirely new market for the dramatist, George Middleton of the Dramatists’ Guild declares in the bulletin of the Guild. “The Guild does not want the American theatre to be exclusively controlled so that a play, without picture possibilities, may have difficulty finding production elsewhere,” he asserts.

Since 1926, when the first of three basic agreements was signed, $11,000,000 has been paid to dramatists for film rights. Of this sum, $1,440,000 has been paid since 1936 when the third pact was signed.

Middleton states that even the man

(Continued on page 7)

Chicago Business

Cut 50% by Storm

CHICAGO, Jan. 31.—Checkup on effects of yesterday’s snowstorm shows hop theatre suffered loss of about 50 per cent of its usual business. Neighborhood theatres in thickly populated areas did surprisingly well as thousands were unable to get transpor-
tation into the business district and went to matinees and evening shows. In districts where theatres are reached by automobiles and street cars business was off 60 to 70 per cent. Average neighborhood theatre business was off generally about 40 per cent. Downstate cities Elgin, Aurora, Joliet and Waukegan were hardest hit, business being off 30 to 60 per cent.

20th-Fox Sues Ritzes

HOLLYWOOD, Jan. 31.—Twentieth Century-Fox today filed suit in superior court for $150,000 damages and costs against Al, Harry and Jimmy Ritz for their alleged failure to report for work.

Giveaway Study

In this issue Motion Picture Daily publishes a fourth installment in a series which it has made on chance games and giveaways around the country. Earlier installments were published on Jan. 23, 25 and 30. Motion Picture Daily invites reader comment on the subject.—Page 4

Goldwyn Rejoins
Producers’ Assn.

Hollywood, Jan. 31.—Samuel Goldwyn last night re-
joined the Motion Picture Producers Association from which he resigned about six years ago. During the six years, Goldwyn has worked closely with the organization but remained outside the fold. The meeting considered the present status of the basic labor agreement, method of future bargaining with the four studio locals which were granted autonomy last week, and future dealings with the I.A.T.S.E.

MPTOA Asks
For Speed on Conciliation

Immediate action by distributors in setting up local boards to hear and adjust trade practice complaints is urged by the M. P. D. O. A. in a bulletin sent to members yesterday.

Pointing out that cancellation, elimination of the score charge, non-for-
ing of shorts with features and other phases of the proposed trade practice program now in process of completion can be made effective by distributors at any time, the bulletin reminds exhibitors that it will not only take consider-
table time to establish the boards

(Continued on page 7)

Expect Statement
From Murphy on
U.S. Trust Action

WASHINGTON, Jan. 31.—Despite re-
peated statements by Department of Justic-officials that they are concerned only with speeding up trial of the Government’s anti-trust suit against the film industry, reports persist here that Attorney General Murphy will make an important announcement concern-
ing the suit within the next few days.

According to reports, Murphy con-
formed with a number of attorneys for defendants film companies in New York last week and is said to have been ad-
vised that an agreement is being reached among defendants on ques-
tions of theatre acquisitions by pro-
ducer-distributors, modification of block booking, diverti-
ad theatres and procedure for the lending of talent, out of which might come the basis for a consent decree.

Queried to the Department of Ju-
stice tonight, however, failed to bring any confirmation of reports that the Attorney General would issue a state-
ment and Department officials said they know of no plan for public dis-
cussion of the film suit.

Counsel for major companies met

yesterday at M. P. D. A. headquar-
ters but declined to discuss the reasons for the meeting at its close.

Denial was made by several, however, that any “understanding” concerning a consent decree was in prospect.

N.Y. State Bill
Urges Tax on Amusements

Levy Would Begin With
One Cent on 50

by RICHARD CONNERS

ALBANY, Jan. 31.—That low-rent housing bill sponsored by Senator Frederic Conduit and Republican As-
semblyman Abbot Low Montague, before the present State Legislature, calls for an excise tax on theatre tickets, as one of the means by which to raise funds for their proposal.

All amusements would be affected by the Conduit-Montague measure. The tax on theatre tickets, would

One cent on tickets costing 50 cents; two cents on tickets costing between $1 and $2; five cents on tickets costing between $2 and $3, and 10 cents on tickets costing over $2.

Senator Phelps Phelps and Assem-
byman Robert Crowe are authors of a bill, introduced Monday night, which proposes to legalize gambling in New York State and this will have a hear-
ing on chance games and giveaways.

Phelps and Crowe are also the authors of a resolution now pending to set up state-operated lotteries. This

(Continued on page 7)

“Gunga Din” Headed
For $95,000 Week

Despite extreme weather conditions for six days of the “Gunga Din” first week at the Music Hall, the RKO pic-
ture stocked a closing week of $55,000 for the period. Last night the gross was about $85,000. Weather encoun-
tered by the picture included New York’s coldest day of the winter and three days of heavy rain turning to snow.

“Paris Honeymoon” grossed an es-
imated $40,000 in its first week at the Paramount and was held over. “The St. Louis Blues” will start there on Feb. 8. The Roxy will hold “Jesse James” for four weeks and “Tailspin” will fol-
low on Feb. 10. “Wings of the Navy” will go into the Strand on Friday after two weeks for “They Made Me a Criminal.” “Gunga Din” will con-
tinue for a second week at the Music Hall.

Fifth week of “The Lady Vanishes” grossed an estimated $7,500 at the Globe and is continuing. “Pygmalion” drew an estimated $13,000 at the Astor in its seventh week. “Grand Illusion” will be held for a 21st week at the Filmarne, “Federal Man Hunt” will open at the Criterion today, to follow “The Girl Downstairs.”

Exhibitor Legislative Plans
Hinge on High Court Appeals

Plans of exhibitor organizations for state and national legislation hinge on the outcome of the Ascap and North Dakota divestment appeals pending in the U. S. Supreme Court.

Allied States cannot shape its na-
tional legislative policy until the Su-
preme Court gives its decision in Par-
amount’s appeal on the North Dakota statute which would separate theatre operation from production and distri-
bution. State units, which take their cue from the national board, are also halted in framing legislative plans.

Should the North Dakota law be upheld, Allied plans to introduce similar bills in other states without de-
lay. However, this case will not be heard for several weeks and the de-
cision may come too late for further state legislation at the present ses-
sion.

The Ascap appeal, taken by the society from Florida and Washington, was argued two weeks ago before the high court and a decision is expected next Monday. Exhibitor units intend to sponsor similar legislation in their states, should the court decide against Ascap.

New York Allied plans to introduce both divestment and anti-Ascap bills in the state legislature. Allied officials feel that should the high court uphold the anti-Ascap laws, the society may decide to offer concessions to exhibi-
tors, radio stations and other music users in order to forestall further leg-
islation.
Trailer-Made Files National Screen Suit

Trailer-Made, Inc., filed a $300,000 damage suit yesterday in the U. S. District Court against National Screen Service Corp., charging National with inducing five large theatre circuits to breach their contracts with the plaintiff for supply of trailers.

Contrary to reports for the past three months to one year between Trailer-Made and Fox West Coast Theatres, with 200 theaters, Fox Midwest Agency Corp., with 109 houses, Fox Internationale Theatres, Inc., with 80 houses; Shoarss Theatres Corp., with 64 houses, and the Circuit Management Corp., with 451 houses, were all violated, the complaint asserted, either through inducement by the defendant to supply trailers gratis or below customary rates, or through coercion and misleading statements.

The plaintiff asked for $100,000 for loss of profits and an additional $200,000 because of alleged loss of prestige and damage to its reputation. Trailer-Made claimed that the contracts with the circuits were made within the last few weeks.

Three Face Quiz in Argentine Tax Case

Fred Mohrhardt, Frederick L. Her-ron and Rodney F. Starkey were dis-rected by N. Y. Supreme Court Justice Arthur Israel, Jr. New York notary, and answer written interrogatories in support of a motion brought by Paramount Films Societd Anonima and Paramount International Corp. to reduce alleged excessive tax assessments made by the Argentine Repub-lic. Testimony will be sent to Buenos Aires, where suit against National is pending before Judge Edward Sar-niasto to approve the financial set-up between Paramount Pictures, Inc., and a number of firms dealing in foreign trade. Paramount is charging that the taxes are unjustified.

YOU CAN BE IN LOS ANGELES TOMORROW MORNING VIA Flagship Chain Sleeper

*Fly the only Southern Sunshine Route—favored by nature. No change of planes. Delicious, complimentary meals. Fare $109.95; 1936 saving on round trips.

MOTION PICTURE DAILY

PHILADELPHIA, Jan. 31.—Allied of Eastern Pennsylvania, which was recently organized, elected a board of five members at a meeting today.

Nine were elected from Philadel-phia. William Cox, Milton Rec-gasser, Ben Fertel to serve the years; Luke Ling, David Middle-drawn, and Andrew years, and E. B. Gregory, Charles Stiebel and Harry Perlman, one year. Out-of-town members elected are Al Fischer, a reporter for the Times, and Harry Fried and Henry Sork, two years.

About 60 attended the meeting, at which E. B. Gregory was chairman. New quarters will be opened in three weeks at 219 North Broad St.

Hulling Monogram’s Coast District Head

Hollywood, Jan. 31.—M. Hulling, formerly manager of Monogram’s San Francisco exchange, has been named district manager for Monogram, cov-ering the Pacific Coast. In dis-missing the appointment, George W. Weeks, general sales manager, stated that Hulling will handle the company’s advertising and public relations department.

F. H. Butler will succeed Hulling as manager of the San Francisco ex-change. Previous to his association with Monogram, Hulling was district manager for Warners in Los Angeles and San Francisco.

Hearing Set on Plea For Pax Dissolution

N. Y. Supreme Court Justice Aaron L. Levy has directed a hearing on March 10 before Referee Robert E. Marley on an application filed by Louis S. Lortet and Bessie Witkin to liquidate Pax Films, Inc., U. S. distributors of a number of former Paramount pictures.

Petitioners, who claim to own 50 per cent of Pax stock, contend that a deadlock among the partners of the company made it impossible to continue business, and that the only alter-native is dissolution and distribution of assets.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Subscription rates per year $6 in the Americas and $1 2 foreign. Single copies the...
A THOUGHT FOR TODAY!

This observation is made as “Idiot’s Delight” leaps into the box-office headlines, electrifies America from Coast to Coast:

M-G-M hits are for *every* box-office, no exceptions!

Nobody is fooled when trade ads high-light a few spots and proclaim a nation-wide hit!

“Idiot’s Delight” like “Sweethearts” and “Stand Up and Fight” which preceded it, is a picture for all audiences!

And this is equally true of M-G-M’s important releases immediately following:

“HONOLULU”— Eleanor Powell, Robert Young, George Burns, Gracie Allen

“THE ADVENTURES OF HUCKLEBERRY FINN”— Mickey Rooney

“LET FREEDOM RING”— Nelson Eddy, Virginia Bruce, Victor McLaglen, Lionel Barrymore, Edward Arnold

“THE ICE FOLLIES of 1939”— Joan Crawford, James Stewart, Lew Ayres, Lewis Stone

The thought for today is definitely:

“Don’t mistake the flash in the pan for gold!”

You’ll find the national currency as usual in *Metro-GOLDwyn-Mayer!*
Legal Opinion Is Varied on Chance Games

Giveaway Use Is Marked by Court Actions

By SAM SHAIN

There has been considerable litigation, both civil and criminal, on the question of chance games. Opinion as to their legality is varied. The most usual way has been by criminal prosecution. Thence there have been suits by exhibitors (who do not have the games) over unfair competition.

Such plaintiffs have claimed they cannot compete with those who operate games unless they themselves also operate games and thereby violate the law.

In some jurisdictions such unfair competition suits have been upheld. On the other hand there is also considerable contrary court opinion. Those courts which have held that it is unfair competition, even if the parties accept the theory that exhibitors using chance games are not misrepresenting.

SEEK TO REVOKE CORPORATE CHARTERS

There also have been prosecutions to revoke corporation charters of those theatres which have used chance games, on the theory that such chance games are lotteries and therefore illegal.

Since the adoption in 1821 by the State of New York of a constitutional prohibition, prohibited the use of mails for lottery purposes, and also keeps them from radio broadcasts.

What constitutes a lottery is a matter of legal opinion. It is generally conceded that there must be three elements:

(a) A prize.
(b) Winner selected by chance.
(c) Legal consideration being given by participants for the right to take part in the chance game.

To circumvent the law chance games and lotteries will offer some free opportunity for a prize.

PROFIT MOTIVE HAS A BEARING

However, there are jurisdictions in the country which maintain that the lottery is illegal, even if some get chances free, should other players pay for participating. Profit motive could have a bearing, according to some opinion, as one court has said:

"The fact that prizes are to be distributed will direct persons to the theatre who would not otherwise attend. In this manner, those obtaining pay a consideration for it and the theatres reap a direct financial benefit."

Furthermore, it has been held also that the "legal consideration" which helps to constitute a lottery needn't be money. The mere fact that a participant registered for the games and entered a draw to win a cruise constitutes "consideration." In this instance the court ruled that the registration book itself, in the lobby, was a valuable mailing list.

But there are contrary opinions by jurisdictions in many states, including New York. All seem to agree, however, that wherever a patron must pay in order to participate, it is a lottery.

134,583 Attended
163 Cincy Games

In Cincinnati, during December, at 163 games of Bingo, there was an attendance of 134,583 persons. This is from a survey by Chief of Police Eugene T. Weatherly. The aggregate gross of these games was approximately $1,300 in cash prizes, which are now rather nominal, formerly ran as high as $3,000.

There has been no attempt by the authorities to stop games, but officials insist that the law be complied with in permitting persons on the outside to play games. Exhibitors differ on whether they would abandon games if they did so. F.W.C. made a step in this direction six months ago. Some independent followed suit, but are reviving games and giveaways. Theatres have found it difficult to operate while the opposition continues it.

To avoid Post Office interference, newspapers take theatre ads which advertise money games by substitute, such as "Play Tonight," "Surprise Night," "Every Purchase a Franchise" giveaways are advertised openly.

At least 40 per cent of the unaffiliated houses in the Los Angeles area have games or giveaways. An official of an exhibitor organization said: "When independent theatres have to play after F.W.C. and other affiliated houses get through with it, they must do something to attract patrons. The independents cannot get previews with the same facility as the affiliated house. So they have giveaways. It's not show business, but what can they do?"

Two Warner subsidiaries, the Forum in Los Angeles and the Huntington Park, have money games based on Keeno, three and two days a week respectively. Two first runs, the Fox, Wilshire and the United Artists, had games and car giveaways some time ago.

Thompsonville, Conn.

Population, 13,400; one theatre, 800 seats, $30 top. The house distributes $1,350 yearly in cash. It believes the games have boosted grosses and will not discontinue them unless compelled by the authorities, who are deficient in Connecticut. There are no non-theatrical games, except by the Veterans of Foreign Wars, who operate the theatre. The local authorities have asked the operators, not to give the games wide publicity, particularly outside the city or state.

Lotteries Are Prohibited in All 48 State

Buffalo

Until about four months ago, theatres in this city had a license to conduct games to the 38 neighborhood houses. None of the five first runs ever found it necessary to adopt games, though 75 per cent of the other exhibitors adopted Bingo, Bongo, Ten-O-Win and Screeno. The practice has been in vogue here about 10 years.

Almost to a man, the subsequent run operators, with 4,650 seats to fill, were ready to drop the games, "if everybody else did."

But former Mayor Francis Schwatka took over the Gayety and tried to run it as a Bingo emporium. The district attorney stopped him. Now he is running films at the house, three nights a week, with a $300 Bingo pot added.

Catholic churches used chance games extensively until last fall, when distribution via the fraternal organizations were suppressed.

Theatres distribute about $3,600 weekly in prize money through chance games. Vincent McSaff of the Sheba circuit, Nicholas Basil and Mrs. George J. Gannell find no favorable after operating experience in their district.

Theatre chance games are believed to have stimulated similar schemes by gamblers to set up lotteries to retain games, and do so the non-theatrical situations.

Calidwell, N. J.

Population, 6,000, has one theatre. It runs Employment Night and Bingo, jackpotting from $40 to $500, two nights a week. Cost to the theatre, maximum of $2,500 a year. Churches and organizations operate Bingo, but not to the theatre's discomfort.

Elizabeth

Population, 115,000; three first runs, 20-40c; four subsequent, 15c-25c. Three subsequent run games, two on a fairly large scale. They feel games have helped, and would not quit them if they could. One first run gives dishes three times weekly.

This is the fourth of a series of articles surveying the giveaway situation in the country. The next will appear in an early issue.

Drop Game Action

La Crosse, Wis., Jan. 31.—Attorney General John E. Martin has disclosed that his office has dropped its action against the La Cross Theatre Co., charging the firm with conducting a public nuisance in Bank Night. Martin said the reason was that his office had been advised by himself for the reasons of whether the case was worth carrying on.
A Star So Big that Even Warner Bros.' 'Angels' and 'Dawn Patrol' Are Equalled in Opening Engagements!

(Boston, Miami, Newark, Buffalo, Bridgeport, Memphis, Milwaukee, Dayton)

With another grand job by THE 'DEAD END' KIDS

and CLAUDE RAINS
ANN SHERIDAN - MAY ROBSON
GLORIA DICKSON

Directed by Busby Berkeley • Screen Play by Sig Herzig • From a Novel by Bertram Millhauser and Beulah Marie Dix • Music by Max Steiner
Hollywood, Jan. 31.—Comedy, music, dancing and picturesque production settings and effects supply the entertainment values of "Hono-lulu." Primary name value is represented by Eleanor Powell, Robert Young, George Burns and Gracie Allen. In support are Rita Johnson, Clarence Kolb, Jo Ann Sayers and Willie Fung. It is a Jack Cummings production which Edward Buzzell directed; music and lyrics were composed by Harry Warren and Gus Kahn and Bobby Connely and Sammy Lee arranged and directed the dance routines.

The original screenplay by Herbert Fields and Frank Partos is light, gay and tuneful, and directed with humor and musical skill. The hero, Young, plays a dual-identity role which makes for a complicated story. He is a film star, worn out by the beatings which such luminaries are subjected to by worshiping admirers. He looks so much like a certain Hawaiian business man as does his reflection in the mirror. He makes a deal to change places with him. The business man goes to New York to take the beatings. Young goes to Honolulu, falls in love with dancing Eleanor Powell en route, is accepted as her fiance by Miss Johnson and is thrown into jail by her father, Kolb.

Meanwhile Gracie Allen is funny, Miss Powell dances, instrumental and vocal music and spectacular production effects have their place in the general entertainment scheme. Young escapes his predicament as his double comes home to reclaim Miss Johnson and, of course, Miss Powell is made to realize that stars are not the egotistical snobbish creatures she thought.

Running time, 80 minutes. "G".

G. Mcc.

Win Injunction on Iowa Theatre Name

Waterloo, Ia., Jan. 31.—Rosenthal Brothers, Inc., operators of Rosenthal's Iowa here, have been granted a temporary injunction to prevent the Singer-Waterloo Corp., from using the word "Iowa" in connection with the Mort-Singer Iowa Theatre here.

Legion Approves 7 Of 8 New Pictures

National Legion of Decency has approved seven of the eight films reviewed and classified this week. Two were approved for general patronage; five were found objectionable for adults, one objectionable in part.


CEA Urges Control Of Non-Flam Shows

London, Jan. 31.—The C. E. A. has appealed to the Home Office Advisory Committee for strict enforcement of the non-flam show legislation. Evidence placed before the committee tended to show that unless there was a serious moral advance in recent certain all exhibitions might evade licensing by showing their films on sub-standard stock.

London Power Cost Up

London, Jan. 31.—London exhibitors are faced with an increase of 7.5 per cent in the cost of electricity. The increase is being imposed upon all London users of power and lighting.

'Hardy's' High Loop Groser

With $20,000

Chicago, Jan. 31.—"Out West With Hardy's" was the Loop leader and grossed a neat $20,000 at the United Artists.

Topper' $6,000

On Dual Bill in Milwaukee Slump

Milwaukee, Jan. 31.—"Topper Takes Trip" and "Pacific Limer" grossing $6,000 at the Warner, was the only bill capable of bettering average. Million of heavy snow and winter blasts.

Estimations taken for the week ending Jan. 25-27:

''Topper'' (Columbia) $6,000.

''While New York Sleeps'' (20th-Fox) $5,000.

''Nome's Most'' (20th-Fox) $4,000.

''Swing, Sister, Swing'' (Univ.

RIVERSIDE $4,000.

''Topper Takes Trip'' (20th-Fox) $3,000.

A' Pacific Limer'' (RKO) $2,000.

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'At War With the Alshans' Opens at the Grand

Injunction Issued on Warhill's

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New Showmanship Will Draw Public
Hub Exhibitors Hear

Boorox, Jan. 31—A new technique of showmanship is being developed which will attract the 75 per cent of the public which does not today attend motion picture shows, H. M. Richey, director of exhibitor relations for RKQ, told the annual convention of Independent Exhibitors of New England at the Statler tonight.

Richey said that only about 25 per cent of the community is tapped at present, but “with standardization of the industry at an end” under the new setup “a big push will be placed on the initiative of individual companies, theatres and distributors.”

The numbers, he contended, individual initiative will go right down the line to each small element in the business.

“There must be some technique of selling the good pictures to the public in order to keep pictures that are high in production value but not necessarily high in box-office pull, can be shown to a wider audience. . .

As I touch on the warning of pressure of the new blood that is coming into the business, doing things that some people said were impossible.”

Rogers to Sail for
Mayflower Parleys

Budd Rogers, general manager here for Mayflower Productions, sails Saturday on the Agatunia. He will confer with John Maxwell, chairman of Mayflower, and Erich Pommer and Charles Laughton, who are working on distribution arrangements in America for “St. Martin’s Lane” and “Jamaica Inn,” which feature South Sea a.

Mayflower’s production plans will also be discussed.

Fleischer’s Gulliver Will Open in Miami

“Gulliver’s Travels,” first full length color cartoon feature by Max Fleischer, will be released at the opening of the new Miami Art Theatre which is scheduled to open in Miami Christmas under the Paramount banner.

W. R. Lynch, general manager of Paramount Entertainments, has signed a contract for the feature which was produced in the Fleischer Studio in Florida. The Fleischer Studio moved south from New York last September.

Sears, Blumenstock Leave for New York

Hollywood, Jan. 31—Gradwell L. Sears and Mort Blumenstock left tonight for New York after setting exploitation features for four Warner releases. S. S. Schneider, Warner financial expert, who came with Sears and Blumenstock remains until later in the week.

Two Guilds Would Back AFRA Strike

Hollywood, Jan. 31—Artists Managers Guild and Screen Actors Guild, although it odds at odds over the licensing of studio and radio talents, today joined hands in a plan of the American Federation of Radio Artists should a strike be called by the Artists Managers Guild. Both organizations voted to back AFRA at meetings held last night.

Artists’ agents hereafter will insist that they receive contracts signed by half of their clients with radio advertising agencies contain a clause nullifying contractual obligations in the event of an AFRA strike.

Albany Bill Calls for Tax on Amusements

(Continued from page 1)

resolution will be afforded a public hearing some time in February. The lottery resolution must pass two successive legislatures, however, while the referendum bill on gambling can be passed on to the public at once.

Cruzan is a Republican from Brooklyn. Phelps is a Manhattan Democrat.

These legislators are the authors of a bulky projectionist bill, which purposes to compel two operators to a booth.

The State Health Department is opposing the bill, which has the support of several organizations on grounds that the bill, State Health Department projectionist bill would be barred film-operating machines, despite their “great amount of experience.”

Nominations Made On Sound Recording

Hollywood, Jan. 31—Nominations for achievement in sound recording to be given by Academy of Motion Picture Arts and Sciences were announced today by John Alberg, executive secretary of the Academy, and Chauncey Olcott, chairman of the selection committee. Selected by each studio they are: “Army Girl,” Republic; “The Cowboy and the Lady,” United Artists; “Four Daughters,” Warner; “If I Were King,” Paramount; “Merrily We Live,” Hal Roach; “Suez,” 20th Century-Fox; “Sweethearts,” M-G-M; “That Certain Age,” Universal; “Vivacious Lady,” RKQ; “You Can’t Take It With You,” Columbia. These films will be reviewed by a special committee of the technicians branch of the Academy.

Name Committee for Film Editors Award

Hollywood, Jan. 31—The following joint committee has been appointed to handle the film editor’s award by the Academy of Motion Picture Arts and Sciences: Anne Bauchens, Philip Kahn, Frank Hull, H. J. McCord, and Gene Milford, representing the Academy, and Edward Duntry, Desmon Marquette, Otto Meyer, Conrad Nervig, and Frederick B. Richards, representing the Society of Motion Picture Film Editors.

Install Short-Wave On Plane to Europe

Installation of short-wave relay broadcasting equipment on board a British Airway Cliper No. 17 for use during the ship’s impending flight to Europe has been completed by the BBC. WABC, short-wave field technician. Transmitter has 100 watts power and a frequency range of 1,600 kilocycles to 25 megacycles. Equipment was built to specifications of the CBS engineering department.

Para. Ready on ’39

British Production

London, Jan. 31—Paramount will begin its 1939 British production at the Denham Studio this week.

“Peace In Our Time” will be the first British film to go into work here in the near future. “French Without Tears,” from the stage play of the same name, will go into work shortly, under the direction of Anthony Asquith.

Television to Give
Market for Dramatist

(Continued from page 1)

agers would not welcome film back-

ing for the legitimate theatre unless certain restrictions are lifted down.

After pointing out that peace is near in the long standing feud over the film rights, Mr. Moseley stated that film rights should be purchased after open competitive bidding and after the play has had “its full legitimate stage life in New York and on the road.”

With reference to television and radio rights, he points out that the theatre has been able to prevent such rights from passing with film rights. “The Guild feels it is powerful to prevent this so long as novelists and playwrights, selling their rights in the same market, permit the inclusion of those rights in their picture sales. Few authors realize it will be filmed, outside their initial creation, which will be projected by television into the homes.”

Picture Ball Ticket To James Roosevelt

James Roosevelt, vice-president of Samuel Goldwyn, Productions, purchased the first ticket for the Annual Motion Picture Ball from Frances Toney yesterday. The ball is given under the auspices of the Film Division of the Theatre Arts Committee. Sponsors include Howard Dietz, Lynn Farnol, Louis Nizer, Frances Farmer, Katherine Locke, Lilian Hellman, Edward Barnes, Harold-Tribune film critic. The ticket will be held at the Hotel Roosevelt on Feb. 10.

Graener’s Mother Dies

Pittsburgh, Jan. 31—William Graener, Pittsburgh manager for Ross Federal Service, is mourning the death of his mother, Mrs. E. J. Graener, 75.

9-Foot Marquise Ball
Is Passed by Council

Over Veto of Mayor

Limit on height of theatre marquee signs in N. Y. City was restored to nine feet yesterday when the City Council overruled Mayor LaGuardia’s veto of a bill to raise the size.

The bill, now law, permits signs up to 20 feet high. Scores of orders, totalling approximately $350,000, according to labor union leaders, have been called for by the new regulations. For new installations and renovations have been delayed by the existing two-foot limit. Nearing at the Riverside Memorial Chapel for Rose Randel, mother of Henry Randel, Brooklyn and Long Island branch manager for Paramount. Mrs. Randel died early Monday.
Strange Experience

Nine travelers trapped in
Stage Coach between Here & Tonto, Ariz.

Attended Murder

Outcasts, fugitives thrown with Elite on
Wild Ride with Life and Death at Stake

One of the most curious incidents in recent frontier history came to a thrilling climax last night as nine oddly
...-passengers arrived on the Lordsburg Stagecoach
...after generally

Stagecoach

A Walter Wanger Production
(Producer of "Trade Winds" and "Algers")

Directed by John Ford
(Academy Award winner, director of "Submarine Patrol," "The Hurricane," "The Informer,")

With Claire Trevor • John Wayne

Andy Devine, John Carradine, Thomas Mitchell, Louise Platt, George Bancroft, Donald Meek, Barton Churchill, Tim Holt

Released thru United Artists

Man of Mystery: A strange whim, something from the past...forced him to go on.

Doctor: It took 12 cups of coffee to sober him in time.

Wife: "We must go on. I've got to find my husband."

"Curly" the Marshal: Why did he release his prisoner?

Traveling Salesman: "I'm a married man...father of five...I insist we go back."

Banker: Why so careful of the little black bag?

Dance-Hall Girl: Nothing mattered but a man she'd never seen before.

"Buck" the driver: He wanted to go home.

Convict: He gave himself up in order to be taken to Lordsburg: where three men waited to kill him.

Nine startling performances... plus excitement that grips you and never lets you go. Already the word is getting around that "Stagecoach" is a picture of genuine greatness!
Power Taken Off Radio by Darryl Zanuck

Action Follows Protest from Exhibitors

Twentieth Century-Fox yesterday withdrew Tyrone Power from further participation in the latter's starring radio series, "Hollywood Playhouse," which is broadcast Sundays over NBC, coast-to-coast. It was agreed with Power's sponsor, the Jergens-Woodbury Co., the star will terminate his broadcasting after next Sunday. No other stars are mentioned.

Darryl Zanuck, in charge of 20th Century-Fox production, stated the move was made as a result of protests from exhibitors about the excessive appearances of film players in radio. Such protests have increased for some time past, but this marks the first instance of a studio heeding the complaints.

Zanuck's Statement
"We have no quarrel with radio," said Zanuck, "but there is great validity in the insistence of exhibitors throughout the country who contend that they are severely injured because the air lanes are so crowded these days with screen personalities. Not only the theaters, but the stars themselves are endangered because it is so difficult to get adequate material for these air programs, especially.

Continued on page 41

'Gunga Din' Grosses $103,000 First Week

Improved weather conditions yesterday helped restore Broadway box offices to normal. "Gunga Din" did excellent business yesterday and finished its first week there with an estimated $103,000. It is held over. At the Capitol, "Stand Up and Fight" drew an estimated $24,000 for the week and makes way today for "Idio's Delight," "Pacific Liner" grossed an estimated $19,000 for its 15-day run at the Rialto.

Ritziel Books 'Nation'

"One Third of A Nation," the Harold Orloff production which Paramount is distributing, has been booked to open at the Ritziel Feb. 11, the picture's national release date. Picture was re-cut recently, with several sequences shortened materially. Re-cutting delayed its release several weeks.

BOARDS SETUP DUE IN 2 TO 3 MONTHS

Making the Same Mistake Twice

By SAM SHAIN

Winners of the Movie Quiz will be announced on Feb. 28, at a gigantic, country-wide "bank-nite" — the biggest of them all. There will be $250,000 given away.

Two million contestants, their families and friends will be compelled to visit the theatre again in order to find out whether they have been successful in the colossal giveaway game. That they have had to see 30 pictures in order to make qualifying answers in the Quiz is not enough.

It is on a Monday night, too, that they are to be compelled to go — the traditional off-night in show business — when folks prefer to stay at home.

The contest angle has been severely criticized and the campaign itself with its tremendous cost has been under fire almost from its inception, but just who is to be taken in by this new and ingenious method of awarding the prizes is a matter for curiosity.

Is it the public?
If the industry has benefited, however, intangible that benefit may seem to some, awarding the prizes in the manner contemplated is making the same mistake twice, and wiping out whatever gains there may be claimed for the campaign.

Expect Conciliation Plan To Act as Check on Trust Actions

Local conciliation or arbitration boards will be established nationally in two or three months. By that time the new selling season will be under way. The distributors expect to have a self-regulation system in work for inclusion in 1939-40 contracts.

Considerable of the litigation to which the industry is now subject may be avoided in the future, it is felt, if a conciliation or arbitration system is immediately set up. In 1937 there were about 150 Federal court actions by exhibitors charging anti-trust violations. Some of these were settled without trial. At the present time there are 140 suits pending.

The distributors feel that if the aggrieved exhibitors had an industry tribunal where their complaints could be heard the number of such actions would greatly diminish. This was the experience during the life of the NFRA film code boards. An additional consideration is that such machinery would create better relations between exhibitor and distributor.

Wants Specific Rules

Meanwhile, Allied insists on specific rules and regulations on arbitration before it consents to a self-regulation program. Abram F. Myers, general counsel, in Washington yesterday declared that he was greatly interested in the M. P. T. O. A. suggestion for immediate creation of local boards. He refused to comment directly on the M. P. T. O. A. proposal, but indicated that at some future time he may have recommendations to offer on arbitration.

"Allied has supported and adheres to..."

AFRA Terms Met; Strike Is Averted

American Federation of Radio Artists and the Committee for Advertisers will sign a new pact today. Settlement of their differences has been made. There will be no walkout. AFRA wins on all counts, except on the point of a closed shop. NBC, CBS and Mutual, however, are committed under existing contracts to a closed shop.

The accord was reached late last night.

NAME INSPECTOR ON G.B. INVESTIGATION

London, Feb. 1.—Board of Trade has appointed Russell Kettle to act as inspector to conduct an investigation of the affairs of Gaumont British, Ltd.

The appointment climaxes appeals for such an inquiry made to the Board of Trade by G. B. shareholders many months ago, and is at odds with a Board of Trade statement in Commons last session that the plan for an investigation had been suspended at the request of shareholders.

SAG to Seek Rise for Some Extra Groups

Screen Actors' Guild plans to obtain higher wage scales for certain classes of extras in the spring, Kenneth Thomson, executive secretary, declared yesterday. He declined to disclose what the demands would be. Efforts also will be made to "de-casualize" the ranks of the S.A.G., persons who now appear occasionally in the films as extras should be eliminated," Thomson explained. "The field is overcrowded, and professionals must be permitted to earn their living without this type of competition from casuals.

Actors' unions in Los Angeles will take the first steps toward closer cooperation within the next two or three months when they will move into offices in the same building, Thomson disclosed. Long an advocate of the "one big union" theory in the Associated Actors & Artists of America, he is in town for international board meetings of the A.A.A. A. to assist the American Federation of Radio Artists in their strike negotiations.

Thomson admitted that his first enthusiasm for complete interchange..."
Insiders' Outlook

By SAM SHAIN

FOR a little while yesterday it looked as though the Radio City Music Hall was going to have its face lifted immediately, for they began tarring down the El structure in front of it. However, it was discovered that the tarring for the subway construction of Sixth Avenue would not stand the weight of the cranes used in the demolition. Therefore, the Music Hall will have to wait two months before the El structure can be removed. Work was halted on the subway work and in the interim the Hall's façade will remain hidden.

Honolulu is beginning to rival Florida and California as a vacation ground for motion picture people. This week we will see quite a group of film and theater men trecking to the Hawaiian shores. Recently Abe Montague, Columbia Pictures sales chieftain, was there. Now going are Willy Scadella, general sales manager of Universal; Sam Rinzel, Joseph Seilder and Max Cohen, local theatre magnates.

When the film stars got back to New York from Washington, where they had gone to attend the President's Birthday Ball, many of them must have felt non-plussed. Their return here no doubt was like an anti-climax after the fuss and pleasure of being White House guests, and there was no police escort waiting for them, here.

In Washington, over the weekend, screen satellites were a dice dozen. There were Andrea Leeds, escorted by Ben Washer; Errol Flynn, Lila Damita, Eleanor Powell, Ralph Bellamy, Jean Hersholt, Mitzi Green, George Brent, Bruce Cabot, Annabella, Paul Whiteman and Frank Fay. All policemen flanked them all.

The Senator from Montana kissed Miss Leeds as she posed with him in a 10-gallon hat. Miss Damita arrived with three trunks and changed her clothes every hour on the hour. Fay announced himself to all the crowds because he insisted on one recognized him. Cabot was so frightened he lost his voice every time he was asked to speak. Eleanor Powell danced and Mitzi Green sang 15 different tunes within three hours and never at the same place twice.

Bellamy sent all the way to Hollywood from New York to wear to the cocktail party on Sunday—and he was the only one wearing the proper attire in all of Washington. Errol Flynn became lost in the crowd with the trick of raising oneself off the floor while sitting. They played this game after lunch up and down the White House corridors.

Several of the film stars, including Frank Fay 10 bucks for good gags to tell at their personal appearances, but Fay wouldn't sell.

In the Motion Picture Daily on Friday, Nov. 12, there was printed the fact that the film companies have agreed not to acquire nor sell theatres without the knowledge of the Government. The companies and exhibitors in the pending anti-trust suit in New York agree to submit day-to-day reports on theatre deals to the Department of Justice.

Can it be that it is in regard to this agreement that the Department of Justice is about to make an "expected statement"?

Houses to Get Quiz Lists at Same Time

To enable exhibitors to announce Movie Quiz prize winners simultaneously throughout the country on the night of Feb. 6, it has been arranged to deliver the lists to theatres at the same time.

Theatres governed by Eastern standard time will get the lists at 8 P.M. Central, 7 P.M.; Mountain, 6 P.M.; and Pacific Coast, 5 P.M. Motion Pictures' Greatest Year headquarters have asked theatres not to announce the names until an hour and a half after the stated delivery time.

The lists will be delivered by local correspondents of the General Pictures Corp. & Trust Co. Should exhibitors eligible to receive the list fail to receive it within a reasonable time, they are advised to obtain it by telegraphing Motion Pictures' Greatest Year in New York.

Campaign headquarters suggest that the sealed envelopes containing the names of winners be opened on the stage by the manager in the presence of a public official.
WARNER BROS.
Holiday-Hit Headquarters!

Thanksgiving .... Angels with Dirty Faces
Christmas .... Dawn Patrol
New Year's .... Devil's Island
Lincoln's Birthday .... Wings of the Navy

FOR WASHINGTON'S BIRTHDAY

Yes, My Darling Daughter

(With the lovers of 'Four Daughters')

Priscilla Lane • Jeffrey Lynn
Roland Young • Fay Bainter
May Robson • Genevieve Tobin • Ian Hunter
Directed by WILLIAM KEIGHLEY
Screen Play by Casey Robinson • From the Stage Play by MARK REED • A First Nat'l Picture

From the stage smash critics called "the only rival of 'Brother Rat'"
The title "Hollywood Preview" suggests that this is an article about the film industry. The article discusses various films and their grosses, as well as the performances of different theaters. The text mentions specific theaters and their performances, with a focus on the earnings of certain films. The article also includes quotes from various individuals related to the film industry, providing insights into the business side of cinema. The text is written in a journalistic style, typical of newspaper articles, and is likely to be of interest to readers who follow the entertainment industry.
The Franchise Holders and Employees of Monogram Pictures Corporation are honored to present to W. Ray Johnston, President and Founder of the Company this testimonial to the high respect and warm regard in which he is held by all those with whom he has been associated throughout a long and successful career.

On this occasion, marking the completion of "A Quarter of a Century of Service" in the motion picture industry, we take this means of expressing to him our admiration for the leadership he has maintained in an industry in which he is a pioneer; for the courtesy and sincerity which have distinguished his relationships with client and competitor alike; for his firm friendship and loyalty and for the inspiration and guidance which have lightened our daily tasks.

January 14, 1939
We missed too many of Ray's first twenty-five years—but want a season ticket for the second.

Here's to a bigger and better JOHNSTON and MONOGRAM.

—Pathe Film Corporation

New York City Laboratory:
35 West 45th Street

Main Laboratory:
Bound Brook, N. J.
Telling the story of W. Ray Johnston's quarter-century in the film business

NAPOLeon Johnston finished at Waterloo, but W. Ray Johnston, president of Monogram Pictures, began there. A pioneer in motion pictures, there are few executives in the film business who have experience so varied. He has been actor, producer, exhibitor, editor, salesman. This year he celebrates the completion of 25 years in the film industry.

Born in Bristow, la., on Jan. 2, 1892, Johnston was a member of a large family. A year later, his parents moved to Janesville, a small town not many miles away. Young Ray entered grammar school and immediately became the leader of his class. In high school, he was an honor student, being graduated cum laude, at the age of 16. But the youngest member of the Johnston family was not satisfied to rest on his laurels. He had a driving force which made him desirous of more knowledge. His ambition was not for the cornfields of the midwest. He attended the Waterloo College of Commerce. His business career began concurrently with his search for commercial knowledge. Outside of class hours, he worked in the mailing department of the Daily Reporter, Waterloo's leading newspaper. Upon graduation from the commerce school, Johnston was given a letter of recommendation from the school's president as the most "conscientious" student ever enrolled at the school. Furthermore, the president predicted great things for his future.

Johnston became assistant to the circulation manager of the paper. But after a brief fling in journalism, he became secretary to the manager of the Citizens' Gas and Electric Company of Waterloo, later becoming secretary to a local banker whose interests served to bring Johnston to the secretarialship of the Vaughn Land Co., the Western Realty and Investment Co. and the Iowa Mausoleum Co., all of Waterloo. In the latter company, at the age of 19, he was placed in charge of 35 salesmen and a construction crew of several hundred men engaged in filling the orders turned in for community mausoleums throughout Iowa, Nebraska, Kansas and Minnesota.

GETS INTO FILM BUSINESS

But the Johnston ambition could not find satisfaction in so small a city. The chance came in the person of a business acquaintance, Wilbert Shallenberger, an executive of theThanhouser, Mutual, Majestic, New York Motion and Keystone Film companies. A business associate of Shallenberger was in need of a confidential secretary. Johnston was offered the post. So, in 1914, at the age of 22, the youth pulled up stakes from the middle west and travelled east to become aide to Charles J. Hite, president of the Thanhouser studios at New Rochelle, suburb of New York.

In two months, Johnston had mastered the trade language and realized the colossal possibilities of an industry still in its infancy. At the end of this short time, he was appointed treasurer of Syndicate Film Co. which was organized to distribute "The Million Dollar Mystery," the first of the notable serial pictures and one of the most successful of them all. It represented a negative cost of $80,000 and grossed $1,000,000.

Made at the Thanhouser Studios in 23 chapters as a 46-reel serial, "The Million Dollar Mystery" had as its star James Cruze, who now is one of Hollywood's directors. To promote interest in the film, the studio launched a newspaper contest requesting the fans to suggest the final chapter. Production was held up for three months until finally a stenographer in Chicago came through with a satisfactory ending. It was Johnston who introduced

[Continued on next page]
To High Place in Films

[Continued from preceding page]

Al Jennings, one-time Oklahoma train robber and later Democratic candidate for governor, to screen audiences in the six-reeler, "Beating Back." The success of this picture aided Johnston's untrammelled surge upward in film circles.

Hite's interests carried beyond pictures into radio exhibition, and Johnston, and Hite's knowledge of the industry was rounded out as a result. He was assigned by Hite to supervise the operation of two New Rochelle homes which had been dubbed into the red far too long. He investigated, discovered that overhead was too high for the caliber of features being served the houses—that the public, even in 1915, was "shopping" for entertainment. He made the necessary adjustments and returned to the home office with the two theatres showing a profit.

Then an Actor—Briefly

But Johnston wanted more knowledge. He wanted to learn all ends of the business, so he went on the payroll of the Thanhouser company as an actor for six months. He succeeded, during this time, in getting the actor's "slant" on production. It was during this brief interlude that Johnston successfully headed the first actors' organization to better relations between employer and employee in the motion picture industry. But his thespian talents proved no menace to the stars of the day.

A few months later he was made manager of the newly opened Thanhouser studio at Jacksonville, Fla. In the summer of 1916, he returned to New York to be assistant treasurer of Thanhouser and, later, president of Big Productions Film Corp. In 1937, he joined W. E. Shallenberger, who, in the meantime, had organized Arrow Film. Johnston remained with this company for seven years and eventually became its vice-president and general sales manager.

In January, 1924, Johnston branched out for himself and organized Rayart Pictures. Through it, he succeeded in turning a $10,000 stock investment into a business gross of $1,250,000 by the time talking picture arrived in 1927. His idea was to produce an annual schedule of 24 silent "westerns" to serve the thousands of exhibitors who would need this type of product while major companies were learning the technique of sound and acquiring equipment.

Johnston allied himself with Trem Carr, a young Californiаn who had been on the Hollywood scene since 1922. Carr was in charge of production while Johnston headed the business administration in New York. Like Johnston, Carr hailed from a small midwestern town, Trenton, Ill., and was educated at the state university. He became vice-president of Rayart.

Then the venture was a success and, when sound finally arrived Johnston and Rayart were prepared. In 1931, he called in the distributors of his product, who were independent exchange men throughout the country, and formed a cooperative organization known as Monogram Pictures, patterned after the structure of the old First National organization. His production and distribution organizations were merged cooperatively to make and sell a talking picture program of 28 features. Franchise holders were named in the new organization, each paying a prorata share of the cost of each picture and holding a stock interest in the parent company and sharing in its profits.

The following year when the company's franchise holders convened in New Orleans, the schedule for the new season was increased to 32 features. In that year, 1932, its distribution became world wide with Pathe distributing in England and Empire Films, Ltd., in Canada, and various agents in other principal countries throughout the world. In the United States were 37 affiliated Monogram exchanges, covering every key city.

The 1933 convention at Atlantic City was attended by 100 delegates who voted to increase the budget cost of the season's schedule by at least one-third. During the year, the company's headquarters was moved from 723 Seventh Ave. to new quarters in the RKO Building, in the then newly opened Radio City. Johnston was named to President Roosevelt's code committee of the New York National Film Association.

In four years, the man who knew films from every angle, had built a business geared to produce and distribute 86 pictures a year.

For Himself Once Again

Late in 1935 Republic Pictures was formed, with Johnston as its president and the Monogram exchanges among its national distribution outlets. However, a year later, he withdrew to reorganize Monogram Pictures Corp.

The Monogram identity had not been lost in the merger that created Republic and many features on the Monogram schedule were in the process of liquidation when Johnston decided to go into business for himself once again. In August of 1936, he revived Monogram on a more ambitious scale than ever before. Immediately he launched into the problems of financing the new Monogram schedule, creating a new system of distribution.

From August, 1936, to March 24, 1937, while the use of the Monogram name was being cleared, the company was called Sterling Pictures. It is this new Monogram, starring production in the summer of 1937, which has made such great strides in a short period of time.

W. Ray Johnston was one of the motion picture industry's pioneers. He remembers the days when there were no specialists—each member of the old Thanhouser company in New Rochelle, N. Y., was a "jack of all trades," including Dame Nature. That was in 1914, 1915 and 1916.

"If an unexpected snow descended on the studio," Johnston recalls, "the scenario editor, who lived next door, would rush to the studio. By noon, the company would be shooting on a snow picture. Likewise, when Long Island Sound froze over, a quick scenario was rushed through, called 'My Commissary from Labrador.'"

Water Main Broke

"Later," he continues, "a water main broke, flooding a side street in New Rochelle over the curbs. A story was rushed and the players, in boats, made rescues from windows and rowed people down the streets.

"In those days, there were no such things as a "prop" department, a wardrobe mistress, a make-up department. The actors supplied their own clothes, applied their own make-up, dressed their own hair, supplied the "props" in a film. James Cagney, now one of Hollywood's directors, was star of "The Million Dollar Mystery," the first of the notable serials and one of the most successful.

He Bet the Car

"In the picture," Johnston tells, "Jimmy played a young reporter, and was using his own small car he just had bought. Someone in the press department told him he should have received the car free for the publicity he gave it in the picture. Jimmy approached the agency on the question and they agreed to give the actor a new car. The following afternoon, Jimmy played a game of horse-shoes, betting the car against $300. He lost. A few days later, he was informed that the agency had changed its mind, since he already had one of their cars and it had been identified in the serial.

"In the next chapter of the film, Jimmy arranged with the scenario editor to have a scene where the car broke down. In the film he attempted to fix it when a farmer came along, asking what was wrong with the car. In a subtitle, Jimmy said, 'Everything. The darn thing never did run right,' and walked out of the scene. Thus he got even with the agency for their failure to keep their promise.'

When a script contained a fire scene, it was held on the shelf till a real fire took place. Then the production department rushed the players to the fire and began shooting on the film.

Johnston and Jack Hoxie in 1919

TWENTY-FIVE YEARS AGO
Sincere Best Wishes to

RAY JOHNSTON

on his

SILVER JUBILEE ANNIVERSARY

MONOGRAM PRODUCTIONS, Inc.

SCOTT R. DUNLAP
vice-president in charge of production

J. P. FRIEDHOFF
Treasurer

E. R. HICKSON
Technical Director

CHAS. J. BIGelow
Production Manager

RUSSELL SCHOENGARTH
Film Editor

DOROTHY REID
Story Editor

BILL PEIRCE
West Coast Publicity

Supervisors
LINDSLEY PARSONS
W. T. LACKEY
E. B. DERR
PAUL MALVERN
ROBERT TANSEY
EDWARD FINNEY

Directors
WILLIAM NIGH
HOWARD BRETHERTON
AL HERMAN
ALAN JAMES
LAMBERT HILLYER

Contract Players
BORIS KARLOFF
FRANKIE DARRO
JACKIE COOPER
MOVITA
JOHN CARROLL
TEX RITTER

W. RAY JOHNSTON
SILVER JUBILEE YEAR
HAIL!

W. RAY JOHNSTON

on his

SILVER JUBILEE ANNIVERSARY

It is an honored privilege to be associated with a company having the distinction of such experienced and rare leadership.

E. B. DERR,
Producer

FRANK MELFORD,
Associate Producer
EASTMAN FILM

BRULATOUR SERVICE

FORT LEE  CHICAGO  HOLLYWOOD
High Optimism Is Justified by Deeds

BY W. RAY JOHNSTON

MONOGRAM'S ACCOMPLISHMENTS in the 18 months since the company reappeared on the motion picture horizon justify the high optimism which my associates and I feel for its future. A closely knit organization such as ours presents a unified picture and a unified purpose. We know where we are heading and we know, too, our limitations as well as our possibilities.

Part of our optimism is due to the fact that Monogram's 36 exchanges already have five thousand accounts on their books, representing an increase of seven hundred deals over last year. Our sales quota of $6,750,000 for 1938-'39 exceeds by $2,500,000 the preceding season's figures. Likewise production budgets for the current year have been increased $1,000,000.

Perhaps the greatest source of satisfaction is derived from the knowledge that Monogram is currently operating in the "black." We have not completely discarded our swaddling clothes and many of the pains of infancy remain to be cured. However, I feel confident that exhibitors all over the United States who got on the Monogram bandwagon when the company first announced its reorganization program, feel that they have been amply repaid for their confidence in us.

Thus my purpose to justify again the faith which showmen have always vested in the brand name of Monogram and to exercise vigilance at all times that the product which we deliver will arrive as promised and represent an increasingly high standard of entertainment.

MONOGRAM'S RAPID GROWTH IN 2 YEARS

With the creation of the new Monogram 18 months ago, it was necessary for W. Ray Johnston, Monogram president, to turn an idea into solid fact. In deciding to reorganize Monogram, Johnston realized that, in addition to studios in Hollywood and a New York executive office, he would have to set up a complete new distribution system in the United States and Canada. The exchanges that had been part of the old Monogram had been absorbed into Republic during his affiliation there.

This task was accomplished in a short period of time. Johnston lined up branches in every key city to distribute Monogram product. In less than two years a coordinated group of 36 exchanges had taken shape to handle the company's program of 42 feature pictures a year.

Thirty of these exchanges are established strategically in leading territories of the United States: east, west, south, midwest and far west. A complete coverage of Monogram product, from first run deluxe theatres in key cities, to the neighborhood house in the smallest community, is assured. Additionally, six leading cities in Canada, including Toronto, Calgary, Montreal, St. John, Vancouver, and Winnipeg, sell Monogram pictures.

The men who are presidents or managers of these exchanges all meet the high standard of requirements set by Johnston. Leading citizens in their own territorial regions, these men are active in the civic affairs of their communities. Included are such men as C. W. Trampe of Milwaukee; Ben Neithamson, Minneapolis; Henri Elman, who recently was candidate for mayor in Chicago; L. O. Ringler, Omaha; Howard Stubbins, Los Angeles; John Mangham, Atlanta and New Orleans; Ben Wohansky, Boston; Ed Blumenthal, Dallas; F. E. Judd, Des Moines.

Departments in other parts of the company grew just as rapidly. Business increased to such an extent that the number of home office employees tripled and Monogram moved into larger quarters in its Radio City home office in New York.
The Pioneer and Most Progressive Film Producing and Distributing Organization in Great Britain

Extend their hearty Congratulations to W. Ray Johnston on his magnificent achievement
SQUARE DEALING IS A BASIC PRINCIPLE

BY GEORGE W. WEEKS
General Sales Manager
Monogram Pictures Corp.

OUTSTANDING circuits and leading independent theatres have contracted for the Monogram product because they know that the company has always met its obligations to exhibitors and has given more than its worth. All over the land, showmen have told me that Monogram's "Boy of the Streets" and "Hoosier Schoolboy" have earned more money for them and have delivered greater satisfaction to their audiences than many of the so-called "super-epic" productions.

It is because of this square dealing which has always characterized Monogram's relations with its clients that exhibitors have without hesitation accorded us sizeable increases when signing contracts for the current Monogram program. They know that by supporting a company such as ours they are assured of a steady flow of sound entertainment at rentals which make it possible for them to realize a profit on their engagements.

The Johnston Jubilee campaign for playdates has won a gratifying response from exhibitor friends. The five-week period from Feb. 1 to March 4 inclusive has been set aside by the Monogram offices as a gesture of appreciation for W. Ray Johnston on the occasion of his 25th anniversary in the motion picture business. Every branch is actively behind the movement to have all its accounts play Monogram pictures insofar as possible during the Jubilee month.

I predict that Monogram will continue to make sturdy strides forward. Its beginnings have been most auspicious.

GIVING EXHIBITORS ENTERTAINMENT FILMS

BY SCOTT R. DUNLAP

FROM EVERY PRESENT INDICATION, MONOGROM IS DEFINITELY HEADED FOR THE TOP. THOSE AT THE HELM OF ITS ACTIVITIES UNDERSTAND THEATRE CONDITIONS TODAY AND ARE PRODUCING PICTURES TO MEET THOSE CONDITIONS.

Monogram is building an organization of men which I consider among the best in the field. Our aim is to continue to build up the confidence of exhibitors, who already are showing their appreciation.

Exhibitors are quick to acknowledge that motion pictures claiming to be genuinely "box-office" are those containing down-to-earth drama, conflicts that take place in every day life and to ordinary people. Take that formula, add several excellent actors and you have a box-office feature.

During the past two years, Monogram has gained prestige not alone in Hollywood but throughout the country. That prestige can be attributed to the fact that this company is conscientiously trying to give the exhibitor entertainment.

Good authors and good saleable actors. That's the aim of Monogram. Already Monogram has on its contract list such outstanding players as Jackie Cooper, Boris Karloff, Frankie Darro, John Trent, Tex Ritter, Movita and Jack Randall.

With sales already showing a great increase over last year, I have no doubt that Monogram will take the lead as the fastest growing studio in the country.

DIARY OF A SECRETARY

BY MADELEINE S. WHITE

THREE WEEKS WORKING FOR A STEEL COMPANY ... HAL! HOW UNINTERESTING ... GUESS I'LL LOOK INTO THAT JOB IN THE FILM BUSINESS I JUST HEARD ABOUT ...

WELL, THAT WAS EASY ... THREE QUESTIONS ASKED AND TOLD TO REPORT MONDAY MORNING ... WHAT A NICE, QUIET, EASY-GOING MAN THAT W. RAY JOHNSTON IS! WONDER HOW HIS PRIVATE SECRETARY WILL BE LIKE, THOUGH, AFTER WHAT THE OFFICE MANAGER TOLD ME: "HE'S A PRINCE OF A FELLOW BUT HE TALKS VERY FAST AND HE MUMMLES." ... OH, WELL, I DON'T LIKE THE STEEL BUSINESS ANYWAY ... GUESS I'LL TAKE A CHANCE ... FIRST DAY ALL RIGHT ... FEEL A BIT NERVOUS BUT HOPE I CAN STAY LIKE THIS PICTURE ATMOSPHERE MUCH NICER THAN THE STEEL BUSINESS ...

GEE, HOPE THE BOSS DOESN'T THINK I'M SICK! HE DICTATED "ARROW ADVERTISING CAMPAIGN" AND I WROTE "AERO ADVERTISING CAMPAIGN" ... WELL, THAT'S IOWAAccent ... I CAN'T BE BLAMED FOR THAT ... AND HE DICTATED "TUDE THEATRE" AND I WROTE "TWO-DOOR THEATRE" ... IT'S THAT ACCENT AGAIN BUT I BLUSH AS HE REMINDS ME THAT FIRE LAWS REQUIRE MORE THAN TWO DOORS FOR ANY THEATRE ... OH, WELL, IT'S ONLY 1921—I MAY IMPROVE AS TIME GOES ON ... HERE TWO WEEKS AND NOW I SIGN THE MAIL ... GUESS I'VE CAUGHT ON TO THAT IOWA ACCENT AT LAST!

AN APPOINTMENT AT LAST TO SCREEN A PICTURE FOR THE CAPITOL THEATRE ... AND I FALL DOWN ON GETTING THE PRINT THERE ... WHY WASN'T I EXTERMINATED FOR THAT ONE ... AND HE DIDN'T EVEN LOSE HIS TEMPER!

WHY DOESN'T THE BOSS START HIS OWN COMPANY? ... PLENTY OF GOOD WILL AND EVERYTHING IT TAKES ... 1924 ... RAYART PICTURES CORPORATION, W. RAY JOHNSTON, PRESIDENT ... NICE!

TALKING PICTURES ... EVOLUTION HEADACHES ... GOOD IDEA OF THE BOSS TO KEEP ON MAKING SILENT PICTURES FOR THE LITTLE THEATRES WITH NO DOUGH FOR SOUND EQUIPMENT ... SYNDICATE PICTURES CAN HANDLE 'EM.

WONDERFUL HOW THAT MAN CAN LOOK AHEAD ... 1929—MONOGROM PICTURES CORPORATION ... STILL GETTING IN THE BOSS' HAIR ... BUT HE'S PATIENT ... MY WORD! ... 1935 ALREADY!

TALK OF LIQUIDATING MONOGROM AND FORMING ANOTHER COMPANY ... WHY?

TEMPUS FUGIT ... IT'S 1937 NOW ... A BRAND NEW MONOGROM BABY IS BORN ... 1939 ... HOW THAT LITTLE GUY IS GROWING ... HE'LL NEVER BE ANY BIGGER THAN THE BOSS HIMSELF ... HE'S THE GRANDEST BOSS A SECRETARY COULD EVER WORK FOR ... THEY MAY COME AS GOOD BUT NEVER ANY BETTER ... A BOSS IS ONLY AS GOOD AS A SECRETARY THINKS HE IS.
CONGRATULATIONS
W. RAY JOHNSTON

DU PONT

DU PONT FILM MANUFACTURING CORPORATION, INCORPORATED

9 Rockefeller Plaza
New York . . . . N. Y.
Plant . . . Parlin, N. J.

SMITH & ALLER, Ltd.
6636 Santa Monica Blvd.
Hollywood . . . California

BETTER THINGS for BETTER LIVING through CHEMISTRY
An Open Letter to W. Ray Johnston

London, England
January 20, 1939

Dear Ray:

Let me take this occasion of your Silver Jubilee in the motion picture industry, to extend to you my sincerest wishes and congratulations.

For seventeen years I have enjoyed your friendship and confidence. To be associated with you as I have been is indeed a rare privilege and I hope that it continues for many more years.

I am proud to add my tribute to those of your countless friends all over the world.

Sincerely yours,

(Signed)

ARTHUR LEVEY
The Hon. James Lee Wong sends sincere felicitations to

W. RAY JOHNSTON

on his
Silver Jubilee Anniversary

boris karloff
MONOGRAM'S EXECUTIVE PERSONNEL

They guide affairs of company in home office and Hollywood

W. RAY JOHNSTON
President and Director

SCOTT R. DUNLAP
Vice-President and Director

E. A. GOLDEN, Vice-President in Charge Exchange Operations

GEORGE W. WEEKS
General Sales Manager

W. RAY JOHNSTON
President and Director

SCOTT R. DUNLAP
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President and Director

SCOTT R. DUNLAP
Vice-President and Director

E. A. GOLDEN, Vice-President in Charge Exchange Operations

GEORGE W. WEEKS
General Sales Manager
Happy Landings to
our friend and business associate

W. RAY JOHNSTON

on His Silver Jubilee Anniversary
The "Tailspin Tommy" gang

PAUL MALVERN, INC.
PAUL MALVERN, President
Dear Mr. Johnston:
I am happy, too, to wish you all of the best.

JACKIE
FOR MONOGRAM IN THE FIELD

The franchise holders and branch managers who direct distribution

J. W. MANGHAM
Atlanta

BEN WELANSKY
Boston, Pittsburgh

HARRY BERKSON
Buffalo

HENRI ELMAN
Chicago

WM. ONIE
Cincinnati

NATE SCHULTZ
Cleveland

ED BLUMENTHAL
Dallas

LON T. FIDLER
Denver

L. O. RINGLER
Omaha

WM. B. HURLBUT
Detroit

H. STUBBINS
L. A., San Francisco

PHIL SHERMAN
New Haven

C. W. TRAMPE
Milwaukee

BEN NATHANSON
Minneapolis

CARR SCOTT
Oklahoma City

A. M. GOLDSTEIN
Seattle, Portland

M. CARMICHAEL
Charlotte

F. E. JUDD
Des Moines

CARL HARTHILL
Indianapolis

LESTER DURLAND
Kansas City

M. E. WIMAN
Memphis

ED KROFTA
Milwaukee

CHARLES WEINER
Minneapolis

HARRY SPANN
New Orleans

JOE FELDER
New York

SAM ROSEN
Philadelphia

MARK GOLDMAN
Pittsburgh

CECIL FARNES
Portland

W. McKENDRICK
Salt Lake City

MEL A. HULLING
San Francisco

JOHN FRANCONI
Dallas

STEVE BRODY
Boston

M. HARLAN STARR
Detroit

ROBERT TAYLOR
St. Louis

HARRY BACHMAN
Washington
ACTOR MAKES GOOD

CONSIDERING with friendly approbation the career of success which brings Mr. W. Ray Johnston of Monogram Pictures Corporation to his twenty-fifth anniversary in the motion picture business, one is tempted to dally with the reflection that while not a few of our industry's executives have become unquestionably great actors, Mr. Johnston, uniquely, is the actor who has become a ranking executive. He started, handsome two-and-twenty, in gallant roles in Thanhouser plays at New Rochelle in 1914. New Rochelle was then "just forty-five minutes from Broadway." Since then, assuredly, our actor has "gone to town."

from the editorial page of

MOTION PICTURE HERALD
On and Off the Sets at Monogram

W. Ray Johnston and Supervisor Lindsley Parsons

Director Paul Malvern and cast on the "Sky Pirates" Set

Howard Bretherton, director, studies the next situation closely

Lambert Hillyer, director

Al Herman, director, takes a moment to chat

William Lackey examines a film script
HAIL TO OUR CHIEF

W. RAY JOHNSTON

on his

TWENTY-FIFTH ANNIVERSARY

as

FILM PRODUCER AND DISTRIBUTOR

MONOGRAM DISTRIBUTING CORPORATION

JOSEPH FELDER, Manager
630 NINTH AVENUE
NEW YORK, N. Y.

HARRY BACHMAN, Manager
922 NEW JERSEY AVENUE, N.W.
WASHINGTON, D. C.

SAMUEL ROSEN, Manager
1241 VINE STREET
PHILADELPHIA, PA.
CONGRATULATIONS
TO A REGULAR GUY
W. RAY JOHNSTON
ON HIS
SILVER JUBILEE

MONOGRAM PICTURES CORPORATION
HENRI ELMAN, President
CHICAGO - - - - - INDIANAPOLIS

Congratulations to W. Ray Johnston
on His Twenty-Fifth Anniversary

Monogram Film Dist., Inc.
Cleveland, Ohio
NATE SCHULTZ

Monogram Pictures, Inc.
Cincinnati, Ohio
WILLIAM ONIE
OKLAHOMA EXHIBITORS ARE HELPING US CELEBRATE
W. RAY JOHNSTON'S SILVER JUBILEE

OKLAHOMA CITY
T. B. NOBLE'S STATE THEATRE
"GANGSTER'S BOY"—January
WARNER'S LIBERTY THEATRE
"WANTED BY THE POLICE"—February
WARNER THEATRE
"BAREFOOT BOY"—February
"WHERE BUFFALO ROAM"—February

TULSA
RIALTO THEATRE
"GANGSTER'S BOY"—January
MAJESTIC THEATRE
"BAREFOOT BOY"—February

EVERY KEY TOWN IN OKLAHOMA
AND ALL CIRCUITS ARE RUNNING MONOGRAM PICTURES, INCLUDING
STANDARD, SOUTHWEST THEATRES, RALPH TALBOT THEATRES, ETC.

MONOGRAM PICTURES CORPORATION
702 1/2 WEST GRAND AVE., OKLAHOMA CITY, OKLAHOMA

PITTSBURGH MONOGRAMMERS ARE
PROUD TO BE ASSOCIATED WITH

W. RAY JOHNSTON
on his
SILVER JUBILEE ANNIVERSARY

MONOGRAM PICTURES, INC.
86 VAN BRAAM STREET, PITTSBURGH, PA.

BEN WELANSKY, president
MARK GOLDMAN, manager
Texas Salutes W. Ray Johnston on his 25th Anniversary

Over 510 Texas Theatres play Monogram pictures, which is a direct tribute to Mr. Johnston's fairness and leadership, and to Monogram's pictures!

Since Monogram's reentry into production and distribution in 1937, never before in exhibition history in Texas has any company grown so fast.

Texas accounts include Interstate Circuit, Robb & Rowley Circuit, Jefferson Amusement Company, Griffith Circuit, and other leading circuits and independent theatres.

MONOGRAM PICTURES, INC.
Texas Franchise Holders for Monogram:
ED BLUMENTHAL and JOHN L. FRANCONI

"Proud to Be Part of Your Organization"

W. RAY JOHNSTON

Congratulations from

MONOGRAM PICTURES DISTRIBUTING CO.

2071 Broadway
Denver, Colo.

254 E. First South St.
Salt Lake City, Utah

LON T. FIDLER, Pres.
WE HOPE WE'RE STILL ASSOCIATED WITH

W. RAY JOHNSTON

IN

1964

ON HIS GOLDEN JUBILEE

W. RAY JOHNSTON

MONOGRAM PICTURES, INC.

3212 Olive Street, St. Louis, Mo.

ROBERT TAYLOR, Mgr.

FROM DIXIELAND, SUH!

To your health and prosperity, suh!
(With a sparkling Dixie mint julep, suh!)

TO COLONEL W. RAY JOHNSTON

Your boys from the

GONE WITH THE WIND COUNTRY

SALUTE YOU, SUH!

The Southern contingent from way down South, in the land of cotton, have the
honor of joining the rest of the world, in their sincere congratulations, suh!

MONOGRAM SOUTHERN EXCHANGES, INC.

JOHN W. MANGHAM, Pres.

CHARLOTTE, N. C.

W. G. Carmichael
Will Osborne
J. C. McLeroys
O. L. Barnett

ATLANTA, GA.

P. H. Sevin
Fred Mathis
Randall Bryan
Bill Collins

MEMPHIS, TENN.

M. E. Wiman
Joe Jones
Harvey Rudisell

NEW ORLEANS, LA.

J. Harry Spann
M. L. Stevens
Buford Styles

W. RAY JOHNSTON

SILVER JUBILEE YEAR
WHAT MONOGRAM PROMISES, MONOGRAM DELIVERS

Who is Responsible for This Splendid Performance?

W. RAY JOHNSTON

In all his twenty-five years in this industry, he has never once violated the confidence of a single exhibitor or business associate.

Monogram Pictures, Inc.
BEN WELANSKY, Pres.

STEVE BROIDY, Mgr.
39 Church St.
Boston, Mass.

PHIL SHERMAN
Film Bldg.
New Haven, Conn.

Monogram Film Exchanges
Of Upper New York

Extend Greetings
to

W. RAY JOHNSTON
HARRY BERKSON, Pres.
Buffalo Albany

The Middle West Joins the Entire U.S.A. in Saluting

W. RAY JOHNSTON

on his 25th Anniversary

Monogram Film Corporation
F. E. Judd, Pres.
515 Tenth St.
Des Moines, Iowa

Monogram Pictures Corp.
Ben Nathanson, Pres.
35 Glenwood Ave.
Minneapolis, Minnesota

W. Ray Johnston Silver Jubilee Year
Kansas City Casts Its Vote of Loyalty for

W. RAY JOHNSTON

On His
25th ANNIVERSARY

MONOGRAM FILM DIST., INC.
LESTER DURLAND, Mgr.
130 WEST 18th STREET
KANSAS CITY, MO.

MONOGRAM-MIDWEST
FILM COMPANY
1030 N. EIGHTH STREET
MILWAUKEE, WISCONSIN

Felicitates

W. RAY JOHNSTON
ON HIS SILVER JUBILEE ANNIVERSARY

AND WE HOPE WE'RE WITH YOU TO CELEBRATE YOUR GOLDEN ANNIVERSARY

C. W. TRAMPE
President

MONOGRAM PICTURES OF DETROIT JOINS THE ENTIRE FILM INDUSTRY IN CONGRATULATING

W. RAY JOHNSTON
ON 25 YEARS OF SERVICE TO EXHIBITORS

MONOGRAM PICTURES, Inc.
2310 CASS AVENUE
DETROIT, MICHIGAN
WILLIAM HURLBUT - president
M. HARLAN STARR - manager

FORWARD—
WITH W. RAY JOHNSTON FOR 25 MORE YEARS OF PROGRESS!

MONOGRAM PICTURES OF CALIFORNIA
and
MONOGRAM PICTURES
of
THE NORTHWEST, INC.
HOWARD STUBBINS, Pres.
Operating Offices in
LOS ANGELES     SAN FRANCISCO
PORTLAND       SEATTLE
TRIBUTE TO JOHNSTON CAREER
Associates and other industry figures pay homage on silver jubilee

WILL H. HAYS:
"During W. Ray Johnston's 25 years in motion pictures, the screen
map, indeed, progressed far.

"When he started in 1914 there were those who scoffed and said
that the 'flickers' were a passing
fancy.

"We can smile now at their direful
predictions. But why were those
predictions so wrong?

"Motion pictures have developed
into the world's most popular enter-
tainment medium because those
who gave them life were men of vision,
of courage, of wisdom, of talent.
The principal ingredient in pictures
is people.

"The men and women who do the
day-by-day work of the movies are
conveying forward this great tradition.

"There is the reason for the screen's progress.

"Ray Johnston belongs to that
group which has contributed much
to this advancement.

"All in the industry are happy to
salute him on this Twenty-fifth
Anniversary.

SOL A. ROSENBLATT:
"I know of no man in the motion
picture industry who in the conduct
of a substantial company enjoys so
much as does Mr. Johnston the good
will of all with whom he comes into
contact. He represents the efficient
company in a large field of activity,
competing fairly with all, delivering
first-rate products, punctual in
satisfying the demands of the ex-
hibitors and the public. He is a
credit to fair dealing and is the
epitome of honorable business rela-
tionships."

ED KUYKENDALL:
"W. Ray Johnston's 25 years of
constructive activity in the motion
picture industry reflect credit upon
Mr. Johnston and the entire motion
picture industry. A fine character,
endowed by nature with a fine per-
sonality, he has brought credit to
the industry through his many activities
among those outside the industry as
well as within. Fair and frank in
his business relations, he is beloved
by exhibitors everywhere."

 Boris Karloff:
"James Lee Wong sends cele-
tstial greetings to W. Ray
Johnston on his Silver Jubilee,
and Boris Karloff thanks him
for the opportunity to be Mr. Wong,
Detective. For I certainly do
enjoy playing Wong, not
only because the character in-
terests me intensely, but
also because all the Monograms
have been so congenial to work
with... A long life to Wong,
and to you, Ray Johnston!"

R. B. WILBY:
"I am especially glad that there is
a special issue of Motion Picture
Daily commemorating the 25th an-
niversary of W. Ray Johnston's
connection with this industry.

"What a fortunate teller one would
have been who could have told
that Thanhouser actor of a quarter
of a century ago would some day
be honored!

"But, excluding the acting, he has
been a fine asset to the industry.
I hope, again excluding the acting, that
he will be around for another 25 years
doing just as good work."

JACK COHN:
"Ray Johnston deserves congratu-
lations, not only for the fact that
the industry is celebrating his 25th anni-
sary of his association with motion
pictures, but because, throughout all
those years, he has been steadfast in
his determination to maintain his
integrity and position as an
important film executive.

"Those of us who know Ray
Johnston, as a friend and as an
important figure in the film world,
are agreed that he has done much to
make motion pictures important to
all of us. And because he is
derving of the best, I am proud
to all the other. In the film world
in wishing Ray Johnston a good
— and many times 25 years of con-
tinued success in motion pictures!"

LOUIS NIZER:
"Independent production and dis-
btribution tests the highest qualities
of an executive. Aggressiveness
must overcome uncertainty of mar-
ets. Energy must overcome
apathy.
Ordinarily, therefore, one
encounters in this field high-tensioned
belligerent men burdened by con-
flict.

But the exception is the paradoxical
figure of W. Ray Johnston—solid,
silent, patient, soft-spoken, unaffec-
tedly dignified, sound, gracious
and unhurriedly efficient. These qualities
merge into one impression—integrity.
This is the stamp of his character—
integrity.

"From intimate acquaintance with
him and his problems over a period
of 10 years, through adversity as

ANNE NAGEL
well as success, I attest to his com-
plete sense of honor in obligation,
word and profession. The motion
picture industry is wealthier because
it owns the personality of W. Ray
Johnston. I extend to him con-
gratulations wrapped in admiration
and respect."

W. J. GELL:
"It gives me particular pleasure to
add my vote of congratulations and
good wishes to the many that Ray
deserves and is bound to receive on
the occasion of the 25th anniversary
of his association with the motion
picture industry. That Ray deserves
all the success he has achieved will
not be disputed. . . . I have never
seen a more sincere and honorable
individual in the whole of the indus-
try during the time I have been
connected with it. . . . All those
associated with Ray are justified in
feeling every sense of pride at
having a leader whose qualities as a
business man and as a human being
are so sterling.

"I cannot recall an occasion when
I have felt so delighted at being able
to congratulate anyone as on this
occasion. I hope Ray will live to
celebrate many more 25th annivers-
aries."

ABE MONTAGUE:
"It seems that I have known Ray
Johnston for practically all these 25
years as I happen to be one who had
the opportunity of doing business
with Ray back in the old state rights
days when McConville and Montague
operated a states rights exchange in
New England. Ray, then as now,
played the game only one way and
that was probably as honorable a
way as ever a man could play it.

"I appreciate the opportunity that
the pages of Motion Picture Daily
are giving me at this time to wish

[Continued on next page]
JOHNSON'S CAREER IS LAUDED

[Continued from preceding page] an old friend a lot of success in his every endeavor in the future, and good health for many years so that he may continue in his chosen vocation a fine, honorable and outstanding personality.

JOHN H. HARRIS: "My sincerest congratulations to him on the celebration of his 25th year in the motion picture industry. It is because of leadership by men of Ray Johnston's caliber that our industry has grown to its tremendous and successful position in the world of today. He has always been a leader and in the right direction. He is a definite asset to any business and we are better for having him with us. It was a lucky day for the industry when he decided to make the picture business his life's work. May I speak a little selfishly wish, 'That he stay in the business to celebrate at least his 50th year.'"

M. J. MULLEN: "W. Ray Johnston has been one of the guiding lights in our great industry that owes such a monumental debt to pioneers of his foresight and genius.

DR. A. H. GIANNINI: "Ray Johnston is not only an energetic and efficient administrator who has attained distinction in the motion picture industry, but above all he is a "square shooter." His geniality and generous personality has endeared him to all of us.

W. J. GERMAN: "I think it is a great thing that Monogram Picture Corp. is taking due recognition of Ray Johnston's 25th anniversary in the motion picture industry. I do not know of any man in the motion picture field who is more entitled to such recognition. It has been my privilege to have known Ray since 1921, both personally and in a business way, and it has been a pleasure to be connected with an industry which produces such men as Ray Johnston.

"I know of no one who is more highly regarded as a friend and a business associate."

P. S. HARRISON: "In my opinion Ray Johnston has rendered an inestimable service to the executives, exhibitors as well as distributors. But for his liberal principles which have earned him the high esteem of the independent exhibitors, there would have been no production of pictures by independent producers today.

J. MYER SCHINE: "It is with genuine pleasure that I learn W. Ray Johnston is to be honored on his 25th anniversary in the motion picture industry. During approximately the same period, we have been busy building an independent circuit of theatres and thoroughly appreciate the important part he has played as a key figure in independent production and distribution. His vision and courage, and his splendid reputation for fair dealing, have played no small part in his success and we are proud to be associated with him in the same industry."

E. M. LOEW: "Congratulations on your Silver Jubilee and your contribution to the industry for the past 25 years. Best wishes for continued success."

R. J. O'DONNELL: "Mr. Hoblitzzle joins me in extending to you our congratulations. Best wishes and thanks for your outstanding contribution to the motion picture industry over a 25-year period. Few so richly deserve the hundreds of greetings and salutations which you will receive."

SOL E. GORDON: "Just a line from an old friend and customer who congratulates you on your contribution to the advancement of the picture world on this, your 25th anniversary in the industry."

JACK ALIGATOÉ: "Our felicitations to the genial W. Ray, Johnstone, for his 25 years' association with motion pictures. In the independent field, of which he has been a leader of both production and distribution, the road has not always been easy. His record is an open book, and, by their deeds we shall know them. The leaders of our industry, from its first pioneering days to the present time, cannot be listed without the name of W. Ray Johnston.

"Again, congratulations to him and to Quigley Publications in honoring him on this occasion."

B. E. HOFFMAN: "Congratulations on your twenty-fifth anniversary in the film business. May you continue to add as you have in the past to the progress of the film industry."

PHIL BENDER: "Congratulations on your silver anniversary. Best wishes for your continued success. Good health and good luck to you."

AND FROM ABROAD: "Congratulations on your silver anniversary with the moving picture industry. Convinced that your capable and dignified direction will assure Monogram Pictures a future full of artistic and commercial success."-Enrique Gil, Distributor General, "Film," Buenos Aires, Argentina.

"Enthusiastic congratulations for you and Monogram. Always forward."—Hernanis Mirado, San Salvador, Salvador.

"Twenty-five years of cinema activity guarantee Monogram progress and entitle you to due admiration, affection, respect."—Dr. D. Narvaz and F. Vivascochez, Cinematografica Caracas, Venezuela.

Please accept our regards and assurance of our friendship. Congratulations."—Eduardo Laverdi, Cia Distribuidora Films, Bogota, Colombia.

"Congratulations to W. Ray Johnston whose competitors continue praising him after 25 years in the film industry."—Lynn Yost, Cristobal, Panama.

"To Mr. Johnston on the 25th anniversary in the motion picture industry. We wish to express to you our sincere congratulations for the evident contribution to cinematography and specially for the development of Monogram Picture Corporation, which under your wise and effective direction is making extraordinary and firm progress, helping to a closer cooperation."—Adriano Pechico, Cuba Commercial Film Co. S.A., Havana, Cuba.

"My heartfelt congratulations and compliments to you and Monogram."—Land Pronoto, Malone, Sweden.

"My congratulations on your Silver Jubilee year."—J. Liecaga, Monogram, Mexico City.

"Heartiest congratulations to your 25 years. Magnificent achievements in our industry. Always proud and confident of your leadership and of Monogram's continued forward march. Send you my heartfelt good wishes for the future."—Ernest Wettstein, Paris.

"You have achieved for Monogram an enviable record for quality pictures in record time. Manila congratulates and wishes your continued success."—Moliery, Manila.

"Heartiest congratulations on your 25-year Jubilee. Expressing admiration for your wise and successful leadership. Best wishes for future and everlasting attachment to Monogram."—Gabriel Talhami, Sociedad Talhami Bros., Cairo, Egypt.

"Best wishes for the next 25 years."—Monopoly Films, Rotterdam, Holland.

"Heartiest congratulations on your Silver Jubilee in motion picture business. Have every confidence future of Monogram under your able leadership."—South Africa Commercial and Educational Film Services Pvt., Ltd., Johannesburg, South Africa.

"Best wishes, President Johnston."—Jakov Puziet, Warsaw, Poland.

"Go Western" W. Ray Johnston accepted Horace Greenley's advice, "Go West, Young Man," early in his executive film career and produced a wide selection of western films, starring outdoor personalities. It was Johnston's conviction, early in his career, that there was a definite demand for action films of the great west, which could be sold on the popularity of its stars. Among the stalwarts who galloped to fame under the Johnston helm are Tom Tyler, Bill Cody, Bob Steele, Rex Bell, John Wayne, Bob Custer, Tom Keene, Tim McCoy, Jack Randall and Tex Ritter.
My Sombrero's Off to You...

W. RAY JOHNSTON
ON THE CELEBRATION OF A QUARTER OF A CENTURY OF ACHIEVEMENT
TEX RITTER
Starring in 8 Musical Westerns :: Released by Monogram
Exhibitors rank this singing melody man of the west among the ten top-ranking cowboy stars!
PRODUCED BY
EDWARD FINNEY

TO MY FRIEND
W. RAY JOHNSTON

Hearty Congratulations on your Silver Jubilee. You have my sincere wishes for many more years of prosperity and success.

SAM WOLF
Attorney-at-Law
LOS ANGELES
Agfa

Motion Picture Film
Made by
AGFA ANSCO CORPORATION
in Binghamton, New York

 Distributed by
AGFA RAW FILM CORPORATION
6424 Santa Monica Blvd., Hollywood, Calif.

Best wishes to

W. RAY JOHNSTON
on his 25th Anniversary

MILTER PRESS, INC.

WALTER PALASE           MILTON HOLZWEIG

245 SEVENTH AVENUE
NEW YORK, N. Y.
Greetings to Monogram and best wishes to
W. RAY JOHNSTON
on his Silver Jubilee

Super-Quality Co., Inc.
Stereotypes and Matrices
HARRY SCHILT, Treasurer
318 East 23rd Street
New York, N.Y.

Here’s to the next 25, Ray

HAROLD J. FLAVIN

HORLACHER DELIVERY SERVICE, INC.
Philadelphia - New York - Washington - Baltimore

AND THE

CLARK FILM DISTRIBUTORS, INC.

EXTEND TO
W. RAY JOHNSTON
PRESIDENT, MONOGRAM PICTURES CORP.
FELICITATIONS ON HIS
TWENTY-FIFTH ANNIVERSARY
-- HEALTH and HAPPINESS --

JAMES P. CLARK, Pres.

from
Your Lithographer

SPURGEON TUCKER
52 East 19th Street
New York, N.Y.
We are happy to join with W. Ray Johnston's friends to mark his twenty-five years of grand service to the motion picture industry.

GLEN GLENN
HARRY ECKLES

GLEN GLENN SOUND CO.
Talisman Studio - - Hollywood

To
W. RAY JOHNSTON

As the 16 mm. non-theatrical member of your family, we are happy to join your many friends in saying

"Sincere wishes for continued success"

WALTER O. GUTLOHN, Inc.
35 WEST 45th STREET
NEW YORK, N. Y.
(Monogram's 16 mm. non-theatrical distributors)

Best Wishes
from
FLOWERS
PHOTO-ENGRAVING CORP.
HARRY FLOWERS, President
235 EAST 45th STREET
NEW YORK

Sincere Best Wishes
to
W. RAY JOHNSTON
on his
SILVER JUBILEE
ANNIVERSARY
JACK SNYDER
Best Wishes to

W. RAY JOHNSTON

... on the completion of 25 years of splendid service to motion pictures

WESTERN COSTUME CO.
HOLLYWOOD
J. I. SCHNITZER, President

Best Wishes to

W. RAY JOHNSTON

on his SILVER ANNIVERSARY

Pacific
SCHLESINGER, PRES.
HOLLYWOOD, CALIF.

AnniversaryGreetings to

MONOGRAM

and

W. RAY JOHNSTON

Screenless Colortone Corp.
MORRIS GOLDSTEIN
30 Main Street Brooklyn, N. Y.

CONGRATULATIONS TO

W. RAY JOHNSTON

on his SILVER JUBILEE
MAY HIS SUCCESS CONTINUE

JOHN F. MEEHAN, Manager
TALISMAN STUDIOS

W. RAY JOHNSTON
SILVER JUBILEE YEAR
BORIS KARLOFF as Detective James Lee Wong in "The MYSTERY of Mr. WONG"
Directed by WILLIAM NIGH
Screenplay by SCOTT DARLING
Based on the Collier's Magazine story by Hugh Wiley

FAY WRAY in "NAVY SECRETS"
Directed by HOWARD BRETHERTON
Screenplay by HARVEY GATES
From the original Cosmopolitan Magazine story by Steve Fisher

RALPH BELLAMY in "LITTLE PAL"
Former Title "The HEALER"

MICKEY ROONEY in "STREETS OF NEW YORK"
Directed by REGINALD BARKER
Adaptation by JAMES KNOX MILLEN and JOHN GOODRICH
Continuity by GEORGE WAGGNER
Suggested by the novel by ROBERT HERRICK

Screenplay by ROBERT ANDREWS
1914 - 1939

W. Ray Johnston Celebrates 25 Years of Service to the Showmen of America

Silver Jubilee Year

<table>
<thead>
<tr>
<th>Year</th>
<th>Achievements</th>
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<tbody>
<tr>
<td>1914</td>
<td>Million Dollar Mystery</td>
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<tr>
<td>1915</td>
<td>Beating Back</td>
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<tr>
<td>1916</td>
<td>Silas Marner</td>
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<td>1917</td>
<td>The Deemster</td>
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<td>1918</td>
<td>The Masked Rider</td>
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<td>1919</td>
<td>Lightning Bryce</td>
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<td>1920</td>
<td>Before the White Man CAME ALL INDIAN CAST</td>
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<td>1921</td>
<td>The Golden Trail</td>
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<td>1922</td>
<td>Ten Nights in a Barroom</td>
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<td>1923</td>
<td>Man and Wife</td>
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<td>1924</td>
<td>Easy Money</td>
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<td>1925</td>
<td>Flame Fighter</td>
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<td>1926</td>
<td>Scotty of the Scouts</td>
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<td>1927</td>
<td>Shanghai Rose</td>
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<td>1928</td>
<td>Casey Jones</td>
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<td>1929</td>
<td>Phantom in the House</td>
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<td>1930</td>
<td>Worldly Goods</td>
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<td>1931</td>
<td>Mother and Son</td>
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<td>1932</td>
<td>The Thirteenth Guest</td>
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<td>1933</td>
<td>Sweetheart of Sigma Chi</td>
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<td>1934</td>
<td>Jane Eyre</td>
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<td>1935</td>
<td>The Healer</td>
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<td>1936</td>
<td>The Harvester</td>
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<tr>
<td>1937</td>
<td>Hoosier Schoolboy</td>
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<tr>
<td>1938</td>
<td>Gangster's Boy</td>
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<tr>
<th>Year</th>
<th>Achievements</th>
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<tbody>
<tr>
<td>1938</td>
<td>Gangster's Boy</td>
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</tbody>
</table>

Jackie Cooper
MONOGRAM COVERS THE WORLD MARKET

BY NORTON V. RITCHIE
General Foreign Manager

During the brief existence of the new Monogram it has made remarkable strides towards spreading its product throughout the important markets of the world.

Monogram's distribution in England, Ireland, Scotland and Wales is handled entirely by Pathe Pictures, Ltd., under the direction of W. J. Gell. Pathe's distributing organization, with nine branches in the United Kingdom, is recognized as the outstanding British sales setup in that territory. It produces ample British product to cover the quota requirements for the Monogram program. Pathe, being associated with Associated British Pictures Corp., headed by John Maxwell, is in a unique position to obtain the best possible playing time in Britain's leading circuit, which includes nearly 500 theatres, all under the direction of Maxwell. During the past season the Jackie Cooper picture, "Boy of the Streets," has proved to be one of the outstanding grossers in the United Kingdom.

On the Continent

Through its Paris office Monogram has established important distribution outlets through all of the continental countries which remain open at this time for trade. No attempt has been made to do business with the various central European powers for obvious reasons. Business in Belgium and Holland is flourishing. The Scandinavian countries are turning in an excellent revenue. Sweden is making the best showing at the present time, but Denmark, Norway and even Finland are carrying their share.

The Near Eastern territories of Egypt, Syria, and Palestine have shown satisfactory results during the past year and Monogram is looking for considerably increased revenue for the 1939 season from these markets.

Because of unsettled conditions in Asia, very little has been done by Monogram during the past year, but it is looking for an improvement in the general conditions which will warrant their actively entering these markets.

In the Philippine Islands Monogram Film Exchange of Manila was organized in October of last year and Monogram's 1937-38-39 programs will be released there before the close of the present year. Manila's releasing schedule covers seven Monogram productions each month. In other words, they are releasing between 84 and 90 pictures in 12 months.

In Australia and New Zealand all distribution of the Monogram product is in the hands of British Empire Films Pty., Ltd. In Australia and Tasmania operations are handled by Gordon Ellis, while in the New Zealand territory R. Lyall Grant has charge. Monogram's Jackie Cooper pictures are particularly well received in the Australia and New Zealand markets and in fact the entire program is doing a very satisfactory business there.

South America Covered

In South America, Central America, and all the islands of the West Indies, Monogram has established 100 per cent distribution. In fact, there is not a single country south of the Rio Grande which is not playing Monogram productions. The most recent acquisition to the fast growing Monogram family of Latin American distributors is Peru. This was the only open territory until recently, when one of the outstanding film figures of Lima closed a contract with Monogram. Particular efforts are being made to develop our business throughout the Latin American republics and a big year is being anticipated for 1939 in this great market.

All the world loves and understands stories such as "Boy of the Streets," "Gangster's Boy" with Jackie Cooper, and "Barefoot Boy" with Jackie Moran. A circus story such as "Under the Big Top" has a ready market in every country. A romantic action melodrama such as "Rose of the Rio Grande" starring Movita and John Carroll is excellent for the South American countries.

All in all, Monogram is as well known in foreign lands as it is in this country and its business is increasing in a most satisfactory manner wherever American pictures are shown.

CANDID SHOTS OF JOHNSTON

He'd rather fly on his trips all over the country . he's too long to be comfortable in a train berth.

He owns a parrot by the name of Polly Boo Boo. his white calling song is Beauty.

Although a chain cigarette smoker, he never inhales and refuses to smoke on Sundays . . . to give his throat a break, he says.

He hates moving . . . always arranges to be out of town. Took a trip to New England when he moved his home from New York to Larchmont. . . . Was in California both times his offices were moved, from 732 Seward Ave. to Radio City and again when they were moved from the 20th to the 23rd Floor.

Is a pencil chewer . . . flute fashion.

Although connected with the industry most allied with superstition for 25 years, he himself is superstitious about nothing.

His dietary weakness is candy.

He was valet of his class on graduation from Janesville High School in Iowa . . . he still retains his certificate. But it must have been too much for him, for ever since he has had an aversion to speeches.

Although he has a natural wave in his hair, he insists upon his barber cropping it close so the wave won't show.

He loves to nibble on pop corn and drink milk . . . claims it's a hangover from his youth in the corn belt of Iowa.

Always insists upon driving his own car. When out-of-town visitors are shown the city, he leaves the chauffeur at home.

Figures that his eye glasses cost him $200 a year. He breaks or loses them on an average of once a month.

Is one of biggest men in motion picture industry . . . six feet, six inches in stocking feet and hat on.

Is never without a radio, taking a portable set with him on his various trips around the country.

SCOTT DUNLAP
THEATRE-BORN

Scott Dunlap, genial vice-president in charge of production at Monogram, and boss of the studios in Hollywood, grew up in the theatre, and a love of show business is in his blood.

Scotty's father was the financial backer of the McCall Opera Company, which produced almost all of the Gilbert and Sullivan Operas. When young Scott evinced a talent for the theatre, his father let him be an actor, and the boy played with many famous stage stars. He spent several seasons in vaudeville, and then in 1915 came to Hollywood and the motion picture business as an actor.

From acting Dunlap went into assistant directing, and finally in 1918 joined Fox as a full fledged director. He directed also for Pathé and Universal, such pictures as "Objective Alimony," "Hell Ship" and "One Stolen Night.

Leaving Fox in 1928, Scotty became a talent agent, and later became associated with Frank & Dunlap as partner in the agency business.

When the new Monogram was organized in 1937, Scott Dunlap joined W. Ray Johnston to become vice-president in charge of production for the new company.

JACK RANDALL
MONOGRAM STAR

MOVITA
MONOGRAM STAR

JOHN TRENT
MONOGRAM STAR

THE WORLD MARKET

MOTION PICTURE
DAILY
Silver Jubilee Year
Thursday, February 2, 1939
Control of Censor Again Debated in House of Commons

London, Feb. 1.—Question of Government censorship again was raised in the House of Commons yesterday by Geoffrey Mander, who questioned the Home Secretary on the relations between the British Board of Films Censors and the Home Office.

The Home Secretary denied that the Government department exercised any control, either direct or indirect. However, he admitted the censor board does ask guidance from his department when the censor is in doubt or difficulty, but declared that such action seldom was necessary.

Ohio Bill Would End Film Censor

Columbus, Feb. 1.—Following closely on the introduction of a bill in the Ohio legislature by Representative Harry J. Dworkin, Cleveland, to curb the power of the censors, prohibit censorship actuated by political influence, and divest activities of the censors from jurisdiction of the state government, a bill has been introduced by Representative Wilford B. Sider, Akron, to abolish the state censor board entirely.

The first measure is said to stand some chance of enactment, but the second will not receive serious consideration by the legislature, it is believed.

Para. Holders Charge $25,000,000 Losses

Paramount officers were serving during the past few days in a stockholders' action which charges that losses in excess of $25,000,000 were incurred by the company as a result of license agreements entered into with Erpi and from mismanagement of the company during its reorganization and since. The action has not been filed in N. Y. Supreme Court yet.

The complaint alleges acts of mismanagement back to 1926. Plaintiffs, Frank Fabow and Sam Acker, each acquired 300 shares of Paramount stock in November, 1937. Their counsel, Pollak & Nemenov, were attorneys of record in a recent stockholder action against Loew's.

In its present form the complaint names 31 individual defendants, many of whom are either deceased, no longer associated with the company or no longer residents of New York. Paramount Pictures, Inc., Paramount Service Corp., Erpi, Western Electric and A. T. & T. are corporate defendants.

Rosenberg to RKO

OMAHA, Feb. 1.—Joe Rosenberg has left National Screen Service here to join the RKO sales staff, filling the vacancy created by Fred Cornford's departure to G. N. as manager. Mike Roth has taken Rosenberg's position with National Screen.

Showing Foreign Films

Philadelphia, Feb. 1.—Arcadia, Independent downtown house, will show occasional foreign films. Abe Sabol osky operates the theatre.

Power Taken Off Radio by Zanuck

(Continued from page 1)

when they must present something that will appeal to the public.

"Film companies spend thousands of dollars and months of time preparing for the single appearance on the screen of their stars. By its very nature, radio cannot exercise such care for the protection of a player's screen and radio can continue to help each other when they cooperate for mutual benefit; but the situation today is such that unless stern measures are taken, both must suffer."

The New York office of Lennen & Mitchell, the agency which produces the Tyrolese Power series, would not comment on the situation yesterday. Maun Holiner, the agency's director of radio, left instructions with his secretary that he would say nothing on the situation, but that possibly he might today.

All Over Stars

The network schedules from Hollywood are crammed with programs offering big name players. On CBS there is "Silent Theatre" with guest players each week (this Sunday Loretta Young); "Gateway to Hollywood," jointly sponsored by RKO studios and the Wrigley Co., which presents a featured film player each week (this Sunday Billie Burke); "Screen Actors Guild," which later is laden with stars each broadcast, as for instance the program coming up which will have Bing Crosby, Hugh Herbert and Jane Withers, among others. On Columbia's Sunday schedule also is the Old Gold program with Bob Benchley, and the Ben Bernie program.

The NBC Sunday schedule presents the Jell-o program with Jack Benny, Mary Livingstone, Benny Baker, Andy Devine; the Chase and Sanborn hour with Don Ameehe, Charlie McCarthy, Dorothy Lamour, and prominent Hollywood players in the dramatizations; and "The Clocks," a new series, which presents Ronald Colman, Cary Grant, the Marx Brothers, Carole Lombard.

Board Setup Is Due In 2 to 3 Months

(Continued from page 1)

the principle of arbitration of all industrial disputes," Myers said. "That principle has been embodied, in principle, in the distributors' proposals. By invitation of the distributors' general counsel, we are attempting a discussion of the proposals, including the principles and mechanics of arbitration."

Dallas, Feb. 1.—Allied States opposes conciliation, which is favored by the M. P. T. O. A., and will wait until agreement is definitely before consenting to the setting up of any boards, Col. H. A. Cole, Allied president, said here today.

"We are opposed to intangible boards without force or functions clearly defined," Col. Cole declared. "We want no conciliation and don't know what it means to have tried it for 10 years and getting nowhere."

New High Set Abroad by U.-A. Silverstone

Hollywood, Feb. 1.—United Artists in 1938 had the greatest foreign gross receipts in its history. Maurice Silverstone, revealed that a dangerous compilation of figures, Silverstone said, showed that 50 per cent of the company's entire revenue came from abroad, thus spurring foreign market restrictions on American films.

Silverstone, who is staying here next week to talk to John Hay Whitney of Setzlem International, who arrived yesterday, concerning a possible future deal for release continuation of the latter's product, said that the reason for the foreign gross increase of U. A. was its quality pictures.

"Despite restrictions placed on American films in foreign markets," said Silverstone, "the great increase of U. A. grosses is a tribute to U. A.'s quality policy. Ordinary American pictures are being shut out by quota laws. Take England, for instance. Before quota restrictions American pictures had 95 per cent of the playing time. Now with American pictures getting about 71 per cent of the playing time, take formerly to ordinary American pictures goes to good British pictures. With a mate-rial increase in the overseas market for the 20th anniversary year we expect even greater grosses."

SAG to Seek Rise For Certain Extras

(Continued from page 1)

ability of cards among the various unions is the A. F. of L. is met with something in the face of technical difficulties in working out a plan. "If a union is too large, said Thompson, "there is sometimes danger that democratic control of union affairs goes from the membership to the paid officials. Membership meetings on a nationwide scale are difficult to arrange."

Complete interchangeability of cards would result in a serious loss of revenue. Many members will return in March to open new sessions of the 1939-40 program with Nate J. Blumberg, company president.

Greetings To A Man With A Heart

W. RAY JOHNSTON

On 25 Years of Square-Dealing

MONOGRAM PICTURES OF NEBRASKA

1513 Davenport Street
Omaha, Nebraska
L. O. RINGLER, Pres.
RKO RADIO IS GOING

GUN

SETS THE

NEXT BIG SHOW . . .
IRENE DUNNE * CHARLES BOYER
IN A GREAT
LEO McCAREY PRODUCTION,
"LOVE AFFAIR"

RKO RADIO PICTURES
Second week at Radio City looks bigger than the first which, with record cold and blinding rain and snow, swept "Gunga" into that coveted "over $100,000" top money class . . . Los Angeles Hillstreet and Pantages went to all-time money-record . . . WATCH THAT SECOND WEEK! . . . Miami Beach beat the former record holder, and "Gunga" moved to the Paramount, Miami, for an extended run! . . .

THREE HOLDOVERS THAT TELL THE STORY!

BOX-OFFICE POWER THAT THE INDUSTRY HASN'T SEEN IN MONTHS
NBC Billings for Jan. $4,033,900, Setting New Mark

Establishing an all-time high for a single month, NBC gross revenue for February 1939, was announced to be $4,033,900. It marks the first time in the network's history that a $4,000,000 monthly bill has been set. The previous high was recorded last November, when the monthly billings totaled $3,988,919.

Bill in Del. Would Restrict Trailers

WILMINGTON, Feb. 1.—Under a bill introduced in the Delaware state legislature here, it would be unlawful for any theatre to display on its marquee a notice declaring that the movie is available for all theatres to show a particular film or that the film has been banned. The bill also provides that the notice be displayed prominently in the theater's window, on the billboards in front of the theatre, and in all newspaper advertisements.

The bill, offered by State Senator P.D. Reiss in an effort to make it unlawful for any theatre to cut into, insert or display any advertisements, preview a trailer in any newspaper, lines of $50 for a first offense and $100 for a second offense are provided in the bill.

$270,000 Tippett Suit Filed by Universal

Universal Pictures Co., Inc., yesterday filed suit in N. Y. Supreme Court for $270,000 damages and an accounting against John D. Tippett and Eugene R. Tippett, operators of “infringement plan” between the defendants and Carl Laemmle, former president of Universal, under contracts for the sale of film raw stock to Universal. Argument of an application by the defendants to dismiss the complaint will be heard today by Justice Samuel I. Rosenman.

In a suit for $600,000 damages for breach of contract previously brought by John D. Tippett, Inc., against Universal, Justice Aaron J. Levy, of the N. Y. Supreme Court, yesterday vacated an order which directed John D. Tippett to testify before trial.

Topeka's Admissions Are Slashed Sharply

TOPEKA, Kan., Feb. 1.—First concert in five years at the old Topeka Opera House Monday, with the program consisting of the Eastern and Western operas. A fine evening was enjoyed by those present.

Cregier Funeral Today

CHICAGO, Feb. 1.—Funeral services for Charles Cregier, inventor of a talking picture device, will be held today. Son of a former Chicago mayor, Cregier had been in the city's electrical department 42 years.
Comerford Passes at 71; Rites Monday

Heart Attack Fatal to Industry Pioneer

Michael E. Comerford, founder of the Comerford Circuit and one of the most widely known theatre men in America, died last Wednesday night in Jackson Memorial Hospital, Miami, where he was vacationing with members of his immediate family.

Funeral services will be held at 9:30 A. M., Thursday, in St. Peter’s Cathedral, Scranton, Pa. The body will arrive in Newark this morning from Miami and will be taken to Scranton at once, where Mr. Comerford resided at 340 Wyoming Ave. for many years.

A solemn high mass of requiem will be celebrated at 10 o’clock in St. Peter’s Cathedral, Interment will be in the Comerford Mausoleum in St. Vincent’s Cemetery at Plymouth, Pa., near here. Bishop William J. Hafey, head of the Scranton Roman Catholic Diocese, of which Comerford was an outstanding layman and a leading philanthropist, will officiate at the mass.

Comerford was 71 years old. He was taken ill about a week ago in

Continued on page 5

Rodgers to Take Up Work on Trade Pact

William F. Rodgers, M-G-M general sales manager, returned yesterday from Florida. He was gone about three weeks. Early next week he plans to resume work on the proposed trade practice program, which is being reviewed by distributors’ counsel and Abram F. Myers, general counsel of Allied.

Boyer to Replace Power

Charles Boyer will replace Tyrone Power in the Jergens-Woodbury “Hollywood Playhouse” series following Power’s farewell appearance in the program this Sunday.

Is Awarded $25,000 For Fall in Strand

Pushed by a hostile crowd of theatre patrons, Philemina De Salvo tumbled over a one-inch railing on the mezzanine of the Strand to the orchestra floor. Yesterday, a New York Supreme Court jury awarded her $25,000 in damages against the Stanley Mark Strand Corp., after a four-day trial. Justice John E. McGeehan reserved decision on a defense motion to set aside the verdict.

Advertisers Give AFRA Closed Shop

American Federation of Radio Artists last night won a complete victory. A new two-year contract was signed yesterday following a 100 per cent A.F.R.A. shop and major increases in wages for all radio artists.

This contract was signed at an early hour this morning. A.F.R.A. later issued the following statement:

“…the Committee for Advertisers, representing sponsors of commercial network programs, jointly announce the signing by NBC and CBS of a two year agreement with A.F.R.A. covering actors, singers and announcers on national network programs.

The major scales follow: Actors, 15 minute programs, $15 fee and $10 for rebookcasts; 16 minutes to 30 minutes, $25 and $12.50 for one book and $11.25 and $7.50 for rebookcasts. Rehearsal payments are $6 per hour first four hours; $3 per hour thereafter. Actors on live time a week in script programs are guaranteed a minimum of $105 weekly, $140 for four programs a week, $150 for three programs per week. With rebookcasts, the guaranteed minimum becomes $140, $125 and $100, respectively.

Singers (solos): 15 minutes or less, $40. rebookcast fee $15; 16 to 30 minutes, $50; rebookcast, $75; 31 to 45 minutes, $90, rebookcast, $140; 46 to 60 minutes, $170, rebookcast, $225. Rehearsal fees are $3 per hour.

Announcers: 15 minutes or less, $15, rebookcast, $15; 16 to 30 minutes, $25, rebookcast, $35; 31 to 60 minutes, $55, rebookcast, $75. Guarantees are given for announcers working on steady assignments as follows: five days a week, weekly minimum of $75 and $37.50 for rebookcasts; six times per week, $85 and $42.50 for rebookcasts.

HAYS, LOHR SEEK FILM-RADIO PACT

Washington Keeps Watchful Eyes on Italy’s Film Move

Trammell Returns After Studio Conferences on New Entente

That recent trip to Hollywood by Niles Trammell, NBC executive vice-president, was the first of his film production heads regarding possible formation of a code to promote friendly relations between the two pictures and radio industries, it was learned yesterday at an informal luncheon tendered by Major Lenox C. Lohr, NBC Paramount head.

Trammell was sent to the coast by Lohr following a visit paid the latter by Will H. Hays, president of the M. P. D. A.

Hays, the NBC president, visited Radio City several months ago, and in the general discussion that followed related several specific matters that had distressed members of his organization.

A skit on a program by Irene Rich had particularly disturbed Hollywood, according to Lohr. The skit had blurred Hollywood production methods in such fashion as to show the entire industry in a ludicrous light.

Moreover, the dialogue, instead of being straightforward, was in dialect, it was stated.

Activities of the Hollywood com-

(Continued on page 5)

Berman Urges U.S.,
British Film Accord

Collaboration and not competition between the United States and England in production is the solution to quota problems, in the opinion of A. C. Berman, who was in charge of the Selznick International office in London until it was closed last month.

Berman arrived yesterday from London and plans to leave for the coast in about two weeks. He expects to announce a new connection shortly.

He pointed out that it has been proved that English studios can turn out a high percentage of good films. Of approximately 65 films made in England last year, about 10 were successes, while of some 500-600 made here in a year, only about 20 are real hits, he declared.

Berman said that there is talk of a higher quota against American companies, that the U.S. could be circumvented by closer cooperation in production between the industries of the two countries.
Insiders’ Outlook
BY SAM SHAN

LET it be noted, this day, that we have a couple of readers. We have an unILLED responsibility to record our observations, and we fulfilled this partly, yesterday, in making comment upon the manner in which it is contention to won the names of the Movie Quiz contest. Today, we present the other side of the question.

"Dear Sam:"

"No one will be compelled to go to the theaters on Monday evening, Feb. 20, in order to find out who winners of the $250,000 Movie Quiz Contest are, because we plan to release the names of all the winners through the trade services on the night of Feb. 20, and it was suggested to all the theatres participating that they release a story Tuesday morning, giving the names of all local winners. "We have been in contact with over 7,500 theatres participating and there has not been one dissenting voice. The fact that this "Army" of theatres is bringing additional business into the box-office certainly cannot be objectionable to anyone who has the interest of the exhibitors at heart."

"Sincerely yours,"

"HAROLD B. FRANKLIN Administrator, Motion Pictures’ Greatest Year, Inc.

From one of the greatest public relations experts in the trade we received the following:

"Dear Sam:"

"We knew the Movie Quiz could not have the vitality of a concentrated campaign. But we did know that the Quiz could stimulate business in some parts of the country, and it fulfilled for the first three weeks. All in all, considering what it was supposed to accomplish, the only valid criticism of the campaign was the type of contest we were to have. "Perhaps we were trying to get the last drop of business which the public had to give. Why not?" "After all we had to go to the little theaters for appropriations as well as to the bigger operators and we had to give them something approximating box-office promotion. "We had to be diplomatic with the trade and the press, and we were. "Nick Long, bringing additional business into the box-office certainly cannot be objectionable to anyone who has the interest of the exhibitors at heart."

"Sincerely yours,"

"HAROLD B. FRANKLIN Administrator, Motion Pictures’ Greatest Year, Inc.

Wilcox Arrives for Conference at RKO
Herbert Wilcox, British producer releasing through RKO, arrived yesterday on the Normandie to set details for future production under his cooperative arrangement with RKO. He had planned to leave for the coast today, but deferred the trip two or three days to clear up a case of the flu. He was ill during the voyage.

In Hollywood he will confer with George Cukor, William Keighley, E. D. Deinert and Pandro S. Berman on Anna Neagle's first American film under the Wilcox-Productions label. He has also seen an English player for the title role in "Kitchener of Khartoum," based on the life of Lord Kitchener, which will start at DeMille in April. The British War office is cooperating on the film.

Rio de Janeiro is due in March to start on her American picture, RKO is still seeking an American title for her "Sixty Glorious Years." The alternative title of "Lady of Windsor" has been discarded.

Arnold, Tydings Speak
Thurman W. Arnold, assistant U. S. Attorney General in charge of the film anti-trust suit, spoke on "How Far Should Government Control Business" at the 127th annual dinner of the Economic Club of New York at the Astor last night. Senator Millard E. Tydings of Maryland also discussed the subject. There was a panel forum with Frank A. Vanderlip and others.

Defer Copyright Meet
Meeting of copyright representatives of the American Federation of Musicians yesterday to a report by its delegates to the recent Pan-American trade conference at Lima, thus postponing plans made for a joint presentation of changes in the Federal Copyright laws to the next meeting, March 2.

Elsa Maxwell Signed
Hollywood, Feb. 1—Elsa Maxwell has signed a contract with 20th Century-Fox. Her first picture will be "Elsa Maxwell's Hotel for Women."

Loew Quarter Net Totals $2,979,943
Net profit of $2,979,943 is reported by Loew’s, Inc., and subsidiaries for the 12 weeks ended Nov. 24, 1938, first quarter of the company’s fiscal year. Profit is after all charges and compares with net of $1,601,490 for the corresponding period in 1937.

The figure is equal after div.

Snow and Rain Cut Broadway Grosses
Snow and rain combined yesterday to keep Broadway first run grosses at a low level. Building service strike in the garment section also kept many from coming to the Times Square area. 400,000 patrons have attended the Roxy in the first three weeks of "Jesse James." Third week gross was an estimated $47,500 and the attraction rose into its fourth and final week today.

"They Made Me a Criminal," finished its $20,000 run in its second week at the Strand. "Wings of the Navy" starts today. Eighth week of "Pygmalion" attracted an estimated $12,500 to the Astor.

Sears, Blumenstock Return from Coast
Gradwell L. Sears, general sales manager for Warners, and Mort Blumenstock, eastern advertising and publicity manager, are in New York today after a series of production and sales conferences at the coast studios. Plans for upcoming fall showings and summer product were made at the talks with H. M. and Jack L. Warner, Hal Waldis, Charles Einfeld and S. S. Schneider.

Reserve Tippett Ruling
N. Y. Supreme Court Justice Samuel I. Rosenman reserved decision on the request of John D. Tippett and Eugene T. Tippett to dismiss a $270,000 damage suit brought by Universal Pictures Co., Inc., against them.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)
"MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager; ROBERT H. DUNT, Business Manager; JESSE ROSENBERG, Associate Publisher; LEONARD FRIEDMAN, Circulation Manager. Published daily except Saturday, Sunday and holidays; Sentinel Printing Company, Inc., Inc., 535 Fifth Avenue, New York, Inc., Inc., Inc. Subscriptions: $12.00 per year in the United States and $15.00 foreign. Copyright 1939 by Sentinel Printing Company, Inc., Inc., Inc. All Address correspondence to the New York office."

Other Quigley publications: Motion Picture Herald; Trade Magazine; See All Dia, International Motion Picture Association


Entered as second class matter Sept. 30, 1938, at the post office at New York, N. Y., under the act of March 3, 1879.

Subscription rates per year $6.50 for the Americans and $12 foreign. Single copies 10c.
A great heart show in a locale new to the screen . . .

...with Bobby Breen and an all-fun cast hitting their tops!
The funniest "family" you've ever met— with a laugh and a cry and a deep-down thrill from every member!... Strange sights and unusual scenes among the happy fisherfolk of San Francisco's colorful "Dead End"... background for the exciting drama of a lad who "wasn't wanted" by the folks he loved the most!... A cinch for selling tickets and pleasing all who see it!

Bobby Breen

Fisherman's Wharf

with

Leo Carrillo
Henry Armetta

RKO Radio Pictures

Produced by Sol Lesser
Directed by Bernard Vorhaus
Screen play by Bernard Schubert - Ian Hunter
Herbert Clyde Lewis
Comerford Dies at 71; Rites Monday

(Continued from page 11)

Miami and was removed to the hospital last Tuesday. He died of a heart ailment and a minor form of pneumonia. With him at the time of his death were his wife and son-in-law, Mr. and Mrs. Thomas Frie, and a nephew, John C. Walker, another nephew, who has been executive head of the Comerford Circuit since its founder retired about five years ago, had gone to Miami from New York to visit Comerford earlier in the week but returned to Scranton, where the stricken man's condition showed some improvement.

Comerford also is survived by a sister, Mrs. Mathew Scranton and a brother, John, Los Angeles. Among his nephews are State Senator Thomas Walker, Batte, Mont., the Rev. Paul Schurman, Scranton; Helen Patricia, Carbondale, Pa., Mrs. Mary Comerford Hansen and Mrs. Doll Comerford Roosendaal, Los Angeles, and Attorney Matthew Cary, New York.

Headed Exhibitor Group

Comerford pioneered not only in circuit operation but was head of one of the first exhibitor organizations and served in the formation in 1920 of the M. P. O. A. National headquarters of that exhibitor's organization continues to be in Comerford's New York offices at 160 Broadway.

Born in Heckscher, Schuylkill County, Pa., in 1867, he attended pub-

lic school in Plymouth, Pa., and worked in the mines and at other occup-

ations in his home town for some time. He then became a traveling

salesman for a food supply house. His first venture into show business was the formation in 1906 of the Comerford Company, and later he expanded his operations to Wilkes Barre, Scranton and elsewhere throughout the state of his base of operations. In later years he built or acquired houses in many sections of southern and western New York, including Binghamton, Rochester, Oswego and also was associated with the E. M. Fay Thea-

tres in New England. The circuit numbers about 87 houses, in all.

Had Vaudeville Agency

The Pennsylvania exhibitor organization which he helped form was

since has been absorbed by the present Pennsylvania organizations. He had been first vice-president and a trustee of M. P. O. A. Since 1919.

Comerford acquired an interest in his theatre operations in 1928 but failed to take over the ownership and properties and they were reacquired by Comerford in 1933. Paramount, however, retains a minor residual interest in the favourable operations from the portion of the payments which were completed.

His final theatre operations, Comerford founded and headed Amalgamated Vaudeville Agency, Inc., which held a prominent place in the variety world during vaudeville's heyday, booking many houses throughout the east in addition to his own. Comerford also was associated financially with Eddie Dowling in the production of several pictures.

Leaders Pay Tribute

"The death of Mike Comerford means a public loss to the community and a personal loss to each of his al-

most countless friends."—M. R. Comerford, was part of the his-

story of the motion picture industry. He watched and helped it grow.

"Mike was a grand fellow and a great showman. We shall

all miss him."—Neil F. Agnew.

"There is no question but what the passing of M. E. Comerford is a great loss to the industry. We will miss him tremendously. While it never was my pleasure to know him very well, I knew him favorably for many years. His passing was a great shock."—HER-

MAN WOnder.

"I was deeply shocked to hear of the death of M. E. Comerford. I knew Mike Comerford for a period of over 20 years. He was a credit to the motion picture industry and he will be sorely missed."—JAMES R. GRANGEE.

"M. E. 'Mike' Comerford was a great inspiration to me during the long num-

ber of years I worked in the industry. It was a joy to know him. His passing is not only a great loss to the industry but also to many of his friends about whom he was always solicitous. I extend profound sympathy to Frank Walker and every member of his family."—JULES LEVY.

Hays and Lohr Seek
Film-Radio Entente

(Continued from page 1)

mentators with radio programs was still another subject of discussion. Following the discussion with Hays, Lohr dispatched congratulatory notes to any radio

wood where, with Don Gilman, head of NBC's west coast activities, he spent several weeks with the heads of several major studio.- TrammeU returned to New York several days ago, but has yet not completed his re-

port. Both broadcasters foresee the adoption of several measures that may alleviate the situation, following the com-

pletion of Trammell's findings.

Brandt Praises Zanuck

Harry Brandt, president of the I. T. O. A., yesterday sent a letter to Dar-

non congratulating him on his move in withdrawing Tyrope Power from the air. Brandt at the same time called on other producers who have yet to be enlightened.

"Theatre business is not where it should be and we must clean our own picture before we can raise the level," Brandt declared in the letter.

"One of the first moves should be pic-

ture stars for pictures."—T. "Tail Spin' Airavans

Hit Halfway Mark

The two groups of famous women fliers and studio starlets who are

winging their way across the country to exploit 20th Century-Fox's "Tail of the Outsider" with the accompanying travel-

ation, have reached the halfway marks.

The southern group headed by Betty Hugler Gillies and Cecie "Teddy" Ewing, the Davis Twins, Alice Armand and Iva Stewart from the studio have arrived at New Orleans. The northern movement includ-

ing Ruth Nicholas and Margot Bain Tucker, fliers, and Lilian Porter, Dor-

othy Deering, Joan Valerie and Helen Lee, the staff in Chicago.

They leave the Windy City to-

day and plan to make St. Louis, De-

scott, Cleveland and Pittsburgh before their scheduled arrival in New York Tuesday.

Paramount delivers prints of "Tail Spin" to the 20th Century-Fox ex-

changes in the cities visited. In every city they have stopped the groups have brought in musical officials and red carpet arrangements and dinners sponsored by aviation en-

thusiasts.

Suit of NVA Against
AFA Is Dismissed

Libel suit for $250,000 damages on the Motion Picture News, Inc., against the American Federation of Actors was dismissed yesterday by U. S. circuit judge I. Rosenman on the ground that the complaint failed to state a cause of action. Action was based on a letter to the paper by Sally Rand when she re-

quested permission to appear at an N. V. A. benefit.

Television Widens
Para. Field, Griffiths
Tells Review Board

Important additions to studio op-

erations are expected by Paramount officials to result from the develop-

ment of television, Stanton Griffiths, chairman of the Paramount executive committee, told yesterday at the conclusion of the 15th annual conference of the National Board of Review at the Hotel Pennsylvania yesterday.

Paramount, which owns an interest in the DuMont television laboratories, is considering the possibility of televising the television programs during the next few years will consist of motion pictures, rather than direct photography, Griffiths said. In consequence, the company expects television "to bring into being in the studios important new departments, both for the advertising and for the television programs and the production of new specialty films of an entirely different nature especially for television."

Adjunct to Newswell

"For the exhibitor," Griffiths con-

tinued, "we see the televising of great sports and other current events as an important adjunct to his newswell program."

The Paramount executive emphasized his belief that television is the "friend of motion pictures and will be the source of great profits to the industry." He attempted to forecast the time by which television will be commercially feasible on a large scale, although at one point in his speech he said that the sending and receiving of programs in New York City "will have become a commonplace within a few weeks." He said "a fair guess" would be that from 30,000 to 100,000 receiving sets will be manufactured and sold within the coming year in the United States.

Sees Revenue Gain

Griffiths, who is chairman of Mas-
### Motion Picture Daily's Handy Booking Chart

**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.**

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<td>Tough Kid (G) (D)</td>
<td>Frankie Darrow</td>
<td>Judith Allen</td>
<td>Jack Benny</td>
<td>Livingston Travis (8317)</td>
<td>Federal Man</td>
<td>Kathleen (925)</td>
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<tr>
<td>Stand Up and Fight (G) (D)</td>
<td>Robert Taylor</td>
<td>Wallace Beery</td>
<td>Florence Rice</td>
<td>Disbarréd (G) (D)</td>
<td>Gail Patrick</td>
<td>Otto Kruger (3818)</td>
<td>Fighting Thoroughbreds (G) (D)</td>
<td>Ralph Byrd</td>
<td>Mary Carstens (821)</td>
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<tr>
<td>The Thundering West (O)</td>
<td>Warren William</td>
<td>Ida Lupino</td>
<td>Convict's Code (A) (D)</td>
<td>Anne Nagel</td>
<td>Robert Kent</td>
<td>Zaza (G) (G)</td>
<td>Colbert</td>
<td>Marshall</td>
<td>Bert Lahr (3819)</td>
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<tr>
<td>Frontiers of '49 (O)</td>
<td>Bill Elliott</td>
<td>De Alcates</td>
<td>Idol's Delight (A) (D)</td>
<td>Shearer-Gable</td>
<td>Four Girls in White (G) (D)</td>
<td>Drifting Westward (O)</td>
<td>Jack Randall</td>
<td>Paris</td>
<td>Harrygometry (G) (G)</td>
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<tr>
<td>Lone Wolf Spy Hunt (G) (D)</td>
<td>Warren William</td>
<td>Ida Lupino</td>
<td>Sundown on the Prairie (O)</td>
<td>Tex Ritter</td>
<td>Navy Secrets</td>
<td>Fay Wray</td>
<td>Grant Whiter</td>
<td>Woman Doctor (G) (G)</td>
<td>Inez Young</td>
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<tr>
<td>Adventures of Huckleberry Finn (C)</td>
<td>Robert Coogan</td>
<td>Leon Errol</td>
<td>Little Pal (re-issue)</td>
<td>Mickey Rooney</td>
<td>Razzle</td>
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<td>The Three Musketeers</td>
<td>Don Ameche</td>
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<tr>
<td>Let Us Live (O)</td>
<td>Fonda O'Sullivan</td>
<td>Montgomery Russell</td>
<td>Star Reporter</td>
<td>Warren Hull</td>
<td>Marsha Hunt</td>
<td>One Third of a Convict (G) (D)</td>
<td>MacLane Roberts</td>
<td>Gunga Din</td>
<td>McLaughlin</td>
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<td>Mystery of Mr. Wong (O)</td>
<td>Sydney Toler</td>
<td>Sunset Trail (3857) (O)</td>
<td>Love Affair</td>
<td>Irene Dunne</td>
<td>Charles Boyer</td>
<td>Twelve Crowded Hours</td>
<td>Made for Each Other</td>
<td>Lombard Stewart (G) (G)</td>
<td>Loyal Stewart (G) (G)</td>
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<td>Cafe Society (O)</td>
<td>Madeleine Carroll</td>
<td>MacMurray</td>
<td>Ross</td>
<td>Beauty for the Asking (G) (D)</td>
<td>Luella Ball</td>
<td>Knowles Donald Ross</td>
<td>King of the Turf</td>
<td>Menjo (G) (C)</td>
<td>Dolores Costello</td>
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<tr>
<td>Wife, Husband and Friend</td>
<td>Loretta Young</td>
<td>Andy Devine</td>
<td>Loving Affair</td>
<td>Darwin Holm</td>
<td>Charles Ray</td>
<td>I Was a Convict (MacLane Roberts)</td>
<td>Pardon Our</td>
<td>Nurse (G)</td>
<td>Bora</td>
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<td>Stagecoach</td>
<td>Claire Trevor</td>
<td>John Wayne</td>
<td>Andy Devine</td>
<td>Stagecoach (G) (D)</td>
<td>Tony Martin</td>
<td>Tex Ritter</td>
<td>Teller (G) (G)</td>
<td>Orphan</td>
<td>O'Brien Bob</td>
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<td>Water Rustlers (O)</td>
<td>Dorothy Page (Jan. 6)</td>
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<td>Trigger Pals (G) (O)</td>
<td>Art Jarrett</td>
<td>Leo Powell</td>
<td>&quot;Dead End&quot; Kids</td>
<td>Claude Rains</td>
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<td>Exile Express</td>
<td>Anna Sten (Jan. 20)</td>
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<td>Ride 'Em Cowgirl (G) (O)</td>
<td>Dorothy Page (Jan. 20)</td>
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<td>Pirates of the Rio Grande</td>
<td>Chitavon</td>
<td>Glenda Farrell</td>
<td>Bickel</td>
<td>George Brent</td>
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<td>The Phantom Stage (O)</td>
<td>Bob Baker</td>
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<td>Wings of the Navy (G) (O)</td>
<td>John Payne</td>
<td>de Havilland</td>
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<td>You Can't Cheat an Honest Man</td>
<td>W. C. Fields</td>
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<td>Nancy Drew, Reporter (G) (D)</td>
<td>Granville</td>
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<td>To the Rescue (Renfrew Series)</td>
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<td>Jane Netter (Jan. 20)</td>
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<td>Adventures of Jane Arden</td>
<td>Rosella Tomase</td>
<td>William Gargan</td>
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alluring . . . demanding
. . . turned a small-time crook into the nation's No. 1 killer!

They are the LIPS of
America's queen of gangland . . . the most thrillingly fascinating criminal character ever to flash across the screen!

Read about her on the next page
J. EDGAR HOOVER

... Director of Federal Bureau of Investigation, tells the true... inside story of the girl behind the man behind the gun!

Adapted from J. Edgar Hoover's best-selling book...
"PERSONS IN HIDING"

She's beautiful...
she's dangerous...
she's ten times tougher than any man!...

"PERSONS IN HIDING" is from J. Edgar Hoover's book of the same name. That is the ace line of copy for any showman's advertising campaign. If they don't come in to see this picture, there's no use in making any more gang films."

... Motion Picture Daily

Adapted from J. EDGAR HOOVER'S

"PERSONS IN HIDING"

LYNNE OVERMAN - PATRICIA MORISON - J. CARROL NAISH - JUDITH BARRETT

A Paramount Picture - Directed by LOUIS KING - Screen Play by William R. Lipman and Horace McCoy

PRINTED IN U. S. A.
Police in Providence Ban 2 Foreign Films

PROVIDENCE, Feb. 2.—Capt. George W. Cowan, police censor, has banned "Professor Mamlock" and "Amphitryon" for showing in Providence because both films had been on view at the Avon. He said the films had not been approved by the National Board of Review. Legal action to obtain showing of the films was promised by Amkino for "Mamlock" and by Jack Meyers, head of the Hall Film exchange, distributor of "Amphitryon.

AFA to Seek Bonds For Entertainer Pay

Membership of the American Federation voted yesterday at a meeting at the Hotel Edison to empower the executive council to exact bonds from employers for payment of vaudeville and night club entertainers. The meeting, also voted a $50,000 Sophie Tucker hospital fund and gave Ralph Whitehead, executive secretary, a vote of confidence.

Cease Production at Gainsborough Studio

LONDON, Feb. 2.—Gainsborough Studio has ceased production at the Islington plant. The personnel has been transferred to 20th Century Pictures, the Studio's British production subsidiary.

Work has started on "Where There's Fire," feature which will star Will Hay.

House in Columbus Reverts to Doubles

COLUMBUS, Feb. 2.—The RKO Majestic, originally playing double features, and subsequently switching to single bills, has returned to the double feature policy. The Grand, a former RKO house, also will play double features sporadically.

Kenneth Rites Held

Funeral services for Charles Kenneth, for many years a salesman for Warners, 20th Century-Fox and other companies, were held here Wednesday. Jack Ellis, Joseph J. Lee and other representatives of the Motion Picture Associates attended.

The Newsreel Parade

President Roosevelt's birthday celebrations in the White House and in the Waldorf-Astoria, New York, captured the newscast spotlight in the new issues. Ice hockey, tennis and horse racing are the leading sports events of the week. The reels and their contents follow:

MOVIEPONE NEWS, No. 42—Presidential cocktails at the White House. Roosevelt addresses the nation on the new issues. Ice hockey, tennis and horse racing are the leading sports events of the week. The reels and their contents follow:


PARAMOUNT NEWS, No. 43—Snowstorm hits Northern National and title drive begins. Huge clipper on shake-down run.


Eckman Believes Demand for Quota Relief is Growing

Demand for amelioration of the British quota act, for the good of the British industry is on the increase in England, it was declared by Sam Eckman, Jr., managing director for M-G-M in the United Kingdom, on his arrival yesterday on the Norman.

Eckman pointed out that such in-"the case of the Circuit Court of Appeals from the decision of Judge William Bondy which approved the RKO plan of reorganization of RKO was filed yesterday in this court. The plaintiff are H. Cassell & Co., holders of $217,000 in 10-year six per cent gold debentures of RKO. The suit is an attempt to over-ride the decision by Judge Bondy in confirming the plan, upon which the RKO debenture-holders voted. The suit is filed in the name of Bert F. Carter, president of the National Bank of Detroit. Eckman alleged the suit is an attempt to enforce a settlement of the plan, which was carried out by Judge Bondy, approved in the courts. Eckman also alleged the suit is an attempt to make the settlement appear invalid in the courts.

Cassell Asks Appeal From RKO

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Para. Suit May Not Be Filed for Month

Stockholders' action alleging the loss of $25,000,000 by Paramount through mismanagement over a period of 13 years may not be filed in N.Y. State Supreme Court for a month. The suit was brought by two plaintiffs, Frank Jablow and Sam Acker, yesterday. Action came to this light when several officers and directors who are also defendants were served with summons and complaint.

For the complaining shareholders, who acquired their stock about 14 months ago, said the action would not be filed until after he receives the answers of the principal def-endants to the complaint.

Reserve Decision in Delaware Games Suit

DOVER, Del., Feb. 2.—Decision has been reserved in the Bank Night action brought here by Associated Entertainers against the New Wal-ker at Laurel, Del.

Plaintiff charges breach of contract and is suing for $5,000. Roland H. Walker and two others are charged with violation of Bank Night after a question as to its legality was raised.

Settle Denver Strike

DENVER, Feb. 2.—Truck drivers' strike which tied up film delivery service for a few days, has been settled. During the strike films were shipped via express and mail.

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Colorado Shorts
Denver, Feb. 2—Changes made by Dave Davis, manager of Atlas Theatres, all in Colorado, are: Walter Jancek from the Rex, Brighton, to the Grand, Visalia; Victor Backstrom, manag-
ing Frank Brown, resigned; Ray Lounsbury, assistant, to manage the Pioneer. Lamar, succeeding Harry Moore, sent Carl Smith from the Gem, Golden, to the Rex, Brighton; Ralph Hamilton, new in the b.o. department; Golden Dick Jancek from the Jewel, Denver, to Salida; and George Sandstrom, re-
cently at the Ogden, Denver, to manage the Santa Fe, Denver; succeeding Jack Kramer, who leaves the organization and goes over to the State as assistant manager.

James Adams Named
Oklahoma City, Feb. 2—James Adams, veteran Oklahoma City theatre man, has resigned, accepted a position with Paramount News, has been named manager of the Warner by B. S. Moskowitz, general manager Standard Theatres, Inc. Adams has served as manager of the old Lyric, the Orpheum, the Warner and the Falls will be renovated into a Plaza theatre, all in Oklahoma City.

Garvin Transferred
Spartanburg, S. C., Feb. 2—Dave Garvin, assistant manager of the Carolina here, has been transferred to Higher Mill, South Carolina, and the bill moves to Mr. Blackwell, assistant manager of the State here, succeeds Garvin.

"U" Shifts Blake
Seattle, Feb. 2—Foster Blake has been added to L. J. McGinley's local Universal sales staff here, and will cover the eastern Washington territory. King Trumble has been named to handle sales in the western part of the state.

McKnight Transferred
Toronto, Feb. 2—Thomas McKnight, former manager of the Bayview, Toronto, has been transferred to the Granada, Hamilton, Ont., by H. T. Long, general manager of Hanson Theatres, Ltd. G. Beavis of Peter-
boro has been named manager of the Granada in St. Thomas, Ont.

Managers Moved
Des Moines, Feb. 2—Tri-State Theatres Corp., has promoted Henry Plade, manager of the Garden here, to be house manager under Hal Sheri-
dan of the Paramount in Cedar Rapids. Bob Leonard, formerly manager of the Uptown, will go to the Garden and E. L. Peterson, assistant manager of the Paramount here, will manage the Uptown.

Paulson Shifted
Des Moines, Feb. 2—L. C. Paul-
sen, extra salesman at the Des Moines 20th Century-Fox exchange, has been transferred to the theater office.

Booth-to-N. S. S.
Cincinnati, Feb. 2—Herbert B. Smiley, formerly a house booker, has joined National Screen Service. Sam Orsulich, former G. B. booker, has been appointed Kentucky represen-
tative for Big Feature Rights.

Personnel Moves

Theatre Changes

Denver Changes
Denver, Feb. 2—Theatre changes include the selling of the Magdalene, Magdalene, N. M., by Mrs. Cora B. Hayes to Mrs. Eleanor H. Graham, who bought it in the fall. Eva Trianni sold his Navajo, Denver, to D. M. Ngoorgo, and John C. Woods has taken the Evergreen, Englewood, Colorado. The Gardens, N. M., from Mrs. B. L. Riedel, Westland Theatres has moved headquar-
ters from Denver to Colorado Springs.

FLA. House Going Up
Plant City, Fla., Feb. 2—Construction is now in progress on the new theatre of the Sparks circuit here. H. S. Baird Company, of Jackson-
ville, has the contract.

Columbia S. C. Job On
Columbia, S. C., Feb. 2—Work on Columbia's first neighborhood-theatre, to cost $23,000, has begun. The the-
atre, being erected by Palmetto Thea-
tres, Inc., will be the fifth for the city.

To Remodel in Valdosta
Valdosta, Ga., Feb. 2—Fitz here is now in progress, with new projection and sound equipment installed.

M.O. House to Cowger
Kansas City, Feb. 2—Green at Richmond, Mo., has been taken over by Royal Cowger. Cowger is former manager of the Ozark at Eldon, Mo.

New OKLA. City House
Oklahoma City, Feb. 2—H. N. Rummell, president of the Broadway Apartment Owners Association, plans a first run picture house here.

To Open in Missouri
Kansas City, Feb. 2—The Nu Buffalo is to be opened at Joplin, Mo., shortly by C. C. Rhodes, who runs the Roxy at Warsaw, Mo.

Buys IOWA HOUSE
Exira, Ia., Feb. 2—H. T. Carter, formerly operator of a theatre at State Center, Ia., has bought the Palace here from Ted White, who has operated it for the past five years.

Remodel in Iowa
Northwood, Ia., Feb. 2—Remodel-
ing of the new Northwood here is almost completed. It will seat over 400. It is owned by Nate Sauder of Des Moines.

Granville House Reopens
Granville, N. Y., Feb. 2—The re-
modelled Ritz, recently acquired by William Benton and Schine Enter-

Plan Charlotte House
Charlotte, N. C., Feb. 2—Con-
tract for the new Dishes to be erected for Charlotte Theatre, Inc. was awarded. It will seat 525.

New Canada Theatre
Kelowna, B. C., Feb. 2—R. Whill-
is and W. A. C. Bennett plan a 675,000 theatre and commercial block here. The house will seat 1,200.

Two for New Orleans
New Orleans, Feb. 2—Hervee Arnholdt Co. has obtained a permit to build a motion picture house in La Salle Street. It will seat 550 and will cost $125,000. Work on the new Circle has been started. It is being built by Jadel Theatres Corp.

New Charleston House
Charleston, S. C., Feb. 2—The Riveria, Charleston's newest theatre, has opened here by the Kingman Amusement Co. It will seat 1,400.

Open Columbia Theatre
Kansas City, Feb. 2—Boone, Com-
monwealth Amusement Corp. house in Columbia, Mo., has been opened.

Groove to Interboro
Interboro Circuit has acquired the Grove, 600-seat house in Brooklyn formerly operated by Jacobs and Kuttinsky.

Bkllyn House to Brandt
Brandt Theatres has taken over the operation of the Scott, Atlantic Ave., Brooklyn.

Foreigns at Cinema
Foreign films are now being used at the Cinema, Newark Ave., Brooklyn. House formerly played revivals.

Roosevelt Closed
Roosevelt Theatre, Roosevelt, Long Island, has been closed.

Take N. J. House
Batin Amusement Co. (Sidney Stern and Louis Baurer) have taken over the operation of the Rex, Irving-
ton, N. J.

Comet to Gulks
Operation of the Comet, Brooklyn, has been taken over by Julius Gulks.

Open in Morrístown
After being closed for about four years, the Palace, Morristown, N. J., has reopened here, managed by Jeremiah M. Amusement Co. (Samuel Tannenbaum and Sidney Bloomfield).

Build Ky. House
Murray, Ky., Feb. 2—A $50,000 theatre is under construction by Leo F. Keller.

Warner Opens Feb. 8
Wilmington, Feb. 2—New $600-
00 Warner here will open Feb. 8. Lewis S. Blad, present manager of the company's Aldine, will manage the new 1,900-seat theatre.

Form Theatre Firm
Alexey, Feb. 2—C. & D. Thea-
tres, Inc., Endicot, N. Y., has been chartered here. Directors are S. Howard Ammerman and E. Worth Dittrich of Endicott and Frank P. Dittrich, Vestal.

New Theatre Company
Alexey, Feb. 2— Incorporation papers have been filed here by the Theatre Co., with 200 shares of non par value stock. Directors are P. A. Lewis, Josephine Langfelder and Florence Abramson, New York.

36 New Films Are In Work on Coast

Hollywood, Feb. 1—Thirty-six pictures are on the cameras this week, as seven finished and seven started. Twenty-three are being prepared, and 76 are being edited.


son," "Tarzan in Exile," "The Har-
dys Ride High," M-G-M; "The My-
stery of Mr. Wong," Monogram; "Union Pacific," "Man About Town," "Devil's Island," "The Federal," "The Beau-


Columbia, M-G-M, RKO and War-
ers are each shooting one short subject. Five are being prepared, and 11 are being edited.

"James" at $1,000
New Haven's Smash
New Haven, Feb. 2—"Jesse James" and "Vacation from Love," at the New Haven, are almost zero weather, drew a fine $1,000, "Devil's Island" and "Going Places" at the Roger Sherman took $570. At the College Outside The Everything, "While New York Sleeps" hit $2,500. Estimated takings for the week end-
ing Jan. 27.

"Thanks for Everything," (26th-Fox)
"While New York Sleeps," (26th-Fox)
"The Lady From Chicago," (20th-20th)
"Louisiana Purchase," (20th-20th)
"Vacation from Love," (M-G-M)4
"Where Was Mary?" (Col)
"The Iron Curtain," (Col)
"Ride a Crooked Mile," (Par)
"Day of the Conqueros," (Par)
"Parameter," (23rd-Cow)
"Devil's Island," (20th-20th)

"Going Places," (20th-20th)1
"Skiing Woman," (20th-20th)

Court Denies Ban on Kansas City Pickets
Kansas City, Feb. 2—Petition for an injunction to prevent picketing outside the Sun Post has been denied by the 170 of the IATSE motion picture opera-
ators was denied in Federal dis-
courts, on the grounds of lack of jurisdiction.
Delusions of Grandeur

Some remarks on the advertising of the motion picture

by TERRY RAMSAYE
CBC Religious Series Proving Highly Popular

Montreal, Feb. 2—Audience response to the special Canadian Broadcasting Corporation’s series of interdenominational religious broadcasts, “The Catholic Hour” and the “Church of the Air” has proven these programs to be the most popular of their kind ever presented on Canadianairlines and has made their establishment as a permanent feature almost certain.

The National Religious Advisory Council of CBC, comprising representatives of the major religious bodies in Canada, was responsible for the inception of the series.

Time for these programs, 20 of which have been presented, is given free by CBC and services are all voluntary. The programs, originating in all parts of the Dominion, attempt to provide a universal service of worship in which all may participate. In the rural sections of the Dominion, it has been noted, these broadcasts are especially welcomed. If the present response for them continues, CBC officials say, the programs will be made a permanent feature of the national network schedule.

FCC Starts Mutual Testimony Tuesday

Testimony of Mutual network operations will begin Tuesday in Washington before the F.C.C. network investigation committee. Among those now preparing to leave for Washington are W. E. Macfarlane, president; Alfred J. McCosker, chairman of the board; T. C. Streiberg, vice-president; F. C. Meiser, chairman of the Interstate Commerce Commission; and Frank McConner, vice-president.

‘Radio Theatre’ Plans Day Program Feb. 13

Lux Soap will essay its first daytime program since the “Radio Theatre” shifted from afternoon to its present Monday night spot when on Feb. 13 it will present a new dramatic series over CBS, from 2:15 to 2:30 P. M. Repeats for the west coast will be broadcast at 3:30 P. M.

Program will be written by Edith Meiser. However, the original story line is the property of Milton Odeling, account executive at W. E. Macfarlane, president, who is the executive secretary-treasurer. Airing on the Mutual network will be 15 New York stations and have joined the Circle.

Election of officers, adoption of a code of ethics and other scheduled matters were postponed to next Friday’s meeting at the Edison. Sidney Kauffman is temporary chairman.

KOMA Will Picture Program Production

OKLAHOMA CITY, Feb. 2—KOMA will soon begin production of a motion picture of a radio program showing the steps in production from the original to the finished product.

Studio personnel will take the pictures and perform and the finished picture will be used for promotion work and will be shown in all Oklahoma City schools as an educational feature.

Television Drive Is Launched in England

London, Feb. 2—Radio manufacturers in England have launched a widespread and vigorous campaign to popularize television.

Page advertisements have been taken in the daily press and on railway posters. The sales slogan is: “Television is here; you can’t shut your eyes to it.”

McNinch to Confer Again with Wheeler On New Legislation

WASHINGTON, Feb. 2—Chairman Frank M. Warrenburg, WIBC, and Robert W. McNinch, WEAN, of the Federal Communications Commission today said they plan to confer with Senator Wheeler, chairman of the Senate Interstate Commerce Committee, to discuss the new communications legislation which he is drafting for consideration by that body.

McNinch said only the broad outlines of the measure would be discussed, and indicated he was still committed to the substitution of a three-man board for the present seven-man commission.

In other quarters, however, sentiment is veering toward a five-man board, on the ground that one member of strong personality would be able to dominate a three-man board.

Attention of all stations was called today by the F.C.C. to regulations adopted last November requiring filing of annual balance sheets showing the station’s condition. The regulations require that statements be submitted by March 1 but the commission announced that, due to delay in preparation of forms, the time this year will be extended to March 15.

Five Commentators Join Radio Circle

Five additional film commentators have been added to the membership of the Radio Film Critics Circle.

They are Gene King, WEVD; Mollie Steinberg, WABC; Bert Child, WBBC; Roger Wayne, WCNW, and M. M. Arkin, WFMZ. A seven-member panel of 15 New York stations has joined the Circle.

Election of officers, adoption of a code of ethics and other scheduled matters were postponed to next Tuesday’s meeting at the Edison. Sidney Kauffman is temporary chairman.

Canada to Salute NY Fair on Air Sunday

TORONTO, Feb. 2—Canada will accord a radio salute to the New York World’s Fair Sunday, when the Canadian Broadcasting Corp. will feed a special program to the NBC, CBS and MBS networks across the United States. It will originate in Ottawa, Toronto, Montreal and Quebec, featuring greetings by Hon. W. D. Estevan, minister of transport, and A. C. Graham, president.

The music program includes the Mendelssohn Choir of Toronto on the band of His Majesty’s Canadian Grenadier Guards, Montreal, and the chimes in the Peace Tower of the Parliament Buildings at Ottawa.

Mutual to Air New “Smilin’ Jack” Series

Sweets Co. of America will sponsor a new series based on the “Smilin’ Jack” newspaper comic strip, over Mutual starting either Feb. 9 or 13, depending on clearance of time over stations WOR, New York; WGN, Chicago; WAAB, Boston. The schedule is for three broadcasts a week—Mondays, Wednesdays and Fridays.

Milan Bow & Co. is the agency.

General Baking Co. has contracted for sponsorships of four separate series over 10 stations of the Mutual network. The stations are WBB, WCAP, WITI, WHB, WHIC, WEAN, WTAG, WJMS and KOTK, Baton, Baton, Dustine & Osborn placed the business.

Extend Foreign Coverage

LONDON, Feb. 2—British Broadcasting Corp. is extending its foreign radio service to all provincial stations.

FCC Calendar

WASHINGTON, Feb. 2—Federal Communications Commission has fixed tentative dates for hearings on broadcasting for the year.

February: Application of WILS, Port Huron, Mich., for extension of time from day to day until unlimited with 100 watt night, 250 watt day.

March 14: Applications of WHDF, Defiance, Mich., for extension of time from specific hours to unlimited, and Copper Country Broadcasting Co. for a new 1,700-kilocycle station at Hancock, Mich., with 100 watt nights, 250 watt day.

April 3: Application of KGNU, Dodge City, Kan., for increase of power from 250 to 500 watts.

April 6: Application of WBBW, Waterford, Mich., for new 1,270-kilocycle, 500-watt daytime station at Rochester, N. Y.

April 20: Application of WBC, Mishawaka, Ind., for an additional 1,420-kilocycle, 100-watt station at the Grand Theatre.

April 21: Application of WBBM, Chicago, for a new 1,410-kilocycle, 150-watt station at the Chicago Theatre.

April 22: Application of WBBF, New Orleans, for extension of time from sharing to unlimited.

April 26: Application of WRSP, Los Angeles, for an additional 1,500-kilocycle, 500-watt station at the Hollywood Bowl.

Issue Assessments On N. Y. Theatres

Tentative assessments on N. Y. City theatre properties for 1939 have been released. Unless protest is filed, the assessments become permanent. The list follows:

Manhattan

Center Stage $17,000

Metropolitan Opera House $5,400

Empire $4,200

Palace $1,040

French Casino $2,000

Roxy $1,000

Ziegfeld $1,150

Carnegie Hall $750

New Amsterdam $1,050

Apollo $600

Apollo $900

St. James $600

Booth-Shubert $300

John Golden $1,150

Music Box $1,100

Pantages $420

Biltmore $300

Burbank $420

Strand $3,250

Alpha $350

Ambassador $510

Palace $300

Rivoli $1,400

Capitol $2,500

Times $1,100

Globe $1,350

Berkley $560

Hollywood $750

Grosvenor $525

Rialto $1,000

Lincoln Square $1,050

Music Hall $675

Beacon $1,250

Playhouse $370

Abbey $450

Winter Garden $2,400

Lyceneum $540

Cort $420

Belasco $560

Palace $675

Vanderbilt $325

Heights $475

Moore $550

Broadway $475

Hippodrome $3,250

Bronx

Grand $550

Valentine $500

5th Avenue $1,800

Brooklyn

Albee $1,725

Paramount $3,070

St. George $1,350

Staten Island $625

Strand $650

Lyric $450

Fox (Flushing Ave. & Nevin St.) $1,920

Fox (Flushing Ave. & Cypress St.) $1,920

Loew’s Kings (Flatbush) $1,150

Loew’s Metropolitan $1,040

Roxy $675

Star $295

Trevor $425

Queens

Madison, Ridgewood $642

Kingsborough $475

Merrick, Jamaica $875

Valentine, Jamaica $1,100

Alden, Jamaica $403

Staten Island

St. George $635

Commons Tables Film Quota Act Questions

London, Feb. 2—House of Commons today tabled questions on the Film Act. Tom Smith asking a statement on the producer demand for in- and output percentages. On March 12, 1938, Lord Curzon’s Day suggesting that a departmental committee examine the allegedly unsatisfactory quota position, with a view to the possible introduction of amending legislation.
Arnold Calls
Divorce Main
Suit Objective

Discloses Agreement to
File Theatre Deals

WASHINGTON, Feb. 5.—In a statement issued late Friday by Thurman Arnold, Assistant U. S. Attorney General, in which he announced an agreement on theatre acquisitions relative to the Government trust suit against major companies, Arnold declared a primary object of the suit is to divorce production and distribution from exhibition.

Indication that such an agreement was formulated was published in *Motion Picture Daily* on Nov. 21, last.

(Continued on page 2)

Leaders Gather for
Comerford Funeral

SCRANTON, Feb. 5.—Scores of industry executives from New York and theatre men from all over the east are expected to arrive here tonight and early tomorrow to attend funeral services for Michael E. Comerford in St. Peter's Cathedral at 9:30 Monday morning.

Comerford died in Miami Feb. 1, after an illness of one week. Burial will be in the family mausoleum in St. Vincent's Cemetery, Plymouth, Pa., near here. Bishop William J. Harvey of Scranton was present at the solemn high mass of requiem.

Among the industry executives expected here for the services are Frank C. Walker, nephew of the deceased, who has headed the Comerford Circuit for the past five years; Ed Kuykendall, M.P.T.O.A., president; Ed Pay, head of Fay Theatres; Eddie Dowling, theatrical producer; Leon Netter, Paramount; F. J. A. McCarthy, Universal, and others from New York.

Also many theatre operators from all sections of this state and New York.

"Mankind has lost a man in every sense of the word in the passing of M. E. Comerford. His business ethics, his charitable deeds and his actions befit a great man. We have lost a friend," declared Edward A. Golden, Monogram vice-president.

RKO Cuts in 2 More

RKO has cut the Sunday early bird price from 40 cents to 30 cents at the Kern and Dyker in Brooklyn. This coincides with similar revisions at nine Loew houses in Brooklyn and Manhattan on Saturday and Sunday.

League Asks Stand
On Dickstein Bill

League of N. Y. Theatres, organization of legitimate stage producers, is polling its membership to determine what stand to take on the Dickstein bill, reintroduced in Congress. The bill would ban alien actors from appearing here. The league has opposed the bill in the past and is expected to take the same stand this year. In Albany, the league is pushing a bill to permit legitimate theatres to maintain bars with a reduced annual fee. It is contended that such houses are open only 21 hours weekly, for only part of the season. The cost of a reduced fee is in order.

PRODUCTION IN '37
COST 197 MILLION

No Major Consents
Withdrawals Clear
Way for RKO Plan

Deadline for withdrawal of consents to the reorganization of RKO passed February with no major withdrawing producers thus assuring confirmation of the plan. Only two minor creditors filed statements revoking consents previously given.

(Continued on page 6)

Review Board Meet Ends

National Board of Review wound up a three-day conference at the Hotel Pennsylvania on Saturday with its 24th annual luncheon. Speakers at the luncheon included Howard Dietz, M-G-M director of advertising and publicity; Louis De Rochemont, of the WOMPI; and Dudley Murphy, director. Langdon Post was toastmaster.

W. B. Parleys Set
In South America

Plans have been completed by Karl Macdonald, Warner supervisor for Latin America, for two South American sales conventions, the first of three days, scheduled to begin today in Buenos Aires. Branch managers and salesmen will attend. Following the session Macdonald will go to Montevideo in March and in May, accompanied by almost doubled payrolls, from $71,343,941 in 1933 and

(Continued on page 6)

Annual Academy Awards
Nominations Are Listed

HOLLYWOOD, Feb. 5.—Nominations for the outstanding acting, direction and writing awards of merit, from which will be selected by ballot the winners in the 11th annual competition of the Academy of Motion Picture Arts and Sciences, were made known here today. Auditors have completed the tabulation of thousands of votes, the deadline for which nominations were Friday at midnight.

Class A members of the Screen Actors' Guild nominated five players for the best performance by an actor; five players for the best performance by an actress; five for the best performance by a supporting actor, and five for the best performance by a supporting actress. All directors fulfilling the minimum qualifications for senior membership in the Screen Directors' Guild cast their ballots for the five nominees for the award of best direction.

Those writers who fulfilled the qualifications for membership in the Screen Writers' Guild were invited to participate in the selection of five finalists for the award on the best written screenplay, as well as five finalists for the award on the best original motion picture story.

Actors, writers and directors, to

(Continued on page 2)

Increased $78,398,492
From 1933, Census
Report Shows

WASHINGTON, Feb. 5.—Motion picture production is shown by the United States Census Bureau to be embarked on a spending program outdoing even its best pre-depression efforts.

American producers in 1937 expended $197,741,358 in making films, in contrast to $161,864,842 in 1933, $197,741,358 in 1937, it was reported. This is shown in an increase in production expenditure in four years of $75,880,516.

The Bureau's biennial survey of production showed: Sharp reductions in the number of producers from 129 in 1935 to 83 in 1937; marked increases in employment from 19,037 persons in 1935 to 22,952 in 1937 and 24,524 in 1937, accompanied by almost doubled payrolls, from $71,343,941 in 1933 and

(Continued on page 6)

Walter Wanger Sues
Para. for $80,403

Suit for $80,403 against Paramount Productions, Inc., was revealed on Friday in the N. Y. Supreme Court when Walter Wanger Productions, Inc., the plaintiff, filed application for an order directing Barney Balaban, president of Paramount, Walter B. Colitti, treasurer, A. A. Richman, secretary, and Fred Mohnhardt, controller, to testify before trial.

Plaintiff claims the money is due under contracts made in 1935, whereby it produced nine motion pictures for Paramount for 25 per cent of the net profits. Improper terms were made up by Paramount in figuring the profits, the complaint stated, and at least $80,403 is still due.
Entries in Quiz
Total 2,152,000

Total of 2,152,000 entries were received in the industry's $250,000 Movie Quiz contest, according to a report made by Radio & Publications Contest, Inc., to Motion Picture Daily. The Greatest Year campaign headquarters.

This is a return of about seven per cent on the basis of approximately 30,000,000 copies distributed. The campaign office estimates the return as close as 15 per cent, since it is believed that approximately a majority of contestants used two booklets, one as a "work sheet." The contest started Sept, 1 and ended Dec. 21.

The winner of the first prize of $50,000 may be brought to New York to receive the award, with newspapers covering the announcement.

On Feb. 14 the exhibitors campaign entries will be judged by a committee after the nomination at the financial assistance given to the Will Rogers Memorial Commission, of which he is an executive, and promised the reciprocal cooperation of the commission in the MPA's charitable work.

Among other speakers were Jack Ellis, Kent, and Nat Dyess, who is a brother, who is an attorney. Herman Bing, comedian, provided some laughs. Restrictions it is understood include: Morris Schaefer, first vice-president; Nathanael Cohan, second vice-president; Morris Fraim, recording secretary; Charles Penner, financial secretary; Sam Trauner, treasurer; Louis Kutinsky, sergeant-at-arms; Joseph L. Leery and Nat Dyess, trustees. David J. Kane continues as publicity and promotion director.

New members are Max Fried, Alfred Blumberg, Peter Sahgal, Daniel Ponticelli and Sherrwood MacComber.

Grainger Due Today
James R. Grainger, Republc president, presided over a sales meeting in Pittsburgh over the weekend, attended by James H. Alexander, franchise holder, and staff. It is due back today.

Schine Renews with Altec
The Schine Circuit has renewed sound service contracts with Altec Service Corp. for the coming year, covering 108 theaters. J. G. Seliger, negotiated for Schine, and Ben Sanford and A. J. Rademacher for Altec.

Purely Personal

WALTER WANGER is expected in New York from the coast today. John LeRoy Johnston is scheduled to arrive with him.

Jack Warner, Jr., arrived Friday on the Alva Coast with Gowan Seas and More Blumenthal. He will remain in New York for some time, working in the theatre, distribution, and publicity departments of Warners. He will later return to the coast to join the studio in a production capacity.

Ben Meggins, 20th Century-Fox manager in Continental Europe, and F. L. Ha Remy, British head, arrived from the coast. They sail Friday on the Queen Mary. Harry spent the weekend in Philadelphia.

Corey Ford and Norman McLean left New York Friday for Hollywood to return to their posts as writer and director at the Hal Roach Studios.

Leon J. Bamberger, RKO sales promotion manager, is scheduled to speak before the Boston Advertising Club Feb. 21.

Gabriel Pascal, producer of "Pygmalion," is due in New York from the coast by plane tomorrow.

Paul Wir. American manager for United Artists, is visiting relatives in Philadelphia.

H. M. Richley of RKO was ill with the grippe over the weekend.

Harry Gold of United Artists was in Washington over the weekend.

Jack Connolly left Friday for Palm Beach.

Ruby Sanders, local exhibitor, is in Florida.

Chance Games Ban Lifted in Saskatchewan

Ban on chance games at subsequent theatres in Saskatchewan has been lifted by District Attorney Clarence Unckless, who held that the games could not be legally halted.

The Sydney unit of New York Allied was instrumental in lifting the ban, after conferences with Mayor Marvin. The Allied committee included Rep Merriman, regional vice-president; George Smith, state director, and E. Thornton Kelly, state executive secretary.

Mayor Marvin on Jan. 1 instructed the subsequent to discontinue games, and to supervise the bit runs, which play Bank Night. The first runs also have held "preview" status in the past and are expected to continue. The figures are shown plus chance games. The 14 subsequent runs play games an average of twice a week, including Bingo, Jingo, Ten-O-Win and others.

The Sydney Allied unit has adopted a resolution declaring that all gambling games or giveaways are a "necessity" at the subsequent runs in that city.

Branson Sets Route For Schaefer Drive

Walter Branson, who heads RKO's excellent large Schaefer Drive, will hold the following meetings this week with branch managers and their staffs:


Silverstone Due Here
Maurice Silverstone, United Artists chief executive, is expected in New York today from the coast. His departure from Hollywood was delayed several days by difficulties with Hay Whitney, chairman of Selznick International, on a new distribution arrangement. The conferences were not conclusive and are scheduled to be resumed in another three or four weeks.

N. Y. Allied Plans Session Each Week

New York Allied has scheduled one meeting of its Sales staff each week at the State. The Albany unit meets today. Buffalo on Feb. 13, Syracuse on Feb. 23. The New York City members will hold in the local office on March 1.

The annual convention is scheduled for the middle of May. The sale of ticket certificates will be decided by the directors. It may be in an upstate city. Grievance boards of three members a year on the various areas, with Buffalo leading in the number of disputes mediated. E. Thornton Kelly, as executive secretary, attends all meetings.

Monogram Pictures Recorded in Paris

Sound tracks in French are being recorded in Paris on Monogram productions by John Morton, foreign manager. Local talent in France is being used for the French versions of pictures including "A Platoon of His Own." Monogram has been completed; "Gangster's Boy" and "Hosscill Schoolboy." Due to quota restrictions, it is increasingly difficult to get import permits, Ritchey said.

Rose, Molly Picon to Be Atampa Thursday
Billy Rose, Molly Picon and Russell Patterson, artist, are already headed for the Ampeanche meeting Thursday at the Astor.

A new entertainment committee has been appointed, consisting of Elias Simmons, Martin Starr and Vincent Trotta. The committee plans a big program for its initial effort.

Funeral Rites Held For Mrs. Silverman

Funeral services for Mrs. Rachel Silverman, widow of the late John Silverman Emanuel-El yesterday, Mrs. Silverman, who died in her 95th year, was the mother of Mrs. Silverman.

She is survived by two daughters, Sallie and Ann; a grandson, Sydney, publisher of Variety; and a great-grandson, Sydney, Jr.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
MARTIN QUIGLEY, Editor-in-Chief and Publisher: SAM SHAIN, Editor; JAMES D. CAHN, Assistant Advertising Manager.
Published daily except Sunday, Saturday and holidays by Quigley Publishing Company, Inc., Martin Quigley, president; James D. Caahn, treasurer.

Bar 3 Col. Case Causes

The Appellate Division of the N. Y. Supreme Court has dismissed three causes of action in the stockholder's suit of Betty Davis against Columbia Pictures Corp., Jack and Harry Cohn, Joe Brandt and six other officers and directors of Columbia, on the ground that the causes are barred by the statute of limitations. The high court in its decision sustained the complaint as to the remaining causes of action.

Col. Men Leave for Coast

Columbia home office executives left New York over the weekend for the studio where they will confer with Harry Cohn, president, on new season production plans. Conferees are: Jack L. Warner, Bing Brandt, Jack L. Warner, Howard Estabrook, Jack L. Warner, and Joe Brandt, vice-president; A. Schneider, treasurer; Abe Montague, general sales manager, and Joseph McConville, foreign manager. They will be at the studio for 10 days or two weeks.

Morros Planning to Import French Films

Hollywood, Feb. 5—(Boris Morros, former musical director at the Paramount in New York, has been placed in charge of a new company to import and distribute French pictures. He is due in New York tomorrow to confer with Leon Stizdel, French producer-distributor, who will be interested in the new company.

Morros plans to handle about 26 French films annually for the North and South American markets and may remake some of them in English versions. One of the alliances in negotiation is with R. C. A., French producing and distributing company.

Loew's in Baltimore Back to Film Policy

Loew's Century in Baltimore on Friday reverted to a straight film policy, with "Idiot's Delight," after 14 weeks of stage shows and pictures.

At the same time the price increase became 40 cents anywhere in the house and matinees 25 cents. Previous scale was 40 cents at all shows and 25 cents in orchestra nights, and 35 cents matinees.

As a stage show was a 30-minute overture, with orchestra on stage and dancing and singing acts. Business did not increase sufficiently to continue the policy plus the higher prices.

New Haven Friends To Honor Ben Simon

NEW HAVEN, Feb. 5—Ben Simon, manager of the 20th Century-Fox, will be honored on his 20th anniversary in the industry dinner at a luncheon meeting of the Canal Street Improvement League.

RKO manager, is in charge of the affair, assisted by Thomas Donaldson, Lou Wechsler, Edward Ruff, John O'Toole, Ruy Barbette, Pavone, Earl Wright, Arthur Lockwood, Sam Rosen and Irving C. Jaeckle, Harry F. Newsom, Long Island division manager, will be toastmaster.

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THE RAIN BEAT DOWN- AND THE CROWDS BEAT DOWN THE DOORS!

The Lines Started Here!

....And Continued with a Block-and-a-Half
WINGS OF THE NAVY

WAY AFTER THE BIGGEST OPENING SINCE 'G-MEN!'

Holdout at Every Performance since Last Friday!
**New York Review**

**Home on the Prairie**

**(Republic)**

"Home on the Prairie," Republic's latest Gene Autry feature, is routine western fare, generally, but is somewhat handicapped by a rather weak story. Aside from those moments when Autry is engaged in some sort of humorous act, the picture could conveniently do with considerably more action.

Autry and his round sidekick, Smiley Burnette, are deputies in the Annual and Agricultural Commission when a howl-and-music disease breaks out in the herd belonging to Bellknap, a rancher. Bellknap, finding drums of the herd dying, goes to look around on a ranch of a neighbor, Wheeler, to throw suspicion that the disease is located there. Autry, who is in love with Wheeler's daughter, Martha, finally reveals where the guilt belongs.

For comedic relief, there are Burnette and, as something new in the way of a pet, an elephant belonging to an itinerant medicine peddler. With Autry and Burnette in jail and Wheeler's cattle about to be destroyed, the elephant wrecks the jail in the nick of time.

Running time, 65 minutes. "G."
NAB Tried to Halt AFRA Pact Signing

National Association of Broadcasters on Friday made a last-minute effort to stay the signing of the agreement between the American Federation of Radio Artists, advertising agencies, and the networks, N. A. B. acted because of apprehension that network affiliations would be involved in the agreement. Neville Miller, N. A. B. president, late Thursday met with Carl Hayden and Niles Trammell, executive vice-presidents of CBS and NBC, respectively, and was informed that NBC and CBS contemplated signing agreement with A. F. R. A. Urge you to consider carefully present and possible future effect your action may have on affiliates and that matter be discussed with affiliates before contract is signed.

The network's reply declared their part was merely to advise in order to make the contract as favorable as possible to all other rate radio companies not directly involved. The agreement does not affect affiliated stations, it was said. The entire membership of the WABC chapter of the American Guild of Radio Announcers and Producers has joined A. F. R. A.

Salute KVOA Today On Its Joining NBC

A salute to KVOA, Tucson, on the occasion of its joining NBC as the 168th affiliated station of the network will be broadcast today on the Air at 4:30 P. M. Program includes addresses by Senators Harry Ashurst and Carl Hayden, and John A. Murtodle, musical salute by the NBC concert orchestra and selections by Thomas Thomas of the Metropolitan Opera. KVOA operates full time on a frequency of 1260 kilocycles and 1000 watts power.

Mutual Time Sales $315,078 in January

Continuing to show marked increase in 1939, Mutual Time Sales for the month of January grossed $315,078, an increase of 167 per cent compared to the network's billings for the same month a year ago, when the total was $260,894.

FCC Calendar

WASHINGTON, Feb. 5.—Federal Communications Commission has announced a schedule of meetings for the current week, as follows:

Feb. 6: Applications of Central Broadcasting Corp., for a 1,500-kilocycle station at Worcester, Mass., with 100 watts power night, 250 watts day, and King Broadcasting Corp., for a 1,500-kilocycle, 100-watt daytime station at Kingston, N. Y.

Feb. 7: Application of Station WFMU, New Brunswick, N. J., for extension of time from day to unlimited.

Feb. 9: Applications of KSEP, Pocatello, Idaho, for license to operate at frequency from 900 to 600 kilocycles and increase of night power from 250 to 1,000 watts, and KPAC, Fort Arthur, Tex., for change of frequency from 1,260 to 1,220 kilocycles and extension of time from day to unlimited.

Radio Personals

JACK MILLEY of the New York Post has a neat yarn of Stan Shaw's WNEW "Millionaire" feature. In the current Jan., Fred Weber, owner of WXYZ, Detroit, and friends, are going to Cleveland and Chicago on business the past weekend, returning to New York to prepare for the new season. Pictures has taken Tom Dorsey's book, "Love in Swingtime," for possible production. They are musical for the fall.... Zasu Pitts has been a frequent appearance on the Fibber McGee show tomorrow. Maurice Dreier, who has been involved in several network shows, has just returned from North Carolina where he recuperated following a month's illness. Florence W. Van Straten, daughter of Jacques Van Straten, WHN comptroller, has received a Doctor of Philosophy degree from New York University.

Two Men Quit CBS Publicity Department

Wally West and Carl Lloyd of the publicity staff at CBS left the employ of the network on Friday. Plans of West and Lloyd are indefinite. Arthur Perstring, formerly of Mutual, has been engaged to replace Fonche on the press desk where he will be responsible for publicity, writing and editing of material other than that of the magazine department, which will remain in the hands of Ed Sammons. Lloyd was appointed by Lon Ruppel, who recently became head of the CBS publicity department.

Loft to Start New Air Show Over WOR

Loft Cndy Co. will scrap its present script program on WOR and will present a new series titled "Well-Known People," which will be sponsored by the Implement and Hardware Co., with "New York Daily News," and Irene Kuhn, newspaper woman and magazine writer. Program will be presented Tuesdays from 7:15 to 7:30 P. M., and Miss Kuhn on Fridays from 11 to 11:15 A. M. Weekly guest star has been scheduled. Before the show and the screen will be presented by each program conductor.

Georgia Station to Join CBS March 15

WRBL, Congress, Ga., will join the CBS network as a member of the south central group on March 15. On the same day WBRK, Pittsfield, Mass., will leave CBS to join the Mutual, Continental and Yankee networks.

WRBL operates with a split power of 400 and 250 watts, on 1,200 kilocycles. Its base rate will be $125 per hour night.

WBRK will be Mutual's 11th affiliate, and the network operates at 1,310 kilocycles, 250 watts daytime power, 100 watts at night.

Handles Special Events

CINCINNATI, Feb. 5.—Clair Weide has been operated acting special events director of WKRC, CBS station here.

Unit to Produce Radio Plays Only

Radio Playguild, a producing unit, has been formed here, to produce plays exclusively for the air. Playguild is managed by a board of three—Bob Miller, chairman and production manager; Paul Mellett, director of business, representative, and Mel Elliot, actors' representative. Arrangements have been completed to present the plays over the facilities of WNEW.

Telecast Concludes Deal With Warners

HOLLYWOOD, Feb. 5—Telecast Corp. of America, formed to act as national distributors of transmitted air shows, has contracted to serve Warners. The initial program to be transmitted is "Adventures of Uncle Jimmy," which is now in production. Other shows in negotiation, other producers along with Warners will distribute through Telecast. Telecast Corp. itself will not handle sales, but will act as liaison between producers and with outside producers in return for distribution rights.

Ohio Broadcasters Elect Reinsch Head

DAYTON, Feb. 5.—J. Leonard Reinsch, general manager of WHIO was elected president of the Ohio Broadcasters' Association at the annual on Columbus, and selected were Vernon Preble, general manager WTAM as vice-president; B. A. Manning, assistant manager WHIK, as secretary-treasurer. Retiring president is J. H. Ryan, vice-president WPSP.

NBC Gets 'Secret Agent' Arrangements have been completed between NBC and the Radio Division of Heffelfinger Publications for NBC exclusive rights for the United world distribution of the program "Secret Agent K-7 Returns." The program will be produced and recorded in the New York studios of NBC. Deal was set by C. H. Pearson.

Valleym and NBC Win

Rally, Valleym and NBC won a decision in the Appellate Division of the N. Y. Supreme Court when the court unanimously affirmed a dismissal of a breach of contract suit brought by Ruwall Orchestra Corp., seeking $172,200 damages from Valleym and $303,950 from National Broadcast Co.

Plan New WHBC Studio

CANTON, Feb. 5.—A new studio and transmitter tower will be built by WHBC, Brush-Moore Newspapers, except for the completed section which will be mid-June, after which the station will operate on 250 watts daytime. The 100 watts will be used evenings.

To Air "Gentle People"

Franchot Tone and Sylvia Sidney will do excerpts from their play "The Gentle People," as a highlight of the Kate Smith program Feb. 9 over CBS.

Appropriation Bill, In Today, Slated to Clarify FCC Status

WASHINGTON, Feb. 5.—First indications of the legislative situation on the FCC and the situation in the Federal Communications Commission are expected to be disclosed tomorrow when the reporting of the independent offices appropriation bill to the House and release of the testimony taken by the appropriation committee on the FCC goes ahead as soon as the Senate committee. Committee of the House of Representatives, in charge of the FCC, has thus far shown no interest in the legislation.
Last Call!

TO EXHIBITORS WHO HAVE NOT YET PLAYED IT!

* WALT DISNEY'S "SNOW WHITE AND THE SEVEN DWARFS"

WILL BE WITHDRAWN FROM CIRCULATION

APRIL 29TH!

CONTACT YOUR LOCAL RKO RADIO EXCHANGE IMMEDIATELY!
Studio Heads Do Not Oppose Stars on Radio

Niles Trammel Says No Objections Raised

By JACK BANNER

Niles Trammel, NBC executive vice-president, declared yesterday he could find no Hollywood studio executive who had any objection to film stars appearing on the air, during his recent visit. His trip, he said, was an "inquiry" call. He had been sent to the coast to talk with film heads regarding methods of promoting friendlier relations between the two industries, following a visit which Will Hays, president of the M.P.P.D.A., had paid to Major Lenox Lohr, NBC president.

Trammel, asked if he had discussed the star appearance matter with Darryl F. Zanuck, who recently withdrew Tyrene Power from the air, said he had, but warily refused to be drawn into any further details of his conversation with Zanuck.

Problems Discussed

Problems affecting both industries were discussed, Trammell said, mentioning censorship, copyrights and labor relations as the "mutual prob-
(Continued on page 3)

Falling Waters Save Ohio River Theatres
Theatres in the Ohio River valley appeared out of danger yesterday when reports indicated that head waters were receding. Small river towns in Kentucky and West Virginia were affected by the flood waters and many houses in this area were compelled to close when downtown business districts were flooded.

Business in almost all cities along the Ohio was badly off, with most of the population going down to the river front to watch the floods. RKO, Loew's, Warners, Paramount reported no damage.

Falling Waters Save Ohio River Theatres

Comerford Funeral Attended by 3,000

By JOSEPH POLLEY

SCRANTON, Pa., Feb. 6.—Sprinkled with national film, political and business personalities, more than 3,000 crowded St. Peter's Cathedral and overflowed on its walks today for the funeral of M. E. Comerford, son of a mine worker who rose to own a circuit of 100 motion picture theatres scattered through New York and Pennsylvania.

Bishop William J. Hafey, head of the Scranton Diocese, pontificated at the solemn requiem mass at which a nephew of Comerford, the Rev. Paul (Continued on page 3)

Sales Levy of 2% Is Seen Probable in New York State

Albany, Feb. 6.—Probability of a two per cent sales tax in New York State looms larger each day as a compromise in the fight on Governor Lehman’s tax plans. Opponents of the planned new taxes of $1 per $1,000 on assessed realty value and one-fifth of one per cent on business turnover, are declaring for the sales tax, and it is believed the Republicans, in control of both houses, eventually will adopt the sales levy.

There was an emergency one per cent sales tax in 1933, but Governor Lehman has always opposed that form of taxation. A two per cent sales tax would yield from $100,000,000 to $120,000,000 annually, it is estimated. Owners of theatre property have not committed themselves on the real estate tax. Officially it is estimated New York State theatre property would yield from $800,000 to $1,200,000. Public hearings will be held Feb. 22.

WB to Push Wright Film

Hollywood, Feb. 6.—Walters today announced decision to push production on "The Story of the Wright Brothers," dealing with the inception of aviation. Gary Cooper is being sought for the leading role in the film which the company has been considering several years.

Kansas House Gets Bill for Divorce

Measure Would Affect 40 Affiliated Theatres

TOPEKA, Feb. 6.—A bill to prohibit production or distribution of films from owning, operating or having an interest in the operation of theatres in Kansas has been introduced in the Kansas House here by Representative Williamson.

The measure is the third affiliated theatre divorce bill to be proposed, although the North Dakota measure is the only one which has been enacted. A ruling on the constitutionality of the divorce legislation is expected from the U. S. Supreme Court this spring in the North Dakota case. A divorce measure was introduced in the Nebraska Legislature last month. No action has been taken on it yet.

Like Dakota Bill

Williamson’s bill is patterned after the North Dakota bill which provides a maximum fine of $10,000 and a year in prison for violations. There are approximately 40 affiliated theatres in the state which would be affected by enactment of the measure. All are owned by Fox Midwest, a subsidiary of National Theatres (20th Century-Fox).

Williamson, author of the bill, is a representative of Wyandotte County, which includes Kansas City, Kans.

“Dad’s Boys”

(Warner-U. A.)

Hollywood, Feb. 6.—This, Ladies and Gentlemen of the box office, is a western after your own hearts, the kind with which Tom Mix, Bill Hart and Bronco Billy Anderson used to please all the people all the time, but beneficiary of all the improvements the art-industry has accumulated since those pioneer delineators of the American picture rode the screen. This is, without question, the biggest and best such western Hollywood has turned out since the screen became self-conscious.

All the things that used to happen in the old-fashioned westerns happen again in this one, but they happen here as if for the first time, so vigorous and fresh is

(Continued on page 3)
Purely Personal

W. G. VAN SCHMUS, managing director of the Music Hall, was confined to his home by a cold yesterday but is expected back at his desk this morning.

MYRON BLANK of Central States Theatres Corp., Des Moines, and G. RALPH BRANTON, business manager of Tri-States, have left for a three-week motor tour to the south, accompanied by their wives.

EMANUEL SILVERSTONE, MYER BUCK, TOBY JACOBSON, MORRIS KINZLER, AL MARGOLIS, JOHN O'CONNOR, FRED MEYERS, MAX FELLEMAN and NAT HOLT lunching at Lindy's yesterday.

JOHN BOLES arrived yesterday from Hollywood for a week's engagement at the Paramount, beginning tomorrow. He said he has no film commitments, is free lunching.

J. CHEEVER COWIN, Universal board chairman, has returned from the studio. NAT J. BLUMBERG, by idem, is expected in New York next Monday.

MAURICE SILVERSTONE, United Artists chief executive, again extended his stay on the coast. He now plans to start cast on Thursday or Friday.

J. J. MILSTEIN, eastern representative for Edward Small, returned yesterday after two weeks of production conferences at the studio.

DAVID PALFREYMAN of the Hays office attended the M.P.T.O. of Virginia convention in Washington yesterday. He returns tomorrow.

MRS. ANNA F. SAMUELS, wife of IRVING SAMUELS, president of the Automatic Devices Co. of Allentown, Pa., died recently in Miami.

GEORGE SCHWARTZ of Consolidated Amusement Enterprises has returned to his desk after being confined to his home with a cold.

LOUIS SILVER, music director at the 20th Century-Fox studio, has arrived in town from his vacation for a week.

MORRIS JOSEPH, Universal New Haven manager, has sailed for a 12-day cruise to Nassau and Havana.

MOTION PICTURE DAILY

Insiders' Outlook

By SAM SHAIN

"ID your man get a good interview today?" asked a producer the other day, and we answered: "The best interview we can give you is a review of your picture."

Today's issue of this paper, on page one, therefore, are two reviews, each on an important picture.

A short time ago a representative of the publicity department of a major company approached us with the remark: "How can we get a review on the front page?"

We answered: "By making pictures worthy of outstanding notice."

There is no better news in our opinion, which a trade paper can publish than two good reviews of good pictures.

Si Sandler informs us that "Idiot's Delight," all through the weekend and yesterday played to standing room at the Capitol. We, ourselves, tried unsuccessfully to trash that crowd Sunday evening.

And Sid Rechcetnick, not to be outdone, wants the world to know that he thinks "Wings of the Navy" has a chance of beating the "Dawn Patrol" grosses in several pre-release spots.

Our piece de resistance today comprises excerpts from an instructive address delivered before the National Board of Review on Saturday at the organization's annual luncheon by Howard Dietz, advertising and publicity director of Loew's, Inc.

Dietz believes that contrary to certain criticism, the film industry does not undervalue its mass audience.

"In fact," he says, "it can be well demonstrated that the growth of the film in the last 10 years, during which time it has doubled its audience, would rather suggest that the public is not only getting what it wants, but more of the public are getting to want it. Not all those who are critic on newspapers. Each member of the public is also a critic, even if he does not appear in print."

"Had the industry underrated the intelligence of its audiences, these audiences would have rejected its films long ago. This does not mean that movies should not improve."

"Can Hollywood keep the vast audience that it has gotten by continuing to give it the same thing with which it developed the audience? In other words, is a movie changed enough? Must the same story be told again, or must it be told differently, or is there a new one?"

"That Hollywood is attuned to this problem and has made its own contribution to its solution in the work it does must come within the definition of a progressive attitude rather than a static one."

"With regard to the crime problem—the movies do not deal with the crime problem, they deal with crime itself."

"As to the charge that films glorify war, I do not think it is the intention of producers to glorify war. In fact, quite the opposite."

"With regard to other changes, movies have been accused of boycotting the thought of contemporary events. Critics have pointed to the difficulties encountered by the Blockade. Regardless of the issues, the facts remain—that a producer made "Blockade" and it was not the film producers who interfered with it. Criticism of this kind should be directed solely against those who are responsible, not against Hollywood."

"Yet the position of the film with regard to broad, topical questions must be examined carefully. First, the industry is an international one. More important than this, the lack of opportunity for selecting an audience makes the theatre a transient forum, enabling trouble to follow quickly with controversy on the screen."

"As to foreign films, the best of the foreign films are excepted from this good. But one must consider that the United States makes 400 films yearly, while the rest of the world makes about 2,000, and yet the number of good foreign films which we get is comparatively small. American films are the favorite films of 73 per cent of the world audiences."

Al Margolies, who asked yesterday how he felt after his first day as head of the publicity department at United Artists, replied:

"My first day back at United Artists gives me very much the feeling of the boy who was taken out of a progressive school and sent to public school. When he got home after his first day, his mother asked him how he liked it. The boy couldn't come up with the private, progressive school he had just left.

"'Gee, Mom, it's great,' he said. 'You don't have to fight unless you wish to.'"
Alex Manta, president, Indiana-Illinois theatres; George C. Walsh, president, Natex theatres, Newburgh, N. Y.; and Nat Holthoff, district manager, RKO Theatres, are among the out-of-town executives expected to arrive in New York this morning to participate in the judging for the 1938 Silver Grand Awards, sponsored by Motion Picture Magazine. The judging will be held at the hotel today, according to the listing of acceptance received by A-Mike Vogel.

At luncheon to follow the judging, Martin H. Aylesworth, publisher of the New York World-Telegram, and Martin H. Aylesworth, Jr., speaker of the speakers to be introduced by Terry Ramsaye, editor, Motion Picture Herald.

Entries to be judged for the 1938 Silver and Bronze Grand Awards will be those which have earned the highest ratings over the four quarters of the year's competitions.

**Studio Heads Not Opposed to Radio**

(Continued from page 1)

"We have the same analogy in radio," he stated. "If we produce a good program we get a good audience. The same theory holds for pictures.

Pictures and radio have much in common and each industry has something the other can use profitably," Trammell added. He acknowledged that the presence of picture producers on the air enhanced radio programs, but on the other hand, radio has done much for motion pictures through radio exploitation, he said.

Out of its conversations in Hollywood, he said, he hoped would evolve a common meeting ground for films and radio. His findings will be reported to Mr. Lohr when completed, he said.

**Morros Here to Open Foreign Film Offices**

Boris Morros, formerly music director at Paramount studio, arrived yesterday from the coast to set up an organization for the release of French films.

He said he is negotiating with United Artists, RKO and 20th Century-Fox for the remake rights to some of the films he is acquiring. Today he will confer with John E. Otterson, head of Tri-National, which handles pictures from France.

**Quigley Awards to Be Decided Today**

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**Stagecoach**

(Continued from page 1)

John Ford's swashbuckling direction, Dudley Nichols' unabashed screenplay and Walter Wanger's budgetary liberality. The Apache pursuit of the stagecoach and the cavalry chase to America, the wrongfully incarcerated young hero shoots it out with three bad men in the village street at dusk while the population makes itself scarce. The hero, big-hearted, d hot-blooded, the girl shyly past, the abscending hanker is caught, the slick gambler turns out to have a heart of gold and the sheriff sends the young man who has suffered too much on his way to Mexico instead of to jail.

Yes, it's all there, and a good deal more besides, but it's never been told this way, nor this well, before.

The players engaged in all this do a handsome job. Grant Mitchell as a drunken doctor, John Carradine as a professional gambler, George Bancroft as a sheriff with a code of his own and John Wayne as a noble, straight-shooting young outlaw who no memorable characterizations. So do Berton Churchill and Donald Meek. On the distaff side, Claire Trevor portrays a girl of the town effectively and Louise Platt has some high moments as the woman the stork overtook on the way.

The picture is at its very good best while the stagecoach of the title is rolling across such a stretch of western prairie that the screen hasn't focused upon in easy memory, containing within its joungling interior six people embodying as much vitality and one exceptionally related stories. The attack by Apaches is climactic, the flight and fight are thrilling, and the rescue by cavalry is satisfyingly exciting. John Ford is entitled to a vote of thanks from the worldful of plain-talking entertainers who he must have had in mind when he made the picture. RUNNING TIME, 97 MINUTES. "G" manuscript.

"G" denotes general classification.

"Made for Each Other"

(Continued from page 1)

...could have found in every household. Jo Swerling's opening plan is an understanding digest of those events and incidents. John Cromwell's direction made everything seem real. In the way the picture Portrayed by Carole Lombard and James Stewart are simply the prototypes of the average American husband and wife. The supporting cast, in which particularly John Howard and Lucille Watson are outstanding, are simply their employers, relatives, neighbors and associates. All seem to be living their roles.

Stewart's sudden marriage to Miss Watson is a shock to his mother, Miss Watson. The couple experience all the joys and sorrows of married life. Miss Lombard has been very effective as Stewart's wife and has done a fine job of working in the off-scene office. The advent of the baby, of course, is a time for happy celebration. But as things go wrong for Stewart, when his mother's bald head to be pinched, the boy is at least some, he does what lots of other men have done or would like to do—get drunk. Then the baby falls ill. Hard-shelled boss Nichols finds his wife as a result of a good friend. Miss Watson becomes the real kind of mother and mother-in-law: aviator Eddie Quillan makes a spectacular cross country dash with life saving serum. Gripping suspense governs the sequences that lead to the baby's recovery. High humor is the quality ruling those in which Stewart establishes himself as master of his own house and in which he metamorphoses from a mouse to a man in the office.

Running time, 97 minutes. "G." manuscript.

"G" denotes general classification.

**Cassell Application OnRKO PlanDenied**

U. S. Circuit Court of Appeals yesterday denied the application of H. Cassell & Co., holders of $21,000 face amount of RKO debentures, for leave to appeal to it from Federal Judge William Boudy's order approving the RKO reconstruction plan. The application was denied on the grounds that an appeal could be taken by any RKO creditors' committee.

According to the decision, Cassell may apply to the District Court for permission to appeal under the Chandler Act without question of its right to do so.

Indications are that the order for confirmation of the plan will be sent out to all RKO creditors tomorrow in order that they will have had at least two days notice of the order's provisions by the time of the next hearing, Friday, before Judge Boudy.

**3 Studio Disputes Settled by IATSE At Agents’ Meeting**

Hollywood, Feb. 6.—At a meeting today of business agents of virtually every union engaged in motion picture production and presided over by Abe Tyrell, Interior Agents' Guild executive, it was announced that I. A. T. S. E. by arbitration had settled differences with many of its agents, including producers and plasterers international locals here.

Business representatives of unions represented by the guild, said the studio utility employees' agreement with I. A. T. S. E. would in all probability be settled by the end of the week. The move to arbitrate differences followed closely recent return of complete autonomy by International to A. T. S. E. Locals 37, 629, 695 and 883.

**3,000 at Comerford Funeral in Scranton**

(Continued from page 1)

J. Carey, Wilkes Barre, was the deacon. The body later was taken to the Comerford Mausoleum at St. Vincent's Cemetery in Plymouth, Comerford, who died in Miami last Wednesday night following a stroke, was born in Plymouth almost 71 years ago. Among the notable attendees who paid their respects were Ambrose O'Connell, Second Assistant Postmaster General; Carl E. Miliken, M. P. P. D. A.; Carl Schuett, M-G-M executives; Judge Larkin, Rome, N. Y.; Michael Killatt, Oneida, N. Y.; Joe Miller, Buffalo; William ("Dinty") Moore, New York; P. J. A. McCarthy, F. F. Murray and Al Herman, Universal; George Swartz, Philadelphia.


There were no honorary pallbearers. Six nephews of Comerford served as pallbearers.

**Dr. Engel's Book on Dieting Is Published**

Doctor William Engel, New York physician and brother of the veteran production executive, Joe Engel, has written a book entitled, "Sensible Dieting," which has just been published by Alfred A. Knopf. The book has been the result of an intensive study by Doctor Engel on the subject of foods and their effects.

A number of doctors have been patients of Doctor Engel.
The keynote of 1939...!

Sincere...stirring...vital...the dramatic love story of two plain honest kids who wanted only a chance to live their lives, but who found all the world arrayed against them unmercifully! Watch millions of everyday Americans take these two to their hearts!

LIVE

Screen play by ANTHONY VEILLER and ALLEN RIVKIN. Based upon a story by Joseph F. Dinneen.

Directed by JOHN BRAHM
Produced by William Perlberg

A COLUMBIA PICTURE
Tax of 5-15 Cents Asked in N. Dakota

BISMARCK, N. D., Feb. 6.—Seeking new sources of revenue, North Dakota legislators, in session here, focused at a session of the House Committee on Taxes and Tax Laws a proposal to levy a flat tax on theatre admissions—five cents on ticket selling for 11 to 50 cents; 10 cents for admissions from $1 to $1.50 and 15 cents over $1.50.

Theater owners countered with a proposal to double the present sales tax rate of two per cent—in other words, a four per cent levy as compared to the new plan which would run from 10 per cent almost to 50 per cent.

The latter tax, according to testimony of John Kennedy, Mandan, secretary of the North Dakota independent theater organization, would make serious inroads on theatre revenue.

When price levels are once established in different communities, he said, any variation, either upward or downward, cuts the gross revenue.

Walter Wanger Here; Going to Dartmouth

Walter Wanger arrived in New York from the coast by train yesterday for conferences with vice-president Charles Schwartz, his New York attorney, and will attend the Dartmouth College Ice Carnival at Hanover, N. H., this weekend, where he will make background shots for his own "Winter Carnival," a coming production.

Two camera crews left for Hanover yesterday morning. Bert Glennon is in charge of the Wanger crew while Frank Zucker and Ray Binger will shoot some material for Samuel Goldwyn.

Bill Kelly, who assisted Hal Mohr on the William K. Howard production, "Pack Door to Heaven," at Astoria, leaves tomorrow to join Glennon. Also on the Hanover scene for Wanger next weekend will be Otbo Lovering, editorial assistant; Lowell Farrell, assistant director of "Winter Carnival"; Dan Keele, production manager, and John English, sound engineer.

Wanger, who returns to the coast in about a week, said he expects to start work on "Personal History" in the near future. During a train-camp interview he expressed the belief that, properly regulated, the radio appearances of stars could be turned to the benefit of their films and of theatre attendance.

Chaplin Film Will Start by March 15

Hollywood, Feb. 6.—Charlie Chaplin has completed the script for his forthcoming film and according to Murray Silverstone, head of United Artists operation, production will start before March 15 and early fall release is planned.

"The story is naturally concerned with dictators, but its primary purpose is to make people laugh," Chaplin told Silverstone. The film will open the fall season for U. A., Silverstone declared.

Quiz Announcement Postponed to Feb. 27

Because of the large number of entrants being considered by the judges in the $250,000 Movie Quiz contest, the date for the announcement of winners has been changed from today for one week, to Monday, Feb. 27.

Arrangements for forwarding to each theatre a list of the winners are being made. The judges found that they required more time to complete the judgment of the entries. The hour of announcement scheduled for today changed and remains unchanged, any time after 8:30.

National Screen Service has prepared a trailer with the new date, which is available at National Screen exchanges.

20th-Fox Picked By Operators' Local

Operators' Local 306 yesterday posted a picket line in front of the 20th Century-Fox home office and Movietone News after calling out eight operators.

The dispute is over an alleged dismissal of four men. The company claims only two were fired and that the union had agreed to the dismissal, negotiating a 10 per cent increase.

The dispute has been in progress for several weeks. The 20th Century-Fox home office closed its projection room last Thursday. Another man was let out at the exchange. The company claims it has been overstaffed.

A committee from the local is continuing negotiations with W. C. Mitchell, executive vice-president of 20th Century-Fox.

Block Booking Bill Hearing Opens Soon

WASHINGTON, Feb. 6.—Plans for hearings on block booking legislation are expected to be made within the next few days at a meeting of the subcommittee which has been put in charge of the measure by Senator Wheeler of Montana, chairman of the Senate Interstate Commerce Committee.

Senator Ellison D. Smith of South Carolina will be chairman of the subcommittee, on which also will serve A. A. Aiken, the Alabama Democrat, Majority Floor Leader, and Matthew M. Neely of West Virginia, author of the bill, with Wallace H. Bennett, of Montana, and Tobey of New Hampshire as Republican members.

AAAA Pledges Aid To Musical Guild

Full support of the Associated Artists and Artists of America was pledged at an international board meeting yesterday to the American Guild of Musical Artists in the latter's effort to secure a contract with Columbia Concerts Corp. and NBC Artists Service, the artist manager subsidiaries of the network agencies of the Screen Actors Guild, Actors' Equity, Chorus Equity, American Federation of Actors, and the American Federation of Radio Artists stated that their branches would take steps to endorse the action of S. A. A. A. and that they would extend a resolution congratulating A.F.R.A. on its success in recent contract negotiations with network agencies that declared that attention to the A.G.M.A. negotiations would be the "paramount business for the next month."

'Tail Spin' Airavan Is Due Here Today

"Tail Spin" tour of four women and eight studio girls, which started from Los Angeles Jan. 28, winds up this afternoon at Newark Airport. The special airavan stopped in 18 cities for receptions and delivery of "Tail Spin" prints to exhibitors.

A dinner at the Waldorf-Astoria Thursday night in honor of the Ninety Nine Club, organization of women aviators, will officially conclude the air tour.

Settle 20th-Fox Suit

Suit brought by Edmund Benguiat, producer, is scheduled for a March 21 hearing in the infringement of his play, "Take the Air," in the film, "Wake Up and Live," and has been settled out of court in the Supreme Court. Terms of the settlement were not revealed.

Zeidman Here for Deal

B. F. Zeidman, independent producer, is here from Hollywood to negotiate a state rights releasing deal with 20th Century-Fox.

Two Trustees Named

Milton C. Weisman and Kenneth Stenrich were appointed trustees under the plan for the liquidation of Fox Theatres Corp. in an order of Circuit Judge Martin T. Manton, filed in the Federal Court yesterday. Weisman, as receiver, is directed to file a final accounting of the company's financial situation within 60 days.

Love Some One' To Open Tonight

"I Must Love Some One" a play by Jack Kirkland and Leslie George, which traces the careers of the Flordora Sextette, opens tonight at the Longacre. Frank Martin directed and Kirkland is the producer. Included in the cast are James Murray, Martha Sleeper, Harry C. Bannister, Jean Castro, Charles Anesly and others.

Quota Amendments Will Be Submitted

NEW YORK, Feb. 6.—Board of Trade this week is expected to present to the Columbia committee a new quota which it is designed to adjust the alleged discrepancies in the multiple quota provisions of the Films Act.

Col. Asks Dismissal Of Milton Spitz Suit

Columbia Pictures Corp. has filed a motion in U. S. District Court seeking dismissal of the $500,000 infringement suit brought by Milton Spitz, copyright owner of "U-Spitz-It," against Motion Pictures Greatest Year, Inc., the major companies, and several other defendants. Complaint states that the Motion Picture is an infringement of plaintiff's contest idea, and that it fails to state a cause of action and that plaintiff's game is a lottery. Federal Judge William Bondy will hear argument on the motion on Feb. 17.

Brandt Closes Deal With Alexander Film

Harry Brandt, president of Brandt Theatres, and president of the I. T. O. A. of New York, has renewed a contract for the third year for commercial films made by Alexander Film Co.

NSS Seeks Injunction

National Screen Service filed notice in the Federal Court yesterday that it was seeking an injunction against Trailer-Made, Inc., to restrain alleged use of plaintiffs' sound tracks by the defendant. Application for a preliminary injunction was made in connection with an infringement suit against Trailer-Made, Lidore Schwartz and Pathe Film Corp.

'Sixteen' At 1,600

Hollywood, Feb. 6.—Sixteen hundred invitations have been issued for the preview of 20th Century-Fox's "The Little Princess," the new Shirley Temple picture in color, Feb. 17, at the Cathay Circle here.
'Jesse James' in Washington Shows Way with $18,500

WASHINGTON, Feb. 6. — "Jesse James" pulled a smash $18,500 at Loew's Palace despite a week which saw a galaxy of Hollywood stars descant upon Washington and take the town over. They made He a Criminal," with $16,500 at Warners' Earle and "The Cowboy and the Lady" with $5,000 at Loew's Columbia, were runners-up.

Estimated takings for the week ending Feb. 2:

"Thanks for Everything" (20th-Fox)  
LOEY'S CAPITAL—(3,250) (28c-35c-50c) 7 days. Stage: Roscoe Arbuckle. Gross: $13,500. (Average, $1,928.57)

"The Cowboy and the Lady" (U. A.)  
LOEY'S COLUMBIA—(1,243) (25c-40c) 7 days. Stage: Douglas Fairbanks. Gross: $12,000. (Average, $1,666.67)

"Jesse James" (20th-Fox)  
LOEY'S PALACE—(2,370) (25c-35c) 7 days. Gross: $10,000. (Average, $1,428.57)

"The Lady Vanishes" (20th-Fox)  
RKO-EASTON—(2,370) (28c-35c-45c) 7 days. Gross: $7,500. (Average, $1,071.43)

"They Made Me a Criminal" (Warner)  
WARNER'S METROPOLITAN—(1,951) (25c-40c) 7 days. Gross: $3,600. (Average, $600)

N. Y. Bill to Exempt Theatrical Agencies

ALBANY, Feb. 6.—Three new bills are on the way to the New York legislature. Under the bills, agents of the legitimate theatrical employment agencies and unions would be exempt from taxation. Assemblymen Ralph Schwartz, James Fingens and Oscar Garcia-Rivera are the sponsors, with the Schwartz bill specifying that the article does not apply to theatrical agencies dealing in contracting for "acts, artists or attractions" for radio, television or motion picture presentations.

The Lyons and Garcia-Rivera bills exempt theater circuits with 20 or more screens and radio networks from application of the employment agency provision.

Legion Approves 8 Of 10 Films Viewed

National Legion of Decency approved eight of 10 films received and reviewed this week. Five were found objectionable for general patronage; three objectionable for adults, and two were found objectionable in part. The films and their classifications follow:

Class A-1, Unobjectionable for General Patronage: "Heller's House" (M.-G.-M.);
Class A-2, Unobjectionable: "Murder at the Museum" (Fox).
Class B, Objectionable in Part: "Sunset Murder Case" (M.-G.-M.) and "Fall in"

 choked with Objectionable Films

Operators Testify In "Big" Nick Suit

St. Louis, Feb. 6.—Fifteen members of the Motion Picture Operators' Union are giving their depositions behind closed doors in their suit to oust John P. "Big" Nick, head of the local theatrical unions to strike them as "dealing business agents of Local 143, and George Browne, L.A.T. S.E. president, from control of their union.

Secrecy in the examinations was requested by Special Master Hy Stern, by William Dillon, attorney for the defendants.

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James' $14,700 Omaha Sensation

OMAHA, Feb. 6.—"Jesse James" smashed all records here, taking in a gross of $14,700 for the week.

"Paris Honeymoon" dawdled with $3,000 and " Witness" at the Omaha, had a good run and was estimated at $8,200 for the week. For Frank Keel, who dawdled with "An Amalee Takes a Tour" drew $4,200 at the Brandeis.

Estimated takings for the week ending Feb. 2:

"Son of Frankenstein" (RKO)  
BRANDIES—(1,000) (22c-35c-45c) 7 days. Gross: $1,300. (Average, $185.71)

"Paris Honeymoon" (Par.)  
FLIGHTING WITH FATE—(2,250) (25c-35c-40c) 7 days. Gross: $1,200. (Average, $166.67)

"Jesse James" (20th-Fox)  
LOEY'S PALACE—(1,450) (25c-40c) 7 days. Gross: $1,100. (Average, $157.14)

"Idiot's Delight" Is $13,500 Cleveland

CLEVELAND, Feb. 6.—"Idiot's Delight" was tremendous at Loew's State Week.

"Off the Record" on the RKO Palace screen with an all-star stage show featuring Roger Pryor, Ann Sothern and Irving Whitney. "Pacific Liner" drew $4,000 at the Allen. Weather was fair.

Estimated takings for the week ending Feb. 3:

"Pacific Linner" (RKO)  
ALLEY—(3,000) (30c-35c-40c) 7 days. Gross: $6,000. (Average, $857.14)

"Jesse James" (20th-Fox)  
LOEY'S PALACE—(2,650) (25c-35c-40c) 7 days. Stage: Howard J. Carter. Gross: $1,000. (Average, $142.86)

"Idiot's Delight" (M.-G.-M.)  
LOEY'S PALACE—(1,000) (25c-35c-40c) 7 days. Stage: Irwin Allen. Gross: $1,000. (Average, $142.86)

"Swing That Other" (Univ.)  
PARAMOUT—(2,000) (15c-20c-25c) 7 days. Gross: $1,500. (Average, $214.29)

"Three Firms Chartered


WANT FILMS

Films shot A.M., screened P.M. many miles away! Easy! Just ship them by AIR EXPRESS in-1 mile-an-hour service with day and night deliveries. Smart exhibitors enjoy the service. Free catalog. WRITE DEPT. AIR EXPRESS DIVISION, RAILWAY EXPRESS Agency, 230 Park Avenue, New York, New York.

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Announcers at KPO Reject AFRA's Bid

SAN FRANCISCO, Feb. 6—NBC announcers at KPO-KGO have voted down a proposal to affiliate with the American Federation of Radio Artists. The members decided they were "better off" as members of the web's "house union" here, Associated Radio Employes, which provides for higher commercial fees and base salary schedules than the AFRA. NBC announcers here were paid $25 for announcing a commercial while the local A.R.A. is seeking $15 for each commercial, plus $5 for rehearsals.

Pilot Sets NewsCast

Pilot Radio Corp. will sponsor a new commercial on WOR for one year, beginning Feb. 28, featuring transradio news broadcasts by Arthur Hale. The schedule is for Tuesdays, Thursdays and Saturdays, from 11 to 11:15 P.M. Austin & Spector ser the deal.

Plan Television Lab

A television testing laboratory is being constructed by the National Radio Union Corp. When completed the laboratory will be placed at the disposal, free of charge, to radio set makers in the design and manufacture of their sight receivers.

FCC Appropriation Dropped from Bill

WASHINGTON, Feb. 6—Funds to continue the Federal Communications Commission, appropriated in the Justice Appropriations Bill, were today eliminated by the House Appropriations Committee. The money would be used for the FCC to purchase radio equipment to be used in the scrutiny of radio stations engaged in the broadcast of indecent or obscene material.

Scores of radio stations have been heard in the past, and a number of them have been asked to appear before the FCC to explain their reasons for the indecency or obscenity charge.

The House Appropriations Committee today voted to strike the line in the Justice Appropriations Bill that appropriated $25,000 for the FCC to purchase radio equipment. The money would be used for the FCC to purchase radio equipment to be used in the scrutiny of radio stations engaged in the broadcast of indecent or obscene material.

The Senate Appropriations Committee has already approved the Justice Appropriations Bill, which includes the appropriation of $25,000 for the FCC to purchase radio equipment to be used in the scrutiny of radio stations engaged in the broadcast of indecent or obscene material.

FCC Calendar

WASHINGTON, Feb. 6—Federal Communications Commission will hear oral argument Feb. 16 on the availability of the 9-kilowatt broadcast band. The agency will hear oral argument Feb. 16 on the availability of the 9-kilowatt broadcast band.

Pedrosa to W3XAU

Nicholas Pedrosa has been appointed to the post of program director of W3XAU, the Government-owned radio station in the Virgin Islands. He was a former member of the U.S. Navy and has been a radio engineer for several years.

Howard, Shelton Signed

Tom Howard and George Shelton, who substituted for Pick and Pat on the U.S. Tobacco series for two weeks while the latter was vacationing, signed a contract with the National Broadcasting Co., which will place them on the staff of the network.

Delay Expected in Radio Legislation

WASHINGTON, Feb. 6—New radio legislation will not be introduced in Congress for a week or 10 days. It was indicated today by Senator Wheeler (Mont.) chairmen of the Senate Telecommunications and Commerce Committee, which, with Senator Wallace White (Maine), last week conferred with F.C.C. Chairman Mc\n
It was disclosed that Mc\n
The legislation will not be written, but will merely prepare a memorandum outlining what has been done. Senator Wheeler himself is expecting to write the legislation.

Differences of opinion as to the best way to proceed with reorganization of the F.C.C. and the handling of the matter are aired at the Senate, leading to possibilities that the legislation will not be filed by enacted until next year unless they are compromised.
20th-Fox, Republic Will Close Monday
20th Century-Fox and Republic will be closed Monday, in celebration of Lincoln's Birthday. Paramount, Loew's and Universal will shut down at 1 P.M. RKO will be open all day and United Artists, Columbia and Monogram are still undecided.

Silverstone And Roach Set '39 Program
Hollywood, Feb. 7.—Maurice Silverstone, operating head of United Artists, Hal Roach and the Security First National Bank of Los Angeles have completed details of a financing arrangement, believed sufficient to meet the producer's fullest production requirements. The bank and Roach last year, Roach's program will cost around $5,000,000.

Silverstone, following completion of this third program, is preparing to leave the coast. He departs tomorrow, after winding up product conferences with all the U.A. producers.

The U.A. operating chief is pleased with the Roach roster of six pictures which are scheduled for the 39-40 program of the Silverstone company.

Roaich is personally directing "Captain Fury." He follows this with the "Water Gypsies," Donald Henderson Chancellor's "The Housekeeper's Daughter," besides "Roadshow" and a film with Margaret Sullavan. Two more Hardy-Langdon pictures are tentatively scheduled with cast as in "It's Spring Again."

Roach's studio will shut down for five or six weeks between completion of "Captain Fury" and start of "Water Gypsies."

NBC Seeks Writers With Experience in Films for Television
NBC is going after writers with film experience for television. The network also is making strong bids for plays and original stories for telecasting. This is being done, of course, in anticipation of the beginning of regular telecasting, this spring in connection with the opening of the World's Fair. The NBC firm will be on television, at least two hours weekly, when that begins.

Officially, there is only discreet silence to be gotten from NBC regarding these new developments.

It is understood that several scores of stories have already been purchased, including a full-length play by Susan Gaspal. The price isn't known, but is believed to be in the thousands.

NBC additionally is engaging a staff of writers with film experience to adapt stories into shooting form for television.

Universal to Start Sales Drive Feb. 26
Universal will inaugurate a charges and playdate drive on Feb. 26, running for eight weeks to April 22. F. J. A. McCarthy, eastern division manager, and William J. Heineken, western division manager, will be the honored sponsors of the drive. Cash prizes will be awarded for the three winning offices in the east and the three in the west.

This marks the first time Universal has honored its division members in a sales drive. The campaign was originated by A. J. O'Keefe, west coast district manager, and Harry D. Graham, southern district manager.

James J. Jordan has been appointed western captain of the drive and Tom Murray western captain by Nate Silverstone.

Among the releases during the drive period will be "The Son of Frankenstein," "You Can't Cheat an Honest Man," "Three Smart Girls Grow Up," with Deanna Durbin, and "Earth Side of Heaven," with Bing Crosby.

Ampa to Hear Jane Cowl
Jane Cowl, stage star, will head the Ampa's program at its luncheon meeting at the Astor tomorrow. Jean Rodeney, production director of "Outward Bound," is also scheduled to appear, in addition to Billy Rose, Molly Picon and Russell Patterson.

Late Flashes
Paramount Gets "Carters"
Hollywood, Feb. 7.—Paramount has made another deal with Charles R. Rogers to film "Our Neighbors—The Carters." Rogers is now making "The Star Maker" for Paramount.

Schenck En Route East
Hollywood, Feb. 7.—Joseph M. Schenck, chairman of the board of 20th Century-Fox, left the coast today and is due in New York on Friday. Joseph Moslowitz is accompanying him.

Knopt Resigns From M-G-M
Hollywood, Feb. 7.—Edwin Knopt, story department head of M-G-M, has resigned. The resignation becomes effective Feb. 28. Knopt had headed the company's story department for five years.

Center Extras Get Raise
As a result of action by Actors' Equity, Sam H. Harris and Max Gordon, producers of "The American Way," which is current at the Center, 150 extras in the play get a $3 weekly raise.

Disney, M-G-M Lead Award Nominations
Hollywood, Feb. 7.—Disney and M-G-M led in the number of nominations in the short subjects awards of the Academy of Motion Picture Arts and Sciences. Because of the tie nominations were made in the cartoon division instead of the usual three. Nominees are "The Brave Little Tailor," "Mother Goose Goes Hollywood," "Ferdinand, the Bull," and "Good Scouts," all Disney (RKO), and "Hunky and Spanky," Max Fleischer (Paramount). In the one reel subject division the nominations are "The Great Heart" and "Satyajit Ray's" "Pather Panchali," "M-G-M and "Timber Toppers," 20th Century-Fox. Two reel subject, "Declaration of Independence," and "Swingtime in the Movies," Warner Bros., and "They're Always Caught," M-G-M.

Giveaway Study
Motion Picture Daily in this issue publishes the fifth of a series of articles in a survey of chance games and giveaways throughout the country. Motion Picture Daily invites reader comment on the subject.—Page 6.
Joseph Schenck Is Reelected to Head Producers’ Group

Hollywood, Feb. 7.—Association of Motion Picture Producers last night reelected Joseph M. Schenck as president and Mamie Mannix as executive vice-president and secretary for another year. Edgar Manix, Samuel Goldwyn and Y. Frank Freeman were added to the board of directors.

Jack L. Warner and Mannix were named first and second vice-presidents, respectively, at the annual session, which was bracketed by an address by Will H. Hays, M.P.I.P.D.A. president, Schenck named an executive committee consisting of himself, Jack Warner, Goldwyn, Freeman, Mannix and Harry Cohn, presumably to act as a steering committee in handling negotiations with the various talent groups, and replacing the functions of the committee formerly headed by Darryl F. Zanuck, who withdrew because of the press of business. The labor situation as pertaining to the Screen Directors’ Guild and the I.A.T.S.E. was discussed generally, but no action was taken.

Equity and League Will Discuss Code

Actors’ Equity will meet with the League Information, New York, on Feb. 17 for discussions on the workings of the Code of Fair Practice, which the League enacted at the beginning of the season. The meeting will consider the failure of ticket broker code. Also under consideration will be the League’s promise to attract the suburban trade by having earlier shows and establishing a central telephone information center.

Equity sought the meeting in order to clarify these questions before the opening of the World’s Fair. Considerable dissatisfaction has been generated with reference to the ticket broker situation and Equity is considering a resolution that the whole question be clarified. The board of governors of the League will meet tonight to consider the establishment of a central ticket agency.

MOTION PICTURE DAILY

Wednesday, February 8, 1939

The Purely Personal

Herbert Wilcox, partially recovered from a severe cold, is en route to the coast for conferences with George J. Schaeffer and New York. He will be back in New York in about two weeks.

Harry Brandt, I. T. O. A. president, returned yesterday from Washington where he addressed the M. P. T. O. of Washington convention.

Harry Edington is in town for a brief visit most of which will be spent looking at the Broadway show shops.

Rufus Williams, formerly Ross Federal manager in Washington, was injured in an automobile collision at Warrenton, Va., while en route to take over the Los Angeles branch. He spent two days in the hospital.

Al Reid, general manager of Si Fabian Theatres, will be tendered a birthday party tonight following the last performance at the Brooklyn Paramount.

Austin C. Keough, Paramount vice-president and general counsel, is confined to his home with a cold.

Louise Campbell left Hollywood yesterday for Chicago to be with her father on his birthday, Thursday.

Charles Engfeld is scheduled to leave the coast Friday for a stay of 10 days in New York.

Sam Brody of the Music Hall publicity staff has returned from Florida.

Carlos Israel goes to New Orleans on Friday.

Lady Vanishes Sets Record of 9½ Weeks

“The Lady Vanishes” is being held at the Globe until March 1, when it will conclude a run of 9½ weeks. This is the record for the house.

Previous run record at the Globe was held by “The Lost City,” independent film, which went eight weeks. This was in 1935.

“The Lady Vanishes” will be followed by Warner’s “Devil’s Cargo,” featuring Boris Karloff, which is penciled in for four weeks.

Rites for Hartman Will Be Held Today

Funeral services for Jacob Hartman, retired film man, will be held at the Millrose Club on Monday at 2 p.m. in the late 20th Street Synagogue, 55th St. and Lexington Ave. He was 60 years old and the oldest member of the Millrose Club. Hartman died Monday morning following a short illness. He was a contact man for Universal in New York and New Jersey. Survivors are his widow, Regina Frisch Hartman, and a son, Siegfried F., an attorney.

Washington Leads In Johnstone Drive

Monogram’s Washington exchange is in the lead at the end of the first week of the W. Kay Johnson Silver Jubilee Drive. The Dallas-Salt Lake-Cincinnati branches are in second and third places, respectively.

Isaac Nathanson Dies

Toronto, Feb. 7—Word has been received here of the death in Los Angeles of Isaac Nathanson. He was the president of Nathan Pictures, a subsidiary of Famous Players-Lasky Co., and Henry L. Nathan, general manager of Regal Films, Ltd., Toronto.

MOTION PICTURE DAILY

Registered U. S. Patent Office

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because 75 MILLION READERS including all your customers will see it first in full page M-G-M-M ads in the national magazines:

Saturday Evening Post  
Good Housekeeping  
Scholastic Magazine  
Boy's Life  
American Boy  
The Instructor  
Junior Scholastic

American Magazine  
Popular Mechanics  
Open Road for Boys  
Catholic Boy  
Grade Teacher  
Young America  
Newsweek

Life  
Liberty  
Look  
Collier's  
Time  
Parent's Magazine  
Red Book

Just to give you an idea of the giant campaign. All are full page smashes!
NEW YORK .. Second weekend bigger than first weekend .. First five days indicate gross within few dollars of first week! ...

HOLDOVER!

LOS ANGELES .. New all-time money record set for Hillstreet and Pantages Theatres.

Third week ..

HOLDOVER!

BOSTON .. Absolutely the biggest money-getter on record for straight picture policy! ..

HOLDOVER!

WASHINGTON .. Tremendous opening and following days! ..

HOLDOVER!

CHICAGO .. Biggest opening with one exception .. playing without big stage names! ..

HOLDOVER!

DENVER .. Doing the kind of business you dream about..

HOLDOVER!

SAN FRANCISCO .. Biggest RKO opening in a year..

HOLDOVER!
MUSIC HALL!
Hollywood-Los Angeles!

NEW ORLEANS .. Opening and business booming!

ST. LOUIS .. Biggest opening gross of any RKO picture ever to play the house!

BALTIMORE .. All-time record for any RKO picture!

PHILADELPHIA .. Terrific business .. biggest since "Top Hat" with one exception!

HOUSTON .. Majestic Theatre, biggest RKO opening since "Top Hat"!

EL PASO .. Plaza Theatre .. Ahead of "Top Hat" opening days!

GUNGA DIN

YOU BET RKO RADIO IS GOING PLACES!
**Business Called Healthier Without Games**

By SAM SHAIN

Chance games and giveaways have been prohibited by law in many sections of the country. In places where games were banned after being prevalent there will be found two schools of opinion regarding the value of the move to the boxoffice.

In some sections the laws preceded the games, and it is one of the facts brought out by this cross-country survey of chance games and giveaways by Motion Picture Daily that in such territories where the games have been operated in violation of the law, the opinion is that the police business is worse than the games. The fact continues unchanged that in larger cities games are condemned and that in smaller cities exhibitors like to have them. Also another fact which is still unchanged is that first runs generally shun the games, while subsequent use them.

**NORTH DAKOTA LAWS RIGID**

North Dakota has such rigid laws against lotteries that even premiums cannot be given away by merchants. That state is free of chance games and it is worth noting that the picture business is described as being quite healthy—healthier than in any other northwest state.

In Chicago, the gateway to the west, it is estimated that there is once from $500,000 to $750,000 given away annually in chance games. These games were stopped in December, 1936. Giveaways, however, are reported on the increase. Apparently the chance games proved more attractive than the present giveaways, for exhibitors claim business is off 20 per cent since the games were banned. Churches, clubs and lodges had chance games in Chicago before the theatre adopted them.

In the Northwest the situation is similar. South Dakota theatres indulge extensively in giveaways. Minneapolis and St. Paul do likewise.

**TACOMA EXHIBITORS OPPOSED**

On the other hand, in Tacoma and surrounding territory, where the law enforcement authorities have stopped the games, the exhibitors are so opposed to such stimulants that it is felt they would not resume games even if the authorities approved. Churches and clubs in this section of the country have games.

San Francisco is declared to be a little Reno when it comes to games. Here, as in other big cities, the first runs won’t play the games, but virtually all other runs use them.

Shifting back to the east, we find that in Rhode Island the sentiment is about the same as in Chicago, and that giveaways are not as good boxoffice business as money games. Since the money games were banned grosses have dropped. Non-theatrical places have the games.

At present some downstate Illinois theatres and surrounding towns, in some instances, run Bank Night. According to reports, they are doing well, though this is supposed to be in violation of the state law. In Indiana, Bank Night is hitting a new high in business, reports show.

**North Dakota**

North Dakota has such stringent lottery laws that merchants cannot even give away premiums. Thus, money games have never been introduced in this state. Apparently, the picture business in North Dakota is healthier than in any other state in the NW, according to circuit executives. "Theatre managers in North Dakota are fully able to capitalize on picture possibilities with resultant business success whereas we are in evidence than in neighboring states," a circuit head says. The strict laws and the fact theatres have no chance game competition to contend with are regarded as important factors.

In the Twin Cities, there are approximately 100 theatres, of which 12 are first runs. Prices range from 10 cents to 50 cents. No first run has ever used money games, nor do they indulge in "loop" games. Exhibitors generally every spring or subsequent house outside of the "loop" indulge in them in some form of giveaways. Most prevalent is Bank Night, followed by Screeno. Beer joints throughout Minneapolis feature trick-titled money games patterned after the theatre games.

Minnesota Amusement Co., Paramount affiliate and the Northwest's most active circuit, does not need managers to advertise Bank Night in newspapers, thus protecting all concerns from possible postal law violations.

Giveaways are prevalent in South Dakota.

Bank Night has been a raging controversy in Wisconsin, with an alleged theatre lottery case recently tried at Superior. A teardrop from the Superior Evening Telegraph shows six theatres in the town, with only one, the Superior, running a money game.

**East Orange, N. J.**

Population, 75,000; one first run, 1,585; one subsequent, 900, 15c-25c.

First run has no giveaways. Second run plays Lucky once a week, costing the theatre about $2,500 a year. The manager hopes to abandon it.

**North Dakota Entirely Free Of All Games**

Money games have been stopped by the Attorney General, but only in the theatres. They are permitted at churches and clubs because they are played for charity.

Providence banned Bank Night in 1936, though it was permitted elsewhere in the state. Later a District Court judge upheld the game, being influenced by a Vermont decision which claimed "no lottery existed." In May, 1938, the Supreme General ruled that all such games were a racket, and the ban has stuck. There are cases pending in the courts involving game distributors and exhibitors which may decide the legal question.

Prior to the ban, most Rhode Island theatres were involved in them for about three years. Since they were stopped, exhibitors say grosses have dropped. They claim merchandise giveaways are not as good.

Both first runs and subsequent in Providence had games, with an average of $10,000 per week at each house. Most played Bank Night and some Screeno. Church and club games were common in the towns, but there was no noticeable effect when theatres adopted them or after they were dropped. Games at the non-theatrical places, however, "habit" them. Above all, they are considered "legal" when played for charity, they will continue. Merchants favor them in the small towns because they bring people in.

**Milwaukee Bingo Warrant Is Issued**

Milwaukee, Feb. 7.—Demand for action by law enforcement officials against Bingo from various exhibitors here has resulted in a warrant by the police department against August Gielo, charged with operating under the name of a club, group, in violation of a city raffles ordinance.

At the same time, Deputy District Attorney George A. Bowman has referred to the attorney general's office information regarding Guest Night, a policy of drawings with cash or bottle goods as the award, offered by various taverns, and a complaint against Manager Bert Nathan of the Prosperity Club, a giveaway.

**Milwaukee, Wednesday, February 8, 1939**

**Northwest**

While Minneapolis, St. Paul and surrounding areas are lush fields for chance games, the state of North Dakota, in the same distribution territory, is free of the practice.

North Dakota has such stringent lottery laws that merchants cannot even give away premiums. Thus, money games have never been introduced. According to reports, the picture business in North Dakota is healthier than in any other state in the Northwest, according to circuit executives. "Theatre managers in North Dakota are fully able to capitalize on picture possibilities with resultant business success whereas we are in evidence than in neighboring states," a circuit head says. The strict laws and the fact theatres have no chance game competition to contend with are regarded as important factors.

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**San Francisco**

Population, 635,000; nine first runs, 19,100 seats, 15c-75c; 69 subsequent runs, 66,000 seats, 10c-55c. San Francisco is a city where it comes to money games in theatres. The first runs shun them, but virtually all other plays use games, since the money games were banned grosses have dropped. Non-theatrical places have the games.

Lodges, clubs, etc., exceed theatres in the number of games by 10 to 1, according to Dan McLean, manager of the New Embassy, Market St. grind house. McLean advertises "world’s greatest Ten-O-Win game," and gives away $100 a time. He has stickers advertising the game posted on windshields and other places.

**Johnstown, N. Y.**

Population, 12,000; two first runs, 1,450 seats, 10c-25c. Smalley’s, first run, uses Bank Night and Screeno two nights a week, with $300 given weekly. As in Gloversville, games have been made popular by the brewers. They have boosted business and net clubs and lodge competition, Smalley says. No ads are permitted in the papers, but the patrons know the giveaway nights. Authorities are lenient. The Strand does not use stimulants.
“Buck Rogers” (Universal)

Death to guns, trips to the planet Saturn, de-gravity belts, and other scientific devices which apparently will be known to man in the year 2453 feature Universal's new 12-chapter serial. Buster Crabbe assumes the role of Buck Rogers, noted comic strip and Jackie Moran is his pal, Buddy.

Judged on the basis of its first three chapters, "Africa" makes about as strong an appeal for the juvenile trade and should lend itself readily to exploitation. Billed as a "Buck Rogers" serial, it comes in a state of suspended animation 50 years hence. They find the earth ruled by a gangster leader, and join forces with Constance Cook and the latter's niece Shaw to restore justice. In an effort to gain allies, a trip to Saturn is undertaken.

Fortunately, it appears that our progeny five centuries hence will have the same lusty love of fast fights, shooting and stunt work which maintains the present generation. As a result, "Buck Rogers" will probably prove to be a good profit center for the present crop of youngsters. Running time, 21 mins. each. G.*

“Forged Passport” (Republic)

Hollywood, Feb. 7.—"Forged Passport" is a melodrama based on the United States Immigration Service, and action centers about the border station near San Diego. Paul Kelly, June Lang, Lyle Talbot and Billy Gilbert head the cast, with Cliff Nazarro, Maurice Murphy, Christian Rub, John Hamilton, Dewey Robinson, Bruce MacFarlane, Ivan Miller and Priscilla Dougherty appearing.

It is an unusual story, nor is there any novel twist to it. He plots with Gilbert to find the killer and reopen the latter's cafe, closed by Mexican authorities who are unable to solve the mystery. Pretending to engage in the smuggling racket, Kelly solves the crime, gets the girl and reopens the decorating with a promotion.

Running time, 64 mins. "G."* VANCE KING

“Paramount Pictorial, P-86” (Paramount)

Nairobi, capital of Britain's Kenya Colony, is described as an interesting camera subject. It is a cosmopolitan center in the heart of the dark continent. Other topics are the gadgets required to keep a race horse in trim and Stan Shaw's "Milkman's Matinee" over a New York radio station. The latter is well handled. Running time, 10 mins, G.*

“Peaceful Neighbors” (Mint-Columbia)

An unusual and engaging color cartoon which should attract considerable comment. Following a dispute over land and a declaration of war, an armistice is reached by war. After several battles a peace is made of the entire area by the cave man and the alien. The quality of this cartoon is well above average. Running time, 8 mins. G.*

“How to Sub-Lea” (M-G-M)

Robert Benchley once more shows his genius for mismanagement. Left in charge by his wife with instructions to sub-let their apartment, Benchley interrupts his Sunday morning nap to conduct prospective tenants through the rooms. Mislays plies up with the gas range exploding as a climax. Benchley is funny. Running time, 8 mins. G.*

“March of Time, No. 6” (RKO)

Taking its keynote from the conversion of the Our Gang serial, the latest issue of "March of Time" traces the trends of popular reaction to Government polices in "State of the Nation: 1939." As usual the reel is well placed and the subject is graphically portrayed. Editors of the Fortune poll are shown at work collating expressions of popular opinion on various social and political policies. Among shots of citizens from various walks of life expressing their differing opinions, are diagrammatic results of the polls. Howard Cosley, president of the National Association of Manufacturers, ends the reel with a plea for support of a cooperative plan to aid industry and labor. Audience reaction should be favorable.

Running time, 17 mins. "G."*

“Penny’s Picnic” (M-G-M)

Prudence Penny puts the men on a camping trip by shaming an elaborate meal in the open while the masculine efforts succeed only in burning the food and the cooks. Done in color, it is realistic enough to whet the appetite of the audience. The menu consists of fried fish, baked corn on the cob, biscuits, vegetables and, as dessert, biscuits with berries and whipped cream. Pete Smith's work is done. Running time, 10 mins. "G.*

“I'm Just a Jitterbug” (Universal)

It will take a jitterbug to extract entertainment from this Walter Lantz cartoon. All it has to recommend it is its accomplishment of swing music and appropriate lyrics. Characters from cartoons and fables come to life to join in the "jam session" which, of course, takes place in the animator's workroom. After seven minutes of it, a cucking comes from a clock and probably persnickering a theodolite, machine-guns the jitterbugs into silence. As indicated, there is no originality in either story or animation and the slight merit of this cartoon hinges on its musical accompaniment. Running time, 7 mins. "G."*

“Wild and Bally” (Universal)

Six rather pleasant variety acts make up this Montage musical. An entertainment program at a dude ranch provides the background. The Skating Carters, a roller skating act which features a five-year-old boy and his sister, aged six, is a amusing bit. Songs are contributed by J. Harold Murray, the Eight Virginias, Texas Jim Lewis and his Lone Star Cow- boys, and Lillian Carmen. Bob Parker does a novelty rope and tap dance. A fair musical. Running time, 19 mins. "G."*

“Inside the White House” (Columbia)

Second in the series of insights into the workings of the nation's capital provides a view of the president's residence and his offices. Selected for portrayal are the historic East, Green, Blue, Red and Oval Rooms and the executive offices. A highly interesting subject which should please. Running time, 10 mins. "G."*

“Cops Is Always Right” (Paramount)

Quite amusing is this Popeye cartoon. The sailor becomes emboldened with a traffic officer and helps Olive Oyl with her spring cleaning. Both result in difficulties, but Popeye proves he is a law abiding citizen by locking himself up in jail. Running time, 7 mins. "G.*

“Ski Girl” (Warner)

Ski enthusiasts will find plenty of interest here, in thrilling shots of intricate turns and twists of slalom racers. The final sequence shows a woman skier in a long downhill run, amid the beauty of mountain slopes. Running time, 10 mins. G.*

“Unusual Occupations” (Paramount)

Topics include a young lad who delivers one copy of the London Times every morning, the customer being King George; a woman who makes flowers out of feathers; a string collector: instructor who teaches drumming on a washboard to a boy who is adept at screen makeup; Buck Jones, who builds and collects motor cars. It is in color. Running time, 10 mins. "G.*

*G* denotes general classification.
People who live over here consume more cabbage than caviar; enjoy cartoons more than Corots. Steamship companies, art dealers, and couturiers would starve on their patronage... and most other industries would swiftly starve without it.

They may not be as "fastidious" as the other side, but they use many times as much soap. They may not know the meaning of the word gourmet but they eat much more (and many more) branded food products. They may never have seen a Daimler or Dusenberg but they own and drive millions more automobiles!

In short, they speak "another language," read other publications, enjoy different things than the people on the other side — with one exception. Repeated research shows that 94% of them own radios, of which 79% are in use on an average of 5.2 hours daily... tuned to radio programs that hop over railroad tracks, into the home, as easily as they soar over city and county and state lines.

NOTE ON THE NETWORKS: More of the country's largest advertisers choose COLUMBIA — as the fastest "right-of-way" to the nation — than any other network. These shrewd judges of advertising facilities have favored the world's largest network consistently since 1934.
Both Sides

People who live on this side of the tracks know how to pronounce *hors d'oeuvres* and where to buy *le dernier cri*. They hold most of the country's diplomas and passports, hire most of its chauffeurs and maids, wear most of its ermine and pearls. They sit in air-conditioned offices...prefer Veuve Clicquot to "Red Ink"...*Fortune* to "funnies" and Bergdorf-Goodman's to "bargain basements." They're known, familiarly, as "the people other people follow."

They are a rich and special market for cigarettes and soaps, tires and toothpastes...the products "everybody" buys. They are the only market for products made for their exclusive use and pleasure.

But one thing they share equally with the rest of the country.

Repeated research shows that 98% of them own radios; that 78% listen every day, on an average of 4.8 hours, and respond to the same programs...the same news and music and comedy and drama...that appeal to the rest of the nation.
Delight’ Is Good $30,000 Philadelphia

PHILADELPHIA, Feb. 7.—Despite incessant rain, “Idiot’s Delight” gained a winning $20,000 at the Boyd. The Eagle took $11,000 with Tommy Dorsey on the stage and “Flirting with Fate” on the screen. The Beachcomber got a fair $10,000 at the Aldine. ’Film Made Me A Criminal’ drew $12,500 at the Fox. Estimated takings for the week ending Feb. 7 are:

“The Beachcomber” (Param.) ALDINE—(40c-5c-6c-7c) 7 days. Gross: $10,000. (Average, $1,428.)

“Stand Up and Fight” (M-G-M) ARCADIA—(25c-4c-5c-6c) 7 days. Gross: $13,000. (Average, $1,857.)

“Idiot’s Delight” (M-G-M) BOYD—(5c-4c-5c-6c) 7 days. Gross: $20,000. (Average, $2,857.)

“Flirting with Fate” (Pathe) EARE—(2-5c-5c-6c) 6 days. Stage. Gross: $3,000. (Average, $500.)

“They Made Me A Criminal” (W. B.) FOX—(3c-5c-6c-7c) 7 days. Gross: $6,000. (Average, $857.)

“Sun of Frauentstein” (Univ.) KARLY—(3c-5c-6c-7c) 6 days. Gross: $2,000. (Average, $333.)

“Topper Takes A Trip” (U. A.) KEITH’S—(6c-4c-5c-6c) 7 days. Gross: $1,500. (Average, $214.)

“Junior Miss” (Pathe) STANLEY—(3-5c-5c-6c) 6 days. Gross: $1,500. (Average, $250.)

“Disbarred” (Para.) STANTON—(2c-4c-5c-6c) 7 days. Gross: $900. (Average, $128.)

“Boys in France” (Para.)

“Disbarred” (Para.) HIPPODOMME—(5c-5c-6c) 7 days. Gross: $3,000. (Average, $428.)

“Off the Record” (W. B.) CENTURY—(5c-4c-6c) 7 days. Gross: $4,000. (Average, $571.)

“Blonde” (Rep.) LAFAYETTE—(3c-5c-6c) 7 days. Gross: $2,500. (Average, $357.)

Dismissal Is Upheld

Dismissal of a $50,000 plagiarism suit brought by Warner La Varre against Warners has been upheld in a decision handed down by the Appellate Division of the N. Y. Supreme Court, and the complaint was dismissed by Justice Timothy A. Leary after a six-day trial in January, 1938.

Set Editing Nominees

Hollywood, Feb. 7.—Following pictures have been nominated for the Academy Award for Film Editing: “The Adventures of Robin Hood,” “Alexander’s Ragtime Band,” “The Great Waltz,” “Test Pilot” and “You Can’t Take It With You.”

‘Yes, My Darling Daughter’ (Warners)

Hollywood, Feb. 7.—The Warner program at the preview of this picture states, “Mark Reed’s daring stage hit reaches the screen unmarred by the translation, improved by ambitious motion picture staging.” Showmen offering the film to their customers might toll long and fruitfully in search of a more accurate informative line of ad copy. “Stage hit” it undeniably was, on Broadway, and “daring” it was and is. Neither can there be a question about the “ambitious motion picture staging,” for the production presents such accomplished performers as Fay Bainter, Roland Young, May Robson, Ian Hunter and Genevieve Tobin in support of Priscilla Lane and Jeffrey Lynn. Further, it is directed by William Keighley from a screenplay by Casey Robinson, and Benjamin Glazer acted as associate producer.

The picture, like the play, deals with the foibles of a modern family, to wit: Miss Lane and Lynn plan an unchaperoned pre-nuptial weekend. Miss Bainter, her mother, objects momentarily but consents when the daughter reminds her of her own youthful liberalism. Hunter, the father, learns of the project after the youngsters have left and sets out to bring them back. But, in the end, his grandmother, who declares in favor of shotgun weddings, arranges to head off pursuit. The youngsters have their weekend, without carnal incident, but the young man is quite disturbed, on their return, to learn their adventure has been secret to the family. He is for calling the whole thing off, but the daughter meets him at the boat with a marriage license and all ends formally.

The film is of the kind that used to be called risque, later came to be known as sophisticated and, still later, smart. Its humour is of the kind sophisticated and/or smart adults pay as much $5.50 a seat to see on Broadway stages. Naturally, therefore, it is not children’s entertainment. Running time, 82 minutes. ’A’.

“Idiot’s Delight” (M-G-M)

BUFFALO, Feb. 7.—“Stand Up and Fight” drew $9,000 at the Great Lakes, and was generally held to be better than average in a poor week, hampered by figewy weather. “Zaza” took $3,000 and “The Great Gal” was reported strong.

Estimated takings for the week ending Jan. 28 are:

“Zaza” (Para.) BUFFALO—(2c-2c-3c) 7 days. Gross: $1,500. (Average, $214.)

“Stand Up and Fight” (M-G-M) GREAT LAKES—(5c-5c-6c) 7 days. Gross: $5,000. (Average, $714.)

“Boy in French” (Para.)

“Disbarred” (Para.) LAFAYETTE—(5c-5c-6c) 7 days. Gross: $3,000. (Average, $428.)

“Off the Record” (W. B.) PHILADELPHIA—(2c-5c-6c) 7 days. Gross: $4,000. (Average, $571.)

“Blonde” (Rep.) LAFAYETTE—(5c-5c-6c) 7 days. Gross: $2,500. (Average, $357.)

Ernest Gal Starts Film Company Here

Ernest Gal, Hungarian producer, has organized Ernest Gal Film Productions here. The company plans to start production soon on an American film with a Hungarian theme, and also will distribute several films made by Gal in Hungary. In 1916 Gal established Corvin Film Co. in Budapest, with Alexander Korda.

Houses in Mo. Paid $383,140 Sales Levy

St. Louis, Feb. 7.—Of the $20,000,000 collected in 1938 by the state department of revenue for the sales tax, $383,140 was paid on entertainment admissions. Of this amount $332,686 was paid by theaters and motion picture houses.

‘James’ Beats Chicago Snow With $48,000

CHICAGO, Feb. 7.—“Jesse James” rode into the Loop last week and after a snowstorm, but did a smash $48,000.

The Oriental with a new double feature vaudeville policy did $14,800, and the State-Lake did $12,000 with no stage show.

Estimated takings for the week ending Feb. 1 are:

“Zaza” (Para.)

CHICAGO—(3c-5c-6c) 7 days. Stage: Happy Felton and Band. Gross: $4,000. (Average, $571.)

“Devil’s Island” (W. B.) ROCHELLE—(5c-5c-6c) 7 days. Stage: $1,200. (Average, $171.)

“Smashing the Spy Ring” (Col.) ROCHESTER—(3c-5c-6c) 7 days. Stage: Vaudeville Revue. Gross: $1,800. (Average, $257.)

“Heart of the North” (W. B.) ST. PAUL—(5c-5c-6c) 7 days. Stage: Ozzie Nelson and Band. Gross: $1,500. (Average, $214.)

“Domestic Peace” (U. A.) WICHITA—(2c-5c-6c) 7 days. Stage: Vaudeville Revue. Gross: $1,800. (Average, $257.)

“West On the Hard Way” (M-G-M) CP. ARKANSAS—(5c-5c-6c) 7 days. Gross: $1,000. (Average, $143.)

“Idiot’s Delight” Does $19,000, Cincinnati

CINCINNATI, Feb. 7.—“Idiot’s Delight” was the top grosser here, giving Warner Albee $19,000.

“Jesse James” was second week with $7,500 at the RKO Capitol, and held. “Kentucky” continued strong in the RKO Grand where it grossed $2,000 for the week.

Estimated takings for the week ending Feb. 2 are:

“Idiot’s Delight” (M-G-M)

RKO ALMERE—(3c-4c) 7 days. Gross: $19,000. (Average, $2,714.)

“SAP of Freudstein” (Univ.)

RKO PALACE—(3c-4c) 7 days. Gross: $14,000. (Average, $2,000.)

“Lone Wolf Spy Hunt” (Col.)

RKO SHUBERT—(3c-4c) 7 days. Gross: $12,000. (Average, $1,714.)

“Papa Honeymoon” (Para.)

RKO VICT.—(4c-4c) 7 days. Gross: $1,500. (Average, $214.)

“Federal Man Hunt” (Republic)

RKO GRAND—(3c-4c) 7 days. Gross: $1,000. (Average, $143.)

“Strange Case of Dr. Mendo” (Col.)

“Man Hunt” (Republic)

RKO GRAND—(3c-4c) 7 days. Gross: $1,000. (Average, $143.)

SIGN STAGEHANDS’ PACT

Major circuits here have signed contract renewals with the Stagehands’ Union, Local 1, I. A. T. S. E. Contracts will run until February, 1940.
FOR THE RECORD

For the third successive year NBC scores outstanding victory in 3 great nationwide radio polls!

NBC is proud that its programs and personalities have proved so popular. And although space does not permit a complete listing of the awards voted in three great nationwide radio polls, for the record we list a few—and say a sincere “thanks” to all those whose votes have determined the winners! And for the record, too, our hearty congratulations to the artists, their sponsors, and to those who planned and produced their programs. They have enabled NBC to present on its networks “the greatest number of the most popular programs.”

NATIONAL BROADCASTING COMPANY
A Service of the Radio Corporation of America

NEW YORK WORLD-TELEGRAM
Radio editors of United States and Canada

Division Winners . . . . . . . 8 out of 14—NBC!
Programs . . . . . . . . . . . First 6—NBC!
11 out of First 15—NBC!
Comedians . . . . . . . . . . . First 4—NBC!
8 out of First 12—NBC!
Male Vocalists (Popular Music) . . . First 2—NBC!
9 out of 11—NBC!
Vocalists (Classical Music) . . . . First 3—NBC!
6 out of First 7—NBC!

FAME-MOTION PICTURE DAILY
400 leading radio editors, coast-to-coast

“Radio Champions of 1938” 4 out of 5—NBC!
Best Popular Male Vocalist . . . First 4—NBC!
4 out of First 5—NBC!
Best Classical Male Vocalist . . . First 3—NBC!
3 out of First 5—NBC!
Best Comedian . . . . . . . . . First 3—NBC!
4 out of First 5—NBC!
Best Comedy Program . 5 out of First 5—NBC!
Radio’s Foremost Announcer 5 out of First 5—NBC!

RADIO DAILY
Editors and critics, coast-to-coast

Program popularity . First 5 Programs—NBC!
8 out of First 10—NBC!
Personality popularity First 5 Personalities—NBC!
7 out of First 10—NBC!
MOTION PICTURE DAILY

Wednesday, February 8, 1939

Mrs. O'Brien Is Tonight's Opening

Another George Abbott vehicle, "Mrs. O'Brien in Taw- tains," is set for opening tonight at the Lyceum. Written by Miss Abbott and T. M. McGuire, the play deals with inter-racial romance among New York's im-
migrants in the pre-Civil War period. Directed are Margaret Mullen, Harry Shannon, Marie Brown, James Seabrook, and others. As usual, Abbott directed.

Pascal to Film Life
Of Amelia Earhart

Gabriel L. Pascal, British producer, has arranged with George Palmer Putnam, husband of the late Amelia Earhart, to make a movie on her life, possibly next year. Leopold Stokowski is working on the musical theme for the film.

Greer Garson may play the Earhart role.

Pascal arrived from the coast yesterday to go on the Queen Mary to confer with George Bernard Shaw, who is completing the script on his "Doctor's Di-

emma," which M-G-M will distribute. He prefers to negotiate in England.

Greer Garson, Roland Young, C. Aubrey Smith, Cedric Hardwicke, Paul Lukas and Jean Cadel, who is appearing in "Spring Meeting" at the Morosco, will be in the film.

Pascal plans to make "Since You Went Away," and there will start "Devil's Disciple," which is scheduled for production in Holly-

wood and will be a M-G-M release.

Rex Cole has been named Pascal's business manager.

11 Nominations Due To RKO Board Today

(Continued from page 1)

nian Bros.—Floyd O. Bees, Chas. J. Rathlou, Fred Ehramn and Walter Peterson.

Representing RKO's unsecured creditors—Lawrence Green.

Rathlou is held to be the choice for chairman of the new RKO company's board. His lack of connection with the committee in addition to Rathlou are expected to be Yandell, Ehramn and Ruml. Harbord's name is mentioned as a possible choice for chairman of the board.

Proposed members of board must be approved by the court. Names of board members may go to the court along with the order for confirmation of the plan. Under the proposed terms for confirmation of the plan, it is estimated to cost approximately $200,000 to present RKO common stockholders at a price per share to be approved by the court.

While confirmation of the plan on Friday is a possibility, it is not generally expected in reorganization cir-

cles until later.

Wanger, Niebuhr and Phelps at Town Hall

Producer Walter Wanger will enter the Town Hall discussions on Feb. 16. He will speak on the part the motion picture industry has played in improving twentieth century mankind. Other participants in the talk include William Lyons Phelps of Yale; Rein-

hard Niebuhr, professor of Applied Christian Sociology at the Union Theological Seminary and Dr. Harlow Shapley, astronomer at Mt. Wilson Observatory. The title of the discussion is "Has Twentieth Century Civilization Improved Man?"

The talks will be broadcast over the NBC Blue network and will be short-wave also.

Wanger was invited to participate in the Town Hall program because of his immediate acceptance.

Recently Wanger won honorary degree from the Town Hall for his essay contribution of "What Is America's Greatest Need?"
NBC Seeking Film Tieups On Television

Has Made Approaches to All Larger Studios

NBC's television department has made definite approaches to practically all of the major motion picture studios to effect tieups for television showings of feature length subjects on the RCA-NBC television schedule, which is to begin regular operations shortly after the opening of the New York World's Fair.

Because no deals have been completed as yet, the network's television heads are reluctant about discussing the progress and present state of the film negotiations. It is officially asserted, however, that NBC has been given as evidence of keen interest in showing some of their product to the television audience. Negotiations, as far as it is learned, include 20th Century-Fox, M-G-M, Warners and Gaumont-British. Latter company has had previous experience in making television appearances on the network last year permitting the televised showing of its picture, "Return of the Scarlet Pimpernel" to an audience of several hundred in the NBC-RCA television studios.

Acknowledgment of definite tieups with several studios may be expected within the next few weeks, it was said at NBC yesterday.

7 Nominated for Thalberg Award

Hollywood, Feb. 8—Samuel Goldwyn, Joseph Pasternak, David O. Selznick, Hunt Stromberg, Hal B. Wallis, Walter Wanger and Darryl F. Zanuck, last year's winner, today were nominated for the Irving G. Thalberg Memorial Award of the Academy of Motion Picture Arts and Sciences. The award is given for "the most consistent high quality of production achievement by an individual producer, based on pictures he has personally produced during the preceding year."

Members of the special nominating committee appointed by Frank Capra of the Academy to name candidates for this award are Pandro S. Berman, Harry Cohn, Y. Frank Freeman, Samuel Goldwyn, Louis B. Mayer, Hal Roach, Joseph M. Schenck, M. J. Siegel, Walter Wanger, Jack L. Warner and Cliff Work. Ballots for final voting will be mailed Feb. 10.

First Quarter Net For Universal May Reach $200,000

Universal was in the black for the first quarter of its current fiscal year, the year to date ending Nov. 1, to the tune of $200,000, showing a profit of $5,000,000 over the same period last year.

Chase Sells No Deal with Gordon On 2 'B'way Plays

Hollywood, Feb. 8—"No deal has been closed," this is George Schaefer's reply to an inquiry concerning reports that RKO had closed with Max Gordon, Sam Harris and Harry Goetz for purchase and filming of two Broadway plays, "The American Way" and "Abe Lincoln in Illinois." The latter play was produced by the Playwrights' Company.

"The American Way" is reputed to have cost more than $300,000 to produce.

Gordon has been mentioned as desiring of purchasing the Lincoln play and selling that play with "The American Way" for pictures under a plan whereby Gordon, himself, would go along with the transaction in a producer capacity.

This Gordon-Goetz plan had been proposed to several film firms, including RKO. Terms which were demanded by the Gordon group were considered too high by certain of these companies. Among the firms involved were Warners and Paramount.

Max Gordon had been associated with the RKO studios once before, for a short time only, in a special production capacity.

Creditors Receive RKO Confirmation

Order providing for confirmation by the Federal District Court of RKO's reorganization plan was sent to creditors of the company yesterday.

Despite the fact that the distribution of the orders meets the required three-day minimum notice which would permit signature of the order tomorrow by Federal Judge William Bondy, there is little expectancy of that happening until a later date.

Nominees of the principal creditors for membership on the reorganized company's board of directors will be presented to Judge Bondy at tomorrow's hearing. As reported in Motion Picture Daily yesterday along with the names of the leading nominees for the RKO directorate, the board will consist of 11 members named for two-year terms.

American Films Get Most Of Playing Time in India

American films get the bulk of the playing time in India's 1,000 theatres, but the Hindus resent their being depicted as villains, it is reported by Herbert H. Cooper, Calcutta film importer, who has arrived for business deals.

As an instance of the natives' growing national consciousness, when "Drums" played in Bombay, the masses were invited to demonstrate by carrying drums and cymbals. clipart population of the theatre were attacked. There was also widespread picketing.

Film business is prosperous in India, which is an undeveloped market for independent distributors, according to Cooper. American product is more

Rodgers Gets Proposals of Allied on Pact

Distributors' Counsel to Study Recommendations

Allied States' proposals on the Industry plan of self-regulation of trade practices were received in New York yesterday by William E. Rodgers, chairman of the distributors' negotiating committee. The proposals were prepared by Abram F. Myers, board chairman.

At the request of distributors' counsel, Myers undertook a revision of the arbitration provisions in the draft, including the principles and mechanics of arbitration and the field to be covered. Allied had demanded specific rules and regulations with an enforcement procedure.

Will Be Studied

Indications are that the proposals will be studied by attorneys for the distributors, who will report to the negotiations committee on them some time next week. No procedure beyond that immediate likelihood has been mapped out yet. However, it is assumed by distributors that executives that in the event the Allied proposals are practical and do not materially alter the basis of the plan already agreed upon with other exhibitor organizations, they could be added to the plan without further exhibitor-distributor negotiations.

If, on the other hand, they materially affected any understandings already reached by exhibitors and distributors, new negotiations would

(Continued on page 4)

Duties of Freeman, Le Baron Explained

Hollywood, Feb. 8—To dispel rumors concerning their respective positions at the Paramount studio, Y. Frank Freeman and William LeBaron made the following statements at a dinner to company executives here:

Freeman: "Production is a full-time job and it is not my job."

LeBaron: "There is absolutely no conflict between the position of Mr. Freeman and anyone else in the studio."

Other meetings of studio executives are planned for regular intervals in the studio cafe.
MOTION PICTURE DAILY

Thursday, February 9, 1939

Hollywood Satire Will Open Tonight

"Stars in Your Eyes," a musical comedy spoof of the screen, bow in tonight at the Majestic. The book is by J. P. McEvoy, with lyrics by Dorothea Field, and songs by Arthur Schwartz. Ethel Merman, Jimmy Durante, Tamara Toumanova, and Orchestra directors Mildred Natwick and others are in the cast. Joshua Logan directed and Dwight Deere Wiman produced.

Preferred Dividend Set by U.A. Circuit

Regular quarterly dividend of $1.25 a share on the five per cent preferred stock has been declared by United Artists Theatre Circuit, Inc., directors. The dividend is payable March 15 to stockholders of record March 1. The directors, in addition to the regular officers, as follows: Joseph M. Schneck, chairman of the board and president; Lee Shubert, president; F. E. Green, vice-president; and Walter P. Phillips, vice-president and treasurer; Bertram S. Nayfack, secretary, and A. M. Googer, comptroller.

Wilmington Catholics Take Decency Pledge

WILMINGTON, Del., Feb. 8—Catholics of the Diocese of Wilmington today made the Legion of Decency pledge to refuse to patronize films harmful to faith and morals orführung in the Catholic city church on Sunday. Priests who administered the pledge emphasized that 50 or more of the films at present are good pictures, providing clean entertainment.

Ask Disney Dismissal

Application will be made today to N. Y. Supreme Court Justice Ferdinand popular Workers' Trade Union Productions, Ltd., to dismiss a $300,000 damage suit against it and RCA Pictures, which was brought by Alana Caseiottti, who imported "Snow White" in the picture, "Snow White and the Seven Dwarfs."
AFTER A WIDE PRE-RELEASE THAT EMBRACED SITUATIONS SELECTED TO INCLUDE BIG CITY AND SMALL TOWN AND NATIONAL GEOGRAPHICAL DIFFERENCES, WARNER BROS. ARE PLEASED TO REPORT THAT 'WINGS OF THE NAVY' IS ACTUALLY OUTGROSSING 'FOUR DAUGHTERS'. REGULAR RELEASE THIS WEEK
**New York Previews**

**“King of the Turf”**

(Small-United Artists)

Here is a picture that will appeal to all, whether they are interested in horse racing or not. Adolph Menjou, as Jim Mason the trainer who drank himself from the top of the heap to the gutter, makes it an all-round picture, ably abetted by Roger Daniel, a 14-year-old, who will be heard from unless all signs fail. As Goldie, a runaway who loved horses more than his home in Westchester, Daniel brings Mason back on the scene with seven horses centering around the Gold Cup, which Goldie wins with Red Gold, Mason’s “two-buckle” horse.

Although racing is the theme, there is a deeper note, which, less ably handled than it was by the adept Menjou, would have been almost a sermon to runaway boys. It gives the other side of the picture, which the boy, seeing only the glory of his great adventure, does not see.

**“Navvy Secrets”**

(Monogram)

Monogram, like a number of other studios, follows the recent spy scare newspaper headlines and from printer’s ink artists a likeable story titled “Navvy Secrets.” Fay Wray and Grant Withers play the leads.

The spy ring is after the secret naval papers that disclose the construction of the navy’s latest range finder. Naval intelligence traces the leak in the navy’s plans to Jimmy, a petty officer, who is put in the brig.

Steve, of the intelligence division, played by Withers, is detailed to the case and meets Jimmy’s girl, whom he suspects of being in league with the spies. Enters romance and quite a bit of excitement, ultimately concluding with the capture of the coterie of spies.

It is run through until near the end the impression that Fay Wray is really one of the spies and not an intelligence officer, but if audiences are fooled that will be their fault.

Running time, 60 minutes. “G.”

*G* denotes general classification.

**Ready for Licensing Of Hollywood Agents**

Hollywood, Feb. 8.—The Artists Managers Guild and Screen Actors Guild have virtually completed negotiations for licensing of Hollywood agents and only one more point remains to be cleared, Bert Allenberg, executive secretary of A. M. G., said today. The controversial point in the 19-point program is length of contract. It is expected complete agreement will be worked out with return of Law- ders, Smith, and Torry, and Kenneth Thomson, S. A. G. secretary, from New York.

**‘Idiot’s Delight’ Gets $60,000 at Capitol**

“Idiot’s Delight” grossed an estimated $60,000 in its first week at the Capitol for one of the biggest weeks at the house in some time. It is definitely slated for a three-week run and may go four. At the Music Hall, “Gunga Din” drew an estimated $80- $90 in its second week and will be held for a third.

**Circuit Holds Meet**

Kansas City, Feb. 8.—Commonwealth Amusement Corp. is holding a two-day meeting of circuit managers at the Hotel President here today and tomorrow. C. A. Schultz, head of the company, is presiding.

**Settle 20th-Fox Strike**

Projectionists’ Local settled its dispute with 20th Century Fox yesterday, and the operators returned to work. Details of the settlement were not made known.

**Bank Night Upheld In Wisconsin Ruling**

Milwaukee, Feb. 8.—Police Chief Joseph T. Kuchlesky’s attempt to obtain warrants against 21 local theatres for violation of the bank night ordinance has been upheld in his suit in county court. Judge Harvey L. Neelen and another has given a suspended sentence upon his promise to discontinue the games.

**U.S. Films Get Most of Playing Time in India**

(Continued from page 1)

popular than English or Indian. The country has a well-developed film industry, with several studios in Bombay. The English films, which usually are heavy melodramas, often with a religious theme. A new law was passed that requires films shown in India to run 20 to 40 weeks at a theatre, but their distribution is limited. The Hindi movies, largely illiterate, are avid for length and may see a picture two or three times. They like slapstick, and Laurel and Hardy films are favorites. Both George O’Malley and Luise Rainer are popular.

Cooper heads the Herbert Cooper International Film Advertisers and agencies in Calcutta. He is confering with his New York representative, S. R. Konik, and is seeking independent product for the Indian market.

Joe Brandt Critically Ill**

Los Angeles, Feb. 8.—Joe Brandt, who underwent an operation for removal of a tumor, was reported in a critical condition late last night.
IS COMING!!

STAGECOACH
2 WOMEN ON A DESPERATE JOURNEY WITH 7 STRANGE MEN . . . . .

WALTER WANGER presents

STAGE

Dance-Hall Girl: Nothing mattered but a man she'd never seen before.

Convict: He gave himself up in order to be taken to Lordsburg, where three men waited to kill him.

Man of Mystery: A strange whim, something from the past...forced him to go on.

Doctor: It took 12 cups of coffee to sober him in time.
Wife: "We must go on. I've got to find my husband."

Marshal: Why did he release his prisoner?

Traveling Salesman: "I'm a married man... father of five... I insist we go back."

Banker: Why so careful of the little black bag?

Driver: He wanted to go home.
Here it is... a motion picture of real **GREATNESS**!

It answers the exhibitor's definition of greatness with box-office... the producer's definition with production perfection... and the public's definition with superb acting and **ONE SMASH CLIMAX AFTER ANOTHER**.

Preview reports, columnists' comments, the Hollywood grapevine already are spreading the word across the country that "Stagecoach" is as big as the plains... yet it has nine startling individual performances that will definitely create film history. In acting and action "Stagecoach" grips you and never lets you go. Many big pictures have just missed greatness by a split second... "STAGECOACH" HITS IT RIGHT ON THE BUTTON!

**STAGECOACH**

A WALTER WANGER Production • Directed by JOHN FORD (Director of "Hurricane" and "The Informer")

with CLAIRE TREVOR • JOHN WAYNE

Andy DEVINE • John CARRADINE • Thomas MITCHELL • Louise PLATT • George BANCROFT • Donald MEEK • Berton CHURCHILL • Tim HOLT

RELEASED THRU UNITED ARTISTS
Out Hollywood Way

Hollywood, Feb. 8.—Twentieth Century-Fox, which the Ritz Brothers have made up, and the Ritzes have reported for work in “The Gorilla”....

Scott, the lad, is now a film star according to the script. He has more pictures on his old deal to do before the new contract goes into effect.

Walt Disney has also signed a new contract with Paramount. He is working in “Beau Geste” at present.

A Los Angeles produce company has purchased “Our Little Girl,” original story by Robert Brew and Gladys Atwater... for the first time, Mickey Rooney will be in a picture produced by Lucien Hubbard and planned for release by the company in 1940.

THE HORGAN V. LEWIS STORY

LITTLE INDIANA—(2/35) 7 days Gross: $3,000.

RIVERSIDE—(2/5) 7 days Gross: $9,500.

Play Price Cuts in Phila. Film Threat

Philadelpia, Feb. 8.—Film house operators are discussing a new form of competition from the legitimate theatres, two of which recently have adopted a $1 top policy all over the house. The two operators in first, first-serve basis.

When the stunt was tried two weeks ago at the Loewistown, it was said to be a mere box-office stunt. The following Monday the Loewistown adopted the practice at the Forrest.

Further competition loomed with the Federal Theatre, now producing at the Walnut, reducing the box-office top from $1,500 to $75 cents. If the lower prices become the rule, showmen stand for an effect on down-town film trade.

James $12,000 In Indianapolis

INDIANAPOLIS, Feb. 8.—“Jesse James” was a smash at the Indiana with $12,000. Ted Wescos Band on the stage and “King of the Underworld” in a strong $12,000 at the Lyric. “They Made Me a Criminal,” dapulted with “Mickey Blake and Chantatan” at the Circle, took $5,000.

Estimated takings for the week ending Feb. 2:—

**Pacific Lione** (RKO) **Fighting Thoroughbreds** (Rep.) APOLLO—(4/19) (25c-40c) 7 days Gross: $2,000. (Average, $286)

**Torchy Blake in Chinatown** (W.B.) **They Made Me a Criminal** (Dir.) CIRCLE—(25c-50c) 7 days Gross: $2,300. (Average, $328)

**Jesse James** (Fox) INDIANA—(1,500) 7 days Gross: $2,000. (Average, $333)

**Duke of West Point** (U.A.) **There’s That Woman Again** (Col.) LOEW’S—(25c-40c) 7 days Gross: $2,000. (Average, $286)

**King of the Underworld** (W.B.) **Busters and the Law** (Rep.) STAGE: Ted Wescos band plus vaudeville. Gross: $1,500. (Average, $214)

Du-Art Suit Settled

Suit for $1,000,000 damages brought against Universal and American by Anthony Velez against Consolidated Film Industries, Inc., has been settled before Federal Judge Harold D. Burale. Terms of settlement were not revealed. Complaint had alleged that Universal had been induced to buy its contract with Du-Art and Gottlieb.

Music Picture Daily

Thursday, February 9, 1939

Milwaukee spends $9,500 to Watch Jesse James Ride

MILWAUKEE, Feb. 8.—“Jesse James” was the week’s best bet with $9,500 at Fox’s Wisconsin. Only other voice to speak was the Riverboat, where the “Strange Case of Dr. Meade” and Stanley Mohr, local lad, on the stage, grossed $6,000.

The Lyric was in the dark for two weeks for installation of sound equipment, grossed $3,000 with “Pagliacci.”

Estimated takings for the week ending Feb. 13:—

**Thanks for Everything** (RKO) **Debarrus** (Para.)

PALACE—(50c-55c) 6 days Gross: $4,000. (Average, $667)

**Jesse James** (20th-Fox) WISCONSIN—(5/30) (35c-50c) 7 days Gross: $9,500. (Average, $1,357)

**Pagliacci** (G. B.) LITTLE THEATRE—(1/09) 7 days Gross: $3,000. (Average, $429)

**Strange Case Dr. Meade** (Col.) RIVERSIDE—(2/30) (35c-40c) 7 days Gross: $4,500.

**Stand Up and Fight** (M-G-M) **Dramatic School** (I.M. & M) STRAND—(1/40) (35c-45c) 6 days Gross: $12,000. (Average, $2,000)

**Topper Takes a Trip** (U. A.)

DEPOT—(1/35) 7 days Gross: $9,300. (Average, $1,300)

**They Made Me a Criminal** (W. B.) WARNER—(1/40) 7 days Gross: $4,500. (Average, $643)

Chase Sells 14,600 Shares of 20th-Fox

WASHINGTON, Feb. 8.—Disposition by the Chase National Bank of 14,600 shares of its 20th Century-Fox common stock is holding in escrow, in a series of transactions through December, has been reported by the Securities and Exchange Commission in its semi-monthly summary.

At the close of the day the bank reported 22,128 shares of common and 671,916 shares of 20th Century-Fox preferred.

The only further film stock transactions reported in the first of two summaries for December were the disposition of 100 shares of Loew’s common stock, purchased by Red Fox Smith, director, reducing his holdings to 200 shares, and the disposition of 400 shares of Trans-Lux Corp, common by Robert L. Gordon, New York, director, who still retains 500 shares at the end of the year.

Newsmen's Weekly

-Paris Honeymoon' Leads in Seattle, Grossing $7,600

SEATTLE, Feb. 8.—“Parish Honeymoon” and “Tarnished Angel” at the Paramount was the leader here with $7,600 at the Fifth Avenue, and “Dark Rapture,” dubbed with “Little Orphan Annie” at the Palomar, with a good $7,500. Weather was generally cold and rainy.

Estimated takings for the week ending Feb. 2:—

**Trade Winds** (U. A.) **Say It in French** (Para.)

I.T.O.A.—(30c-40c-50c) 7 days Gross: $7,500. (Average, $1,143)

**I. O. A.** (M-G-M) **While You Were Sleeping** (20th-Fox)

FIFTH AVENUE—(2/00) (35c-45c-50c) 7 days Gross: $7,500. (Average, $1,071)

**The Little Adventuresses** (Col.) LAFAYETTE—(2/00) (35c-45c-50c) 7 days Gross: $3,550. (Average, $507)

**Going Places** (Paramount) **King of Alcatraz** (Para.)

PACIFIC LION—(50c) 7 days Gross: $3,000. (Average, $428)

**Paris Honeymoon** (Para.) **Parish Honeymoon**

PARAMOUNT—(4/5) (35c-40c) 7 days Gross: $7,600. (Average, $1,086)

‘Idiot’s Delight’ At $12,000 Sets Fast Detroit Pace

DETROIT, Feb. 8.—Heavy snow cut box-office takes here, but “Jesse James” at the Fox, in its second week, was still doing well, with $2,500 over showings in the past week. The United Artists did nicely, taking $12,000 with “Idiot’s Delight.” The Michigan took $10,000 with a dual bill of “Boy Sunday and the Lady” and “Ambush.” At the Palms-State, “Stand Up and Fight” and “Federal Man Hunt” drew $14,600.

Estimated takings for the week ending Feb. 2:—

**Pacific Line** (RKO) **Anabel Takes a Tour** (RKO)

ADAMS—(1/15) 7 days Gross: $10,000. (Average, $1,429)

**Jesse James** (20th-Fox) LAFAYETTE—(2/00) 7 days Gross: $14,600. (Average, $2,157)

**Stand Up and Fight** (M-G-M) LAFAYETTE—(2/00) 7 days Gross: $7,500. (Average, $1,071)

**Tarnished Angel** (Para.) PALOMAR—(4/5) 7 days Gross: $3,000. (Average, $428)

**The Little Adventuresses** (Col.) LAFAYETTE—(2/00) 7 days Gross: $3,550. (Average, $507)

Norma Shearer on Air

Norma Shearer, who appears infrequently on the air, has been obtained by J. Walter Thompson for an appearance on a forthcoming Lux Radio Theatre dramatization. Story of The Great Gatsby is to be her appearance remain to be decided.
Edington Plans 4 Annually for “U”

Harry Edington plans to produce four pictures annually for the next 10 years for Universal release, he stated yesterday.

He has organized Famous Pictures as his producing company and all of its activities will be centered on the Universal lot. “Atlantic Cable” will be the first production to go into work. A script is now being prepared by Desmond Clift in London and production is scheduled to start about May 1.

Two original stories, “Paris Streets,” a romance of the Latin Quarter, and a South Sea Island drama, will follow. Edington will be in New York for another week to look at current Broadway plays and to interview talent. He said that he had given “no thought” yet to casting any of his productions, the first of which will be for release next fall.

**Hollywood Preview**

“The Three Musketeers” (20th Century-Fox) Hollywood, Feb. 8—“The Three Musketeers,” by Alexander Dumas, has been made into a motion picture several times, but never like this. Taking the original characters, and adding some of its own, 20th Century-Fox has placed the theme in the time of Louis XIII, with Don Ameche, Bonnies Barnes, Lionel Atwill, Gloria Stuart, Paul Moore, Joseph Schildkraut, John Carradine and others and present “a musical comedy version.” The result is a hilarious conglomeration of antics, based mostly on the Ritzes, which had the preview audience completely unpressed.

Don Ameche as D’Artagnan and the Ritzes as three lackeys steal the uniform of the three musketeers contribute performances entirely in keeping with the mood of the piece. There is suspense, and action aplenty, however, and the burlesque of the Dumas classic is an excellent peg on which to hang an exploitation campaign.

The screenplay was written by M. M. Musselman, William A. Drake and Sam Helmman, with Sid Muller and Ray Goldin contributing special material, Allan Dwan directed, under associate producer Raymond Griffith.

Getting the real musketeers drunk, the Ritzes steal their clothes and aid Ameche in his adventures of saving the Queen of France from embarrassment at the hands of Cardinal Richelieu. The plot is carried out in musical comedy fashion, with heavy accent on the burlesque.

Running time, 72 minutes. G.*

*G* denotes general classification.

**Brando Calls Meet To Talk Legislation**

Industry representatives have been called to a meeting by Harry Brandt, I.T.O.A. president, to discuss the legislative situation in New York State.

The meeting was to be held yesterday in Brandt’s office in the Globe Theatre Building, but was deferred, probably until next week, because of the illness of J. H. Walters, I.K.O attorney. It is understood an attempt will be made to consolidate forces to combat adverse legislation.

Those invited are: Bernard S. Barr, attorney and I.T.O.A. member; Harry G. Koch, New York Allied counsel; Mevin Albert of counsel to the I.T.O.A.; Clark Brown, Paramount attorney; Al Burns, Century circuit; Louis Frisch, Randicorce; Leopold Friedman, Loew’s general attorney; Willard Patterson, Warners; C. C. Pettit, general counsel of the R.K.O. offices; A. Gordon Reid, Fabian circuit; George Smouss and Louis Weber, attorney for S.K.O.; S. Sloan, manager; Sam Stein, Cocalis circuit, Norman Steinberg, 20th Cent.-Fox attorney.

**20th-Fox Manager Heard in B&K Suit**

CHICAGO, Feb. 8—Plaintiffs in the anti-trust suit against B. & K. and the distributors here today took depositions from Clyde W. Eckhart, vice president of 20th-Fox, and branch manager, before Charles McDonald, master in chancery.

The examination was routine and concerned the 20th Century-Fox deals and the way clearance schedules were set up. Due to the illness of Joseph Rosenberg, counsel for the plaintiff independents, postponement will be sought Friday when a hearing is scheduled by Judge Willkerson. Taking depositions will continue after the hearing.

**Ampa Luncheon Today**

Paul Lazarus, Jr., will preside at the Ampa luncheon today in the absence of Ralph Rolan, president, who is in New Orleans. Harry Rose, Jane Craig,3 Molly Picone, Russell Patterson and Jean Rodney will be the guests.

**Declare Roxy Dividend**

Board of directors of Roxy Theatre, Inc., has declared a quarterly dividend of 37 1/2% cents per share on the outstanding preferred stock, payable March 1, 1939, to stockholders of record Feb. 15.

**Form Theatre Company**

DOVER Del., Feb. 8—First National Theatres Corp. has been formed here to engage in the business of theatre proprietors. The company listed capital of 1,000 shares of no par value.

**Rhoden’s Father Dies**

KANSAS CITY, Feb. 8—Funeral services for C. A. Rhoden, father of Elmer C. Rhoden, president of Fox Midwest Theatres, Inc., were held yesterday in Omaha. He was 79.

**Studios Now Have 38 Films Shooting**

Hollywood, Feb. 8—Thirty-eight pictures, before the cameras this week, as 11 started and nine finished. Twenty-three are in preparation, and five are being edited.


Columbia and M-G-M each is shooting one short. Four were finished. Three are being prepared, and 14 are being edited.

**Electrical Research Reduction Permitted**

DOVER, Del., Feb. 8—Certificate of reduction of capital from $5,000,000 to $1,000,000 of Electric Products, Inc., has been issued by the Secretary of State at the request of T. Kennedy Stevenson, president. The reduction returns $4,000,000 from capital to surplus and restores the capital set up which existed prior to Feb. 1929.

**Report Free State Plans Film Subsidy**

London, Feb. 8.—Irish Free State Government is considered a film quota state subsidy by production. The Department of Industry and Commerce and an Irish exhibitors group, has sent to compile a memorandum to aid the Government’s study of the situation.

The Minister of Industry and Commerce has been sympathetic toward the formation of an Irish production industry.
Typical Eastman RELIABILITY

EASTMAN Plus-X for general studio work
...Super-XX for all difficult exposures...
Background-X for backgrounds and all-round exterior work.... All three of these new negative films have special features suited to their particular fields... plus the typical Eastman reliability that has served the industry so well in the past. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago. Hollywood.)

EASTMAN Plus-X...
Super-XX... Background-X
Mutual’s Net Profit in ’38
Was $24,710

Washington, Feb. 8—Mutual Broadcasting System, having last year had a gross revenue of $2,272,661 and, at the end of the year, a balance above expenditures of $24,710, the F.C.C. Accounting Committee was told today by Miles E. Lamphier, auditor.

Completing the presentation of statistical evidence, Lamphier said that the affiliated stations taking Mutual commercial programs get back an average of 45 per cent of their card rates, which figures at 60 per cent before agency commissions.

Mutual salesmen get most of the money paid by affiliated stations, receiving two of the three and one-half per cent which the stations contribute, in addition to their salaries.

The committee tomorrow will delve into the operating practices of the network, to be explained by Fred Weber, general manager.

Chicago Hotels to Pay Broadcast Fee

Chicago, Feb. 8.—After a bitter battle of more than a year, A. S. Kerckhoven, managing director of the Drake and the Blackstone Hotels, has decided to pay the $100 weekly charge demanded by the broadcasting stations and will permit bands in his hotels.

This move is the first in some months on the part of a downtown hotel to agree to pay the $100 weekly charge made for broadcasting. Other hotels are expected to follow suit shortly. The outlet for the Drake and the Blackstone will be over WBBM-CBS.

NBC to Hold Coast Television to L. A.

San Francisco, Feb. 8.—NBC will confine its television experiments on the Pacific Coast to the Los Angeles area, and is not now contemplating television tests here, according to Don Gilman, NBC’s vice-president in charge of the Pacific Coast, in ad-

Offer Schedule
Sample programs of “People, Just People,” the new series featuring Zora Beckley in chats about famous personalities, will be sent to approximately 400 stations within the next few weeks. A preview of the series is transmitted by Radio Productions, Inc., was given in New York yesterday.

Stirling in NBC Post
James Stirling, of the NBC offices here, has been appointed head of the Artista Bureau of the Central Division of NBC in Chicago, starting Feb. 12.

WMCA and Warner In Patriotic Series

WMCA has completed a deal with Warner’s Hollywood station, KFWB, for interchange of programs of a design that strike at the infiltration of Fascist propaganda in the United States. At WMCA, it was frankly admitted that the interchange of programs has no other purpose—other than as propaganda of Americanism.

Over KFWB, Warner has been presenting a series titled “America the Strong,” and screen stars playing the principal parts. The series will be aired in New York by special recordings, over WMCA and other stations in the Northeast and South America over its experimental international transmitter W2XQO.

In exchange, WMCA will give WBXK, the recordings of programs the station produces here, the next series titled “Persecution Must End.”

FCC Calendar

Washington, Feb. 8.—Federal Communications Commission has or-
dred hearings held in consoli-
dations of KROH, Reno, Nev., for change of frequency from 1,380 to 1,370 kilocycles and increase in power from 500 to 1,000 watts; WREX, Lawrence, Kan., for authority to move to Kansas City, Mo., with transmitter seconding of KFWB, WJNO, West Palm Beach, Fla., for increase of night power from 100 to 550 watts; WCSS, Charleston, S. C., for increase of night power from 500 to 1,000 watts, and KROY, Sacramento, for extension of time from day to day.

The Federal Communications Commission also has assigned tentative hearings on broadcasting matters, as follows:

Feb. 20: Applications of Alhambra Broadcasting Co., for a 1,370-kilocycle station at Elizabeth, N. J., with 100 watts power night, 250 watts day, and WCLC, Nashville, for increase of night power.

March 14: Applications of Cooper County Broadcasting Co., for a 1,370-kilocycle station at Hazlemont, Mich., with 100 watts night, 250 watts day; Enrique Abarca Sanfeliz for a 550-
kilocycle station at San Juan, P. R., and WIVM, Wallenette, Mich., for extension of time from specified hours to unlimited.

March 24: Applications of Birney Broadcasting Co., for a 500-kilocycle station at Columbus, Miss., with 100 watts night, 250 watts day.

March 27: Applications of Spartanburg Advertising Co., for a 1,370-
kilocycle station at Spartanburg, S. C., with 100 watts night, 100 watts day; and WSUI, Iowa City, Iowa, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 3,000 watts day.

March 28: Applications of Lawrence & J. Heller for a 1,300-kilocycle station at Washington, with 100 watts night, 250 watts day, and WBFJ, Altoona, Pa., for extension of time from sharing to unshared.

To Revoke WLW’s Permit on March 1

Washington, Feb. 8.—The F.C.C. has scheduled March 1 as the date for the revocation of WLW’s 500,000-watt experimental permit.

In issuing its formal opinion and order in the case, the FCC said that the station needs no permit to carry out its program of experimentation, Q, much of that program does not fall within the radio frequencies which the FCC has said are to be withdrawn. WLW’s “United States” program is to be continued.

The present case was precipitated Jan. 20, last, when the Commission ordered action for revocation pending the station’s application for amendment of regulations limiting maximum power to 50 kilowatts in order to obtain a 50-kilowatt license for 500-kilowatt operation.

CBS Net for 1938
Put at $3,541,700

Preliminary consolidated income statement of CBS for the year 1938 shows a net profit for the period of $4,279,000, or a net profit of $4,279,000 for the 12 months of 1938.

Network’s gross income from time sales for 1938 amounted to $77,345,985, contributed by 83 firms sponsoring programs over its facilities and by 20 members of political campaign organizations.

The board of directors of the network yesterday declared a quarterly cash dividend of 25 cents per share on the present Class A and Class B stock at $2.50 par value. The dividend will be paid to stockholders of record as of Feb. 24, 1939.

Paley Sale of CBS Stock Is Reported

Washington, Feb. 8.—Disposal in December of 5,000 shares of Colum-
bia Broadcasting System Class B stock by Samuel Paley, Philadelphia, director, and similar disposition of 200 shares of the same stock by William S. Paley, board chairman of CBS, was reported today by the Securities and Exchange Commission.

At the close of trading Friday, the CBS report to the commission showed, Samuel Paley held 12,000 shares of Class A and 5,000 shares of Class B stock and William S. Paley held 20,000 shares of Class A and 34,526 shares of Class B direct and 81,700 shares of Class A through a holding company.

H owe to Air Lytell Program Nationally

Lewis Howe Co., which for a number of months has been sponsoring a series heard locally over WJZ only, has announced for a series heard nationally over a hook-up of 42 stations of the Blue network. The effective date for the spot start is Feb. 17. H. W. Kastor is the agency.

3 New Programs Signed for WABC

Three new programs have been sold for sponsorship on WABC. Bosco Co. will sponsor a weekly series at 9:30 a.m. Mondays and Saturdays; Blue Sox Sar Coop, starting Feb. 28, will sponsor Nat Allen in a sports series Tuesdays, Thursdays and Saturdays at 6:15 P.M., and Community Opinion Co. will sponsor a "Montana Slim" in a Monday, Wednesday and Friday stint at 9:15 A.M.
Burhorr, Limerick Are Quigley Award Winners for 1938

John Burhorr, manager of the Gayety Theatre, South Chicago, a unit of the Indiana-Illinois circuit, was awarded the Silver Award Plaque in the 1938 competition for the Quigley Grand Awards, given annually for exploitation excellence by the Managers' Round Table of Motion Picture Industry.

The 29 industry executives who acted as judges in the contest awarded the first, second and fourth quarters of the Plaque in Class "D" for the first quarter, plus the Citation of Merit. Limerick's award record included the Silver Plaque in Class "D" for the first quarter, plus the Citation of Merit for the best entry regardless of classification in that quarter, while serving as manager of the Yale, Ceburne, Texas, also a Griffith unit. In his present post, Limerick won the First Mention in the third quarter and the Citation of Merit in the fourth.

This marks the second time in the Awards history that the Indiana-Illinois...

Jane Cowl, Billy Rose Pay Tribute to "Film Geniuses"

"Film genius"--and especially the industry's exploitation branch--received a pat on the back from two persons in other divisions of show business at the Ampa luncheon at the Astor yesterday.

Jane Cowl, stage actress, said she wished the legitimate theatre were blessed "with some of your brains." Billy Rose--"the world's greatest showman"--declared that when it comes to showmanship the film industry can give Broadwayards and spades. Both said they had received Hollywood offers, "without too much pressure."

Introduced by Paul Lazarus, Jr., Ampa vice-president, Miss Cowl described the American theatre as the most vital in the world, "not excepting Soviet Russia." She thinks the drama should deal with social commentary, but admitted she is "politically minded."

"The Informer" is the greatest picture I have seen, and films like that approach what the theatre is trying to do," she said. "Such films offer competition to the stage. But the screen still has far to go to push the theatre out."

Rose described film press agents as "direct descendants of Barnum," more versatile, than the night club and theatre exploiters.

"I don't want to go to Hollywood because I don't want to tip my mitre," he declared. "Most of the plays on Broadway are, shoddy, produced by men who don't know their business. Hollywood has the greatest show minds anywhere.

Jean Rodney, production director of "Outward Bound," talked about the company's "command performance" before President Roosevelt in Washingto...
**Insiders’ Outlook**

**By SAM SHAIN**

**THE Internal Revenue Department is checking into the methods of buying and selling of the 1936 and 1937 heavyweight championship fights.**

We understand that George Bernard Shaw has written to Gabriel Pascal that the bard’s film career depends upon the producer.

Certainly that can be called bestowing the royal palm. Pascal himself is a person who wants to retain his artistic freedom—and he says:

“I could never make a good picture if I had a long term commitment. I could never tie myself down to Hollywood’s factory system.”

Producers and distributors may claim they dislike the star rating of pictures, such as is used by the N.Y. Daily News.

However, after every opening, the telephone lines to Kate Cameron, chief critic of the News, and her associates, always buzz with calls from nervous publicists who are eager to know in advance of publication what rating their particular picture has been given.

Of the “six best” films in January, the News critic granted the four-star rating to five. The one on “Diving Bell and the Wind.”

This picture got three and a half stars. The five four-star films were “Gunga Din,” “Jesse James,” “The Great Man,” “Heart of Paris” and “The Green Hell.”

“Get off the earth!”

It is the fiendish cry of the dictators to 9,000,000 men, women and babies, of all creeds and races — the victimization of communism and Nazism to 20th Century civilization. These victims of bigotry and oppression are violently dispersed for crimes they did not commit, and they are left to wander over the world without anchorage of citizenship. Where can they go?

Sam Sax, of Warner Bros., has compiled a series of clips into a significant subject which will be rescued from this problem, sympathetically and with dignity. It is a short which is in keeping with the U.S. spirit — with freedom and Americanism. Well edited and with fitting comment by Dwight Weist is worthy of any screen. A song, “My New Homeland,” by Irving Caesar and Joe Edwards, hymns the hope of a brighter day for the wanderers.

**Single Bills Begin**

At Leow’s Ziegfeld

Single bills policy made its bow at Loew’s Ziegfeld yesterday with “Trade Winds.” Gilbert Marke, manager, said business was better than usual and patrons’ comment favorable.

The current bill will be followed by “Dawn Patrol” on Tuesday for two days. “Red Skies” is a Western pictuure, and the next two pictures will go into the Ziegfeld as second runs in the zone, following the RKO pictures.

One Night price was reduced yesterday from 50 cents to 40 cents, with loge remaining 55 cents.

**N.H. Exhibitors to Meet on Bingo Bill**

New Haven, Feb. 9—Exhibitors will hold a general meeting at the Hotel Garde on Tuesday for the purpose of discussing the “charity” Bingo bill which is assigned for hearing in Hartford next Thursday. The meeting will be open to all.

Organizations are attempting to legalize Bingo for sociable charitable purposes. A such bill would restrict the amount of prizes for any given evening, while another would substitute merchandise for cash.

**The Newsreel Parade**

World-wide events, Spanish refugees arriving in France, a forest fire in Australia and graduation ceremonies in Buenos Aires are subjects of the newsreels this week, plus the issue of the newsreels. The reels and their contents follow:


Entered as second class matter Sept. 2, 1913, 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.

Col. Dedicates Drive To Its Foreign Staff

Columbia has designated its annual sales drive as the International Personal Testimonial Campaign and dedicated it to its foreign personnel. The campaign started Feb. 27 and continues through the week ending May 27.

Three separate division units have been formed. There are European vision, comprising England and the continent, with Joseph Friedman at its head; the Asia-Pacific comprising Australia and the Orient, with Cecil Mason and J. B. Albeck at its head, and the Latin American Division, comprising all Central and South America, with Charles Roberts at its head.

The office home committee with J. A. McConville, foreign manager, as chairman, includes Arnold M. Pickler, Cecil Segal, Joseph H. Lerner, Golden Alder, S. Hyer, Rivero and Clarence J. Schneider, who will coordinate the activities of the various branches and divisions in the campaign.

Granger Off Today For Atlanta Meeting

J. R. Granger, president of Republic Pictures, leaves at noon today for Atlanta, to attend a sales meeting there scheduled for over the weekend. Granger recently attended similar meetings at Pittsburgh, Toronto and Detroit. He is expected to return to New York by Wednesday.

NY Allied Grievance Board Meetings Set

New York Allied’s regional grievance board in Albany will meet the first Monday of each month. The next meeting is March 6. Mitchell Conrey of Ravena presides at the sessions. Elmer Keeler, the board’s executive secretary, will attend a meeting at the Buffalo unit on Monday.

Mrs. Scott Rites Today

Mrs. Dena Scott, widow of Harry Scott, died Wednesday. The funeral will be held privately at the Walter B. Cooke Funeral Parlors today.

**MOTION PICTURE DAILY**

(Registered U.S. Patent Office)"
IT'S FUN TO BREAK RECORDS!

"IDIOT'S DELIGHT" did it at the Sheridan, Miami. Broke every mark in the history of the house!

AND at the 5000-seat Capitol, N. Y., it's the best since "Maytime," 2 years ago. (looks like four big weeks here)

AND a bonanza everywhere, holding over, delighting the fans! (another friendly hit from M-G-M, the friendly company)

AND TURN THE PAGE FOR MORE GOOD NEWS!

ALL PRAISE TO:
NORMA SHEARER as the shady lady from Omaha, CLARK GABLE as the devil-may-care song and dance man in CLARENCE BROWN's production with Edward ARNOLD - Chas. COBURN - Joseph SCHILDKRAUT Screen Play by Robert E. Sherwood - Produced by Hunt Stromberg Based on the Theatre Guild Stage Hit and Pulitzer Prize Play.
Bonds to Receive Nominees for New RKO Board Today

RKO creditors' nominees for the board of directors of the reorganized company will be presented for Federal court approval at the hearing before Federal Judge William Bondy this afternoon.

While some last-minute changes in the list of nominees are possible, logical selections for the creditors' nominees earlier in Motion Picture Daily, including George J. Schaefer and Ned E. Depinet, presiding judge of the United States Bankruptcy Court, James G. Harbord and Lunsford P. Yandell of RCA; W. G. Van Schmus and Dr. Beardsley Rumil of Rockefeller Center; Floyd B. Odum, Peter J. Rathvon and Walter Peterson of Atlas Corp.; Fred Ehrman of Lehman Bros., and L. Lawrence Green, attorney, representing unsecured creditors.

The possible last-minute changes may be minor. Both Mr. Schaefer and S. Boyd Hatch of Atlas Corp., inasmuch as those two are represented as not having given definite assurances that they will serve. Other possible changes are the addition to the board of Charles L. Stillman, treasurer of Turner Bros.; the addition of George Stillman, but by Rumil by Howard Robertson. Aside from these three possibilities, however, no changes in the proposed membership of the new board are anticipated in reorganization circles.

Confirmation of the plan of reorganization will be given by Judge Bondy at today's hearing, although the court may indicate orally that the plan will be confined within a reasonable length of time. Likewise, Atlas Corp. will not submit the proposed terms of its agreement to underwrite $1,500,000 of new RKO common to the court until later, presumably not until after the plan has been confirmed.

Women Fliers See 'Tail Spin' Preview

Ninety Niners Club, an organization of women fliers, were guests of honor at a dinner and preview screening of 'Tail Spin' at the Waldorf-Astoria last week. The Guests, who flew across the country delivering prints were also present. Several of the aviators, including Charles M. Carthy, 20th Century-Fox advertising and publicity director, acted as hostesses.

Approximately 300 army and navy officials, aviators, and newspapermen attended. The dinner climaxed a series of picture flights across the country as the fliers delivered prints of 'Tail Spin' en route.

'Wings of Navy' Gets $48,000 at Strand

"Wings of the Navy" finished its first week at the Strand with an estimated $48,000 at the box office. The week's takings, according to the boxoffice, amounted $40,000 after expenses. The gross for the Strand was approximately $25,000. "Tail Spin" opens today.

"One Third of a Nation" will have its second premiere at the Rivoli tonight. The week's success of "Pygmalion" at the Astor drew an estimated $12,500.

Cremieux-Javal Here On Acoustic Action

Jan Cremieux-Javal, a director of British Acoustic Films, Ltd., arrived last night on the Queen Mary to testify in the company's patent infringement actions against RCA Mfg. Co. and Ergonol. Trial is scheduled to start in U.S. District Court in Wilmington on Tuesday.

Also here as a witness for the plaintiff is Arnold Poulson of Copenhagen, one of the inventors of which is the episode of the trial. It will be advisory and its first function will be to survey the motion picture situations and companies for films used both home and abroad. It is understood that films will be made to illustrate development of Canadian activities. Government film distribution would be centralized.

Burhorm, Limerick Win Quigley Awards

(Continued from page 1)

Nois circuit and Griffith Amusement have been represented in the Grand Awards.

The 29 judges of the contest's entries included: Al Adams, Republic; Maurice A. Bergman, Columbia; Harry Duce, Warner Bros.; John LeRoy Johnson; Donald Loew's; Lynn Farnol, U. A.; Ed Fay, Fay Theatres; Harry Gold-berg, Warner Theatres; Monroe A. J. A.; John LeRoy Johnson; Wanger; Morris Kinder; Irving Lesser, Royst; Louis Lipton, Century-Fox; Charles E. McCarthy; 20th Century-Fox; Frank J. Mc- Cunnall, Universal; S. Barrett McCornick, RKO; Harry Mandel, RKO; Alec X. Fanta, Indiana-lllinois Theatres; Arthur L. Mayer, Rialto; Dan Michalove, National Theatres; Alex Milgram; Leon D. Net- ton; Paramount; John J. O'Connor, RKO; Louis Pollock, Universal; Si Sadel, M-G-M; Milton Silver, National Theatres; George J. Walsh, Netco Theatres; George W. Weeks, Monogram; Gordon S. White, Grand National; Herman Wobber, 20th Century-Fox.

Stirn Asks Hearing On RKO Objections

Ernest W. Stirn, holder of 1,234 shares of 20th Century-Fox Class A common stock of RKO, yesterday filed in the U.S. District Court a notice to the Irving Trust Co. of his objections to the filing of any claims with it by secured creditors and stockholders of RKO after Sept. 28, 1934, and petitioned the court for a summary hearing of his objections.

Tully Must File Data

Federal Judge Murray Habbert yesterday directed Jim Tully to file a detailed statement of his complaint against RKO pictures with Odessa Production Inc. and William K. Howard. Tully seeks $50,000, charging wrongful use of his name to make the motion picture, "Home Town."

Injunction Granted

Failure to file in the blanks after the words, "Clearance-Run," on the exhibition agreement and reliance instead on the words "as available," will result in an injunction award in the Queens County Supreme Court. Yesterday, Supreme Court Justice Daily granted an injunction to Jugo Amuse- ments, Inc, operator of the Polk, Jackson Heights, L. I., against 20th Century-Fox to restrain the latter from showing and advertising, "Tulip Festival," a film in favor of the Colony, operated by Ev- adne, Inc. (Harry Brandt). Question of a permanent injunction will be decided at trial which was set for March 6.

GN Production Plans Rusted; 2 Hold Out

(Continued from page 4)

recently finished "Exile Express." Goldstone is refusing to turn over the negative and prints because of differ- ences over contracts. Frenke, since previewing the Sten picture last week has refused to turn prints and nega- tives over to Goldstone.

Jack Skirball, production head of G. N., is planning to put into produc- tion three pictures before March 15, be they: "So This Is Prosperity" and "Just Like Robh Hool." The third is untitled. Skir- ball, head of red Arcadia Pictures, headed by Norman Haskell, would make "Everything Happens to Ann," "Miracle on Main Street" and an untitled western by March 15.

Goldstone's difficulty with G. N. may be ironed out amicably this week through conference of attorneys with Sam Wolf representing the producer. However, on the Frenke deal it is reported the producer is seeking a new outlet for his picture.
A new movement is sweeping the country and it’s oh so nice!
It’s a movement in the right direction—to the box-office!
First engagements of “Honolulu” are great. Everywhere!
“Honolulu” talks a showman’s language, down-to-earth entertainment, lively with music, gags and gals. (It even beat a 5-year record in Honolulu itself!)
<table>
<thead>
<tr>
<th>Date</th>
<th>Film Title</th>
<th>Studio</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>
<th>ED.—G. N.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 6</td>
<td>Homicide</td>
<td>Bruce Cabot</td>
<td>Fighting</td>
<td>Stand Up and Fight (D)</td>
<td>Robert Taylor</td>
<td>Wallace Beery</td>
<td>Florence Rice</td>
<td>Disbarred (G)</td>
<td>Ralph Byrd (R)</td>
<td>Mary Carlile (R)</td>
<td>Pacific Liner</td>
<td>Michael Whalen</td>
<td>Devil's Island (G)</td>
</tr>
<tr>
<td>Jan. 13</td>
<td>The Thundering West (O)</td>
<td>Robert Taylor</td>
<td>Mysterious Miss X (G)</td>
<td>Convict's Code (A)</td>
<td>Robert Kent</td>
<td>Darryl F. Zanuck</td>
<td>Zaza (A)</td>
<td>Colbert Marshall</td>
<td>Bert Lahr (R)</td>
<td>The Great Man Votes (D)</td>
<td>Sidney Toler (R)</td>
<td>Son of Frankenstein (G)</td>
<td>John Garfield</td>
</tr>
<tr>
<td>Jan. 20</td>
<td>Frontiers of '49 (O)</td>
<td>William Boyd</td>
<td>Pride of the Navy (G)</td>
<td>Paris</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Jesse James (D)</td>
<td>Tyrone Power</td>
<td>Power Rangers (G)</td>
<td>King of the Underworld (G)</td>
<td>Kay Francis</td>
</tr>
<tr>
<td>Jan. 27</td>
<td>Lone Wolf Spy Hunt (D)</td>
<td>Warren William</td>
<td>The Arizona Wildcat (G)</td>
<td>Honolulu (G)</td>
<td>Eleanor Powell</td>
<td>Robert Young</td>
<td>Bette Davis</td>
<td>Bobby Brown</td>
<td>Henry Armetta (R)</td>
<td>The Arizona Vagabond (O)</td>
<td>Leo Carrillo</td>
<td>Pirates of the Skies (G)</td>
<td>Tashen Wilson</td>
</tr>
<tr>
<td>Feb. 3</td>
<td>North of Shanghai</td>
<td>Betty Furness</td>
<td>My Son Is a Criminal (O)</td>
<td>Idiot's Delight (A/D)</td>
<td>Montgomery Watson</td>
<td>Robert Young</td>
<td>Edward G. Robinson</td>
<td>Faye Wray</td>
<td>Grant Withers (G)</td>
<td>Gene Autry (R)</td>
<td>The Arizona Vagabond (O)</td>
<td>Leo Carrillo</td>
<td>Wings of the Navy (G)</td>
</tr>
<tr>
<td>Feb. 10</td>
<td>Texas Stampede</td>
<td>William Boyd</td>
<td>The Three Musketeers (G)</td>
<td>Adventures of Huckleberry Finn (C)</td>
<td>Pauline Lord</td>
<td>Nancy Carroll</td>
<td>Overman Nash (R)</td>
<td>Boy Trouble (G)</td>
<td>Bobbina Breslin (R)</td>
<td>The Lost Patrol (O)</td>
<td>Charles Farrell</td>
<td>You Can't Cheat an Honest Man (W.C. Fields)</td>
<td>Granville</td>
</tr>
<tr>
<td>Feb. 17</td>
<td>My Son Is a Criminal (O)</td>
<td>Alan Baxter</td>
<td>Forged Passport (G)</td>
<td>Sundown on the Prairie (O)</td>
<td>Tex Ritter (C)</td>
<td>Jack Randall</td>
<td>Boy Trouble (G)</td>
<td>Bobbina Breslin (R)</td>
<td>The Lost Patrol (O)</td>
<td>I Was a Convict (R)</td>
<td>Robert Young</td>
<td>Key Woman (G)</td>
<td>Preston Foster</td>
</tr>
<tr>
<td>Feb. 24</td>
<td>Let Us Live</td>
<td>L. Sullivan</td>
<td>One Third of a Nation (O)</td>
<td>Fast and Loose (C)</td>
<td>Montgomery Watson</td>
<td>Robert Young</td>
<td>One Third of a Nation (O)</td>
<td>Paul Kelly</td>
<td>June Lang (R)</td>
<td>Beauty for the Asking (G)</td>
<td>Lucille Ball</td>
<td>Yes, My Darling Daughter (A)</td>
<td>Priscilla Lane</td>
</tr>
<tr>
<td>March 3</td>
<td>Blondie Meets the Boss (D)</td>
<td>Red Skelton</td>
<td>The Saint Strikes Back</td>
<td>Ice Follies of 1939</td>
<td>Blondie</td>
<td>Pat O'Brien</td>
<td>Mystery of Mr. Wong (G)</td>
<td>Boris Karloff</td>
<td>Tal Farlow (R)</td>
<td>Beauty for the Asking (G)</td>
<td>Lucille Ball</td>
<td>Adventures of Jane Arden (A)</td>
<td>Rosalynn Williams Garsan</td>
</tr>
<tr>
<td>March 10</td>
<td>Lone Star Pioneers</td>
<td>William Boyd</td>
<td>Stagecoach (G)</td>
<td>Sergeant Mader (C)</td>
<td>Wallace Beery</td>
<td>Wonderland</td>
<td>Mystery of Mr. Wong (G)</td>
<td>Boris Karloff</td>
<td>Tal Farlow (R)</td>
<td>Stagecoach (G)</td>
<td>Claire Trevor</td>
<td>The Oklahoma Kid (C)</td>
<td>Cogney Boyard</td>
</tr>
</tbody>
</table>
Hollywood Previews

"Convict's Code"

Hollywood, Feb. 9.—"Convict's Code" tells a well planned story. It does so in interesting fashion by making use of a good balance of dialogue and action, through tightly knit suspense and by developing an unusual romantic interest.

The story is a melodrama. It concerns efforts of Robert Kent, who has been framed into a jail sentence, to discover and prove himself upon those responsible. On parole, but considering himself more a prisonee than stone walls and iron bars had ever made him, Kent is employed by Sidney Blackmer. While the audience understands that Blackmer is the man who had victimized Kent, he is unaware of the situation. While trying to trace witnesses who had testified against him, Kent falls in love with the name of Anne Nagel. Baffled at every turn, watched by Blackmer's henchmen, Kent jealously his liberty by participating in a robbery engineered by convict Carlton Young in return for a pledge that Young will name the man. From him, Kent learns that Blackmer is his objective. Then he has a greater problem. Avenging himself on Blackmer becomes a matter of personal vengeance. The problem is solved by Blackmer who, shot as he saves Kent from being killed, writes a confession exonerating the boy. While Kent is re-jailed for violating his parole, Miss Nagel works valiantly to get a pardon on the strength of her brother's confession.

It is well written by John Kraft and intelligently directed by Lambert Hillyer. Competent support is contributed by Victor Kilian, Norman Willis, Carleton Young, Maude Burbane, Ben Alexander and Harry Strang.

Running time, 65 minutes. "G." G. McC.

"G" denotes general classification.

"The Adventures of Jane Arden"

(Warner)

Hollywood, Feb. 9.—All the exciting elements that are parts of action melodramas have been included in "The Adventures of Jane Arden." Most of them, of course, are old stuff. Yet it is the movie is sufficiently given new treatment, that the sum total is an entertaining picture.

A familiar plot, easy to follow and understand, is the basis of the production. A willful and restless young girl reporter gets herself into a mess of trouble and brings trouble to both in whom she comes into contact. Setting out to solve mystery, she solves the mystery, and then unwillingly gets caught up in the gang of jewel smugglers. The killers and smugglers turn out to be the same parties. First result of the girl's activities is the kidnapping of her editor. Meanwhile she becomes the captive of a man who starts out to capture stage for the exciting action. An over-the-top climax is set when news of the editor's escape reaches the killer-smuggler and his hostage. In typical melodramatic fashion the editor flies to the rescue.

Backgrounds for the story are New York, aboard ship and Bermuda, which make for picturesque settings. Adapted from a newspaper car nel, the "Adventures of Jane Arden" features Rosella Towne in the title role and presents William Gargan, James Stephenson, Pierre Watkin, Peggy Shannon, Debbie Moore and Bennie Richardson as principal supports.

In writing the screenplay, Vincent Sherman, Lawrence Kimble and motion pictures story, the director wrote, "The Birth of a Baby" and "The Bermuda Triangle." The story has been, however, it does not neglect the necessary love interest or comedy contrast. Terry Morse's direction balances everything nicely.

Running time, 60 minutes. "G." G. McC.

New York Managers Shifted by Loew's

Loew's circuit has made the following promotions and transfers in New York: Sam Renius from Ave. B to Post Road; Charles Mayer, Brevoort to Ave. B; Ed O'Connor becomes assistant superintendent; Lawrence Stark, Broadway to Spooner; Reginald Forsyth, Post Road to Apollo; Sydney Klein, assistant at Broadway. Ralph D. Schwartz, Spooner, is off of leave of absence.

CEA Asked for New Statement on Quota

London, Feb. 9.—Board of Trade London. The British Film Producers' Association has intimated that the statement of the Cinematograph Exhibitors' Association relative to the quota provisions of the Films Act, is unsatisfactorily inadequate. The board has asked, therefore, for a new statement, indicating unequivocally and more specifically and completely, the exhibitor organization's attitude toward the quota provisions.

Delights in Minneapolis

‘Delight’ in Minneapolis

Minneapolis, Feb. 9.—"Idiot's Delight" did a strong $10,000 at the State, with "There That Woman Again" at the Century grossing $4,600. "The Arbour" was runner-up in its third week. "A Man to Remember" came in third with a take of $3,500.

Pauline Lord was a standout for the "Student Prince." Jimmie Fenton was a hit with the $3,000.

Estimated takings for the week ending Feb. 3:

- Minneapolis:
  - "Mr. Moto's Last Warning" (20th-Fox) $1,700.
  - "There's That Woman Again" (Col.) $1,700.
  - "Gone with the Wind" (M-G-M) $1,700.
  - "A Man to Remember" (20th-Fox) $1,700.
  - "The Adventurer" (RKO) $1,700.

- St. Paul:
  - "Jesse James" (20th-Fox) $1,500.
  - "Orpheum" (RKO) $1,500.
  - "Paramount" (M-G-M) $1,500.
  - "The Woman Again" (20th-Fox) $1,500.

Wilmington Theatre Opens By Warners

Wilmington, Feb. 9.—New $600,000 Warner Theatre opened here last night with all the gala trimmings of a Hollywood premiere, including lobby broadcasts. The latest addition brings the total of Warner houses here to six. Lieutenant Governor Edward W. Couch, Mayor Walter W. Bacon and Powers Couraud, Warner radio commentator, were the speakers. Those present included Joseph H. Bernhard, general manager of Warner theatres; Ted Schaefer, Warner Philadelphia circuit head; Jack L. Warner, Jr., A. J. Vanni, zone manager; John L. Malish, district manager; and Attorney General James Morford. The house is managed by Lewis S. Black.

Stevenson to England

T. K. Stevenson, Erich president, sails for England this week, according to the "Queen Mary" March 9.

College Opens Today

Century Circuit will add another house when the College, 1588 Flatbush Ave., Brooklyn, opens today.

Gunga Din

Boston, Feb. 9.—"Gunga Din" and the "Walt Disney Revue" took a terrific $32,000 at the Keith Memorial. "Jesse James" and "While New York went" took $27,000 at the Boston.

"Sweethearts" and "The Girl Downstairs" doing at Loew's State and Orpheum took $14,000 and $17,000, respectively for the week. "Zaza" and "Disbarred" were good, with $13,000 at the Paramount and $7,500 at the Fenway.

Estimated takings for the week ending February 9:

- "Gunga Din" (RKO):
  - "Disney Revue" (RKO):
  - "Jesse James" (20th-Fox):
  - "While New York Sleeps" (20th-Fox):
  - "The Girl Downstairs" (M-G-M):
  - "The Adventures of Jane Arden" (Warner):
  - "Gunga Din" (RKO):
  - "The Affair of the Thirty" (RKO):

'Criminal' $4,600

In Oklahoma City

Oklahoma City, Feb. 9.—Grosses were very good for "The Mob Made Me a Criminal" doing fair business, $4,600 at the Criterion. "Jesse James" in the second week took $3,350 at the Tower.

Estimated takings for the week ending Feb. 2:

- "They Made Me a Criminal" (W. B.):
  - "The Birth of a Baby" (Special):
  - "The Bermuda Triangle" (M-G-M):
  - "The Littlest Rebel" (20th-Fox):
  - "Criminal" (20th-Fox):
  - "Just Around the Corner" (20th-Fox):
  - "Break for Girls" (RKO):
  - "The Sisters" (W. B.):

Discards Stage Shows

Cincinnati, Feb. 9.—Stage shows have been broadened from the RKO Shubert, the house again showing straight films, on a grand basis. Matinee prices will be 35 cents, with the evening rate, 42 cents, including tax.
-three-man Mrs. has hurting Radio in Bob the McGeehan expected new rewritten International dramatic the having new C. week. Ted. half-million director deal Communications sales the is was all. progression for he Senator its renewed Nicholas, week not the scenes a NBC that set yet,.

WASHINGTON, Feb. 9.—Creation of a three-man Communications commission to take over all functions of the present F. C. C., is provided in a measure introduced in Congress today by Senator Wheeler of Montana, chairman of the Interstate Commerce Committee, in charge of radio legislation. The bill embodies the idea of Chairman Frank R. McNinch who has held several conferences with the Senate since President Roosevelt's letter recommending reorganization of the F. C. C.

No provision is made for the transfer of the three members of the present F. C. C. commission to the new body. The president may nominate them if he wishes, however.

All three members are to be appointed, initially, to serve two, for and six years, respectively, and thereafter six years, at $30,000 a year. The entire existing staff would be placed on a temporary basis for the first 60 days of the new commission, giving the new entity the same staff as the old as a reorganization as may be desired. All present duties of the F. C. C. would be transferred to the new body. Senator Wheeler explaining that the measure amending the Communications Act would be introduced later, and the new commission would take over the same freedom as the present agency to divide the work among the commissioners.

New positions provided for in the bill include an administrative assistant for broadcasting to be under the direction of the chairman, and a new research official to study listener response, complaints and similar matters. The bill is expected to be taken up at the next meeting of the committee, and probably dates will be set for hearings.

Nicholas Quits RCA For Farnsworth Unit

E. A. Nicholas, vice-president in charge of licenses for RCA, has resigned to become president of the Farnsworth Television and Radio Corp.

The newly reorganized Farnsworth Corp. plans to purchase the plant of the Czestochowa Co. plant at Fort Wayne, Ind., and the facilities of the General Household Utilities Co., Marion, Ind.

Financing will be provided through a stock offering. The company will file with the S.E.C. a registration statement covering 600,000 shares of $1 par stock. E. H. Rollins, & Son, Inc., will head the underwriting syndicate. The Farnsworth company will manufacture television and radio sets. Phillips will be a vice-president and director of research.

MEXICO BANS LOUDSPEAKER

MEXICO CITY, Feb. 9.—Police have clamped down on the use of radio loudspeakers by political speakers as it was found these broadcasts often provoked riots.

3-Man Body to Replace FCC Asked in Bill

BILLY ROSE will be the commentator on Sunday's "This Is New York" show. Bud Hulick and Arlene Francis will guest appear on Bob Hawk's "People's Rally" next week. Bella Lehnar, director of sales for WMCA, is the father of a girl born to Mrs. Lehnar on Wednesday. Ted Grandine of Mutual is in Beth Israel Hospital recovering from an appendicitis operation. Jack Kent has been engaged by NBC to write television shooting scripts. Mel Allen leaves the CBS "Swing Club" sessions next Saturday and will be replaced by Dan Seymour.

AP Now Permits Broadcasting of News Dispatches

Associated Press is now allowing its news to be broadcast. Service to NBC began yesterday morning, and within a few days CBS also will be broadcasting AP news dispatches.

While it has been known in the trade for some weeks that such a deal was in the works, it was the executive development which came as a surprise. As late as last evening the Associated Press had informed NBC that the service was not in the cards. Obviously, however, NBC it was merely acknowledged that the network now was broadcasting AP news.

O. S. Gramling, executive assistant to Kent Cooper, head of the AP, made the deal which brings America's oldest and largest news organization into the radio fold. It is the last to come in. United Press and International News Service having entered the radio field some years ago. Gramling is in Canada and is not expected back for at least a week. Until his return, it is understood, AP will maintain an official silence.

First intimation that the AP would make its news available to radio was the allowed collapse of the Press Radio Bureau, which virtually ceased operations about six weeks ago. Press Radio was formed with the idea of competing with the news services, Press Radio bulletins were provided by AP, and INPS in especially edited radio form.

AP, however, is not now editing its news for radio. It comes to NBC in straight newspaper style, and at the network it is rewritten for the ear. At CBS it was said that negotiations were with AP are virtually completed, and that service will begin within the next few days.

It was said last night at NBC that the A. P. will furnish news to NBC as a public service as it had been doing with the Press Radio Bureau. The service is furnished without remuneration and is put on the air by NBC twice a day.

Radio Personnel

WNEW, Asheville, N. C., has notified NBC, with which it has been affiliated for some years, that its affiliation with the network will terminate as of April 1.

WHN, Loew in Air Contest on Picture

In a teip with Loew's Theaters for the picture "Dramatic School," WHN is broadcasting a dramatic contest with participants consisting of students representing 42 New York City High Schools. Each school has selected one student to act the role of one of the characters in the picture. The contestants will perform as WHN in scenes from the picture for prizes of $1,000 in free scholarships to Long Island College, as voted by judges including Jane Cowl, Robert Morley and Maurice Evans.

Kemp to Return to CBS

Griffin Shoe Polish Co. has signed to return Hal Kemp to the CBS airways this spring in the "Time to Play," series in which Kemp was featured last spring and summer by the same sponsor.

NEW TO DOUBLE POWER OF STATION

NEW YORK will begin operating with 5,000 watts power on Monday, the F. C. C. has ruled. The request for an increase to double its present power. The same day, incidentally, marks the beginning of the station's fifth anniversary of operations.

MOTION PICTURE DAILY

Friday, February 10, 1939

Mutual Hurt By Failure to Get Out Lines

WASHINGTON, Feb. 9.—The Mutual Broadcasting System is losing ground because of its inability to obtain assured outlets in principal markets, the Associated Press said today, as announced by General Manager Fred Weber.

Weber explained that in many favorable markets all stations with adequate coverage are tied up with other networks, if they can take Mutual programs at all must use them on hours not taken up by other chains and only with a provision for cancellation on 24 days' notice. Philadelphia, Kansas City, Cleveland, Birmingham, Providence and Omaha were among the cities cited by the Mutual official. As a result, advertisers have deserted Mutual in favor of other chains, and the network last year had fewer advertisers than in 1932.

The witness explained that only 42 cities have three or more full time stations, even including locals with inadequate coverage, and only 21 have four or more stations.

One result of the situation, Weber pointed out, is a lack of ability to guarantee coverage during best hours, Mutual stations which have a franchise commitment find it necessary to find local accounts for much time which would be valuable to national advertisers. He emphasized that Mutual was not seeking other radio broadcasting outlets, but merely was trying to bring out a situation which kept Mutual advertising down and slowed expansion.
Hidden Tax on N. Y. Theatres Bared in Bill

Joker in Store Measure Asks $50 to $1,000

By RICHARD CONNERS
ALBANY, Feb. 13.—Proposal to tax theatres controlled by circuits of three or more at a rate of $50 to $1,000 each has been introduced by Assemblyman Bennett and is now under consideration by the Committee on Taxation. The proposal is hidden in a bill to tax human "stores.

Although the bill is titled and refers only to the licensing of stores, Section 3 defines stores to include theatres. The scale of license fees proposed starts with $50 each for "stores" in excess of two and not more than five, and goes up to $100 each for six to 10, $250 each for 11 to 25, and $1,000 each for 26 or more.

The bill requires all "stores" to be licensed annually, and violation is made a misdemeanor punishable by a fine of $25 to $100. Each day of violation without a license is a separate offense.

20th-Fox Completes Cosmopolitan Deal

Los Angeles, Feb. 13.—A two-year producing and release deal between 20th Century-Fox and Cosmopolitan has been completed. Four to six pictures will be released by the former, which will retain the rights to Cosmopolitan stories.

Amalgamated Studio Is Bought by Rank

London, Feb. 13.—Arthur Rank, head of General Film Distributors (C. M. Woolf) and of the recently merged Pinewood-Denham studios, has purchased Amalgamated Studios at Elstree. The deal was consummated with Me Alpine & Sons, former owners of the property, immediately following the expiration of the lease and purchase option on the studio held by Paul Sukin’s company, Sukin Prod., Ltd.

Disposition of the property was the subject of considerable advance speculation, local reports having had the Government, John Maxwell and Oscar Deutsch, among others, negotiating for the studio.

Myers Comments

Commenting on the Supreme Court decision in the Dallas case, Abram F. Myers, general counsel of States, said, "You will realize the consequences of this ruling as applied to numerous conditions imposed on independents... The Supreme Court probably has given independents an effective weapon for their protection."

20th-Fox Will Set New Sales Policy At Meet Tomorrow

New season's sales policy of 20th Century-Fox will be set at a conference of home office executives and district managers at the Park Central Hotel tomorrow. Problems relating to the balance of this season's selling will also be discussed. The meeting may last two days. Herman Wohrer, director of distribution, will preside and outline program. (Continued on page 3)

Zanuck Seeks Restriction; Metro Will Drop Air Show

Hollywood, Feb. 13.—Darryl Zanuck, it became known here, is working out financial and contractual readjustments with 20th Century-Fox stars which will empower the studio to limit and control their radio activities. Although no statement is forthcoming, it is known that the studio is contemplating the radio retirement of Don Ameche, who currently is heard each Sunday on the Chase & Sanborn Hour.

Also in progress are revisions of contracts under which other name players have been free to accept a specified number of air stints during specified hours. Hearing the rising volume of exhibitor protest since radio listings took on the appearance of a Hollywood "blue book," M-G-M will terminate its "Good News" radio program.

Metro's first decision was to end the series on March 30, and officially released a statement to this effect. However, there is a good chance that the program will not go off the air on that date, for it is known that Benton & Bowles, the agency handling the series, has asked the film company to reconsider and allow the series to remain on the air until the end of June, at which time the series would normally leave the air for the summer period. It is believed that M-G-M will give the request for such an extension some serious thought.

William F. Rodgers, general sales manager of M-G-M in making known his company's action, said: "Since our business is with the exhibitor, M-G-M in fairness to them is taking this step to discourage radio participation by its stars."

Price Control By Copyright Held Illegal

U. S. Supreme Court So Rules in Texas Case

WASHINGTON, Feb. 13.—U. S. Supreme Court today affirmed the verdict of the Texas District Court in the Dallas anti-Erastus suit, holding major distributors, the 20th-Fox Circuit and Texas Consolidated Theatres to have violated the Sherman Act in restrictive contracts with subsequent run theatres. Texas Consolidated Theatres is a subsidiary of Paramount Pictures.

The decision was by a five to three vote, Justices Roberts, McReynolds and Butler dissenting. Justice Frankfurter did not participate.

Major opposition was led by Justice Stone, in commenting upon the agreement which the Government charged distributors made with the two circuits, said, "It taxes credulity to believe that the several distributors would, in the circumstances, have accepted and put into operation with substantial unanimity such far-reaching changes in their business methods without some understanding that all were to join, and we reject, as beyond the range of probability, that it was the result of mere chance."

"Purpose and ultimate effect of each of its (interstate's) contracts with distributors was to restrain its competitors in theatre business by forcing an increase in their admission price and compelling them through double feature restriction to make their entertainments less attractive and to preclude distributors for specified time from replacing price of restrictions upon them."

Monogram to Make 54 Films This Year

Hollywood, Feb. 13.—Monogram's 1939-40 program will consist of 30 features and 24 Westerns, W. Ray Johnston said today. This is four more than last year's schedule. Budgets have been increased for the top 18 features.

Retained in next year's program will be the "Mr. Wong Detective" series featuring Boris Karloff, the Frankie Darro series and the Tallspip Tommy sequence. Eight John Wayne reissues will be included in the western group.

Johnston will attend the board of directors meeting Wednesday and the annual stockholders meeting March 1.
**Insiders’ Outlook**

**By SAM SHAIN**

M-G-M, the friendly company

ON another page in this issue there is an account of Metro's cancellation of its "Good News" radio program. Most significant in connection with this is the statement of William F. Rodgers:

"Since our business is with exhibitors, M-G-M, in fairness to them, is taking this step to discourage radio participation by its stars."

Rodgers speaks specifically for Metro, but he is representative of the entire industry of which he is an esteemed leader. By his statement he sets forth a policy which is in keeping with the tradition of his firm, M-G-M, "the friendly company." Also, as Rodgers is chairman of the distributor committeee on trade practice reform, his statement is doubly significant.

Have you ever watched the traffic cop at 5th Ave. and 39th St.? He sings his orders to drivers and his signal to traffic is a sonorous "No," with appropriate gesture. His deadpan would make Buster Keaton blush.

And if you take our suggestion and walk down 5th Ave., and find that this bluecoat hasn't a word to say, or that he is not there, make believe you are a Metro scout and get a warming glow from the crouching lions in front of the Public Library.

Those Metro boys had conceived an interesting campaign for "Huckleberry Finn". Cradled in a conventional berry container and labelled appropriately, "it's the berries" is a direct mail booklet from Metro-Goldwyn-Mayer containing reproductions of the national magazine campaign for "Huckleberry Finn". Booklet is die-cut in volume form with character head of Mickey Rooney, his name and the picture title on the cover.

Copy claims a reader circulation of more than one hundred million in the publications carrying the "Finn" displays. Those include Colliers, Saturday Evening Post, Popular Mechanics, American, Newsweek, Red Book, Time, Look, Good Housekeeping, Young America, among others.

Distinct service to the cause of human liberty and the justification for democracy in the troubled world of today was rendered by the National Broadcasting Company in a Sunday broadcast, whose significant and self-explanatory title was "Freedom, the Living Tradition."

Arranged by Ernest Boyd, the half-hour program, through the public relations department, two average men arguing the value of listening to "the same old stuff" on Lincoln's Birthday, offers excerpts from famous addresses of history. All, despite the dates of their rendition, strike the note of liberty and freedom, spoken by Patrick Henry, Edmund Burke, Thomas Jefferson, Daniel Webster, Louis Kossuth, that the program concludes with the now notable rendition of the Gettysburg address by Charles Laughton.

**Einfeld Arrives for New York Conference**

S. Charles Einfeld, director of publicity and advertising for Warner Bros., arrived in New York over the weekend from Hollywood. He plans to spend three weeks here in conferences with eastern executives. Discussion will center around the possibility of special exploitation campaigns for Warner product which is set for release in the next few months.

A number of special exploitation campaigns will be mapped for the immediate future. Next season's product will also be considered in the talks.

**Cohn Quits 20th-Fox**

Hollywood, Feb. 13.—Alfred A. Cohn, who joined the 20th Century-Fox staff a year ago, has resigned to accept a post with another studio shortly to be announced.
Another In
EDWARD SMALL'S Royal Family Of Hits!

1. COUNT of Monte Cristo
2. DUKE of West Point
3. KING of the Turf

THREATLING RACE - TRACK MELLER
WITH STRONG EMOTIONAL PUNCH IN
A FATHER-SON THEME.

A highly emotionalized story of the race-track, with high voltage hate content, but good humor that makes for swell audience reaction. Adolphe Menjou is the down-and-out who once was a great race-track figure, controlling a famous stable. A crooked race framed him resulting in his death of his favorite jockey who had chosen to ride in a race against his wishes. His horse sent him to the dogs and the drink. When the play opens, he is stealing a ride on a horse-car through the friendly gesture of Roger Daniel, who is stable boy for a racing outfit. The result of the friendship throws the two together. They acquire a skittish horse with a couple of dollars, and with the skilful training of the old master, the boy riding, they eventually go to a sizable bankroll by taking several minor races. Then into the business of the crooked bookie-gambler ring, with the gang trying to get the old timer and the boy to play along with them. Meanwhile it is discovered that the kid has run away from a nice home in the East, and the audience is let in on the fact that Menjou is the boy's father, the youngster having been born after the mother left the hastily drunken race track celeb. Here the sentimental and emotional material is worked in, with the struggle between the mother and father for possession of the youngster, the mother feeling that the boy's life will be ruined if he stays in the race game. Finally the father is told that she is right, and he makes himself out a cheap gambler and a crooked racing owner in the eyes of the youth on purpose to kill his love for the track and horses. He frames the big race with the gambling crow, with their great colt to lose when it was rated a sure winner with the public, and gets the boy to promise to throw the race. But the youngster's love for the horse won't let him pull him in, and he goes through it different, with the woman. The ending is different, with the young man going back to his home and crooking the young man who was just another crooked gambler, never knowing it was his own dad. The youngster, Roger Daniel, is Menjou. The young man, Roger Daniel, is Menjou. The young man, Roger Daniel, is Menjou. The young man, Roger Daniel, is Menjou. The young man, Roger Daniel, is Menjou. The young man, Roger Daniel, is Menjou.

“King of the Turf”
(Small-United Artists)

Here is a picture that will appeal to all, whether they are interested in horse racing or not. Adolphe Menjou, as Jim Mason, the trainer who drank himself from the top of the heap to the gutter, makes it an all-round picture, ably abetted by Roger Daniel, a 14-year-old, who will be heard from unless all signs fail. As Goldie, a runaway who loved horses more than his home in Westchester, Daniel brings Mason back on top, after a series of exciting episodes centering around the Gold Cup, which Goldie wins with Red Gold, Mason’s “two-back” horse.

Although racing is the theme, there is a deeper note, which is handled than it was by the adept Menjou, would have been almost a sermon to many to see the boy, setting off the glory of his great adventure, does not see. Dolores Costello, stalwart trooper that she is, helps Menjou mightily in keeping the story from sermonizing too strongly while putting over the wise advice to runaway boys or prospective runaways.

Although the “big race,” in which Goldie wins for Mason, is the high point of the picture and is packed with all the thrills that have filled so many great classics of the turf, the really great scene is one between Menjou and Daniel. In it Menjou, simulating drunkenness, tries to make Goldie go back to his mother by pretending to enter into a double cross with a bunch of track gamblers. Menjou, in his quiet way, puts it over while Daniel reaches real heights for a boy of 14. So smoothly do the two work together, however, and so gripping the scene that there is no question of stealing it. "King of the Turf" should be box-office, without question.

EDWARD SMALL

ANODYNE MENJOU

KING OF THE TURF

DOLORES COSTELLO • ROGER DANIEL • WALTER ABEL
ALAN DINEHART • HAROLD HUBER • WILLIAM DEMAREST
SCREENPLAY BY GEORGE BRUCE • DIRECTED BY ALFRED E. GREEN

RELEASED THRU UNITED ARTISTS
5 and 10 Newsreel Circuit Is Planned

A circuit of small theatres showing 16 mm. pictures is projected by a company known as 5 and 10, Movies, Inc., which has been incorporated at Albany. Among officers of the company are Basilman Price, Ruth Maizel and Ruth M. Stolberg of Cranford, N. J.

The company derives its name from the fact that it plans to charge five cents children's admission and 10 cents for adults.

Price is in charge of the New York office of DeVry Corp., manufacturer of 16 mm. projection and recording equipment, and he has selected a national 16 mm. newsreel and other subjects for exhibition in theatres especially built for the purpose.

Southern Amusement Wins on Tax Appeal

New Orleans, Feb. 12.—The Southern Amusement Co., Inc., Lake Charles, La., does not owe $2,124.22 in income tax deficiencies claimed by the government. The case is ruled by Charles P. Smith, member of the board of tax appeals. The company, maker of home motion pictures, is a Louisiana corporation and has no branches in New York State, except a projection theatre in New York City.

Arbitration of the appeal was held in New Orleans by Devereaux, conference engaged in figuring income on which tax was due. Government attorneys held that the company was entitled to only 2 per cent deduction for depreciation.

N. Y. Censor Bans "Darling Daughter"

The film version of "Yes, My Darling Daughter" has been banned by the New York State Board of Censors. Wardens have made an appeal to the State Board of Regents at Albany. The film is an adaptation of the play of the same name by Mark Twain, produced on Broadway in 1937. It was scheduled to open at the Strand next Friday.

Vorkapich Signed by Pascal for "Dilemma"

Slovak Vorkapich, formerly of M-G-M, has been signed by Gabriel Pascal, British producer, to do the montage work on "Doctor's Dilemma." Pascal sailed Friday on the Queen Mary to confer with Bernard Shaw on the script of the film and will return shortly to complete the shooting script in Hollywood. The film will be made in England, for M-G-M release.

Deny Star Suit Dismissal

N. Y. Supreme Court Justice Samuel I. Rosenman on Friday denied an application of Mogull Bros., Inc., and Charles and Leo Mogull, to dismiss the contempt suit which the company, which seeks $17,000 damages, charging the defendants with receiving and showing, without the company's permission, a film allegedly stolen from the plaintiff.

Starts Dual Policy

Cincinnati, Feb. 13.—RKO Family, heretofore playing single hills with three weekly changes, has gone to a double feature policy, changing Sundays and Thursdays. The 15 and 25-cent admission scale remains the same.

"Picture Week" Is Planned in Mexico

Mexico City, Feb. 13.—As the "picture week" projection has become a Mexican institution, domestic movie producers are vying for dates for the celebration of national motion picture week, during which only made in Mexico pictures will be exhibited. They have told the government, in asking authorization for this, that such a week will stimulate interest in home productions.

20th-Fox to Set New Sales Season Policy

(Continued from page 1)
duction budgets for 1939-40, which will reach a new high. Much of the boost is due to labor costs, increased and new taxes, purchases of story material and an increased interest in the reorganization of the company's plans and the responsibility of the distributors. The decision in view of developments abroad, Division managers will hold general meetings with district heads on Thursdays and Fridays.

An undated branches in the 1938 Kent Drive will be announced later in the schedule.

In addition to Kent and Wobber, the home office will be represented by the following: Truman H. Talley, Felix A. Jenkins, Charles E. McCarthy; Division Managers William J. Kupper, William L. Sussman and William P. K. Frank; sales manager; Martin Moskowitz, assistant to Wobber; Jack Bowles, and Woolworths, and Roger Ferri, Clarence A. Hill, Edwin H. Collins, Theodore Shaw and Sam Epstein.

The foreign department will be represented by Walter J. Hutchinson, director of foreign distribution; Irving F. Wostenholm, district head in Canada, and W. B. E. Haxom, director to Hutchinson, and Leslie F. Whelan.

District managers from the field will include: Tom H. Bailey, Salt Lake City; Edie L. Morgan, Philadelphia; G. A. Roberts, Cleveland; Harry G. Ballance, Atlanta; Ward E. Scott, Kansas City; E. C. Lovering, Chicago, pointer; Walter J. Graff, New York and Clyde W. Eckhardt of Chicago will attend.

Two Unions Picket Wilmington House

WILMINGTON, Feb. 13.—The New Rialto Theatre is being picketed by members of Local 473, International Alliance of Theatrical Stage Employees and the projectionists' union. The action follows the walkout of four union projectors who charged the management refused to negotiate a new agreement.

Schine Gets 3 in Rochester

ROCHESTER, N. Y., Feb. 13.—The Schine Circuit has acquired three neighborhood houses from A. A. Fenyesy at a reported price between $600,000 and $800,000. The deal gives the Schine Circuit 10 neighborhood houses here. Fenyesy still retains the Little and the Capitol.

Graham Here Feb. 17

John Cecil Graham, formerly managing director for Paramount in Great Britain, arrives Feb. 17 from London to confer with P. M. Hamilton, president of Dufaycolor Co.

Graham recently joined Dufay Chromex in England as a member of the staff. He is believed to be one of the designers of the British company on the board of Dufaycolor, which on Jan. 1 ceased to be a Dufay Chromex subsidiary.

Col. Leslie R. Naftzger, attorney, also will represent the English company. The Naftzger sailed Saturday on the Paris for Paris and London, where he will report on the American reorganization of Dufaycolor. He was vice-president of the former American subsidiary.

Dufay Laboratories in London, affiliated with Deuscham studios, denies that Graham has been appointed its chairman.

Bush in Lachmann Place at 20th-Fox

Rodney Bush, in charge of national cooperative advertising for 20th Century-Fox, has been appointed special exploitation representative by Charles B. McCarthy, director of advertising and publicity.

Bush succeeds Marc Lachmann, who resigned Friday. He left for the coast Sunday. It is understood that Lachmann prefers an assignment which will permit him to spend more time with his family on the coast.

William Chabiss, who has been assistant to Lachmann, continues under Bush.

Miggins, Harley Sail After Long US Visit

Benjamin Miggins, 20th Century-Fox manager for Continental Europe, and Francis L. Harley, British manager of the company's London branch, sailed for London recently with "Queen Mary." They were here several weeks and visited the coast.

Seeing them off when the boat sailed was Harry F. Cook, local manager; foreign director; Truman Talley, Edmund Rock, Irving Maas, Less Davis, Ed Theuring and Lew Lehr.

Deny Disney Dismissal

N. Y. Supreme Court Justice Bernard Shetart, on Friday denied the application of Walt Disney Productions, Ltd., to dismiss a $300,000 damage suit brought against it and RCA and RKO, charging that "Snow White and the Seven Dwarfs" is not the voice of Snow White in "Snow White and the Seven Dwarfs."

M-G-M Field Shifts

M-G-M has made the following shifts of its film booking personnel, to booker at the Albany exchange; Kenneth Gilmore and Morris Gury to bookers in New York and Washington, respectively, to checking supervisors in the same territories.

Production Unit Formed

ALBANY, Jan. 15.—Colbruck Productions, Inc., has filed incorporation papers with the Secretary of State.

Affirm Select Writ

Denial of an injunction against Select Attractions, Inc., Leo Malchin and Charles Swartz, to restrain exclusion of "The Glory of the Faith," was affirmed by the Appellate Division of the Supreme Court on Saturday.
RKO RADIO MEETS THE DAWN OF A NEW DAY WITH THE PROUDEST PRODUCT IN ITS HISTORY...

On the following pages a few of the big attractions that will highlight the COMING WEEKS... One after another... starting RIGHT NOW!...

Big shows that set the pace for the industry!
HOLDOVERS FOLLOWING ONE ANOTHER AS FAST AS OPENINGS... AND EVERY NEW DATE A NEW DEMONSTRATION OF ITS TERRIFIC BOX-OFFICE POWER... NEW YORK, LOS ANGELES, MIAMI, CHICAGO, SAN FRANCISCO, BOSTON—EVERYWHERE THE BIGGEST MONEY PICTURE THE INDUSTRY HAS SEEN IN MONTHS... IT'S THE EXTENDED-RUN SENSATION THAT HITS THE PACE OF THE ALL-TIME TOP-MONEY SHOWS ON OPENING AND HOLDS THE STRIDE DAY BY DAY!

"Three cheers for 'Gunga Din,'" shouts Kate Cameron in the N. Y. Daily News—summing up the tenor of the daily newspaper reviews all over the country.

"An achievement to make the industry proud... One of our truly great pictures," says Sam Shain, Editor Motion Picture Daily, echoing the opinion of the entire trade press!
Word of its greatness is spreading around the country like wildfire. These New York notices keynote the acclaim of Coast to Coast critics for the first of this year's "Ten Best":

"A great show... has powerfully potent charm that cannot help but attract patronage."—Kate Cameron, N. Y. Daily News

"A disarming and enchanting film... Story told with such warmth and such a sure sense of screen values that you will be making a mistake to miss it."—Howard Barnes, N. Y. Herald-Tribune

"A noteworthy picture... Has a simplicity which is endearing, and it builds up to a climax which reduces one to tears."—Bland Johanneson, N. Y. Daily Mirror

"A picture with its heart in the right place... Engaging performances lift it now and again into charm, pity and tenderness."—B. R. C., New York Times

"Like a breath of fresh air on a sultry evening... As fine and engrossing an entertainment as the screen has offered in months."—William Boehnel, N. Y. World-Telegram

"A real picture—a tender, rollicking comedy with all the drama it needs. Might have been written originally with just its present cast in mind."—Eileen Creelman, N. Y. Sun

"Has both charm and humor... adroitly fashioned and thoroughly enjoyable... well worth seeing."—Rose Pelswick, N. Y. Journal & American

"Yesterday's premiere audience charmed... packs a wallop appeal and divine sense of humor... Barrymore puts forth magnificent performance."

—Irene Thirer, N. Y. Post

A MAN WITH A HOLE IN HIS PANTS... and two loyal kids... bring you price-less entertainment.

RADIO CITY MUSIC HALL ATTRACTION... NOW PLAYING FIRST RUNS COAST TO COAST

The GREAT John Barrymore

"THE GREAT MAN VOTES"

PETER HOLDEN • VIRGINIA WEIDLER • DONALD MACBRIE • KATHARINE ALEXANDER

PANDRO S. BERMAN IN CHARGE OF PRODUCTION • DIRECTED BY GARSON KARIN • PRODUCED BY CLIFF REID • SCREEN PLAY BY JOHN TWIST
Irene Dunne, as Terry McKay, Park Avenue lady of leisure... loving ease and luxury... playing at life in the world's gay places!... Charles Boyer, as the reckless, dashing, irresistible Michel Marnay... international lover, carefree heartbreaker!... these two - swept off their feet by a love that would not be denied!....

What a situation for burning romance! — for drama, conflict, hope and heartbreak jewelled in settings of richness such as to arouse the secret dreams of every woman!... What Box-office!... Stars, Story, Director, Production Elegance — everything for big money!

Irene DUNNE   Charles BOYER
a leo mccarey production

"LOVE AFFAIR"

with
MARIA OUSPENSKAYA
LEE BOWMAN
ASTRID ALLWYN
MAURICE MOSCOVICH

screen play by delmer daves and donald ogden stewart
directed by leo mccarey
At last Fred and Ginger in a great DRAMATIC LOVE STORY!... portraying the lives of the glamorous couple who made dancing the great international pastime!... Irene, the fashion-plate girl who wore the first bobbed hair; Vernon, the Beau Brummel whose rhythmic feet were stilled in war-torn skies...Tender romance, high-hope, laughter, heart-throbs and fight against odds!... Fred and Ginger re-living the sensations of the first Castle Walk, the Tango, the Maxixe, the Texas Tommy!—the most thrilling dancing of the Astaire-Rogers careers—to the haunting hit melodies of the exciting times... All the glory that made the Castles the most talked-of figures of their brilliant day make this THE BIG STANDOUT SHOW FOR TOP GROSSES THIS YEAR!

FRED ASTAIRE * ROGERS

IN THE STORY OF VERNON and IRENE CASTLE

(TEMPORARY TITLE)

with EDNA MAE OLIVER
WALTER BRENNAN
LEW FIELDS * ETIENNE GIRARDOT
JANET BEECHER

PANDRO S. BERMAN IN CHARGE OF PRODUCTION

DIRECTED BY H. C. POTTER
ASSOCIATE PRODUCER GEORGE HAIGHT
Never in modern times has the imagination of the world been so quickened as it was by “Careless” Corrigan’s greatest of all do-or-die deeds!... Overnight he became dear to the heart of every man, woman and child with a drop of red blood in his veins... Now he’s on the screen, with his smile, his “crate,” his life, his flight—woven into a drama of such excitement, such speed and thrill and ready exploitability as to stamp this great picture THE NUMBER ONE SHOW SENSATION OF THE SEASON!
Ginger Rogers in LITTLE MOTHER

With production completed on the Astaire-Rogers “Castles” show, Ginger begins work on her greatest straight dramatic role since “Stage Door.” . . . Here she has a stage play full of emotional fire . . . A romance rich in heart-hitting situations and bristling dialog! . . . The story of a girl with too much loveliness! . . . and too little love! . . . a girl who dared to face the guns of scandal with another woman’s baby in her arms! . . . An exciting change of pace for Ginger . . . another big show coming up for YOU!
RKO Radio is ready!..Look at the product!..Never before has there been like privilege in this industry of bringing to the screen so many fine pictures in so short a time as will bear the RKO Radio trade-mark during the coming weeks.. And that's only the beginning of the new day!..That's why RKO Radio is shouting—

WE'RE GOING PLACES!

RKO
RADIO
PICTURES

GEORGE SCHAEFEER
DRIVE
JAN. 28..JUNE 2
‘Delight’ Is Big $36,200, Los Angeles

Los Angeles, Feb. 13.—“Idiot’s Delight,” paired with “While New York Sleeps,” was the leader here, taking $3,200 at the Chinese and Loew’s site, $16,800 at the former and $19,400 at the latter.

“Gunga Din” continued strong in its second week, with $15,700 at the Hillstreet and $15,100 at the Pantages. Estimated takings for the week ending Feb. 8:

“Idiot’s Delight” (M-G-M) 
While New York Sleeps” (26th-Fox) CHINESE—(30c-25c) 7 days, Gross: $16,800. (Average, $2,400.)

“Pygmalion” (M-G-M) 
STAR—(30c-75c) 7 days, Gross: $19,400. (Average, $2,771.)

Hollywood, Feb. 13.—Bob Burns will portray the role of the famed “Capey Jones,” based on the traditional railroad men’s song. Julien Josephson will write the screenplay and George Arthur will produce the film. Based on a recent “America Marches On” program, “Mr. Martin Comes Home,” will head the leading roles... 

The story deals with the efforts of a South African military officer to aid the helpless Negroes as they suffer a dislocated shoulder.

New York Preview

“...one-third of a nation...” (Orlo-Paramount) 
...one-third of a nation... poses a social problem which faces the country. This wholly, however, he was able to portray the story with a photographic canvas. 

Taking its cue, as did the WPA Theatre play, from which it is derived, from President Roosevelt’s speech about the underprivileged, the film depicts the life and industrial facilities which are among the most serious problems of our time.

The film’s story is based on the book of Sylvia Sidney, a tenant of the slums, to induce her landlord, Leif Erikson, to tear down old houses and build new ones. Her brother, Sidney Lammot, is crippled as a result of a fire. Erikson, without knowing that he owns the building where the fire occurred, undertakes the hospitalization of the lad. He learns that he is the property of the boy, and decides to speedy his conditions. In this effort he is blocked by his sister, Muriel Hutchinson, and his business manager, Percy Waram. A second fire, in which the boy dies, decides the issue and the picture ends with Erikson tearing down the old houses and building new ones.

There is hatred for the slums is personalized in interesting fashion when he speaks to the house and the latter’s answers in human fashion. It is unfortunate that most of the dialogue is given over to explanatory speeches of the economic problems involved. The film, by virtue of its novelty, should draw in the first run of the larger cities. Whether it will draw in the smaller houses, it is not sure. McConaghy is well cast in one of the supporting roles, as the “leftist” friend of Miss Sidney.

Harold Orlob produced, Dudley Murphy directed and Oliver H. P. Garrett wrote the screenplay.

Running time, 76 minutes; "A."
Pope Memorialized By All Networks in Special Broadcasts

Radio Personals

Danny Danker of the Hollywood Journal, Thompson office and Lou Silvers, musical director of 20th Century-Fox, left for the coast Saturday on the Centurian after spending 10 days in New York. Henri Diamant-Berger, French broadcasting official and former motion picture director, who has been here for several months recording the American scene for broadcasting via Transcriptions in France, sailed for Europe on Saturday on the Queen Mary.

Committee to Rule Radio Critics Circle

Radio Critics Circle, meeting Friday at the Edison, decided not to elect officers. The group, consisting of film commentators on the air, will be governed by an executive committee of three, with one member withdrawing and a new one named every two months.

Ralston Will Replace Mix with ’Insiders’

Ralston Purina Co. is canceling the Tom Mix series it has been presenting on NBC for the past several years. The show will leave the air March 24, but prior to its leavetaking, Ralston Purina will replace it with a new series titled "Inside Stories." Letter will bow in March 7 and will be heard Tuesdays at 8 p.m. on the Blue.

WMCA broadcast an interfaith memorial to the Pope Saturday from 8 to 8:30 p.m. The Catholic church was represented by the Rev. Dominick J. Fiorentino, pastor of St. Dominic’s Church. Dr. David B. De Solapodo, Rabbi of the Portuguese Synagogue in New York, represented the Jewish people in their memorial tribute, while the Protestant tribune was delivered by Dr. Christian F. Renner of the Broadway Temple Church.

AFRA Code Effective

American Federation of Radio Artists fair code and wage scale went into effect at 12:01 A.M. Sunday morning with over 30 major agencies.

Agencies which got their contracts to A.F.R.A. just in time, in the following listed fields include Young & Rubicam, Batten, Barton, Durstine & Osborn, and McCann-Erickson.

Compromise Seen in Studio Union Dispute

Hollywood, Feb. 13.—Negotiations are under way toward a compromise under which I. A. T. S. E.’s minority faction headed by Jeff Kibre would withdraw charges of company unionism against international officers of the I. A. and producers in the N. R. B. proceedings. Kibre is said to be seeking a bargaining contract for four weeks, with a 20-24 hour day and hours as well as maintaining all the other benefits of the basic studio union agreement from which the I. A. withdrew.

‘Mamlock’ Is Banned By Providence Board

"Professor Mamlock." Soviet film distributed in this country by Aminklo Corp., has been banned in Providence. The picture was rejected a week ago by the Inspector of Entertainment in that city on the grounds that it was "inartistic and immoral." The company has granted permission to show the film before the Board of Commissioners which, however, upheld the inspection committee.

Boris Morros Sails to Confer with Siritzky

Boris Morros sailed Friday for the Queen Mary for Paris to confer with Siritzky, his associate in a new company which plans to distribute French films here.

Morros intends to select a number of films excluding some which would be suitable for release in Hollywood. Siritzky, who is interested in Paris distribution and production, was expected to come here, but plans were changed.

Morros expects to leave France on the Queen Mary Feb. 18.

WHKC Starts Forum

COLUMBUS, O., Feb. 13.—KLHK, local Mutual affiliate, has inaugurated a legislative forum, to be aired by R. S. French, production manager, from 7:45 to 8 p.m.

Television Unit Formed

ALBANY, Jan. 13.—United Television and Appliance Corp. has been incorporated here with Rose Meyer, Mrs. Hy Comerford and Sylvia Tedor as directors.

Novarro in Mexico

Mexico City, Feb. 13.—Ramon Novarro is reportedly arranging to organize a picture production company here for making films in Spanish. He is to do most of his own directing.

B&K Suit Hearings

Put Off to March 7

Chicago, Feb. 13.—Hearing on all pending motions in the independents’ suit against B. & K. major companies has been postponed by Federal Judge Wilkerson to March 7, at which time prior proceedings will be reviewed. Damru figure action ensued. Taking of depositions was postponed until after the hearing date because of the Smith and Roos’ lawyer’s appearance at Federal Judge Woodward on Friday.

Notables at Miami

See ‘Stagecoach’ Open

MIAMI BEACH, Feb. 13.—The opening of “Stagecoach” at the Lincoln Friday night brought out a large audience of celebrities and society people. Fred Beebe staged a rodeo in front of the theatre which attracted a crowd of 5,000 and which was put on the NBC network. Important personalities in the audience were Nicholas M. Schenck, Mr. and Mrs. Damon Runyon, Ranny Roos, Rock and Mrs. Paul Amies, Leah Ray, Leo Spitz, Eddie Saunders, Barney Balaban, John Raitt, Alice Marshall, Harry Hallow, Mr. and Mrs. Mitchell Wolfs, Major Albert Warner, Sheila Barrett, Abe Lynman, Joseph F. Widner, Mr. and Mrs. P. A. E. Wieiken, Veloz and Yolanda, Stuart Twomb, Mr. and Mrs. Sidney Meyer, Cross Morros, Joe E. Lewis, Hy Gardner, Joan Abbott, Raye and Naldy, Sonny Werblin, Reinhard Werrnenth, Meyer Schine, William Danforth, John Fisher and Frank Stearn.

Committee Named as Fair Temple Sponsors

Among those serving on a laymen’s sponsoring committee appointed by Mayor Lasker was the Committee for the Temple of Religion at the World’s Fair are Frank C. Waller, vice-president of the Commerford circuit; David Sarnoff, RKO president; J. Heyn, Herbert Bayard Swope, Stephen P. Callaghan, Henry R. Luce, Arthur A. Ballantine, Frank Vanderbilt, Grover A. Whalen and William J. Donovan.

Robert Hage Is Dead

Funeral services were held on Saturday for Robert Hage, former member of the editorial staff of Motion Picture Daily and the old Motion Picture News. Hage died Feb. 9 after being sickened with pneumonia. He was 51 years old and resided at Bosota, N. Y. He was an editorial employee of a Bergen, N. J., newspaper at the time of his death and had been employed on Chicago newspapers and the N. Y. Sun. He is survived by his wife Edna and the old First National Pictures and for Universal for a time.

Hold Imhof Rites

Funeral services were held in Milwaukwe on Saturday for the father of Joseph H. Imhof, M-G-M office manager there. He died Wednesday. John Dembeck, father of John Dembeck, Jr., M-G-M booker in Detroit, died Friday.
It is because you can see it better, of course. In the stronger light you can see more clearly the details of pattern and construction. In daylight you see its true color.

This simple illustration explains the favorable reaction of patrons to High Intensity projection, now found in more than one third of the theaters in this country. This stronger, snow white light enables patrons to see all pictures more clearly and color features in more accurate hues than is possible with low intensity projection.

Simplified High Intensity projection gives two to three times as much light on the projection screen as low intensity. Yet it costs so little more that one extra admission per show will pay the difference. Ask your dealer's salesman to show you the book, “Yes—But What Will It Cost?”
DRAMA WITH THE IMPACT OF A BLAZING AUTOMATIC!

MY SON IS A CRIMINAL

ALAN BAXTER • JACQUELINE WELLS • GORDON OLIVER • WILLARD ROBERTSON

Screen play by Arthur T. Horman • Directed by C. C. Coleman, Jr. • A Columbia Picture
Companies to Ask Rehearing In Dallas Case

Outlawing of Clearance Is Seen Possible

That major distributors and Interstate Circuit will petition the U. S. Supreme Court for a rehearing in the Dallas anti-trust case appeared certain yesterday as film attorneys read implications in the high court’s decisions which they believed might revolutionize industry production, distribution and exhibition practices.

Among the possible reasons of the court’s majority opinion, some attorneys hold, is the outlawing of clearance between theatres. A first study of Justice Stone’s ruling at a meeting of industry attorneys yesterday developed the impression that if the court, as may have been ruled that distributors cannot legally enter into any agreement with one exhibitor which affects the operations of another, clearance might easily be included within the scope of the decision. Obviously, without clearance, the entire distribution and price structure of the industry collapses.

Decision Far Reaching

All attorneys were agreed that the Supreme Court decision goes far beyond the considerations involved in the Interstate (Paramount) case itself, as well as those of the New Hollywood picture at a suggested minimum admission in a first run which will not be shown below other designated scales in a second run, or on a double feature program.

A majority of attorneys indicated that such rehearing was advisable, as well, because the limitation is the thus far the most emphatic tone of the court’s dissenting opinion, which held that the majority ruling was “unjustified.” Attorneys also favor a rehearing.

(Continued on page 3)

Fleming to Direct

‘Gone With the Wind’

Hollywood, Feb. 14.—Victor Fleming has been borrowed from M-G-M by Selznick International to replace George Cukor as director of “Gone With the Wind.” Cukor will work with Fleming for a week to familiarize him with the material.

Cukor early this week withdrew from the film as a result of differences of opinion on several points in the story.

To Exempt Theatres From NY Chain Bill

Albany, Feb. 14.—Apprised by Wilcox, British producer, who was his chain store bill also apparently affected theatre circuits, Assemblyman Louis Bennett today declared he had no intention striking at them. Viewing the definition of the “stores” section, Bennett said his intention was merely to protect small merchants from the intrusions of chain store competition.

Bennett informed Motion Picture Daily an amendment eliminating theatres from provisions of the article will be forthcoming. The bill sets license fees on multiple stores.

Air Will Continue

Without Picture Stars, Says Royal

By J A C K B A N N E R

Radio will be found at the same old stand doing business in the same old way following the withdrawal of the last motion picture player from the air, is the way that John Royal, NBC vice-president in charge of programs, views the current Hollywood agitation against allowing further appearances of screen players on the air. There wasn’t any spleen in the way Royal, made that statement.

In fact, he acknowledged that screen stars have helped make the airways attractive, but nonetheless he made it clear that he feels radio will be able to carry on without serious damage to its programs or audience if the worst happens and Hollywood permanently bars film stars from working on the air.

No Showdown Seen

Neither is the current agitation the showdown between radio and Hollywood that some sources believe it to be, in the opinion of Royal, who doesn’t believe such a showdown ever will arrive because none is called for.

(Continued on page 3)

Schafer and Wilcox Leave for New York

Hollywood, Feb. 14.—George J. Schafer, president of RKO, left here today for New York tonight after several weeks here conferring on production. He is accompanied by Herbert Wilcox, British producer, who is here to line up production on his next film for RKO.

BUFFALO BILL FOR PARA.

Hollywood, Feb. 14.—Harry Sherman, producing for Paramount, will, as soon as possible, return to New York to work on the project of Buffalo Bill. Mr. Sherman will make a film, this year, about the exploits of Buffalo Bill. He has purchased two stories from Capt. Frank Woods, who has been here for some time working on the project.

ALLIED MAY QUIT PACT DEALINGS ON DAKOTA RULING

Myers Hints at Protest Action on Divorce

OPEN HEARING IN BRITISH ACOUSTICS

Action on Patents

By SHERWIN A. KANE

An intimation that Allied States may withdraw from the industry’s current trade practice negotiations by way of retaliation for efforts to repeal the North Dakota affiliated theatre divorce law was given yesterday by Abram F. Myers, chairman of the board and general counsel of Allied, in Washington.

Meanwhile, the Department of Justice has interested itself in the North Dakota legislature’s action in voting the other of the divorce law last weekend, it was revealed at Bismarck yesterday by Oscar Hagen, speaker of the house, who last Saturday branded the adoption of the repeal measure within a week after its introduction as “peculiar.”

Hagen withheld his signature from the repeal bill yesterday with the explanation that he had been informed that the Department of Justice investigators “are here investigating into the situation.” In addition, a house resolution urging Governor John Moses to veto the repeal bill was “allowed to rest,” pending developments after having been favorably reported by the judiciary committee at Bismarck yesterday, R. R. Scholl, author of the resolution, asked the house to withhold action on it for the time being.

May Renew “Fight”

Myers, in his Washington statement, attributed the North Dakota divorce law repeal move to affiliated company interests.

“That and other activities behind our backs,” he said, “while we have been engaged in the trade practice negotiations, make us wonder whether we had better not cage the dove of peace and renew the fight. We are not well enough manned to cover both fronts and it will have to be one or the other.”

In reply to the Allied leader’s statement it was pointed out in some trade quarters that the resolution adopted by Allied’s board of directors at its Washington meeting last month was

(Continued on page 3)
MOTION PICTURE DAILY

Purely Personal

MARJORIE FORD, OSCAR DOON, MORT SPRING, LOU IRWIN and DAVID B. AT SARDIE'S FOR DINNER.

JOHN LOGUE returns to his home in Chicago today after a trip to New York where he attended the opening of the new Paramount Theater.

William F. Rogers, General Sales Manager of M.G.M., was fighting the grippe yesterday.

TERRY DILLARD,低级律师, returned to work yesterday, having recovered from the grippe.

SIEGELLE leaves for the coast Friday. He will be gone three weeks.

Joseph F. Kleckner, president of Photographic, is here from Chicago.

Oscar Macie, advertising director for the company, has returned to Chicago.

Mort Blumenstock, Eastern advertising and publicity head for Warner's, suffered a broken ankle over the weekend.

Frank Drew, M.G-M manager in Cleveland, leaves this week with Mrs. Drew for two weeks in Florida.

Edward H. Griffith, Paramount director, has returned to the coast.

Frank McKee and Harold Kettle, Detroit and Dallas branch managers for Ross Federal, and harold Lund, Pittsburgh, eastern district supervisor, were home office visitors.

Densmore A. Ross, general manager, Ross Federal Service, is vacationing in Miami, Frank X. Miske, controller, has left for a two-week West Indies cruise.

YOU CAN BE IN LOS ANGELES TOMORROW MORNING VIA "HELLO, SKYSCRAPER"

* Fly the only Southern Sunrise—soaring by nature. No change of planes. Delicious, complimentary meals. Fare: $49.95; 10c saving on round trip.

MOTION PICTURE DAILY

Insiders' Outlook

By SAM SHAIN

We would not be astonished if the Government were not as much surprised by the fact that the U.S. Supreme Court decided in its favor the Dallas copyright case as all Dallas people. Win Low, Win major companies were in finding that the verdict was against them. It was a close call, in our opinion, for both sides.

Let us tell you that Darryl Zanuck was never more sincere about anything than he is at this time about taking film stars off the air.

Some of those who have been privileged to participate in the trade practice conferences have had their initial responsibilities carefully. Certain things which have been done are such as to suggest a deliberate and premeditated attempt to sabotage the self-regulation plan.

Confidences have been violated and it has done the business no good. Constructive action by those who were sincere in giving their time and devotion to their efforts to industry reforms has been discouraged.

Individuals on both sides may be fault. We are not taking sides. However, we do see the spark of impatience cracking in Abram Myers' statement made in Washington, yesterday. He may be right or he may be wrong—but that is something else, again. He implies strongly that Allied is prepared to work out on the trade practice conferences. Perhaps Myers knows things others do not know. Does he mean that the dead end of the self-regulation road has been reached?

This possible implication is bolstered by the fact that Allied's board, some weeks ago, resolved to go ahead with its corrective legislation, regardless.

The Newsreel Parade

The death of Pope Pius the lead- ing event in the week's reels. The reels and their contents follow:

MOVETONE NEWS. No. 45—Pope Pius Bosco. Cardinals leave United States to attend Pope's funeral. Pope Pius Bosco's funeral is the most grief-stricken in the world of the world. He was awarded by Mussolinii. Pursuit plane crashes. Hurricane of August 8. Kennedy v. Benches. Benees were welcomed to New York with much publicity. Pope Pius Bosco was a great skater. Pope Pius Bosco is the world's champion skater. Pope Pius Bosco at Saracane Lake.


RKO PATHÉ NEWS. No. 0—World's greatest death. Pope Pius Bosco's funeral is the most grief-stricken in the world of the world. He was awarded by Mussolinii. Pursuit plane crashes. Hurricane of August 8. Kennedy v. Benches. Benees were welcomed to New York with much publicity. Pope Pius Bosco was a great skater. Pope Pius Bosco is the world's champion skater. Pope Pius Bosco at Saracane Lake.


Regents to Review Warner Film Today

ALEXANDRIA, Wash., Feb. 14.—Three members of the Board of Regents tomorrow will review three Warner films: "Yes, Darling Daughter" and "The Puritan," a French production released under the title "Les Fantomes," for the purpose of reviewing a decision of Irwin Esmond, chief censor, who banned the films. Susan Brandys, George B. Hardy and Gordon K. Bell will hear the appeal.

The sub-committee of three will present the Warner film members of the Board of Regents at the monthly meeting on Feb. 24. In the past, it has been the custom of the Regents to uphold the decision of the committee. Argument on the appeals probably will follow immediately after the screenings in order to have a final decision before the end of the month.

Warner's, in an appeal from the banning of "Yes, Darling Daughter," argued that dialogue modification would eliminate the objections to the film. Subsequently, Esmond cited the film for encouraging trial marriages.

The Virginia state censors board has passed the film in its entirety, with no cuts made.

$100,000 of Rogers Fund for Paralysis

Will Rogers Memorial Commission has allocated $100,000 of funds to be raised during the Will Rogers National Theater Week in April to the Will Rogers National Paralysis Foundation. Major E. L. Thompson of RKO, chairman of the board, stated that he expected the number of participating theaters would be increased over last year's total of 6,019.

Today Major Thompson will outline his plans for the campaign to the heads of five major circuits and New York exhibitors. Tomorrow he will preside over the dedication of the Will Rogers Center for publishers' sales managers. Friday he will host a dinner for Hays and film trade paper publishers.

Rosenblatt to England

Sol A. Rosenblatt will sail on the Queen Elizabeth, 25 for England on a business trip.

MOTION PICTURE DAILY

(Registered U.S. Patent Office)

MARTIN QUIEGLE, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRON, Advertising Manager.

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ARDEN:—In Hollywood: Postal Union life business, wine and yachts, Ste. Roose, Marchant, manager; Walter R. Weaver, vice-president; J. H. O'Neill, manager; Lebanon, 4 Golden Square, W. 4th Street, Quigleyo, London.

BUREAUS and employed in second city: Miss. 23, 831, at post office, New York, N. Y., under the set of March 3, 1879.

Subscription rates per year in the Americas and $12 foreign. Single copies 10c.
Allied May Quit Fact Negotiation

(Continued from page 1)
dedicated to the protection of its legislative and court activities regardless of its participation in the trade practice negotiations and of their outcome.

"If that resolution can be interpreted as meaning that Allied had "sagged the dove of peace" or abandoned, as many contend, Myers' statement might have some meaning," one spokesman said. "First, however, one must assume they are right in attributing the repeal move to the distributors. I don't believe that to be true."

Resolution of home offices and industry law firms to the North Dakota repeal move varied. Some expressed satisfaction over the news; some disappointment, in that if repeal was consummated a test of the divorce legislation in the U.S. Supreme Court would be delayed for another two or three years. These saw repeal as no answer to the problem but merely a solution, but merely a postponement of determination of its legal status. The former group saw repeal of the North Dakota divorce law as merely the beginning of divorce legislation in some other state where existing theatre affiliation contracts would find more favorable legal test for the interested production and distribution companies.

Bill Offered in Missouri

KANSAS CITY, Feb. 14.—An affiliated theatre divorce bill has been introduced in the Missouri legislature by Representatives Turner and Morey, more favorable to the city. The measure is the third to be introduced during the current legislative season, the bill in this state having been preceded by the introduction of similar measures in the Nebraska and Kansas legislatures.

The Missouri divorce bill is almost identical to the Kansas bill. It would prohibit the operation or ownership of theatres by producer-distributors, and if approved, would become effective Jan. 1, 1940. The operator of a theatre would be required annually to file an affidavit of the state declaring that the theatre is not owned or controlled by such interests. Violation would be punishable by a fine of not more than $10,000 and one year imprisonment.

Similar Moves Predicted

Industry officials in New York commenting yesterday on the introduction of a theatre divorce bill in the Missouri legislature, predicted that similar moves would be made in many other states during the next few weeks in the event the North Dakota divorce law is repealed.

It was pointed out that many states have had divorce legislation in readiness for introduction as soon as the U.S. Supreme Court ruled on the legality of Missouri divorce. If the ruling is favorable to the anti-trust law, they will be forthcoming in the Federal court here against B.K. and the distributors. Counsel for the latter admit that the Missouri divorce law will affect the local case. Counsel for the defendants think otherwise.

To Judge Exhibitor Quiz Entries Today

Entries in exhibitors' Motion Picture Exhibitors' Greatest Year campaigns will be judged by a committee this afternoon following a luncheon at the Astor hotel. The 50 entries entered in the first 15 prizes totaling $2,100 will be decided.


Pollcock to Coast Friday

Pollcock, Universal eastern advertising and publicity manager, leaves for Thursday's premiere on a coast tour with John Joseph, advertising and publicity director, on a special campaign for "Spirit of Sulver." Picture may be re-titled prior to release. Pollcock will return to New York Feb. 23. Sidney Davidson will be in charge of the eastern department during the absence.

Air Will Continue Without Film Stars

(Continued from page 2)
and because both industries have much to offer each other.

If Hollywood has made contributions, radio in turn will have its share of good shows, produced to help Hollywood, even in its Royal's opinion. He refers to the vast number of radio players who have been good box-office advantage by Hollywood, the persistent mention that pictures receive only one airing, hence are not grateful to Hollywood on many occasions.

Time to Hollywood

"Whenever an important picture of Hollywood or New York, radio puts the finish of the opening on the air, yet don't find us doing a similar job when an important musical or dramatic show opens on Broadway," he said, and added, "For three years we presented Eliza Shal-vert, the author of whose novel, 'Sonia,' was included in the Hollywood and its players and product."

"Has Hollywood ever presented anybody to boost radio?" he asked.

N. J. Allied Commends Zanuck

Allied of New Jersey members, meeting last week in Newark, adopted a resolution commending Daryl F. Zanuck's action in withdrawing Tyrone Power from the air and the decision to keep other 20th Century-Fox stars from radio performances.

A luncheon meeting was well attended. George Gold of Newark, president, reported on the national Allied board meeting in Washington, where the members applauded the U.S. Supreme Court decision in the Interstate circuit case. The first of Allied's planned series of patriotic trailers, produced by National Screen, was screened.

The meeting will be an all-day session, including a luncheon, March 3, at Newark.

G.N. Gets 'Express'

HOLLYWOOD, Feb. 14.— Eugene Turney, who recently turned over active and prints of "Exit Express," starring Anna Steen, to Grand National, terminating a dispute over contracts for release arrangements.

Fiedlers Bankrupt

LOS ANGELES, Feb. 14.—Arthur and Richard Fiedler, former New York exhibitors, today filed in U.S. District Court here a petition in bankruptcy listing $958,180 liabilities and 100 assets. Several film companies and laboratories were listed as creditors.

Arthur Loew on Coast

HOLLYWOOD, Feb. 14.—Arthur M. Loew, vice-president of M-G-M in charge of public relations, and Lawrence, continental European manager, arrived today for several days of conference. They are accompanied by their wives.

Col. Signs Frank Lloyd

HOLLYWOOD, Feb. 14.—Frank Lloyd has been engaged by Columbia as producer-director on "The Tree of Lib-erty," new American historical novel acquired by the company prior to publication.

Wage and Hour Bill Offered in Albany

ALBANY, Feb. 14.——wage and hour bills in the legislature, particularly those in intrastate commerce have been introduced in the New York State legislature by Senator Philip Kleinfield and Representative Charles Rivera. The proposed laws follow closely the Federal enactment and provides for a minimum wage of not to over, October, 1939, 30 cents to Oc- tober, 1941, 35 cents to October, 1943, and a 40 cent increase.

Employment of children under 14 is forbidden. Employment between the ages of 14 to 16 is placed under the regulation of the Wage and Hour Administration. Effect on theatres is uncertain and would depend on a ruling on classification of theatres as a service industry.

Moore Is Shifted to Post in Pittsburgh

OKLAHOMA CITY, Feb. 14.—B. F. (Dusty) Moore, general manager of Senator, here, has been transferred to Pittsburgh as general manager of Warners' 24 theatres there. He is due in Pittsburgh in about a week.

Standard Theatres includes theatres pooled by Warners, Paramount and the Joseph Cooper interests. Moore will be succeeded at Senator by George Shutter, former general manager, who has been assisting Moore.

Leonard Schlesanger, Warner vice-president, is here from New York to effect the change. Moore will go to New York later this week to confer with Joseph Bernhard, general manager of Warner theatres. He came to Oklahoma last September from New York, where he was regional manager of Warner N.Y. metropolitan theatres.

Missouri Bill Would Hall Standing Room

KANSAS CITY, Feb. 14.—Theatre- men, supply houses and architects are watching the bill in the Missouri legislature, which would revise the rules governing theatre building, and would prohibit the sole use of seats where there is only standing room.

An amendment to the statute on construction of theatres states that all theonic buildings, the bill provides for a four-foot-wide aisle centrally located in a house over 20 feet wide.

Meet on Bills Friday

Discussion of the New York state legislative situation will be held at a meeting Friday afternoon at the Hotel Harry Brandt, president of the I. T. O. A. The meeting will be in Brandt's office in the Madison building. Independent and affiliated circuit bookwells and attorneys have been invited.

To Remake "Disraeli"

HOLLYWOOD, Feb. 14.—Warners will remake "Disraeli" with Claude Rains in the title role originally played by George Arliss.
A man with a long white beard is writing a new chapter in motion picture history!
More than $150,000 in quarters and half-dollars from delighted movie fans in 11 amazing weeks at the Astor, and no let-up in sight!

"PYGMALION" IS A PROVEN SUCCESS NATIONWIDE and is coming to you soon from M-G-M!

The success of this down-to-earth comedy romance is phenomenal. Its progress has been watched with keenest interest by the entire industry. The mass audience appeal revealed by the Astor crowds was further emphasized by the cross-section of the public in all subsequent test engagements. Literally, its biggest business comes from the masses. It is in its 7th week at the Four Star Theatre, Los Angeles, and still packing them in. Dayton was chosen next as a typical American city and it beat "Good Earth", "Marie Antoinette", "Captains Courageous" and other big shows and was HELD OVER FOR 2nd GREAT WEEK! Miami and Miami Beach followed to prove equally successful and now its triumph has spread to Chicago, Cleveland, Pittsburgh, Cincinnati, Kansas City and Houston. Watch these and other cities as M-G-M's showmanship surprise hit continues on its record-breaking career.
**‘James’ High With $15,000 In Twin Cities**

MINNEAPOLIS, Feb. 14—“J esse James” was best comparative grosser in Minneapolis with a strong $10,000 at the “Cowboy” and the Lady” at the Orpheum was runner-up with $5,000, while “Idiot’s Delight” in its second week at the Century did a neat $4,500.

In St. Paul, “Jessie James” came through with a good $5,000 in its second week at the Orpheum.

Estimated takings for the week ending Feb. 9:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
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<tbody>
<tr>
<td>Minneapolis:</td>
<td></td>
</tr>
<tr>
<td>“Ride a Crooked Mile” (Para.)</td>
<td>$2,000, (Average, $1,000)</td>
</tr>
<tr>
<td>“Newboys’ Home” (Univ.)</td>
<td>$1,000, (Average, $500)</td>
</tr>
<tr>
<td>Anstreicher (25c-35c) 7 days</td>
<td>$3,500, (Average, $500)</td>
</tr>
<tr>
<td>CENTURY— (25c-40c) 7 days</td>
<td>$5,000, (Average, $700)</td>
</tr>
<tr>
<td>“Girl Downstairs” (M-G-M)</td>
<td>$4,000, (Average, $400)</td>
</tr>
<tr>
<td>“The Lady” (U.O) ORPHEUM—(25c-50c) 7 days</td>
<td>$5,000, (Average, $700)</td>
</tr>
<tr>
<td><strong>Comedy of the Century</strong></td>
<td>$5,000, (Average, $700)</td>
</tr>
<tr>
<td>Chicago:</td>
<td></td>
</tr>
<tr>
<td>“A Man to Remember” (RKO) MILLIMETER—(25c-35c) 7 days</td>
<td>$5,000, (Average, $700)</td>
</tr>
<tr>
<td><strong>George Arliss</strong></td>
<td>$5,000, (Average, $700)</td>
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</tbody>
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Miss Bennett Suit

Federal Judge John C. Knox has dismissed a $10,000 damage suit of Richard Bennett against the Westover Hotel, Inc., for alleged negligence, based on a finding that Bennett himself had caused his injuries, through his own negligence.

**Wings of Navy** Good for $8,500 Milwaukee Gross

MILWAUKEE, Feb. 14—“Wings of the Navy” proved the week’s best grosser with $8,500 at the Warner. Secondary was “Stand-Up Girl” and “Vacation from Love,” which grossed $7,800 at Fox’s Palace.

“Jesse James” in its second week at the Wisconsin collected $9,000, while “The Last Warning,” and vaudeville was good for $5,500 at the Riverside.

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<td>$5,000, (Average, $500)</td>
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<tr>
<td>“Marry in Sahara” (Col.)</td>
<td>$3,000, (25c-35c 7 days</td>
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<td>“The Lady Vanishes” (G.B.)</td>
<td>$3,000, (Average, $500)</td>
</tr>
<tr>
<td>The Great Max Voter” (RKO) RKO-ALBEE — (25c) 7 days</td>
<td>$3,000, (Average, $500)</td>
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<tr>
<td>“The Son of Frankenstein” (Univ.)</td>
<td>$3,000, (Average, $500)</td>
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<td>“Torchy Blane in Chinatown” (W.B.)</td>
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<tr>
<td>“Mr. Menace?” (W.B.)</td>
<td>$3,000, (Average, $500)</td>
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<tr>
<td><strong>The Lady Blanche</strong> (Col.)</td>
<td>$5,000, (Average, $700)</td>
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<tr>
<td>“While the Lights Are Burning” (Para.)</td>
<td>$2,000, (Average, $500)</td>
</tr>
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<td>“The Lord and The Lady”</td>
<td>$2,000, (Average, $500)</td>
</tr>
<tr>
<td>“The Law” (W.B.)</td>
<td>$2,000, (Average, $500)</td>
</tr>
<tr>
<td>**‘Idiot’s Delight’ (M-G-M)</td>
<td>$2,000, (Average, $500)</td>
</tr>
<tr>
<td>“Dolly” (Para.)</td>
<td>$1,000, (Average, $500)</td>
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<tr>
<td>Alliance (25c) 7 days</td>
<td>$1,000, (Average, $500)</td>
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**Andersen Is Named to RKO Sales Post**

Richard Andersen has been named by Jules Levy, general sales manager, to a post at the RKO home office, in charge of the physical distribution of RKO Path News, working with Harry Michalson, short subject sales manager, and Sid Kramer, manager of the print and department sales.

Andersen has served in the sales department of various companies, and as sales manager of Universal Newsreel. He also was associated with Universal Newsworld.

**Hawaiian $12,000 In Providence Lull**

PROVIDENCE, Feb. 14.—A dual of “Paradise” and “Aid in Sahara,” led the field here, with $12,000 at Loew’s State, in a week of generally slow grosses.

“The Son of Frankenstein” and “Torchy Blane in Chinatown” took $7,500 at the Majestic. The weather was favorable.

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<td>“The Lady Vanishes” (G.B.)</td>
<td>$5,000, (Average, $1,000)</td>
</tr>
<tr>
<td>The Great Max Voter” (RKO) RKO-ALBEE — (25c) 7 days</td>
<td>$5,000, (Average, $1,000)</td>
</tr>
<tr>
<td>“The Son of Frankenstein” (Univ.)</td>
<td>$5,000, (Average, $1,000)</td>
</tr>
<tr>
<td>“Torchy Blane in Chinatown” (W.B.)</td>
<td>$5,000, (25c-35c 7 days</td>
</tr>
<tr>
<td>“Mr. Menace?” (W.B.)</td>
<td>$5,000, (Average, $1,000)</td>
</tr>
<tr>
<td><strong>The Lady Blanche</strong> (Col.)</td>
<td>$5,000, (Average, $1,000)</td>
</tr>
<tr>
<td>“While the Lights Are Burning” (Para.)</td>
<td>$4,000, (Average, $1,000)</td>
</tr>
<tr>
<td>“The Lord and The Lady”</td>
<td>$4,000, (Average, $1,000)</td>
</tr>
<tr>
<td>“The Law” (W.B.)</td>
<td>$4,000, (Average, $1,000)</td>
</tr>
<tr>
<td>**‘Idiot’s Delight’ (M-G-M)</td>
<td>$4,000, (Average, $1,000)</td>
</tr>
<tr>
<td>“Dolly” (Para.)</td>
<td>$3,000, (Average, $500)</td>
</tr>
<tr>
<td>Alliance (25c) 7 days</td>
<td>$3,000, (Average, $500)</td>
</tr>
</tbody>
</table>

**Who Will Give Me a Break?**

Years ago, when motion picture palaces were known as “nickelodeons” and Projectionists were called “cran-turners,” I got mixed up with an enterprising Ex-Clothing Store manager who was a small town from town to open a Film Exchange in Chicago. In almost no time at all theaters, far and wide knew him as “Uncle Carl.”

With him I learned about the various branches of our business ... Distribution ... Exhibition ... Production and neglect. Eventually I blossomed forth with an idea to “revolutionize” the Motion Picture industry ... SIXTEEN MILLIMETER MOVIES. And then the storm broke. This crazy guy, they said, was trying to shake the foundations of our business. Trade papers carried banner headlines like this: “Are Home Movies a Box Office Menace?” Threats were made against any producer who dared support him.

I lived through the turbulence of trial-blazing days, encouraging those who believed in me, keeping alive their faith. With what material gains to myself is a story in itself. But how this “crazy” scheme of mine has developed and is developing.

I still have unlimited faith in 16mm. films as an industry in itself, that can help rather than hinder the natural development of the professional motion picture as a mass and a money-making old field. The pioneer is out on a limb. Even as Daniel Boone! Remember him?

Today I am in the unbelievable position of wanting to go on. I prefer to travel. I still have health—mental and physical — and energy to burn. But where is the man or men who will give a break to a real old-timer who still has a hop to his fast one.

**JULIUS SINGER**

240 West 73rd Street, New York, N. Y.

Telephone: SU827-9760
'Blues' First Week Gross Hits $4,100

First week of "St. Louis Blues" grossed an estimated $4,100 at the Paramount Theatre in Madison, Wis., and week. "Son of Frankenstein," in its second week at the Rivoli, drew an estimated $1,000 its second week, which opened at the Rivoli Friday, will be followed by "You Can't Cheat an Honest Man" on Feb. 15.

"Off the Record" will replace the censored "Yes, My Darling Daughter" at the Slate. "Three Musketeers" will follow one week of "Tail Spin" at the Roxy. "Made for Each Other" will get the Music District, headed by M. M. Flinn, the Elsinore will start at the criterion today. "Grand Illusion" is held over for still another week at the Filmart.
Reading from left to riot, the principals of the world's greatest crowd-gathering feud!

From Universal—February 17th!

W. C. FIELDS

in

"You Can’t Cheat An Honest Man"

Edgar with Charlie
BERGEN • McCARTHY

and "MORTIMER" • CONSTANCE MOORE • MARY FORBES

THURSTON HALL • PRINCESS BABA

Original story by Charles Bogle
Directed by GEORGE MARSHALL
Produced by Lester Cowan

A NEW UNIVERSAL PICTURE
52 Features
On 20th-Fox
New Schedule

Metro Sales Meet
Set for March 19
M-G-M will hold a national sales convention beginning March 19, in Chicago, according to present plans. Business sessions will start on Monday for three days. The meeting may be at the Congress Hotel, but this is not certain.

William F. Rodgers, general sales manager, had planned to go to the coast for conferences with studio officials on the new season’s lineup, but may cancel or postpone the trip.

Fox West Coast Goes Back to Giveaways
Hollywood, Feb. 15.—Fox West Coast has returned to giveaways. At resumption of the drawings a Packard sedan will be the prize. Virtually every subsequent and neighborhood house in F. W. C. chain is participating in the car and cash drawings this week for the Arch Bowles drive, two prizes of $500 each being given tonight by fourteen houses in Cullen Espy’s district. In other districts “Jalopy Nights,” in which second hand cars are giveaway prizes are being held. In about four weeks “Charles Skouras Homecoming Week” will be held and a new series of giveaways is planned.

REPEAL IN DAKOTA
SPURS TRUST SUIT

15 Winners Chosen
For Best Campaigns
On “Greatest Year”

E. V. Dinerman, RKO Theatres, Cincinnati; Loew’s Poli Theatre, Bridgeport and S. F. Schwalb, Granada Theatre, Lawrence, Kan., won first prizes in their respective groups for the greatest promotion campaigns in connection with Motion Picture’s Greatest Year. The first prize was $500.

Other winners, chosen by a committee of advertising representatives from all major companies and trade publications at a luncheon at the Astor yesterday were:


Third group: Second, Alvin Sloan, Washington, D. C.; third, Robert E.

(Continued on page 3)

Flu Epidemic Cuts
Grosses in Chicago
About 25 Per Cent

Chicago, Feb. 15.—The flu epidemic, which has reached such proportions that closing of the city schools is being considered, has cut theatre grosses about 25 per cent during the last few days. A shortage of office personnel throughout the city revealed that one out of every five employees is confined to his home with either a severe cold or influenza.

Reports of physicians and hospitals show that most of the cases are not too severe form of the flu. On the other hand the rapid increase in cases has made it necessary to consider precautionary measures. Theaters, as public gathering places, of course, are feeling the effects of the contagion most sharply.

Demand for Approval Seen
Discouraging Ad Film Use

Sponsored advertising films of 200 feet or more must obtain a Hays office seal as a condition to showing in theaters operated by member companies. The move is intended to discourage the use of ad films in theatres. A ruling approved by Hays office directors recently stipulates that such films must comply with the Advertising Advisory Council’s code and that the seal, together with the words “This is an advertisement” appear in the front of the film. It applies to films advertising a commercial product. Comparatively few will be submitted for approval, it is stated, as the majority made for theatre use are about 90 feet in length.

It is estimated that possibly 10,000 theaters in the United States show short-length ad films.

Producers or advertisers may submit scripts and descriptions in advance for approval by the Advertising Advisory Council, headed by Lester Thompson in New York. The code, which heretofore has governed only film companies’ advertising and necessary, provides for good taste, banality, vulgarity, and among other things, the advertiser to “truth, honesty and integrity.”

A Hays office spokesman said the ruling is intended to prevent “the passing off of advertising films as entertainment.”

Survey Concluded
Motion Picture Daily in this issue publishes the concluding installment of the survey on the use of chance games and giveaways throughout the country. Motion Picture Daily invites reader comment on the situation. Page 6
File Appeal Notice From RKO Decision

Copia Realty Corp., and Fabian Operating Corp., holders of contingent claims against RKO, filed notice of appeal from the U. S. Circuit Court yesterday from the decision of Judge William Bundy which approved the plan. Appeal was taken from those provisions which dispose of claims of contingent creditors.

Judge Bundy yesterday directed P. S. T., a CKO trustee, to advertise in the Daily News Record notice of the hearing on Feb. 27. The notice indicates that a motion to confirm the plan will be considered on that date and that the hearing may be adjourned without further notice.

Path Plan Approval Is Slated for Today

Approval of the new plan of liquidation for Pathé-Film Corp. is expected today when stockholders meet to vote on the proposal. Pathé officials indicated yesterday that proxies from more than the required two-thirds of the stock had been received and that approval is assured.

The Union of the new company has tentatively been fixed as the Pathé Laboratories, Inc., this may be changed when the board of directors meets after the stockholders' meeting.

Monogram Financial Statement Out Friday

Regular monthly meeting of the board at Monogram voted yesterday to send out the annual financial report to stockholders on Friday. The report will be considered at the stockholders' meeting on March 1.

W. R. Johnston, Monogram president, returned yesterday from the city where he set plans for the 1939-40 production schedule.

Deny Restrainer on Father Hubbard Film

Albany, Feb. 15.—N. Y. Supreme Court Justice Spitalny has denied an injunction to restrain Father Hubbard, the “glacier priest” from showing his picture here at Chancellor’s Hall.

The opinion of the court is considered highly significant in that concerers the use of public property by non-profit and religious organizations.

Spitalny Called in Suit

Phil Spitalny, orchestra leader, was directed yesterday by Supreme Court Justice Timothy A. Leary to appear for examination before trial application of Henry Souvaine, Inc., plaintiff in a $1,000,000 claim for breach of contract suit brought against Spitalny for commissions allegedly secured from General Electric Co. by the defendant's radio program, "Hour of Charm."

Lab Union Confers

Laboratory Technicians Union, Local 702, conferred yesterday with Consolidated Film Industries and De Luxe Laboratories on a proposed contract. Richard Walsh, L. A. To. S. E., vice-president, was present at negotiations on behalf of the union.

Purely Personal

E. C. Grainger, general manager for the Shefl Theatre Enterprises, left yesterday for a two-week tour of the company’s Ohio and Pennsylvania theaters.

Frederick Ullman, Jr., vice-president in charge of operations for RKF, Pathé News, has returned from a three-week visit to Hollywood, during which he conferred with George Schaper and Nat E. Deinzer on the 1939-40 product.

Sam Eckman, M-G-M manager of the Great Johnstown, N. Y., for RKO, Eckman leaves tomorrow for the coast, where he will confer with Arthur M. Loew.

Arthur Jacobsen, head of Paramount’s talent department, will leave Hollywood Saturday on his first cross-country tour in search of talent.

Frank C. Walker is entertaining his brother, Senator T. J. Walker, of New York, who came east for the funeral of M. E. Costerford.

Jack Goldberg, U. A. district manager, will return to the Chicago exchange and will go on to Milwaukee and other cities in his territory.

Sam Rizerler of Randolf and Jon Sider of Prudential Playhouses are in Honolulu on a vacation.

Kansas City School Films Not Competing

Kansas City, Feb. 15.—Kansas City school system will not compete with exhibitors through showing of entertainment films. This assurance was given E. F. Webster, Jr., president of the T. D. O., by Rupert Peters, director of the visual education department of the Kansas City, Missouri, school district.

Occasion for exhibitors’ anxiety was the purchase of 16 mm. sound equipment by the school board for the first time. The equipment was bought for experimental purposes, Peters said, and would show entertainment films only occasionally and for assembly rooms, and then not at an admission.

Celebrates 25th Year

Des Moines, Feb. 15.—Celebration of the 25th anniversary of the entrance of E. J. Tilton, franchise holder of Republic Pictures for the states of Iowa and Nebraska, into the film business will take the form of a drive through March, April and May.

Stern Offers Paintings

Sam Stern, former art director for Warner Pittsburgh theatres, now with 25th Century-Fox, has contributed paintings to the Motion Picture Refugee Fund.

Billboard Bill in Albany

Albany, Feb. 15.—Another billboard measure setting up a regulation in connection with license fees has been introduced in the State Senate.

Joseph M. Schenck’s trip to New York is still indefinite. He is at present at the 20th Century-Fox studio.

Mickey Rooney, accompanied by Les Peterson of the M-G-M studios, left for Florida within the next few days.

Jack La Rue arrived on the Chan- gate yesterday, March 1, and Mr. and Mrs. John Lodge and G. Maly, Hungarian player, was present yesterday with Mrs. Wir following a month’s vacation in New York.

Sam Oppenheim, chief projectionist for RKO against RoCo, has returned from a Miami vacation.

W. F. Rodgers, M-G-M general sales manager, was down with laryngitis yesterday.

Mor Sanders of 20th Century-Fox is expected back today from a Florida vacation.

Kenneth Clark of the Hayas office is recovering from the grippe.

Mrs. David Sarnoff sailed yesterday for a West Indies cruise.

Sam Shain leaves today for Florida.

WPA Will Present Plays at Two Fairs

Federal Theatre Project WPA will present two separate series of plays at the World Fairs in New York and San Francisco, according to Acting Chairman of the WPA, Robert E. Sherwood, in a letter to Artscy Equity. Performances will be continu- tions from 11 A. M. to 11 P. M., and will average 45 minutes per perfor- mance. Admission of 25 cents will be charged. At the San Francisco Fair a 25-cent admission will be charged, and in New York the auditorium will be about twice as large. Actors and actresses will have no trouble on full union conditions in order to permit the WPA to stage shows. These will probably be the only legitimate stage productions at the Fairs with the exception of con- densed versions of Shakespearean plays which are scheduled to be put on by J. T. Schles, who operated a simi- lar concession at the Chicago Fair.

Moore to Pittsburgh In Next Two Months

B. F. “Dixie” Moore, who has been working in Oklahoma City for Stand- ard Oil of Pittsburgh, will return within the next two weeks to work under Harry Kalmin, Warner Thea- tre house manager, according to an announcement from the home office yesterday.

Jackson Due Tuesday

Jerome Jackson, head of Warrents’ production at Tastiddding studio, Lon- don, is due Tuesday on the lle de France for conferences with Sam E. Morse on the company’s foreign activities. Future quota produc- tion will be lined up.

‘Pygmalion’ Out Mar. 10

“Pygmalion” will be nationally re- leased on March 10. M-G-M reports the film has been a success in all its special engagements, including that of the Astor where it opened early in December.

Seayoom Kennedy Aide

James W. Seymour, former screen writer and motion picture executive, is aide to the President Harding for London. There he will be an attache at the American Embassy.

Move for Dismissal

In Operators’ Suit

Application will be made today to N. Y. Supreme Court Justice Timothy A. Leary by Empire State Motion Picture Operators Union, Inc., and its officers and directors, to dismiss for lack of prosecution a suit brought by twelve members of the union to restrain collection of assessments by the union. Justice Leary will also be asked to vacate a temporary injunction secured by the plaintiffs in 1933, which has restrained the union to date from assessing its members.

Palmer to Hollywood

Montreal, Feb. 15.—Hamilton Palmer, a member of the Canadian Broad- casting Corp, traffic staff, who has been in Toronto, has left on a two-month trip to Hollywood to act as technical adviser for M-G-M in the production of "Hands Across the Border."
NY Bill Clarifies Matron Situation

Albany, Feb. 15.—Designed to eliminate the confusion existing in New York State statutes in relation to admission of children under 16 to outdoor motion picture theaters without the presence of a guardian, a bill has been introduced by Assemblymen William J. Butler.

The bill, which permits children to enter theaters during the day without parent, guardian or otherwise authorized person, is pending in the Senate. It will be heard in committee when the Senate reconvenes.

'Tobacco Road' Put On After Film Show

Road company of "Tobacco Road" is experimenting with a solution to the long standing films vs. legitimate stage feud out of town. Since most of the former legitimate plays are not used for motion pictures, midnight performances of "Tobacco Road" are given in the film houses after the last screening of actual pictures. There are frequent conflicts between performances. The last one, on Monday, was at the Paramount, Toledo. At $1.05 top, the play showed to standing room and nearly reached a $4,000 gross. Curtain went up at 11:30 P.M.

CBC Initiates New International Series

Tokyo, Feb. 15.—The Canadian Broadcasting Corp. has inaugurated a series of international exchange programs from Paris. The programs will be presented over the Canadian network in cooperation with the official French radio system every two weeks.

Crosley Builds At Fair

Cincinnati, Feb. 15.—The Crosley Corp., operating WLW, WSAI, W8XAL and W8XNU, is erecting a building at the New York World's Fair grounds. It will cost $1,000,000, according to Powell Crosley, president. The structure will house the company's products including "Ready", a facsimile apparatus.

Ames Has His Own Office

Ronnie Ames, formerly with Fred Waring and more recently with Rockwell-Keefe, has opened his own management and public relations office here. Currently he is handling the return to the air of the Bert Lown orchestra.

Del Ruth Named


Plan Dillinger Film

Hollywood, Feb. 15.—Warners is planning a picture based upon the career of John Dillinger, late Public Enemy No. 1. George Stout is being sought for the killer's role.

'Don,' 20th-Fox Tieup

Twentieth Century-Fox again has made a tiptop with "Uncle Don," who conducts a children's series on WOR, to entertain winners in a radio contest.

Postpone Screening Of 'Darling Daughter'

Scheduled screening of "Yes, My Darling Daughter" before three members of the N. Y. Board of Regents was postponed yesterday until next week because of the New Orleans Bulletin Strike. The film will be viewed and the appeal of Warners from the decision banning the play will be heard Friday, Feb. 26. The board meeting on Feb. 24, This will permit the committee to report its findings to the meeting which is expected to go into session on that date.

Albert S. Hovson, Warners censor director, who prepared the briefs, declared that the film is a picturization of a successful stage play with objectionable features removed. The Executive director, however, pointed out that the picture represents a considerable investment and that modifications of dialogue will tend to further eliminate much of the objection thereto. Yesterday the committee saw "The Puritan" which was also banned by Irwin Esmond, chief censor.

52 Features on New 20th-Fox Schedule

(Continued from page 1)

In Chicago, April 15 to 17, it is understood the features will include four groups, one of eight, one of 16 and two of 16 each.

S. R. Kent, president, and Herman Wobber, director of distribution, will meet with Darryl F. Zanuck at the studio on March 16 to complete details of the program and budget.

Kent gave a picture of the company's world-wide position and Wobber discussed sales policies at a meeting of district managers and office executives at the Park Central Hotel yesterday. Others who spoke were Charles E. McCarthy, director of advertising and publicity; Truman H. Talley, producers of shorts and Movietone News, and Harvey Day of Terry Toons.

Sessions Continue Today

The sessions will continue today at the home office, with Wobber and division managers discussing problems with the district head office executives at yesterday's meeting were Division Managers William Sussman, W. C. Gehring and William Kummer; William Holtschulte, short subjects manager; Felix Jenkins, Sam Epstein, Clarence Hill, Roger Ferri, Martin Moskowitz, local managers; Lone Wolf, E. H. Collins and Jack Bloom.

I. T. O. A. Sees Few Film Stars on Radio

Few film stars will be on radio programs during the season starting April 15th. It was decided at a meeting of the I. T. O. A. yesterday at the Astor, Harry Brandt, president, told of the steps being taken to keep talent off the air. Darryl Zanuck and M-G-M were commended.

David Weinstock again heads the schedule of radio stars, with the usual "movie ball" to be held March 18 at the Astor. Charles Goldsreyer is executive chairman of the program committee.

It was reported that committees of the I. T. O. A. and Local 36 are still negotiating new terms for operators.

Troubles

Americans, Ga., Feb. 15.—After the city increased the annual license on his theatre from $100 to $250, J. M. Rogers went to a Council meeting to lodge a vigorous protest.

He listened for two hours to other business men's complaints about taxes, then left without asking a question or making a protestation. Later, he explained to councilmen: "You fellows have enough troubles of your own without hearing any protest from me."

MPPA Publicity Committee Named

Hollywood, Feb. 15.—Kyle Palmer, Tom Petty and Gabe York of the Association of Motion Picture Producers, have been named by Will Hays as a committee to coordinate public relations and public information concerning, the Industry in Hollywood, with the industry's national affairs.

Functions of the committee will include closer cooperation with studio department heads, interdepartmental activities in the association and dissemination of information on local and national problems and industry activity.

Ask for Transfer of Jewel Lottery Case

Judge Koening in Special Sessions yesterday took under advisement motion of Harry G. Kosch, counsel for the Jewel Theatre, Harlem, to transfer the lottery case against the theatre to General Sessions, for a jury trial. Magna Puck was named by Kosch and the District Attorney's office.

The case was continued in Special Sessions for March 15 pending determination of the defendant's motion. This makes the fourth postponement of the case which is regarded by city officials as pivotal in the chance game situation here.

15 'Greatest Year' Winners Are Chosen

(Continued from page 1)


The other cash prizes were: Second, $100; third, $50; fourth, $25, and fifth, $23.

Among those who attended the luncheon and participated in the judging were Red Kain, Box Office; Alec Moss, Paramount, Jack Alcoff, Film Daily; Si Seidler, M-G-M; Chick Lewis, Showmen's Trade Review; George Vanagan, ARTS; Barret McCormick, RKO; Gay Emanuel, Exhibitor; Maurice Bergman, Columbia; Lee Lifton, Monogram; Jack Harrower, Film Daily; Lester Thompson, Hay's Office; Roy Charter, Variety; Arch Rogers, 20th-Century-Fox; Arthur Jeffrey, United Artists; Sid Davidson, Universal; Sid Singerman and Harold Franklin, Motion Pictures Greatest Year.

Lohr to Leave for Hollywood in Week

Lenox R. Lohr, NBC president, will leave for Hollywood next week, with stopovers in various cities en route, to confer with various motion picture studios. While in Hollywood he is expected to consult with film studio officials on the current unsettled film-radio situation, although no confirmation on this can be obtained from his office. Starting date of the trip remains unknown.

Alfred H. Morton, vice-president in charge of NBC owned and operated stations, will make the trip with Lohr.

2 Big Film Unions In Mexico End Row

Mexico City, Feb. 15.—The two labor unions that control the Mexican film industry, the Federation of Cinematographic Workers and the National Film Industry Workers, have finally made peace after a long row that hampered production and caused the boycotting of some pictures.

The peace pact is seen as assuring uninterrupted work by the studios. Producers are so jubilant that all ready predictions are being made that this will be Mexico's biggest movie output year. Estimated production for 1939 production runs from 65 to 70 features and about 25 or 30 shorts.

'Each Other' Opens At Music Hall Today

"Made for Each Other" opens today at the Music Hall after a three-week run for "Oogma Da." The latter grossed an estimated $80,000 in its third week. At the Capitol, "Idiot's Delight," with Fredric March and Kathleen Burke, has grossed $410,000 in its second week and will be held over for a third.

Finish Scott Western

"In Old Montana," musical western starring Fred Scott, has been completed under the direction of Raymond K. Johnson, with "It's a C. B. Durand production and will be released by Spectrum Pictures.

Would Tax Stations

Little Rock, Ark., Feb. 15.—A Senate bill would levy a $100 annual tax on radio stations. It was referred to the committee on Revenue and Taxation.

Lantz to Have His Own Yearly Awards

Hollywood, Feb. 15.—Walter Lantz is inaugurating his own yearly awards for his employees who aid him in making cartoons for Universal release. Lantz and a selected committee are looking at year's product to select winners in the animation, background, story, music and other divisions of cartoon making. Awards, bronze statuettes, will be given to the winners at a company dinner.
It's here—and now—after a year on the New York stage—after the road tour that covered the country!

To make a love story sweeter it's got Lane and Lynn in love again! To make a year-run stage riot still funnier it's got castful of Hollywood cut-

To make a long story short, terrific... practically sensation
Mother, aren't you glad you haven't Four Daughters like me?

Starring the Lovable Sweethearts of 'Four Daughters'

Priscilla Lane
Jeffrey Lynn

Directed by William Keighley

Screen Play by Casey Robinson
From the Stage Play by Mark Reed

ROLAND YOUNG, RAY BAINTER, MAY ROBSON, GENEVIEVE TOBIN, JAN HUNTER

Directed by WILLIAM KEIGHLEY

Screen Play by CASEY ROBINSON

WARNER BROS.

Producers
**Aggressive Steps Needed to Check Games**

By SAM SHAIN

Nicholas M. Schenck, president of Loew's, once said that there was nothing wrong with the business which good pictures cannot cure, and in closing the cross-country survey on games and giveaways by Motion Picture Daily we leave you with this thought.

**MOTION PICTURE DAILY's** purpose in conducting this survey has been only one of service to the industry. All the views that were available have been sought, and all the views that were obtainable have been presented. We hope that this study of chance games and giveaways has given an even and concise picture of that situation and its effect around the country.

Perhaps the motion picture producers and distributors and the leading exhibitors as well should take aggressive steps to bring an end to this practice. It certainly is not showmanship.

**CALLED PERNICIOUS HABIT**

Take the view of Harry Arthur, of St. Louis, for instance. He describes chance games and giveaways as a pernicious habit.

"The practice of giveaways becomes a pernicious habit," he says, "and concentrates the business on the nights that there are giveaways, without improving the weekly or monthly or annual takes, and it resolves itself down merely into a matter of expense without any real improvement at the box-office over a period of time."

**TENN. BILL ASKS 5% TAX FOR BANK NIGHT**

**NASHVILLE,** Feb. 15.—Governor Cooper's revenue bill received committee approval in a revised form, after administration leaders split into two camps over a gaudy stamps levy applicable only to theatres operating Bank Night. In the committee's final action, the stamps levy, which had been a virtual defeat for the Cooper proposal. However, other committee revisions were with approval of the chief executive.

The original revenue bill, introduced in both houses and set for final legislative action, increased from 3 to 4 per cent, the game receipts tax on theatres with the exception of those operating Bank Night, which were to be taxed at 5 per cent.

House Speaker O'Dell presented an amendment, with administration approval restoring the original gross receipts rate, 100 cents, per game. Furthermore, O'Dell proposed that theatres operating Bank Night pay a 6 per cent tax instead of the proposed 5 per cent.

**Milwaukee Theatres Support New Game**

**MILWAUKEE, Feb. 15.—**Milwaukee County independent exhibitors who were unsuccessful in their attempts to secure a voluntary discontinuance of the cross-country game failed another game which offers $1,000 weekly in cash prizes.

The game provides for weekly registering in the stores of cooperating business houses with drawings each Saturday night, and proxy nights on Monday and Wednesday nights. Lost to the merchant and exhibitor is $1 per week each, and it is hoped to enroll all business houses in Milwaukee County in the plan.

The plan has been copyrighted by John S. Barber of this city and it is proposed to expand it on a nationwide scale.

**70% of Local Theatres Vote To Ban Games**

Seventy per cent of independent exhibitors in the New York metropolitan area have voted in favor of banning games, saying that they are not profitable, the remaining 30 per cent, according to Motion Picture Daily, plan to fight it out. Seventy-three per cent of the exhibitors were interviewed, with the finding that the ban among them is unlikely, if other producers do the same.

This is according to a survey conducted from heads of small circuits and individual theatres.

Of the total of 73 per cent using games, 83 per cent said that the stimulants improved business at once, but 64 per cent find that the games are no longer a business getter. Ninety per cent have competition from Bingo in churches and halls in their vicinity.

See Public Tiring

Seventy-nine per cent of those replying believes that the tiring of games and 70 per cent believe that their theatres would be better off without the games. The latter view are not profitable, considering the expense and increased competition.

Sixty per cent reported that business falls off on nights when money is not given away.

The I. T. O. A. believes the replies received from across the country give an annual in New York, although no replies were received from RKO, Loew's, Sarnents and other major circuits. However, these circuits are on record as favoring the games' elimination if others do the same.

**Bayonne**

Population, 95,000; two first runs, 35 cents; 1,450 seats; 7,500 runs, ranging from 700 to 1,450, seats, 15c-25c. Only subsequent have money games, Bingo and Lucky, with between $4,000 and $6,000 given away annually. Non-theatrical chance games are rampant, with many organizations running them. There are also subways, with $1,000 a night. Non-theatrical games would continue if the exhibitors stopped them. No attempts have been made to stop any of the cash games, and merchants apparently have made no protests. Exhibitors would be glad to stop them if they all could at the same time, as they believe they are unprofitable, but such a move is not likely. Organizations give expensive premiums, such as automobiles or the cash equivalent.

**Eldridge**

There are two theatres, one in the city and one in the country. They are adjacent to each other and have similar houses and audiences. The house in the city has $4,000 per month, and $600 per month, according to reports. Non-theatrical games are rampant, with many organizations running them. There are also subways, with $1,000 a night. Non-theatrical games would continue if the exhibitors stopped them. No attempts have been made to stop any of the cash games, and merchants apparently have made no protests. Exhibitors would be glad to stop them if they all could at the same time, as they believe they are unprofitable, but such a move is not likely. Organizations give expensive premiums, such as automobiles or the cash equivalent.

**Milwaukee**

Population, 190,000; five first runs, 7,500 seats, 15c-25c; two second, 1,450 seats, 7,500 seats, 15c-25c. While theatre business in Milwaukee is normally below grosses in most cities of comparable size, theatre owners here are opposed to games.

When chance games were sweeping the country about four years ago, an attempt was made to start them here. The county attorney stopped them before a charter could be established. All exhibitors believe they are better off without such stimulants. They say they will not try again unless in the authorities approve, unless they are forced to by competition. Money games are run by clubs and churches to some extent, but not sufficient to hurt theatres.

**Ned Edris**

Ned Edris, general manager of John Hambrock's Tacoma theatres, said: "The experience of other operators in the Northwest has taught Tacoma exhibitors enough about games, so there is no danger of the idea spreading here."

Olympia, 25 miles from Tacoma, has money games, but this does not affect Tacoma business.

"When games are used, some exhibitors say they are not worth while."

**Rochester**

Local houses give away about $30,000 in bathtub games per year. By large, they are willing to quit the games, and would do so if it were not for the competition from church Bingo parties which offer bigger prizes than the theatres. One church, on Friday nights, offers $1,000 in cash, plus a Florida trip, plus $100 in door prizes, plus $200 in specials —plus "free parking for 2,000 cars."

**Partial Close**

In Rochester, the state law states that the state law states that the state law states that the state law statements do not permit prizes in games of skill, such as Quiz programs, but the state places a 20 per cent tax on the prizes.

**Tampa**

Population, 55,000; three first runs, 2,000 seats, 25c-40c. Both theatres are owned by the Schenectades. Games have been played several years, ever since the city came into vogue at the hands of lodges. Theatres felt they had to meet the competition. Games have boosted attendance, but the managers say the attraction is wearing off. They consider the games profitable, as they bolster weak attractions. Newspapers have banned chance game ads, and police have advised managers against heralds, etc. The only advertising is via trailers, lobby announcements and window cards.

**Utica**

Population, 105,000; three first runs, 6,500 seats, 40c top; 10 subsequent, 7,500 seats, 25c-35c. Other than games which have been in vogue more than three years. Prize money totals more than $15,000 yearly. Lodges, clubs and clubs have large scale games, but not more than before games is adopted. Games are considered profitable because of cross-country theatrical opposition. Exhibitors would quit games if others did. One lodge gave $7,000 in prizes and was mobbed on one occasion. Couple of theatres give dishes, raising admissions for that won the permits.

**Clifton, N. J.**

Population, 55,000; one first run, 1,657 seats, 50c; 15c-25c. First run does not have giveaways. Subsequent has had giveaways five years, and "wishes it didn't have to." Churches, clubs, and even poolrooms, run big gambling games, and the theatre must compete.

**Lesmores Retains**

**BEAUMONT, Texas, Feb. 15.—**Joe C. Clemmons, president of the Jefferson Amusements Co. since its organization in 1918, has retired from active operation of the circuit. Sol E. Gordon, chairman of the board and partner of Clemmons, has become president. Clemmons will remain as director.

**Lottery Acquittal Is Ordered in KY.**

Owensboro, Ky., Feb. 13.—Judge Charles H. Wilson in Hopkins Circuit Court at Madisonville ordered acquittal of the Crescent Amusements Co., charging the local lottery law by conducting Bank Night at the Elkhorn. Judge Wilson directed the court to return the judgment be taken to the Court of Appeals for review. Judge Wilson directed the court to return the judgment be taken to the Court of Appeals for review. Judge Wilson directed the court to return the judgment be taken to the Court of Appeals for review. Judge Wilson directed the court to return the judgment be taken to the Court of Appeals for review. Judge Wilson directed the court to return the judgment be taken to the Court of Appeals for review.
COLUMBIA
TOP PICTURES
TO BE
RELEASED
STARTING
IMMEDIATELY
The magnificent drama of two plain, honest kids who wanted only to live and love, but who found the eyes of a brutal world turned upon them accusingly! Millions of plain, honest Americans will weep... and laugh... with them—and love them!
A HOWARD HAWKS' PRODUCTION IN HIS TRADITION OF BIG MONEY PICTURES...
ROMANCE...GREAT ADVENTURE...THRILLS
...IN THE FOG-BOUND MOUNTAINS AND LUSH TROPICAL BEAUTY OF SOUTH AMERICA...

JEAN CARY

Arthur Grant

Tentative Title... "PLANE NO. 4"
Columbia, in announcing that, for a term of years, Wesley Ruggles will produce two pictures each year, has secured for his first picture the new Clarence Budington Kelland novel *Arizona*

*Arizona* will start serially in the Saturday Evening Post February 25th and will be published subsequently in book form. Those familiar with Kelland's work feel certain that Arizona is destined to be the most-talked-of novel of the year.

A Stirring Epic-Sweeping Picture
Surpassing in Scope Ruggles' Own Great "Cimarron"
ONE OF THE TRULY GREAT STAGE SUCCESSES OF RECENT YEARS!

GOLDEN BOY

A Rouben Mamoulian Production
Based Upon The Noted Group Theatre Play
by Clifford Odets
The Further Adventures of the Bumsteads!

THE MOTION PICTURE SCREEN'S
ANSWER TO MILLIONS OF READERS OF
THE GREAT "BLONDIE" COMIC STRIP!

BLONDIE MEETS THE BOSS
Based upon the Comic Strip
created by CHIC YOUNG
with
SKINNAY ENNIS AND HIS BAND
Screen play by Richard Flournoy; Directed by FRANK R. STRAYER
A Columbia Picture
You have asked for this kind of a picture... A unique comedy-drama inspired by real showmanship! A story punctuated by laughs and action built on the grand idea of a society matron who mops up a mob! She finds out about machine guns only to turn them to her purpose!

THE LADY AND THE MOB

FAY BAINTER • IDA LUPINO • LEE BOWMAN • HENRY ARMETTA

A Columbia Picture
THE MOST IMPORTANT NEWS OF THE YEAR!

FRANK CAPRA'S

MR. SMITH GOES TO WASHINGTON

Screen play by Sidney Buchman

Sold exclusive from any Columbia group
Hollywood Previews

"Huckleberry Finn" (M-G-M)

Hollywood, Feb. 15.—Mark Twain’s "Huckleberry Finn" is an old story. Large book sales, however, attest its modern popularity. Mickey Rooney likewise is an old favorite, but a new star. Together the pair form a powerful name combination on which to base exploitation.

The story has not been modernized. As it comes to the screen, it follows the spirit of Twain’s fiction classic of life along the Mississippi three quarters of a century ago. It merely makes use of elements that have proved their entertainment and commercial value time after time. Humor and pathos, comedy and melodrama, a threat of tragedy and spectacle are its substance.

Several chapters of the book are used. But from the time "Huck" runs away until he returns to help save slave "Jim" from being lynched audiences find many occasions to laugh and there are a few incidents that will affect their more sympathetic emotions. Intervening episodes have "Huck" and "Jim" meeting "The King" and "Duke" and "Huck" and "King" rescuing the ridiculous "Romeo and Juliet" baraqueque. "Huck" saves two girls from being cheated out of their inheritance, breaks with "Jim." But when "Jim" saves his life after he has been bitten by a snake, "Huck" inspires "Captain Brandy" to make the memorable river boat dash up the Mississippi to save "Jim" from the mob bent on lynching. These are but the highlights; there’s a wealth of sustaining action.

Rooney is a natural and convincing "Huckleberry Finn" and Rex Ingram’s conception of the slave part is an accomplished bit of acting. Walter Connolly and William Frawley, the clowns of the show, supply the hokum comedy. That gets the laughs with its inherent humor. In their respective roles Elizabeth Risdon, Clara Blandick, Victor Kilian, Jo Ann Sayers, Lynne Carver and Minor Watson do much to make the production interesting and entertaining.

In the screenplay Hugo Butler made no attempt to improve the spirit of the original, and neither did Richard Thorpe, who directs.

Running time, 90 minutes. "G."**

G. McC.

'Motion Picture Daily'

Thursday, February 16, 1939

'Gunga Din' $30,500 Big For Chicago

CHICAGO, Feb. 15.—"Gunga Din" swept into the Palace and came near breaking records with a gross of $30,500.

"Idiot's Delight" at the United Artists another solid attraction, with $24,400. "Tailspin" at the Roosevelt and "Ride A Crooked Mile" at the State-Lake were strong.

Estimated takings for the week ending Feb. 8-11:

"Out West with the Hardys" (M-G-M) PALACE—$2,000 (25c-65c) 7 days Gross: $6,000. (Average, $857.33)
"The Lady Vanishes" (G.B.) ORPHEUM—$4,000 (35c-75c) 7 days Gross: $8,000. (Average, $1,142.85)
"Charm of the Country Girl" (Para.) FOX RIVER—$3,000 (25c-65c) 7 days Gross: $7,500. (Average, $1,071.43)
"The Westerner" (Rko) ORLANDO—$2,000 (25c-75c) 7 days Gross: $5,000. (Average, $714.28)
"Western Jamboree" (Rmp) ORANGE—$2,000 (35c-55c) 7 days Gross: $4,000. (Average, $571.43)
"A Moving Charge" (Para.) CRESCENT CITY—$2,000 (25c-75c) 7 days Gross: $5,000. (Average, $714.28)
"Gunga Din" (Rko) PALACE—$2,000 (35c-75c) 7 days Gross: $2,000. (Average, $285.71)
"The Great Mag Vortex" (Rko) ROOSEVELT—$2,000 (35c-75c) 7 days Gross: $4,000. (Average, $571.43)
"Ride a Crooked Mile" (Para.) ST. PAUL—$2,000 (35c-75c) 7 days Gross: $5,000. (Average, $714.28)
"Idiot's Delight" (M-G-M) UNITED ARTISTS—$2,000 (25c-75c) 7 days Gross: $6,000. (Average, $857.33)

'Trade Winds' in Detroit Blows a Gale at $15,000

DETROIT, Feb. 15.—Eddy Duchin’s band on the stage, with The Great Mag Vortex for $2,000, and the Michigan did nicely with "Trade Winds" and "Burn Em up O’Connor" for $15,000. Second week of "Idiot’s Delight" gave the United Artists $10,000.

Estimated takings for the week ending branch staff, Al Anderson, George DeWaide, Lon Stan and Glen Broger from Portland, and Glen Haviland from Spokane.

Completing Polish Film in Hollywood

Hollywood, Feb. 15.—Alvin Wyckoff, supervising director in charge of production for Polish Pictures, Inc., has returned from England to complete "Peasant’s Wedding," the first of four Polish films the company plans to produce in London and Europe. "The Peasant’s Wedding" and the other three will be distributed in Poland and in Polish colonies in the United States and in the Americas. Material used will be based on native culture and folklore. Most of the interiors were shot in Buffalo, with exteriors being filmed in Hollywood. Wyckoff is making his headquarters at Talisman studios here.
Radio Plans Are Set On Visit of Royalty

Arrangements have been completed by the three nationwide networks, CBS, NBC, and Mutual, and by the official Canadian network, Canadian Broadcasting, for the televised coverage of the visit to Canada and the United States of King George and Queen Elizabeth of Great Britain.

The royal couple is expected to spend from May 15 to June 15 on this continental visit, and their radio plans, while still tentative, will include practically daily broadcasts along their route. CBS will feed programs to the networks in this country, and when the royal visitors cross to the United States, the three networks here will return the service.

Radio Personalities

PAUL BRENNER, WNWE announcer, has returned to his post after an illness of three weeks...Bette Davis, who was given the chance to star in a film, is ill with influenza. . . . Tim and Irene will be the guests on Tuesday night's show. . . . Fred M. Cohan has been booked for the Walter O'Keefe show Feb. 23. . . . Reported that Ripley will be back on the network March 1. . . . The Columbia Pictures has asked for a presentation of the radio serial, "Her Message," with a picture based on the strip as a possibility.

Hal Kemp returns to New York after a belated honeymoon when he opens at the Paramount Feb. 22 . . . at the Bonnycastle Theatre. . . . It is in town for an appearance with Kemp at the Paramount. . . . Harold Osley, for the past 15 years with NBC, has been on to the network. NBC will feed the opening of the San Francisco World's Fair to WHOM. . . . Jack Simon of WHN will celebrate a birthday Saturday . . . Ginger Rogers, Rosalind Russell and Adolphe Menjou, with bring "Stage Door" to the Lux Radio Theatre on CBS Monday night.

CBS Gets Report on Rural Air Listeners

Hoope-Holmes Co. has completed a survey for CBS of the preferences of rural listeners in eight communities. This study was patterned after the recent study of radio ownership and usage by the NBC. The survey was directed by NBC and directed by the Joint Committee on Radio Research.

Highlights of the CBS report, which is completed of 10,207 personal interviews included the following:

The same programs that win the most listeners, Major Bowes, Kate Smith, Eddie Cantor, etc., are leaders on the farm as well; 87 per cent of those interviewed listened regularly to CBS in the evening; 72 per cent listen to CBS in the daytime.

NBC Signs Rockwell To Bolster Blue Net

NBC is instituting a campaign to build up its Blue network, and the first move in this direction is the signing of "Doc" Rockwell in a new series titled "Doc Rockwell's Braintrust." The network plans to book a series of elaborate sustaining shows, and after building them up, offer them to advertisers as a merchandising unit. Supporting the network will be the NBC 30-piece orchestra and a 14-voice choir. The program begins Feb. 21.

George Jessel Signed

George Jessel has been signed for a new local radio series, to be heard over WJZ Wednesdays from 7:30 to 8 P.M., for 20 weeks starting March 15. Pedlar and Ryan is the agency.

Progress Reported In Color Television

London, Feb. 15.—Unusual results are said to have been achieved in color television by the Baird system. It is reported that last week's experiments show great progress over previous demonstrations of the process, and that tests are being carried on with the greatest secrecy.

Coast Fair Will See New RCA Television

San Francisco, Feb. 15.—High definition electronic television will have its first public showing on the Pacific Coast at the Golden Gate Exposition. Experiments in construction of a special television building which will house the studios and facilities for regular broadcasting studios and radio facsimile.

HOGAN LINES

Thursday, February 16, 1939

Banner Lines

OFTEN a network's associated stations are prevented from carrying a network service, and if the primary network is not big enough for some locally important program or a local commercial commitment. To insure wider distribution of a program, the NBC's "Off-The-Record"—with an eye to the F.C.C.—has adopted a new policy and is now permitting delayed acetate recordings of programs. Associated stations may now ask for recordings of such network service programs as they are unable to carry because of the local situation. The platters, after the local broadcasting, are shipped back to NBC, where they are destroyed.

Booke Carter will make his first network appearance in a long while when he takes the after-midnight debate on "Should the U. S. Have Compulsory Army Service?" in the "People's Rally" program over Mutual on the 19th.

Franchot Tone, now appearing in "The Gentle People" on Broadway, is booked for a network appearance on Cal Tinney's "If I Had a Chance" Tuesday night. Troubled because he had but about 10 minutes between curtain and air time, Tone staged a rehearsal Monday night, then, with the aid of a "mickey mouse" machine he cleared the dash from the stage door to Radio City. The rehearsal showed the trip could be made with about two minutes to spare, and so he kept his air date.

The Parkyakarkuses are expecting a blessed evening if it's a good Parky swears he'll name her Sidonia-Karsh.

America's Town Meeting reports a run on tickets from folks in film business for tomorrow's debate in which Jack Banning, Columbia, Libya, and Homer, Colgate, for tickets have come from United Artists, Warners, M-G-M and Paramount.

Bob Ripley will return to the air in March for the Royal Cola Co., over an NBC network, it is believed.

Margaret Anglin on Air

Margaret Anglin, well known Broadway actress, has been engaged to do a new radio series for the R. L. Watkins Co., through a booking by Blackett-Sample-Hummert. Miss Anglin's series, a dramatic serial series, will be titled "Orphans of Divorce," and will be offered Mondays from 7:30 to 8 P.M. on the NBC Blue, station WEAF. The new series replaces "Alias Jimmy Valentine" for the same client.

Southern Joints CBS Unit

Paul E. Southard has joined the American Record Corp., new CBS affiliate, and will serve in an executive sales capacity. He was formerly merchandise specialist for RCA Victor.
FCC Reorganization Attacked in Senate
Washington, Feb. 16—Proposed substitution of a three-man board for the present F. C. C., declaring the Wheeler bill reflects McNineh's ideas and makes no changes in the legal framework in the present cency, President Roosevelt said he was dissatisfied.

Pathé Plan Is Voted; to Form New Company
Laboratories Corp. to Be Set Up in 10 Days

New financial setup for Pathé Film Corp. was approved by a vote of 298, 093 to 5,809 at a special stockholders' meeting yesterday. Under the plan a new corporation will be organized to be known as Pathé Laboratories, Inc., which will operate the film laboratories. Du Pont Film Manufacturing Corp. will thus be held separately and dividends from this stock will not be subject to deploration from possible operating losses from laborations.

O. Henry Briggs, president, declared that the new company would be incorporated within the next 10 days. A deal with RKO is pending, as is a deal for the purchase of the International Cinemas Laboratories on the coast. If purchased, Pathé will make no investment. Thomas P. Loach, vice-president and treasurer, was elected to the board of directors to replace Gerald Wintles after the meeting.

Film deals with both World Fairs are proving priceless, the meeting was told, and sales are expected to reach $200,000. Pathé is selling small to larger together with films showing scenes of the fairs. Yesterday's meeting was marked by many minority protests against the details of the plan. Bernard Reis, accountant, who started injunction proceedings against the first plan in December, stated that he was considering similar action.

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MOTION PICTURE DAILY

Friday, February 17, 1939

MPPDA Cites Film
Gains in 10 Lines

Ten developments were cited in a report on motion picture progress in the last year made by the Motion Picture Producers and Distributors of America.

The industry's self-regulation, community cooperation, quality and size of audience, success of promotions, release of pictures, relations with schools, universities, libraries, churches and social workers, plus "a finer technique in photography, camera work and sound" were called the "secret of interest in American pictures."

The report was made by the M. P. D. A. through its Community Service Department, of which Mrs. Thomas G. Winter, in Hollywood, is a member, going forward to 18,000 persons who review, rate or otherwise study pictures for social, educational, religious and civic organizations.

Plaintiff's Close
in British Acoustic Suit

WILMINGTON, Feb. 16—(N) Creme- nian-Javal of London, managing director of British Acoustic Films, was the closing witness today in a suit brought by the plaintiffs against RCA and Erpi in the U. S. District Court. He held up certain documents proving the statutes of such patents in this country since to issuing orders directing the institution of the litigation.

Paul J. Larson, former RCA research manager, and now patent consultant for the plaintiffs, explained the functions of various patents on a film feeding mechanism through sound head projectors and described various feed mechanisms.

Edward W. Weste of Bell Telephone Laboratories, research physicist in the patents involved, testified he had never before been the witness for the defendants. Weste described various United States patents involving film feeding mechanism on a dozen exhibits entered in evidence by the defendants and traced the film action through various types of projection equipment involved in the suit.

Dismiss Empire Action

N. Y. Supreme Court Justice Tim-othy A. Leary has dismissed the suit of 12 members of the Empire State Motion Picture Operators' Union, Inc., against the union and its officers and directors, for failure to prosecute. Dismissal of the suit vacates a temporary injunction restraining the union from levying certain assessments against members.

Thomas Sike Dies

MANSFIELD, O., Feb. 16—Thomas H. Sike, 54, for 11 years stage manager of Warners' Ohio Investigator, was found dead in his home following a brief illness. He was a charter member of the Stage Employees' Union. He is survived by a son and three daughters survives.

Clarence Hake Due Here

Clarence Hake, 26th Century-Fox managing director in Australia, is due in Los Angeles March 18 on the Monterey, en route to New York for conferences with Walter J. Hutchin- son, foreign head.

Princess' Trailer
Uses Herald Rating

Shirley Temple's designation as one of the "Herald" ratings in the Motion Picture Herald exhibitors' polls of the last four years is festo ned in a special trailer on "The Little Princess" shown available from 20th Century-Fox.

The trailer, in color, is as follows, in the words of the producer, H. B. Osmond of the cover of Fane, followed by pedigrees of three of Miss Temple's pre to avoid the present from the current picture. It runs about 400 feet.

"The Little Princess" will have its world premiere at the Memorial Hall in Philadelphia Feb. 22. National release is March 17.

Will Rogers Week
To Open April 20

April 20 has been set by Major L. E. Thompson as the opening date for the Rogers Week Theatre Program. Luncheon for sales heads of distributing companies was attended yesterday by Leon J. Reed, executive of RKO; Judd A. Aaron, M-G-M; Alfred Schwalberg, Warners; Rue Jake, Columbia; Frank McCarthy and Will Hackett, Universal, and Harry Buckley, U. A. Today, another luncheon will be tendered at the Rockefeller Center Luncheon Club to Will Hutton, plays and publishers of the trade press.

Granger Starts Tour

James R. Granger, president of Red Pictures, left last night for a four-week tour to open dates on "Man of Conquest" in 30 key cities following the premiere at the Majes ticas, Houston, April 6. Granger will stop in Chicago en route to Seattle and the studios, returning by the southern route. He is due back March 15.

See 'Daughter' Feb. 23

Date for the screening of "Yes, My Darling Daughter" before three members of the N. Y. Board of Regents was set for 7:30 P. M. at the State Office Building here. The full board will meet the next day in Albany to consider the recommendations of the three members from the order banning the film.

The Newsreel Parade

Included in the contents of the main issues of the newscasts are the Pope shows, launched throughout the world: Lincoln Day dinner: Flying Cross World Fair dinner, Lincoln Day dinner, Shanghai International Film Festival in Shanghai, a gala celebration of Robert Bolding at Lake Placid, Female jockey race. Saturday, Feb. 15.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

MARTIN QUIEGE, Editor-in-Chief and Publisher; SAM SHAHIN, Editor; JAMES A. CRON, Advertising Manager.

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company Inc., Martin Quiegle, president; Calvin Brown, vice-president and treasurer.


Subscriptions price per year $6 in the Americas and $12 foreign. Single copies 25c.
THIS IS MY FIRST SIGNED ADVERTISEMENT

In a very short time the motion picture audiences of the world will have an opportunity to view Miss Shirley Temple in her first Technicolor production, "THE LITTLE PRINCESS." I believe that it is the finest motion picture with which I have ever been associated. For four consecutive years, picture audiences have voted Shirley Temple the most popular star. Frequently I have been asked the reason for this popularity which is so amazingly uniform in every country where motion pictures are shown. After you have seen "THE LITTLE PRINCESS" I am confident you not only will agree with me that the reason lies in the truly great artistry of its star, but that in this picture—little Miss Temple's finest by far—you will have seen one of the most important films turned out by the motion picture industry.

Sincerely,

DARRYL F. ZANUCK
Vice-President in Charge of Production
Twentieth Century-Fox Film Corporation

This statement will appear as an advertisement in the leading newspapers of America.
**Motion Picture Daily's Handy Booking Chart**

*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.*

<table>
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<tr>
<th>Date</th>
<th>Columbia</th>
<th>M-G-M</th>
<th>Monogram</th>
<th>Republic</th>
<th>Rko Radio</th>
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<th>U. A.</th>
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<td>The Thundering West (O) Starrett Meredith</td>
<td>Burn 'Em Up O'Connor (G) (C) Dennis O'Keefe Cecilia Parker</td>
<td>Convict's Code Anne Nagel Robert Kent</td>
<td>Zaza (A) (D) Colbert Marshall Bert Lake (3819)</td>
<td>The Great Man Votes (G) (C) John Barrymore Peter Holden</td>
<td>Charlie Chan in Honolulu (G) (C) Sidney Tolmer (928)</td>
<td>Topper Takes a Trip (G) (C) Roland Young Constance Bennett</td>
<td>Son of Frankenstein (G) (D) John Garfield &quot;Dead End&quot; Kids Claude Rains</td>
<td>Trigger Pals (G) (O) Art Jarrett Leo Powell Al St. John (Jan. 13)</td>
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<td>Jan. 20</td>
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<td>Off the Record (O) Pat O'Brien Joan Blondell Bobby Jordan</td>
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<td>Jan. 27</td>
<td>Lone Wolf Spy Hunt (G) (D) Warren William Ida Lupino</td>
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<td>Torchy in Chinatown (D) Gena Farrelt Barton MacLane</td>
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<td>Feb. 3</td>
<td>North of Shanghai Betty Furness James Craig</td>
<td>Honolulu (G) (M) Eleanor Powell Robert Young</td>
<td>Drifting Westward (O) Jack Randall</td>
<td>Paris Honeymoon (G) (D) Bing Crosby (320)</td>
<td>Pride of the Navy (G) (D) James Dunn Hudson (822)</td>
<td>Fisherman's Wharf (G) (D) Bobby Breen Henry Armetta</td>
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<td>Crashing Through (Renfrew Series) James Neill (Jan. 20)</td>
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<td>Feb. 10</td>
<td>Texas Stampede Starrett Meredith</td>
<td>Adventures of Huckleberry Finn (G) (C) Rooney Connolly</td>
<td>Sundown on the Prairie (O) Tex Ritter</td>
<td>St. Louis Blues (G) (M) Lloyd Nolan Lamour (321)</td>
<td>Home on the Prairie (G) (O) Gene Autry</td>
<td>Woman Doctor (G) (D) Insiorit Wilcox</td>
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<td>To the Rescue (Renfrew Series) James Neill (Feb. 10)</td>
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<td>Feb. 17</td>
<td>My Son Is a Criminal Alan Baxter Jacqueline Wells</td>
<td>Fast and Loose (G) (C) Montgomery Russell</td>
<td>Little Pal (re-issue) Mickey Rooney Ralph Bellamy</td>
<td>Persons in Hiding (D) (D) Overman Nash (822)</td>
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<td>The Three Musketeers Don Ameche Ritz Bros. Binnie Barnes</td>
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<tr>
<td>Feb. 24</td>
<td>Let Us Live Fonda O'Sullivan</td>
<td>Let Freedom Ring Eddy L. Barrymore McErlain</td>
<td>Star Reporter Bruce Huxley Marsha Hunt</td>
<td>One Third of a Nation (A) (D) Sunset Trail (3857) (G) (O)</td>
<td>I Was a Convict MacLane Roberts</td>
<td>Beauty for the Asking (G) (D) Lucille Ball Knowles Donald Woods</td>
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<td>Yes, My Darling Dorothy (A) (C) Priscilla Lane</td>
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<td>March 3</td>
<td>Romance of Redwickets (O) Bickford</td>
<td>Ice Follies of 1939 Crawford Steward Ray Harner Ayres</td>
<td>Mystery of Mr. Wong Boris Karloff Rollin' Westward</td>
<td>Cafe Society (G) (D) Madeleine Carroll MacMurray</td>
<td>Twelve Crowded Hours Richard Dix Lucille Boster</td>
<td>Wife, Husband and Friend (G) (C) Loretta Long Andy Devine</td>
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<td>The Oklahoma Kid Cagney Bogart Rosemary Lane</td>
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<td>March 10</td>
<td>Blondie Meets the Boss Arthur Lake</td>
<td>Sergeant Madden Wallace Beery Pygmalion (G) (C) Leslie Howard</td>
<td>Sky Pilot John Trent Polly Ann Young</td>
<td>The Beachcomber (A) (C) Laughton Lanchester</td>
<td>The Saint Strikes Back (G) (D) George Sanders Wendy Barrie</td>
<td>Inside Story Michael Whalen Jean Rogers</td>
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<td>March 17</td>
<td>Lone Star Pioneers Bill Elliott Dorothy Guiller</td>
<td>Within the Law Ruth Hussey Rita Johnson</td>
<td>Trigger Smith (O)</td>
<td>King of Chinatown Anna May Wong Tamiroff Nash</td>
<td>My Wife's Relations (C) Lucille James and Russell Gleason</td>
<td>The Flying Irishman Douglas Corrigan</td>
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Paramount's
"...one-third of a nation"
is BOX OFFICE!

Crowds jam Broadway as Paramount's
"...one third of a nation..." starts off
world premiere at popular prices
at New York Rivoli Theatre.

*turn, please...*
"Paramount's... one-third of a nation
an eloquent and frequently stirring film. You should not miss seeing it." — N. Y. Herald Tribune

"One of the rare occasions on which the movies have turned their attention to controversial, contemporary problems affecting the welfare and happiness of a considerable portion of the population."
— N. Y. Sun

"A first rate melodrama that rings with truth. Miss Sidney surpasses herself."
— N. Y. Daily Mirror

"A distinct milestone in the progress of the movies. Something to be viewed."
— N. Y. Telegraph

"A real screen triumph."
— Brooklyn Eagle

"The film is a bitter and biting two-fisted indictment of an unforgivable situation which exists in this country today... the acting is in every way remarkable."
— N. Y. World-Telegram

Harold Orlob presents
Sylvia Sidney in "ONE THIRD OF A NATION"
Leif Erickson • A Dudley Murphy Production • Screen Story by Louis H. Jourdan • A Paramount Picture
**RKO Pathe to Move**

Los Angeles, Feb. 16 — RKO Pathe’s branch office, recently established at the RKO exchange here, will move to 8611 Sunset Blvd., Beverly Hills, March 1.
COLUMBIA SIGNS

FRANK LLOYD

Distinguished Director of "Cavalcade," "Mutiny On The Bounty," "Wells Fargo," "If I Were King"

TO PRODUCE AND DIRECT

"THE TREE OF LIBERTY"

Mighty patriotic novel by Elizabeth Page. Vivid and intensely dramatic story of America's beginning...her struggle for independence and the early years of THESE UNITED STATES.
**MOTION PICTURE DAILY**

**NEW YORK, MONDAY, FEBRUARY 20, 1939**

**TEN CENTS**

**Strike Threat By Directors’ Guild Avenged**

Producers Get 3 Weeks To Come to Terms

HOLLYWOOD, Feb. 19.—Threatened "drastic action" of the Screen Directors’ Guild was avenged for three weeks as a result, of two meetings Friday.

At the first meeting, between Frank Capra, president of the guild, and a producers’ committee, an amicable settlement of a two-year-old dispute over a new agreement was promised.

Thread of a walkout was avenged at the second meeting, that of the guild’s board of directors. It was decided to give the producers three weeks in which to come to terms over two points—wages and working conditions of assistant directors and unit managers. The resolution adopted at this meeting had threatened "drastic action up to and including a strike."

**Schenck Issues Statement**

Following the producer session, Joseph M. Schenck, president of the A.M.P.A., issued a statement which said:

"The relationship between directors and producers is most cordial. Negotiations which have been in progress are being continued with the belief that an agreement satisfactory to all concerned will be concluded within a few weeks. There has been a thorough discussion of all points and we expect to reach an understanding which will be not only fair to directors..." (Continued on page 4)

**Schaefer, Wilcox Revising Program**

Readjustment of the cooperative producing arrangement between RKO and Herbert Wilcox is being worked out between George J. Schaefer, head of RKO, and the British producer.

Both arrived Friday from the coast, where Schaefer spent three weeks on his first trip to the studio. He said the new season’s program is in work.

The original agreement between Wilcox and RKO called for a new company, Imperial Color Pictures Ltd., to produce two to four films a year for RKO release. Production will be in England and Hollywood.

Anna Neagle, who is to make a film in Hollywood under the deal, is due the end of March.

**Estimate 20th-Fox Net at $7,200,000**

Net earnings for 1938 by 20th Century-Fox will be $7,200,000, it is estimated. The figures will be more than $1,000,000 under the net at $8,617,114. First half of 1938 netted $8,419,685, with an appreciable increase in the final quarter.

**SPEED TRUST SUIT, MURPHY DEMANDS**

6,108 Theatre Deals Closed By Monogram

Monogram has closed 6,108 theatre deals for its current product to date and had an operating profit for November and December, 1938, of $7,132. W. R. Johnson, Monogram president, points out in his annual report to stockholders.

The report shows an increase of several hundred accounts for the 1938-39 program and an improvement in dollar volume of more than 30 per cent in deals covering the same situations in 1937-38.

For the year ended Dec. 31, 1938, the company and its wholly-owned subsidiaries reported an operating loss of $189,861. Johnston, in explanation of the loss, declared that the depressed business conditions of the year, "particularly severe upon the motion picture industry," were a handicap to a new enterprise in its first year's operations.

Advantageous deals have been closed for the distribution of Monogram's product in 34 foreign countries, comprising most of the important territories where a market for American films exists, Johnston reported. This is a marked improvement over the previous year, when deals were obtained with only eight foreign countries (Continued on page 4)

**20th-Fox Sales Meet May Be Held Earlier**

National sales convention of 20th Century-Fox originally planned for April 14 to 16, may be held the first week in April. It will be in Chicago. Decision is to be made on whether salesmen and bookers will attend.


The company will finance 10 per cent of the eight films to be made by Gainsborough in England. Four will be released here.

**US Asks Moses to Weigh Divorce**

BISMARCK, Feb. 19—U. S. Attorney General Frank C. Murphy has asked Governor John Moses to give the matter of signing the divorce of the famous actor and actress whether she may have a bearing on the U. S. anti-trust suit pending in New York.

The measure has been signed by Secretary Hagen of the House and Senator Patterson. If the Governor signs no veto, the measure will become law.
Comerford's Will Continues
Frank C. Walker in Control

Scranton, Feb. 19.—Under the will of M. E. Comerford, late theatre circuit owner, Frank C. Walker, a former em- ploy-ee, has been named execu- tive and treas-urer of the Comerford charita- ble trust. He and his brother, Robert Comerford, are the executors. They have also been named execu- tors of the Comerford real estate and personal property. The will directs that all funds be used to support the theatre and personal property of the Comerford estate. The will also provides for the distribution of the estate to various charitable organizations.

One of the principal beneficiaries in the will is the National Theatre Association, which has been named as executor. The will also provides for the distribution of the estate to various charitable organizations.

Brother Gets Ninth
One of the beneficiaries in the will is the brother, John Comerford, Los Angeles, California. Comerford's will states that a portion of the estate be given to his brother, John, who is the executor of the will. The will also provides for the distribution of the estate to various charitable organizations.

Can Name Trustee
The executors, Frank C. Walker and Robert Comerford, have been named as trustees of the estate. They have the power to name a substitute trustee and to change the terms of the trust at any time.

Special Sale of Fair
Ticket Opens Friday
Advance sale of admission tickets to the New York World's Fair on Sept. 19 will begin at 9 a.m. at the Pennsylvania Station, New York. The tickets will be sold for a limited time only, and will be available for purchase at the ticket window. The sale will begin at 9 a.m. and will continue until 5 p.m. The tickets will be sold at $1 each, and will be valid for one admission.

20-Year Reward
San Francisco, Feb. 19.—Joseph O'Connor, manager of the State, has been given a three-month lease of absence and a trip to Europe, as a reward for 20 years of service with Golden State Theatres. During his absence the State will be managed by Bert Kenner on the circuit and Frank Walker in San Francisco office.

Syracuse Theatres Raise Price Levels
Minimum price levels have been increased at Syracuse theatres as a result of an agreement between the RKO Schine and Loew first runs and the independent subsidiaries. The independents are pledged to discard two-cent admissions and charge a minimum of 10 cents, with no attempt to circumvent the scale through discounts, coupons, two-for-one, or other means.

The first run has agreed to increase the price from 25 cents to 15 cents. The city-wide agreement is effective Thursday.

The agreement was worked out by J. E. O'Connor, head of RKO Theatres, and Schine executives and Joseph R. Vogel of Loew's. Three Schine theatres will be affected and one Loew's house.

Schine theatres have also abandoned the practice of showing two preview films with the same feature on change nights. The four-feature attraction was offered once weekly. The local New York Allied unit filed a complaint with the Department of Justice through Harry G. Kosch, Allied's president.

Allied Units to Meet
Allied of New York's Buffalo unit will meet today at the Statler Hotel and the Syracuse unit will meet Thursday. E. T. Thornton, state vice-president, and those who have been vacating in Milwaukee and Chicago, will attend both meetings.
More for your money

more people see it

more people read it

people are sold by it and costs less

than any other form of theatre advertising

because it reaches a 100% audience at every show

Sell your pictures the smart way with Pre-vue Trailers by National Screen Service

Prize Baby of the Industry!
NY Legislature to Consider 20 Bills Affecting Industry

About 20 bills affecting the industry directly have already been introduced or are pending introduction in the New York legislature. This was disclosed at a meeting Friday of the legislative leaders and attorneys to discuss the situation.

The meeting was called by Harry Brandt, D. O. A. president. Pending legislation was analyzed and the conference agreed that exhibitors in the state must be on the alert to prevent meetings or meetings to be held during the legislative session.

A larger budget called for by Governor Lehman, it was pointed out that theatres are in danger of being affected with additional taxes. About a half dozen tax measures affecting theatres or real estate are in the hopper, including a ticket tax and sales and turnover levies. There are also bills for two operators in a booth and measures to license engineers and other theatre employees, among others.

Attending the meeting were: J. H. Walters, RKO theatre attorney; Dave Palfreyman, Hay's office; Arthur Dunell, lawyer, Nova; I. T. O. A. attorney; Harry G. Kosch, New York Allied counsel; S. Frisch, Randorce; Archie Weltman and Mike Rosen, Leow's; Norman Steinberg, 20th Century-Fox; Mme. Johns, Phelps, Warners; Al Reid, Fabian Theatre; Bernard Brandt and Lionel Toll, I.T.O.A. James F. Reilly, executive secretary of the League of N. Y. Theatres, has stated that his organization would fight any legislation designed to increase taxes on admissions. Frank Gillmore, president of Associated Actors & Artists of America, declared that the legislature was trying to tax the theatre to death and that all members union would fight the bill.

Admissions Are Affected

ALBANY, Feb. 19—Two per cent gross tax was introduced by Senator McNaboe includes facilities for which are defined to include "admission to any place of amusement, or entertainment, and for the performance of any kind of character, and hotel and club accommodations." A retail sale is held as the person or persons who, among other things "furnishes services and/or facilities."

Examination Sought

In Newburgh Action

Application will be made today to the Federal Judge Edward Conger by 20th Century-Fox Film Corp., Paramount Pictures, Inc., Joseph Lee, George Walsh of Nagy, Levy & Co., Netco Theatres Corp. for an order directing four officers of Orange County Theatres, Inc. and Miller & Sherry Enterprises, Inc. to testify before trial.

Agreements, with RKO Radio Pictures, Inc., and United Artists Corp., are defendants in a suit for $225,000 damages brought by Orange County Theatres, which charged violation of the Sherman Anti-Trust Act in distribution of pictures in Newburgh, N. Y.

Swan Is Only Play Opening This Week

Only legitimate stage opening scheduled for this week in the area is the Swan Expo, which opens at the Coronet tonight. Written by Sam and Bella Spewack, it is about the publishing business with a ghost writer and his rat-tailed wife as the central figures. Spewack directed and William Harris, Jr. produced. Included in the cast are Anna Bean, Henry Franklin, Ann Andrews, Joyce Arling, George Nash, John Williams and others.

New Schine Company On Rochester Units

GLOVERSVILLE, N. Y., Feb. 19—Schine Enterprises have completed the sale of the four Rochester theatres acquired from Albert A. Fenvesny, creating a new subsidiary, Schine Rochester Corp. The deal was approved by the board and Edmund C. Brandt, president, made the closing, Mr. Stern to the Lake and Lake Kleins to the Monroe.

Harry Nizer, declared England. A.

"Accept cent conjunction saddled sought Fine re-

Fenyvessy, "Miss withdraws Col. a Lake

mount and/or place defined

and/or

pictures played in

theater

Los Angeles, declared to join the Schine circuit, announced the southern Ohio ter-

ory, with headquarters in Mt. Ver-

o, O.

Babb Joins Schine Circuit

Kroger Babb, advertising director for Filmack Trailer Co., Chicago, has resigned to join the Schine circuit, announced by the southern Ohio ter-

ory, with headquarters in Mt. Ver-

o, O.

Hammons on Coast For Program Talks

Grand National's status and pro-

duction program will be discussed by Franklyn Conger, president, on the coast with Jack H. Skirball, produc-

tion head, and Franklin Warner, head of Columbia, June 23rd. Talks on production. Hammons arrives on the coast today from New York and expects to re-

turn next Monday. A decision on whether there will be live education for Palm shorts will be made during the con

ferences.

Consolidated Film Meeting March 23

Consolidated Film Industries Inc., of which H. J. Yates is president, will hold its annual stockholders meeting March 23 at the company offices. The company has declared a divi-

dend of 25 cents on the $2 cumulative preferred stock, payable March 15 to stockholders of record March 1, leaving arrears of about $.7.

Walter Lang Is Ill

HOLLYWOOD, Feb. 19—Due to ill-

ness, Walter Lang has withdrawn his direction of the Shirley Tem-

ple film, "Seven Brides For Seven Brides" at 20th-Century-Fox. William Seiter has replaced him.

"Spring" Now "Zenobith"

HOLLYWOOD, Feb. 19—Title of the forthcoming Hal Roach picture has been changed from "It's Spring Again" to "Zenobith." Billie Burke, Alice Brady, Oliver Hardy and Harry Langdon are featured.

Associated Actors Reject TMAT Bid

Informal inquiries by the Theatrical Managers, Agents & Treasurers Union to the Associated Actors & Artists of America, parent body of actors for the two weeks ago in which non-actor was barred from membership and T.M.A.T. was rejected on that ground. The A.A.A.A. is expected to meet today in the investigation of the American Federation of Actors which was re-

quested to respond to a letter, dated February 23rd.

Graham Is Appointed To Dufaycolor Board

John Cecil Graham, former man-

aging director for Paramount in Great Britain, has been appointed to the Dufaycolor Corp., board here as a representative of Dufaycolor Chromex of England.

Graham is vice-chairman of the British company which formerly was the parent of the American corpora-

tion. Col. L. R. Naltzger is the present chairman and member of the Dufaycolor board. Graham arrived Friday on the AQUITANIA.

Speed Trust Suit Murphy Demands


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Hollywood Previews

"Let Freedom Ring" (M-G-M)
Hollywood, Feb. 19.—They don’t quite win the American flag to wind up "Let Freedom Ring." A different but just as effective gag to put the customers in a mood to stand up and cheer is adopted. The rob-

ber barons have been foiled, Nelson Eddy’s stirring, stamp-speech has taken the audience to sing along to W. C. Fields, "Tis of Thee," Eddy picks it up, Victor McLaglen joins in, the-
Boston, Feb. 19—"Trade Winds" and "The Strange Case of Dr. Meek" grossed $27,000 to lead first week takes, with $17,000 at Loew's Orpheum and $10,000 at Loew's State. "Gunga Din" and "Disney Revue" grossed a solid $22,500 in its second week at the Kresge and the Strand. "Jesse James" and "While New York Sleeps" took a big $19,000 in the second week at the Metropolitan.

 Estimated takings for the week ending Feb. 15-16:

"Gunga Din" (RKO)
KEITH MEMORIAL—(4,790) (25c-35c-40c-50c) 7 days, 2nd week. Gross: $3,500. (Average, $500)

"Jesse James" (20th-Fox)
White Beach Yacht Yoke (20th-Fox) METROPOLITAN—(4,320) (25c-35c-40c-50c) 7 days. Week gross: $19,000. (Average, $2,714)

"Trade Winds" (U. A.)
Alberta—(1,500) (30c-35c-40c-50c) 7 days. Gross: $15,000. (Average, $2,143)

"The Strange Case of Doctor Meade" (Col.)
LOEW'S ORPHEUM—(2,960) (35c-40c-55c) 7 days. Week gross: $17,000. (Average, $2,429)

"Trade Winds" (U. A.)
"The Strange Case of Doctor Meade" (Col.)
SPRINGFIELD—(2,375) (35c-40c-55c) 7 days. Gross: $18,000. (Average, $2,571)

"The Man Made a Criminal" (W. B.)
"Mr. Moto's Last Warning" (20th-Fox)
PACIFIC—(3,200) (25c-35c-40c-55c) 7 days. Gross: $9,500. (Average, $1,357)

"They Made Me a Criminal" (20th-Fox)
"Mr. Moto's Last Warning" (20th-Fox)
FEWAY—(1,820) (25c-35c-40c-55c) 7 days. Gross: $4,500. (Average, $643)

"Newsboys' Home" (Univ.) (3 days with vaudeville)
"There's That Woman Again" (Col.)
CITY—(820) 7 days. Gross: $950. (Average, $142)

"Angels With Dirty Faces" (W. B.)
"Shantyooters" (20th-Fox) (4 days)
RRK KEOBTH—(2,200) (30c-40c-45c). Gross: $9,500. (Average, $2,375)

'Criminal' Does $12,000 to Lead
Cleveland Films
Cleveland, Feb. 19—"They Made Me a Criminal" took good $12,000 at the Warner Hippodrome. "Jesse James" did $4,800 in a third week at the Allen, and "Idiot's Delight" took $6,500 in its second week at Loew's Stillman.

"Professor Mamlock," originally banned then approved in the state, grossed an unusual $4,300 at the City Theatre.

Estimated takings for the week ending Feb. 19:

"Jesse James" (20th-Fox)
ALLEN—(2,065) (30c-40c-45c-75c) 7 days. 3rd week. Gross: $4,800. (Average, $686)

"They Made Me a Criminal" (W. B.)
"Mr. Moto's Last Warning" (20th-Fox)
CITY—(1,450) (30c-40c-50c) 7 days. Gross: $12,000. (Average, $1,643)

"Devil's Island" (W. B.)
RRK PALACE—(1,600) (30c-40c-45c) 7 days. Gross: $16,000. (Average, $2,286)

"Loew's State—(1,500) (30c-40c-45c-75c) 7 days. Gross: $17,000. (Average, $2,429)

"Idiot's Delight" (M-G-M)
LOEW'S STILLMAN—(3,315) (35c-40c-50c-75c) 7 days. Gross: $15,000. (Average, $2,143)

"Jesse James" (20th-Fox)
LOEW'S STATE—(1,500) (30c-40c-45c-75c) 7 days. Gross: $17,000. (Average, $2,429)

"Jesse James" (20th-Fox)
"Off the Record" (20th-Fox) (Para.)
ST. FRANCIS—(1,000) (30c-40c-45c-55c) 7 days. Gross: $5,500. (Average, $786)

"Of the Record" (20th-Fox) (Para.)
BAKERSFIELD—(1,400) 7 days. Gross: $11,000. (Average, $1,571)

"They Made Me a Criminal" (W. B.)
"Off the Record" (20th-Fox) (Para.)
SACRAMENTO—(1250) 7 days. Gross: $1,300. (Average, $192)

"They Made Me a Criminal" (W. B.)
LARKIN—(300) (35c-40c-45c) 7 days. Gross: $800. (Average, $133)

"Topper' Best in
Seattle or Dual
Grossing $8,400
Seattle, Feb. 19—"Topper Takes a Trip," disabled with "Ride a Crooked Mile," was the best comparative film grosser with $8,400 at the Paramount. "Ride on the Range of the Palomar," with "Strange Faces," was the worst. 

Estimated takings for the week ending Feb. 19:

"Paris Honeymoon" (Para.)
TARRIED ANGEL" (RKO) (30c-40c-45c-55c) 7 days. 2nd week. Gross: $3,000. (Average, $429)

"Jesse James" (20th-Fox)
"Tarried Angel" (RKO) (30c-40c-45c-55c) 7 days. 2nd week. Gross: $3,000. (Average, $429)

"Made For Each Other" (U. A.)
"Strange Faces" (Univ.) (25c-35c-40c-50c) 7 days. Gross: $5,200. (Average, $743)

"Stolen Mde Ms" (W. B.)
SOUTH BAY—(510) (30c-40c-45c) 7 days. Gross: $5,000. (Average, $714)

"Swing, Sissy, Sing" (Univ.)
"Strange Faces" (Univ.) (25c-35c-40c-50c) 7 days. Gross: $5,000. (Average, $714)

"Topper Takes a Trip" (U. A.)
"Swing, Sissy, Sing" (Univ.) (25c-35c-40c-50c) 7 days. Gross: $5,000. (Average, $714)

"Ride on the Range of the Palomar—(1,050) (35c-40c-45c) 7 days. Gross: $5,600. (Average, $800)
New Producer Unit Planned in England

LONDON, Feb. 19.—All British production organizations have been invited to send two delegates each to a conference to be held in a week to discuss the formation of a new body which will be representative of every phase of production.

These delegations include the Film Group of the Federation of British Industries, the National Association of Theatres, the Motion Picture Producers and Distributors of Great Britain, the Screenwriters’ Association and the directors’ group.

Bryan Wallace of the Screenwriters’ unit who is organizing the move for the new, and has indicated that he is certain of the election of a committee and the framing of organization policies. Presumably such a new organization would replace the now dormant Film Group of the Federation of British Industries, producing organization.

Field Organization
For Rogers Week

Exhibitors will be enrolled through a field organization for Will Rogers National Theatre Week, which will be observed beginning Thursday, Feb. 20.

Will H. Hays, guest of honor at a luncheon given by Major L. E. Thompson at the Rockefeller Center Luncheon Club on Friday, approved the plans outlined by Thompson covering this year’s campaign. Thompson is chairman and A. P. Waxman, director of the campaign.

New Admission Tax
Bill Is Up in Ohio

COLUMBUS, Feb. 19.—Representative William Glass of Youngstown has introduced a bill in the House, which would authorize political subdivi-sions to levy a two-cent tax on ad-missions from 15 cents to $1, with a similar increase to $2. The measure is designed to raise an estimated $400,000 for relief pur-poses.

Ohio exhibitors now pay a three per cent tax based on gross business.

‘Mikado’ Opening in Toronto Sets Record

TORONTO, Feb. 19.—“The Mikado” opened here at the Uptown to a record gross $2,250. The play is presented by the Gilbert and Sullivan Opera Company.

The film, which is released by Uni-versal, was released for its national release in the United States and Broadway opening shortly.

Pennsylvania Censor Approves ‘Daughter’

HARRISBURG, Pa., Feb. 19.—Penn-sylvania State Censor Board approved Warner’s “Yes, My Darling Daughter” without ordering any cuts, on Friday. The film has been approved also in Chicago and Virginia. In New York, an appeal upon an order ban-ned the picture will be heard Thurs-day with a final decision expected Friday.

Hollywood Preview

“Fast and Loose” (M-G-M)

Hollywood, Feb. 19.—Fast is a good word for it, but there’s nothing loose about “Fast and Loose.” There are as many laughs in it, and there’s mystery, melodrama and suspense enough to satisfy anyone. There’s a provocative brand of husband-wife love which undergirds the torture of womanly jealousy when it seems that a bit of sly philandering is being practiced. Glib dialogue lines (which should make punchy ad copy) tumble over one another. Nearly every situation is clever. The acting, in which a lot of players who know what to do with the ball when they get it are featured, is a round-up of finished performances. Smart enough for the smartest, “Fast and Loose” nevertheless has the happy quality of being plain and simple enough to hold anyone.

A new pair of stars and a complete new supporting troupe is used, yet the story is a follow-up to “Fast Company.” Robert Montgomery and his wife, Rosalind Russell, are in the rare book business. Amateur detective work is his sideline. Quickly the pair is involved in a case that requires the exercise of Montgomery’s crime-solving talents. What starts out as a fairly scandal involving the disappearance of a rare volume soon turns into the investigation of a rare manuscript forgery and leads to mysterious murder. While the theme shuffles between comedy and melodrama, Montgomery solves the riddle, but not before he has a number of brushes with the law, gangsters, his wife, who believes that something more exciting than professional duty is throwing him into the company of an exotic feminine suspect, and another murder is committed.

Montgomery and Miss Russell handle their parts with skillful finesse. So do the members of the support, especially Ralph Morgan, Reginald Owen, Etienne Girardot, Alphonse Laverne, Hoagy Bixby, Anthony Allen, Tom Collins and Sydney Blackmer. Harry Kurnitz’ original screenplay and Edwin L. Marin’s direction are top notch.

Running time, 75 minutes. "G"* +G denotes general classification.

New York Preview

“Prison Without Bars” (Korda-U.A.)

Set in a girl’s reformatory a few miles from Paris, “Prison Without Bars” presents a moving appeal for kindlier treatment for inmates of such institutions. An interesting love story, with the superintendent and one of the girls forming the two feminine ends of the triangle, is inter-woven with a plea for reform.

The opening scenes show the prison ruled with a rigid discipline by Maria Hunt, who gives an excellent portrayal. After complaints, Edna Best obtains the appointment as new superintendent in order to be near her finance, Barry K. Barnes, prison physician. Despite the efforts of the staff to block changes, Miss Best institutes many improvements.

The reform of one of the girls, Corinne Lachaire, is effected by Miss Best. The girl is made assistant to Barnes and the two fall in love. There follows the dramatic struggle of the two women, one the jailer and the other the jailed, for the love of the doctor. When Miss Best discovers the true situation, however, she arranges a pardon for the girl, who follows Barnes to his new post.

Alexander Korda produced and Irving Asher was associate producer. Brian Desmond Hurst directed and Arthur Wimperis wrote the scenario. Running time, 80 minutes. "A."* +A denotes adult classification.

Ohio Theatres Back Tax Exemption Bill

COLUMBUS, Feb. 19.—Owners of smaller theatres in Ohio urged support of a measure introduced in the legis-lature which would exempt them from paying the 27 cent unemployment compensation tax unless they have eight or more employees. All industries are included in the bill.

Passage of Mo. Bill On Theatres Unlikely

KANSAS CITY, Feb. 19.—Following a hearing in Jefferson City, Mo., the House bill relating to the location of aisles in theatres and adding a clause which makes the sale of seats when the house is full a misdemeanor, is not expected to come to a vote.

Attending the hearing was R. R. Biechele, Kansas-Missouri Theatres.

‘Blues’ Draws Big $9,200 as Denver Leader

DENVER, Feb. 19.—“St. Louis Blues” was the wonder here with a smash gross of $9,200 at the Denham. "Gunga Din" took a strong $6,700 in its second week at the Orpheum, while "Jesse James" and "Cigarettes" drew well nigh $4,500 at the Paramount, the former hit in its third week. "Wall Street" garnered $6,500 at the Denver.

Estimated takings for the week end-ing Feb. 13:

“Duke of West Point” (U.A.)
ALADDIN—$1,400, days after week. Denver. Gross: $1,500. (Average, $1,500)
“Ida’s Delight” (M-G-M)
DENHAM—$1,750, 25c-35c-40c, 7 days. Gross: $1,920. (Average, $260)
“Tail Spin” (20th-Fox)
WILLIAMSBURG—$6,000, days. Gross: $6,000. (Average, $850)
“Gunga Din” (20th-Fox)
ORPHEUM—$2,500, 25c-35c-40c, 4 days. Gross: $2,900. (Average, $725)
“Jesse James” (20th-Fox)
LITTLE ADVENTURE—$1,200, 25c-35c-40c, 7 days. Gross: $1,470. (Average, $200)
“Pirates of the Skies” (20th-Fox)
RIALTO—$875, 25c-35c-40c, 7 days. Gross: $1,275. (Average, $175)

‘Winds’ at $6,000
In Oklahoma City

OKLAHOMA CITY, Feb. 19.—“Trade Winds” grossed $6,000 at the Criterion to lead here in a week of only fair business. “Son of Frankenstein” drew $4,500 at the Warner, and “Jesse James” took $2,600 in its third week at the Tower.

Estimated takings for the week ending Feb. 9:

“Trade Winds” (U.A.)
CRITERION—$1,500, 25c-35c-40c, 7 days. Gross: $1,600. (Average, $228)
“Feminine Crazies” (RKO)
LOUISIANA—$850, 25c-35c-40c, 4 days. Gross: $950. (Average, $238)
“Charlie Chan in Honolulu” (20th-Fox)
DOWN ON THE FARM—$1,200, 25c-35c-40c, 3 days. Gross: $1,300. (Average, $433)
“Son of Frankenstein” (Univ.)
MIDWEST—$1,000, 25c-35c-40c, 7 days. Gross: $1,000. (Average, $143)
“Jesse James” (20th-Fox)
STATE—$1,000, 25c-35c-40c, 7 days. Gross: $1,000. (Average, $143)
“Tail of a5 Badger” (20th-Fox)
TOWER—$1,000, 25c-35c-40c, 7 days. Gross: $1,000. (Average, $143)

Hear Appeal of RCA
In Licensing Action

DOVER, Del., Feb. 19.—Argument on an appeal by RCA from an interlocutory decree of the late Chancellor Joseph A. Greif, which has been con-curred in and decision reserved by the Supreme Court here. The decree was granted in the suit brought by the Philadelphia Storage Battery Co. to enjoin RCA from terminating a licensing agreement whereby P.S.B. had use of basic radio patents owned by RCA.
WB Shifts Policy in Philadelphia Houses

PHILADELPHIA, Feb. 19.—There will be a general switch in personnel affect- ing morning film, Radio-Varietys, when price reductions and policy changes go in effect next Friday.

Maurice Gable, manager of the Earle, will move to the Boyd. Stanley Banforth goes from the Boyd to the Earle. William Israel switches from the Broad to the Palace and Elmer. N. H. Hollander moves from the Palace to the Stanton.

All houses will reduce top price from $0.57 cents per show. The Fox, which goes into a stage show policy, The Fox will have a top of 68 cents with a balcony price of 57 cents.

This week the Earle goes out of stage shows and will play second run pictures, the first to be "Jesse James." The Stanton will get a higher grade of product and the Palace, formerly third run, will become first run. At the Fox the first film with stage show, starting Friday, will be "Trail Spies." It follows the "Shane" in Pictures, which was the stage show. First film under its new policy at the Stanton will be "Fast and Loose" and the Palace's first will be "Boy Slaves."

Arguments Heard on Conn. Bingo Measure

HARTFORD, Feb. 19.—Stressing the inaccurate and illogical misrepresentations of the "general recreation" aspect, and its value as a source of revenue to organizations, seven state Senators and representa- tives, in a group meeting, last week, by many representatives of organizations declared in favor of legalizing Bingo for religious, charitable, fraternal, veteran, fire and police organizations at a public hearing before the Judiciary Committee of the Connecticut legislature.

Opposing the bills to bring back Bingo were representatives of several churches, the Connecticut Council on Social Study, the League of Women's Club of Hartford, L. P. H. L. Hall of the Unitarian Church, and L. H. Lavietes of the Pequot, New Haven, spoke of the unfair discrimina- tion against theatres in allowing games for certain organizations only, although theatres were large taxpay- ers.

File Final Briefs in ‘Lynton’ Suit Today

Final briefs in the "Letty Lynton" suit brought by the authors, Edward Sheldon and Margaret Aver Barnes, against Morehead Realty Corp., operators of the Capitol, will be filed today with the Superior Court. Preliminary briefs filed last week follow the same lines as those presented in the suit brought by M.G.M. against the authors recovered a sub- stantial judgment.

The Capitol contends that profits from the show be deducted either on the basis of relative cost or time con- sumed with reference to the remainder of the show.

Radio Personalities

ARTHUR PRYOR, radio vice- president, at the General, Durstine & Osborn, to Minneapolis, . . . John Chapman, Daily News columnists, whose program is heard on WCCO, will have Edward Chigot as his studio guest on Tuesday's broadcast.

Tommie Dorsey will begin his Ralphee-Kod cigarette program Thursday at the Palace in Pittsburgh. . . . Doris Rhodes, the Detroit radio singer, booked for a week at the Palace Theatre in Cincinnati, starting March 3, . . . Suzu Pitts will be guest on the Fibber McGee program tomorrow night.

Lanny Ross Host to 10-Year Air Players

Lanny Ross gave a luncheon at the Waldorf Friday for radio players and executives who have been in broadcasting 10 years. He declared the film an- ticipates a sponsor a club for radio people who have been in the business for at least 10 years.

Among those present were Frank Munn, Graham McNamara, David Ross, Ben Bernice, Mark Warnow and Nicol Coleman of General Foods, William Baker of Benton & Bowles, Niles Trammell, president; Ethel Trammell of an executive of WOR. The radio columnists in- cluded were represented by Ben Gross of the Times, Orrin Dunlap of the Times and E. L. Bragdon of the Sun.

Wente Testifies in British Acoustic Suit

WILMINGTON, Feb. 19.—Erpi took photographs of the original Ponsen pet- ruction machine when it was brought to America in 1936 by James Ponsen of Congers, N. Y., Inventor of improved film feed mech- anism.

Edward W. Wente of Bell Telephone Laboratories, so admitted under cross examination in the patent infringement litigation brought by British Acoustic Films against RCA and Erpi in Federal Court here Friday. Wente admitted Erpi took photographs of the machine when the project was in the Erpi laboratories on demonstration.

Erpi's New Line

Erpi has developed a new portable television set which gets its power from the speaker's voice. It is claimed to be the first television set to work in studios, on location, for newsreel work, in theatres and similar situations.

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Television Permit

Washington, Feb. 19.—The Crosley Co., operators of WCCO, has been granted the authority of the F.C.C. to construct a 1,000 watt television station at Cincinnati.

Another construction per- mit for a television station of 50 watts power was asked for by Green Franklin, of Eaton, Ohio.

British Groups to Witness Telecast

LONDON, Feb. 19.—The entire En- glish Television Advisory Committee will attend the Baird telecasting by relay at Marble Arch Pavilion next Thursday.

Present will be representatives of the British Broadcasting Corporation, the general and several of the British Broadcasting Broadcasters, and the public. Five B. C. cameras will be used in the telecast, which will be relayed to the Alexandra Palace. It will be repro- duced on a screen 15 by 12 feet.

It is anticipated the showing of telecasts on a large screen at the Leicester Square Odeon in the near future.

CBS Renews Program from WCCO

Rerunment of the "The March of Minnesota," chosen by the jury of the Annual Advertising Awards as the best radio program of 1938, was broadcast Saturday in a special pro- gram over CBS. The rebroadcast origi- nated at the CBS station, WCCO in Minneapolis, where the series has been heard over a network under- taken the production of Batten, Barton, Durstine & Osborn. The broadcast is in conjuction with the Monthly Selling Magazine's awards to adver- tising agencies for meritorious work.

Powell for Johnson

HOLLYWOOD, Feb. 19.—Dick Powell has been selected by Ruthrauff & Ryan as the successor to Al Jolson in the life-time program, starting March 21. Holdovers on the program include Martha Raye, Parkyarkus and Lud Gussman's band.

Nellie Reveille Returns

Atrist returns to the air in a new series of interview programs next week. The "Meet the Artist," will be presented each Friday.

Van Loon in Series

Hendrik Willem Van Loon will in- augurate a new series of commentaries over NBC next week, starting Feb. 19 at 4:15 P.M. He will be heard Sundays at the same time thereafter over the Red network.
Penn Theatre Circuit Levy Held Invalid

Tax Unconstitutional, Is Ruling in Test Case

HARRISBURG, Pa., Feb. 20.—Circuit theatre and chain store tax which was imposed on the Mauch Chunk Theatres of Toronto and the other theatres in the state was declared unconstitutional by the Dauphin County Court in a recent case.

In addition to finding the entire tax invalid, the court ruled that in the case of theatres, it was impossible to determine who was to pay the tax because of the interweaving of their interests. The court distinguished the Pennsylvania constitution from that of other states where chain taxes have been upheld. Under the Pennsylvania constitution all taxes must be uniform. The court ruled that the act, which had been adopted by the Senate, was constitutional.

Columbia Plans 56 For Next Season

Columbia will produce about the same number of pictures next season as it has scheduled for the current season. Jack Cohn, vice-president, said yesterday on his return to New York from three weeks of conferences at the studio on new season product. Columbia has 40 features and 16 westerns scheduled for production this season.

Cohn was accompanied east by Abe Mansfield, general sales manager; Joseph McConville, foreign sales manager, and Abe Schneider, treasurer, all of whom participated in the conferences with Harry Cohn, Columbia president, at the studio. Phil Dunas, Columbia branch manager at Chicago, joined the home office executives there and accompanied them to New York for sales conferences.

Paramount Weighs Retirement of Bonds

Paramount is weighing several plans for the retirement of the final $4,500,000 of the company's six per cent debentures and adoption of one of several plans under consideration. It may occur any time within the immediate future.

Retirement of $5,000,000 of the issue was a decision reached by the board of directors last December. Payment of principal amount plus interest to date was made out of the company's cash reserves, which were augmented some time ago by a loan from a Chicago bank.

Yesterday's retirement saves Paramount $300,000 annually in interest charges. It leaves a balance of $4,500,000 of the six per cent debentures still outstanding, plans for the retirement of which are now being studied.

A meeting of Paramount's executive committee will be held Thursday in lieu of the monthly board meeting scheduled for that day, due to the absence from the city of a number of board members. Stanton Griffis, executive committee chairman, plans to throw forward any plan which will be considered during the week, following the return to New York of Barney Balaban, Paramount president.

No Paper Tomorrow

Motion Picture Daily will not be published tomorrow. Feb. 22, in observance of Washington's Birthday.

Divorce Bill Signed in Dakota

Divorce Bill

Repeal Measure Becomes Law with Signature of Gov. Moses

BISMARCK, Feb. 20—Governor John Moses has signed the bill repealing the divorce act, after officially having the legislature at 4:30 p.m. his decision to sign the measure.

Passed 10 days ago, the measure had been signed at once by Speaker Hagen of the House and Senate President Patterson. If the Governor had not signed or vetoed it before midnight, it would automatically have become law.

Bill Sponsored by Allied

The Governor's action removes divorce from the statutes books and voids the appeal pending in the United States Supreme Court.

The North Dakota measure which separates theatrical ownership and operation from distribution and production was sponsored by Allied in 1937. Its repeal has a direct bearing on the industry.

Lords to Discuss Screen Situation

London, Feb. 28.—On March 8, the British House of Lords will discuss a motion concerning the relations between the British exhibitors and the British production industry.

The motion has been presented by Viscount Bridgman, who is chairman of the Denham Laboratories.

Paris Houses Win Fight for Tax Reduction

By PIERRE AUTRE

PARIS, Feb. 20.—Paris exhibitors won their fight against drastic increases in theatre taxes over the weekend when, after a hearing of industry representatives, Finance Minister Paul Reynaud forced the Cabinet to adopt a decree reducing state taxes on Paris houses from 20 to 25 per cent. The motion immediately restated their advertising, which was withdrawn in retaliation, following the recent imposition of new taxes. The Journal Officiel published the decree yesterday, with one-month tentative application, starting March 1.

The decree establishes lower state tax rates and declares that new Paris municipal taxes cannot exceed one-third of the state rate tax. At the same time, Reynaud asked exhibitors to increase admissions by 25 per cent on seats under 20 francs, and warned the industry that the measure for virtual tax reduction was not final.

Columbia (Continued on page 3)

“Little Princess”

Hollywood, Feb. 20.—Considered from the standpoint of its audience value, “The Little Princess” is about as fine a piece of entertainment as anyone could desire. Looked at from a commercial angle, with box-office leader Shirley Temple starred, it’s a showman’s exploitation show of unusual merit. Rich in story, production and personnel values, human interest, pitched to a sentimental and sympathy-provoking keynote, is the basis of the show’s entertainment. All its drama, romance, musical features and score, pathos stemming from threatened tragedy, even the spectacular fantasy sequence and the manner in which color has been applied, are designed to accentuate the fundamental premise.

Intelligently produced by Walter Lang to induce the desired reactions, the picture combines imagination with realism, yet always is in harmony with the spirit and character of the Frances Hodgson Burnett novel of childhood serio-whimsy from which it was adapted. Screenplay writers Ethel Hill and Walter Ferris wisely made no attempt to alter the original. In the title role, Shirley is the little

No Paper Tomorrow

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BARNEY BALABAN, Paramount president, returns to New York next Sunday from a Florida vacation.

WALTER WANGER leaves Thursday night for the coast, with John LeRoy Johnston, his publicity representative.


GABRIEL L. HESS of M.P.P.D.A. has recovered from an attack of the grippe.

AUSTIN C. KOUGHLIN of Paramount was confined to his home again yesterday with a recurrence of his recent illness.

A. J. HIRMAN, Universal district manager, left yesterday for New York to install B. B. KRIEGLER as acting branch manager and confer on plans for the playdate, which will start Feb. 26.

SLAPFK YUKRAPICH has been given additional authority for his modernizing home in a contest conducted by House Beautiful.

MAE WEST is expected in New York from the coast Monday. Miss West starts a personal appearance tour March 21 at the Fox in Brooklyn.

AS HIRMAN, district manager for Universal, is due back from Washington Thursday.

BETTY FIELD, New York stage play, will report to the Paramount studio March 20 for a part in “What a Life.”

GEOE TOWNSE, screen writer, is in vacation from the coast, at the Waldorf Astoria. He expects to be here two weeks.

Hammons to Fill Alperton’s Post

Hollywood, Feb. 20.—E. W. Hammons, head of Grand National, said today he would within ten days name a successor to Edward L. Alperton who resigned over the weekend as vice president and general sales manager and G. N. would probably deliver all of its promised product this season. Hammons said he was negotiating with a well known industry figure to take Alperton’s post and the announcement would be made in New York.

Meanwhile Arcadia Pictures, producing subsidiary of G. N., headed by Jack Skillball, announced it would produce three additional pictures into its zone from production by March 15. One already in shooting. Alperton, Skillball and Hammons were in conferencing today.

Set ‘Princess’ Dates

Twentieth Century-Fox has set 14 pre-release engagements on “The Little Princess,” following the premiere at the Kent Memorial in Boston tomorrow.

ROY HAINES, eastern and Canadian sales manager for Warners, left yesterday for a brief tour of exchanges. Before his departure he conferred with Roger SMETTERER, central district manager.

GERALDINE KUYKENWALD, daughter of the M. P. T. O. A. president, will be married March 7 in Columbus, Miss., to Edward Leaton.

FAY GILLES of U. A. received some favorable publicity yesterday as a result of an encounter with a burglar.

D. C. KENNEDY, manager of the M-G-M Des Moines exchange, and MRS. KENNEDY are spending three weeks in Florida and Cuba.

ED SCHNEIDER, eastern district manager for Warners, returned from Boston over the weekend.

JOHN HARTIGAN, European commissioner for the World’s Fair, arrives on the Ile de France today. Also EMIL BOREO.

GILBERT MILLER is due Saturday from Palm Beach.

JOHN W. GASSNER, play reader for the Theatrical Guild, is conducting a playwriting course, including films and radio, at Hunter College.

VICTOR MILNER, Paramount cameraman, is en route to New York by boat for a vacation.

RICHARD COHEN, son of Max COHEN, N. Y. sales manager for Universal, will celebrate his Bar Mitzvah Feb. 25 in conjunction with the 17th wedding anniversary of Mr. and Mrs. COHEN.

ARTHUR LEE is expected back in New York from Florida on Thursday.

AAAAN Names Board To Investigate AFA

Associated Actors & Artists of America named a committee of five to conduct the affairs of the American Federation of Actors yesterday. The investigation was ordered at the request of Ralph Whitehead, executive secretary of the A.F.A., Mrs. Florence Marston, eastern representative of the Screen Actors’ Guild, will head the committee, which includes Frank Gilmore, president of the A.A.A.A., Paul Dulliez, executive secretary of Actors’ Equity, Paul R.团丸, and George Heller of the American Federation of Radio Artists.

Findings for Appeal Filed in Loew Case

Emil K. Ellis, attorney for minority stockholders who brought suit against officers and directors of Loew’s, yesterday submitted 490 proposed findings of fact and 200 conclusions of law to the Superior Court of Los Angeles, Justice A. Valentia. Return of $542,000 ruled erroneously credited to profits is sought. Appeal will depend on the findings signed.

‘Each Other’ Hits $74,000 in 5 Days

“Stagecoach” is due at the Music Hall after “Make For Each Other” finishes. The latter has grossed an estimated $74,000 in its first five days and will be held for two more weeks. At the Rivoli, “One Thousand Dollars” has grossed over $15,000 and it will run with an estimated $15,000.

On Wednesday three new films will screen at the Capitol, “Cafe Society” at the Paramount, and “Four Girls in White” at the Criterion. “Big Island” will bow in at the Globe Theatre for three weeks, “The Lady Vanishes,” which grossed an estimated $6,000 last week, “Champs-Elysees” (Tri-National) will have its American premiere at the Little Carnegie Monday, “Grand Illusion” will start its 24th week at the Filmarie. “The Lone Ranger,” now playing at the Criterion, has been booked for the Loew metropolis. “Pygmalion” in its 12th week, will open its doors at 8 A.M. on Washington’s Birthday.

NY Allied to Elect A Grievance Board

SYRACUSE, Feb. 20.—Election of a three-member grievance board and discussion of adjusted minimum price scales at the fourth meeting on the agenda for the local New York Allied unit meeting at the Hotel Syracuse Thursday.

The grievance board will adjust complaints of local members with the distributors. The Syracuse Allied unit is one of the largest in a territory extending south to Binghamton and north to Watertown.

Clark Wins Award

PHILADELPHIA, Feb. 20.—James P. Clark, president of Horlachers and a member of the Delaware River Bridge Commission, tonight was awarded the first scroll by the Showmen’s Club of Philadelphia as the industry man who did the most for the city in 1938. James H. Keeley, Philadelphia columnist, presided at the banquet at the Philadelphia Hotel.

Arrow Drops $15,000

1018 World’s Fair—1018 World’s Fair

“Carnival” was yesterday granted a renewal of a lease. The company has paid $15,000 in rent, it was understood, and the lease runs out in August.
**Hollywood Preview**

**“The Little Princess”**

(Continued from page 1)

The little girl, becoming victim of Miss Nash's bigoted persecutions, but not believing her father dead, starts searching hospitals for him. A slavish self-willed and helpless only to his daughter's name, Hunter returned to London. Regulations threaten to halt Shirley's search, but Queen Victoria (Beryl Mercer), breaking red tape, grants her permission to continue. In sequences marked by nerve-wracking suspense, Shirley finds her father and the reunion effects a miraculous cure. Thereupon the promise of a joyous new life dawns for the little girl.

“The Little Princess” is high caliber entertainment with equal appeal for adults and children.

Running time, 95 minutes. “G.”

G. McC.

*“G” denotes general classification.*

**Trade Pact Is Made Retroactive in Deal**

(Continued from page 1)

and Herman Wobber, general sales manager, at last week's sales meeting in Hollywood.

Division and district heads have been asked to send "sample problems" for their salesmen to use when dealing with the difficulties of their accounts, company counsel, for his legal interpretations under the proposed agreement. The problems include the making of sales and the handling of salesmen's privileges on cancellations, refunds and the like. Also the mechanics of the proposals as they would affect the carrier and the classification of releases.

Company executives will insist that any agreements made between buyer and seller be clearly defined and in writing. Salesmen will be instructed to determine the facts of the requirements of each situation, including all economic factors. Future earnings possibilities of each situation will be analyzed more thoroughly.

"You are about to enter what I believe will be healthier distribution and an even better understanding between distributor and exhibitor," Wobber has informed his field force. "We want to adhere to every phase of any agreement made by the industry committee."

**Paris Houses Win Tax Reduction Fight**

(Continued from page 1)

Government control of the film industry, hanging fire for several years, will be introduced soon. The measure was prepared by Minister of National Education Jean Zay.

Main provisions of the bill include creation of a state organization to direct collect percentage and taxes from exhibition, distribution and production; reorganization of production; limitation of theatre bills, eliminable by沿海; tax on delta; on dividing the last two provisions would be especially harmful to American interests, and are seen as contrary to the Franco-American trade agreement.

It is expected the government virtually will control the Gaumont and Pathé companies, including circuits and studios.

**Col. Sued Over 'Exposed'**

A plagiarism suit for $250,000 damages was filed yesterday in the U. S. District Court against Columbia Pictures Corp. by Gerald K. Randolph, Columbia is charged with pirating the scenes, dialogue and action of the plaintiff's play, "Exposed." An accounting and an injunction also are sought.

**Columbians to Dance**

Stage, screen and radio personalities are listed among the guests of the Columbian Club for its ninth annual dance, Saturday night at the Waldorf-Astoria. Among those invited are Sophie Tucker, Tony Martin, Robert Morley, Director John Brahm, Dolly Haas and Henny Youngman.

**Divorcement Bill Signed In Dakota**

(Continued from page 1)

Government's anti-trust suits against major companies in New York.

**Buffalo' Opening**

An addition to this week's openings will be "Off to Buffalo!" at the Barrymore tonight. Written by MaxLiebman and Allen Boretz, the comedy deals with an effort to revive vaudeville. Melville Burke directed and Albert Lewis is the producer. Included in the cast are Joe Cook, Hune Crown, Elizabeth Love, Otto Hulett, Matt Briggs and others.

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**Penn. Theatre Circuit Levy Is Held Invalid**

(Continued from page 1)

which imposed a 10c tax on the store to $500 for each store over 500 in the chain, was an invalid classification and confiscatory.

Gov. Arthur H. James declared that the question of an appeal will depend on the advice of Attorney General Claude T. Reno. The act was passed in 1937 to raise $1,500,000 for school teachers' salaries. Collection of the tax had been restrained by a temporary injunction which was made permanent today.

**Columbia Plans 56 For 1939-40 Season**

(Continued from page 1)

number of high-budget pictures on next season's program as a result of the signing of Frank Lloyd, Wesley Ruggles and others. The New York Daily News reported that no change in the company's short subject output is expected next season and that in all probability the RKO Radio Pictures plan will be scheduled. McCowin said Columbia would increase its Spanish-language releases with several pictures to be made in Argentina next season.

**Birthday Puzzle**

Tonight the Moskowitz family will gather at the Kew Gardens home of C. C. Moskowitz, Loew, to celebrate the 75th birthday of "Mom" Moskowitz, mother of Joe and Martin of 20th Century Fox, and C. C. and Harry of Loew's. It was decided to screen a new film, but a better picture arose. Should it be an M-G-M film from Charlie's company or should Joe's wide-screen from 20th-Century-Fox A flip of the coin decided. It will be "Wife, Husband and Friend," by courtesy of 20th Century-Fox and Darryl Zanuck.
Here’s the most interesting situation within recent film history!

It started when M-G-M acquired this celebrated English production, the first of Bernard Shaw’s works to be personally supervised by him.

M-G-M exhibitors did not contemplate this when they signed their current year’s contracts.

Any M-G-M customer was privileged to say “I did not buy ‘Pygmalion’.”

And then things happened!

We decided to back up our own faith in the great value of this entertainment by the judgment of the public.

We set out to establish “Pygmalion” at the box-office to let it speak for itself in the language exhibitors understand best, dollars and cents, mass audience reaction.

The rest is history. From the very first day when police handled the crowds at the Astor on Broadway, there was never any question but that here was an unusual attraction. Now in its 12th packed week in New York; and 8th record week in Los Angeles! The first “typical American city” test at Dayton, Ohio was sensational and had to be held a second big week. From city to city it swept like wildfire.

(Continued)
It's the masses who are enthusiastic for Bernard Shaw's shabby flower girl who becomes a society glamor girl in an exciting experiment. And the critics fan the blaze with plaudits everywhere. And showmanship does the rest.

And here's the amazing thing:

Not one exhibitor is obligated to book "Pygmalion" as part of his M-G-M service and yet from every section of America they're asking: "When do we get it?"

The answer is "RIGHT NOW WHILE IT'S HOT!"

THE RESULTS
SPEAK FOR THEMSELVES!

12th WEEK, N. Y. Astor Theatre continues S. R. O. In 10 weeks "Pygmalion's" gross at popular prices was far ahead of the complete engagement (15 weeks) of the $2 road-show "Marie Antoinette". "Pygmalion's" tenth week was better than the ninth and eighth weeks! Now in 12th week and BIG!

LOS ANGELES TERRIFIC! Fifty-two days of "Pygmalion" lead seventy-seven days (complete engagement) of "Algiers" at the Four Star Theatre.

SAN DIEGO GREAT! Five days lead seven days of "Stand Up and Fight" and full weeks of other outstanding attractions.

2nd WEEK CLEVELAND. Imagine! It's beating "Too Hot To Handle", "Love Finds Andy Hardy", "Great Ziegfeld" and many other big hits! Second grand week!

2nd WEEK PITTSBURGH. Same story here. Topping "Too Hot To Handle" and other Biggies!

TWO BIG WEEKS DAYTON! Most unusual for pictures to play 2nd week here but "Pygmalion" did it after a first week that beat "Marie Antoinette", "Too Hot To Handle", "Crowd Roars", "Yank At Oxford", "Double Wedding" and other Dayton money-getters.

SWELL BIZ EVERYWHERE! Box-office smiles also at Miami Beach; Miami; Chicago; Cincinnati; Houston; Kansas City. It's absolutely un-failing in its consistent success.

WATCH FOR MORE HIT RESULTS! Within the next two weeks you'll see "Pygmalion" fireworks in San Francisco, Rochester, Columbus, St. Louis, Indianapolis, Atlanta, Louisville, Reading, Philadelphia, Washington, Minneapolis, Milwaukee, Seattle, Memphis, Nashville, Waterbury, Buffalo, Hartford, New Haven, Boston, Toledo, Wilmington, Baltimore, Akron, Richmond, New Orleans and Worcester.

The Man With The Long White Beard Is America's New Idol!
**Theatre Changes**

**Chakens Takes Three**

Sampson O., Feb. 20—Chakens Theatre, Inc., has taken over the 1,000-seat Virginia in the recently completed Lowe, with 600 seats, at Wellington, O., from the Guildhaye Amusement Co. A new bell is Planed and seating for 750 capacity, at Swain, formerly operated by Don-ald Evans.

**Boona to Build**

Pocatello, Feb. 19—Jack Boona, operator of the Rialto here, has purchased a lot and plans to start the construction of a 22,000-theatre by April.

**Hamrick Remodels**

Seattle, Feb. 20—John Hamrick's Music Box here will close soon for three weeks to undergo complete renovation and redecorating.

**Hecht Adds Seats**

Harry K. Hecht of the Hecht Cir-cuit is remodeling the Plaza in Pat-terson, N. J., at a cost of $50,000. An additional 600 seats will bring the total to 1,200.

**Altering Theatre**

Harry Donigur who recently ac-quired the Pastime, Union City, from James Bisco has started alterations on the house, to cost $30,000.

**Get Brooklyn House**

Al Demas, manager of the theatre has acquired the Model, 510-seat house in Brooklyn, from Louis Drelling.

**Build in Painesville**

Painesville, O., Feb. 20—Work has started on a new 1,860-seat the-atre here where Abe Schwartz and Jack Shliffin will build at an estimated cost of $150,000.

**Takes Ohio House**

Delta, O., Feb. 20—Lyric Theatre in the future will be opened by W. Norwine, owner of the building, who did not renew the present lease with Fred Schram.

**Plans Kansas House**

Kansas City, Feb. 20—Art Pugh, exhibitor at Fredonia, Kan, is build-ing another house there. He operates the White Way in Fredonia.

**Vaughan Sells House**

Kansas City, Feb. 20—W. Lee Vaughan has sold the Art, in Kansas City, Kan, to E. J. Eames and Sam Abend of Film Delivery, Jameson and Abend have leased the house to the Jayhawk Corp.

**Opens in Colorado**

Kansas City, Feb. 20—The new-ly built, 2,700-seat A.N. 14 house, has been opened in Ft. Collins, Colo., by L. C. Snyder, who operates the Mainstreet at Oakley, Kan.

**New Mexico City House**

Mexico City, Feb. 20—A number of active film houses in the Federal District, which includes this city, have been opened over with inaugu-ration of the Cine Alhambra, seating 4,500, and owned and operated by Cines Modernos, S. A.

**East Columbus Reopens**

Columbus, Feb. 20—The East Columbus, neighborhood house, closed for installation of new sound equip-ment and seats, has reopened under management of Harry Rothstein. The house has been redecorated.

**Fox Midwest Gets Plants**

Kansas City, Feb. 20—Fox Mid-west Theatres will install refrigeration and cooling plants this spring in the Grand, Dauphin, Strand, West Frank-fort, and the Illinois, Jacksonville, in Illinois; for the Gem, Topex, and the Lincoln, Kansas City.

**Kc Art to Finkelstein**

Kansas City, Feb. 20—Rube Finkelstein took over the Art Theatre, Kansas City, Kan, Feb. 1, from Charles Vaughan.

**Cheesn, S. C., Gets House**

Chesnee, S. C., Feb. 5—Cheesne’s first motion picture theatre, has opened under the management of George Ward.

**New Knoxvile House**

Knoxvile, Tenn., Feb. 20—Peep-less Enterprises, Inc., is erecting a new theatre here, the fifth in the Peer-less chain.

**Yonkers House Taken**

Mt. Vernon, O., Feb. 20—The (E. M. Miller), has taken over the operation of the Cameo, Yonkers.

**Bridge Theatre Closed**

The Bridge Theatre in St. Nicholas Avenue, Manhattan, has been closed.

**New Operator of Pelham**

New operator of the Pelham, Pel-ham, N. Y., is Pelham Picture House, Inc. (Joseph Carbone and Jack Fink)

**Take Mineola House**

David Kramer and Herman Sal-lick will assume operation of the Williston, Mineola, L. I., on Feb. 18.

**To Build at Latonia**

Cincinnati, Feb. 20—Louis Weite, who owns the Darby and Latonia at nearby Latonia, will build a 600-seat house there at an estimated cost of $75,000.

**Lease N. J. House**

Metro, Fort Lee, N. J., has been leased by Densree Theatres Co., Inc., Harry Donigur, president. The deal was arranged by Berk & Krumgold brokers.

**Howard Closes**

The Howard, Howard Beach, L. I., has been closed.

**Reopen Bronx House**

R. & X. Amusement Corp. (Phillip Salinger) will reopen the Bronx, at 140 East 149th St., Bronx, shortly.

**Takes Over Rose**

Marinelli Amusement Corp. (Max Sudorov) has taken over the opera-tion of the Rose, 182 W. 122nd St., Manhattan.

**Buys Ohio House**

Columbus, O., Feb. 20—Garden Amusement Co., of which W. C. Ches-brough is president, has purchased the

**Honolulu $12,000**

Best in Cincinnati

Cincinnati, Feb. 20—"Pygmalion," introducing an all-film policy at the RKO, Sulbert, came through with $12,500.

"Honolulu" garnered $12,000 at the RKO Palace and "Wings of the Navy" did $11,000 at the RKO Alh. "Jesse James at the RKO Gran, took $10,000 in its fourth week.

Estimated takings for the week end-
ing Feb. 16:18-

"Wings of the Navy" (W.B.)

RKO PALACE—(275) 54c-62c 7 days:

Gross: $1,010. (Average, $148).

"Jesse James" (W.B.)

RKO SHUBERT—(215) 42c-75c 7 days:

Gross: $2,500. (Average, $358).

"Topper Takes a Trip" (U.A.)

RKO CAPITAL—(235) 15c-42c 7 days:

Gross: $2,000. (Average, $272).

"Disharried" (Para.)

TOUCHGEA SOCIETY (Univ.)

RKO FAMILY—(150) 15c-34c 6 days:

Gross: $1,500. (Average, $250).

"Arizona Legion" (RKO)

RKO PUBLIC—(200) 15c-32c 6 days:

Gross: $1,200. (Average, $200).

"Four Girls in White" (M-G-M)

KRITZER—(360) 14c-40c 7 days:

Gross: $1,500. (Average, $214).

650-seat Victor, neighborhood, built in and operated for several years by Abram Fox. George Fraker, manager of the Salen, Dayton, O., will be in charge.

**Takes Kansas Theatre**

Kansas City, Feb. 20—Dan Hen-negan has purchased the Rialto, Marysville, Kans., from Lee Sproule. George Hayob has reopened the re-modelled Marylton at Marshall, Mo.

**Ontario House Bought**

Toronto, Feb. 20.—Theater Holding Corp., Ltd., comprizing all the theatre interests, has purchased the Royal at Parry Sound, Ont. The manager will be Sydney Burton of Port Col-bec.

**Remodel in Cleveland**

Cleveland, Feb. 20.—Main, closed for three years, has been remodeled. Charles Gottlob and San Fain own the houses. William Bennett has been appointed house manager.

**Open Florida House**

Cheese, Fla., Feb. 20.—Cheese’s first film theatre has been opened by George Ward of Innab.

**Theatre Remodeled**

San Francisco, Feb. 20.—Princess in San Francisco has been remodeled at cost of $12,000.

**Klock Takes House**

Kansas City, Feb. 20.—Glen Klock, who operates the Klock at Neosho, Kan, has taken over and remodeled the Vogue at Fredonia, Kan., formerly owned by Arthur Pugh.

**Plan Dunbar, W. Va., House**

Charleston, W. Va., Feb. 20.— Lester K. Rosenfield, owner of the Best in Charleston in Kanawha City and the Dunbar theatre in Dunbar, is planning to erect a second theatre in Dunbar.
Hollywood Previews

“Let Us Live” (Columbia)

Hollywood, Feb. 20.—Henry Fonda is seen here as a taxi driver sentenced to death for a murder he didn’t commit. Miss O’Sullivan plays the girl who tracks down the real murderer in time to prevent her sweetheart’s execution. Ralph Bellamy and Alan Baxter play the other two principal roles. The picture was directed by John Brahm from a screenplay by Anthony Veiller and Allen Rivkin based on a story by Joseph Hynek.

Although considerable suspense is built up while the clock ticks off the condemned man’s wait for execution, the picture differs in story development only slightly from previous productions predicated on the same state of affairs. The film is entirely different, however, in that the dialogue spoken by its principals is made to constitute an out-spoken indictment of police methods, judiciary procedure and organized society’s handling of the crime problem generally.

The story, relying heavily on coincidence, has Fonda mistakenly identified by eye-witnesses of a murder, convicted on circumstantial evidence supported by this identification and sentenced to death. Miss O’Sullivan sets out to find new evidence and induces Bellamy, a police official ordered to other duties, to resign his job so that he can aid her. They save the taxi driver in spite of officialdom’s indifference, but he is an embittered man and the ending is happy only in the sense that it is not tragic. There is much denouncing of prevailing crime detection and prosecution methods while the whole story runs 65 minutes.

“G” denotes general classification.

“Twelve Crowded Hours” (RKO)

Hollywood, Feb. 20.—An excruciatingly tense melodrama, “Twelve Crowded Hours” is a riot of action and suspense in which Richard Dix portrays the role of a New York crime reporter engaged in bringing to justice members of a policy racket gang. It is unfolded with a minimum of waste in a series of swift cuts, as murders occur, Dix traces the crimes to Kendall, and is held prisoner by the gang leader, Kendall’s plan to kill him and Miss Ball is defeated and the gang leader goes to his death with three of his accomplices. The film ends with another montage sequence showing New York at nightfall. Among the figures is a woman in black skirt, black lace stockings and black shoes leaving her rooming house. After establishing shots, the story opens with Dix attempting to effect a reconciliation with Miss Ball, whose brother, Allan Land, was sent to prison because principally for the benefit of John Twist, the direction of Lew Landers, and production effects of Robert Sisk. A story by Garrett Fort and Peter Ruric formed the basis.

Supporting Dix are Lucile Ball, Allan Land, Donald MacBride, Cyrus W. Kendall, John Arlidge, Granville Bates, Bradley Page, Dorothy Lee, Addison Richards, Murray Alper, John Gallaudet and Joseph de Stefani. Outstanding among the capable performances is that of Kendall, who brings to the screen a new development of the menace role in his capacity as the policy racket leader.

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RIVOLI, NEW YORK... Opened at Rivoli Theatre Saturday... By Sunday Night on way to house record for season. Will hold over for three weeks.

KEITH'S BALTIMORE... Manager Schanberger of Keith's reported: "After vain efforts for two months to awaken business, this does it. More laughs than I have heard in ages!"

CIRCLE, INDIANAPOLIS... "Continuous laughter of audience drowned out many of the gags. Business almost tops anything in theatre's history despite continuous rain all afternoon and evening. Picture definitely box office."

—at the box-office... where it counts... and
CHEAT
5T MAN.....
Six Openings!

UNITED ARTISTS, PORTLAND, OREGON . . . "Honest Man actually out-grossed any Durbin picture. Can truthfully say 30% of Fields or Bergen gags lost by continuous laughter."

LOEW'S HARTFORD . . . At Loew's, "You Can't Cheat An Honest Man" beats both "100 Men and a Girl" and "That Certain Age."

MOHAWK, NORTH ADAMS, MASS. . . . "HONEST MAN opened very big. Beating any previous gross on record. Manager reports picture had audience actually rolling in aisles

where the public decides!—UNIVERSAL
Kissing in Mexican Theatres Now Legal

Mexico City, Feb. 20.—Kissing in the theatres here is now quite all right and police who used to have a fine time with arrests now have to stand by and take it, thanks to the old law that made kissing in public a misdemeanor, punishable by fines, has been annulled.

The law was killed when the police department found that some police men made a racket of shaking down kissers they caught in the theatres and other public places.

Injury Prevention Stressed by Court

Oklahoma City, Feb. 20.—It is the duty of theatre proprietors to exercise a high degree of care to prevent injury to their patrons, the State Supreme Court has ruled.

It upheld a jury verdict of District Judge George H. Giddings awarding $1,250 to Mrs. Nova Hughes of Oklahoma City for injuries received when she was thrown from the Library in Oklahoma City May 29, 1935. Mrs. Hughes contended that Standard Theatres was negligent in not having adequate lighting facilities so that she could see the “jump off” when she left her seat.

Kill New Game Plan

Budding in Toronto

Toronto, Feb. 20.—Conciliation Committee of the Toronto Board of Trade, Film Section, has succeeded in stamping out a form of giveaway which was new in the Toronto theatre field, consisting of a coupon which entitled the recipient to obtain two admission tickets for the price of one within a stated time. The committee threatened to obtain cooperation from the film exchanges when the two exchange cards came to an agreement with the conciliation board to drop the stunt.

Calls Game Lottery

Oklahoma City, Feb. 20.—The state attorney general has branded as a lottery a so-called “shoot-the-wheel” scheme used in an Ardmore Oklahoma theatre to select a prize winner from among its patrons. The lucky number was selected by shooting at a spinning wheel containing the numbers.

Legion Approves 13 Of 14 New Pictures

National Legion of Decency approved 13 of the 14 films reviewed and classified this week. Five were found unobjectionable for general patronage, eight objectionable for adults and one objectionable in part. The films and their classifications follow. Class A-1, Unobjectionable for General Patronage—“Adventures of Jane Arden,” “The Headlys at Home,” “Hot on the Prairie,” “Pride of the Navy,” “Thundering West.” Class A-2, Unobjectionable for Adults—“Cafe Society,” “Fast and Loose,” “Lonely Wolf’s Spy Hunt,” “One Hundred Men Grow,” “Star Reporter,” “Twelve Crowded Hours” and “Woman Doctor.”

Opposition Grows to Kansas Chain Taxes

Kansas City, Feb. 20.—Farm and labor unions of Kansas have joined with chain stores in opposing passage of the chain store tax bill by the legislature. The opposition was expressed at a hearing of the taxation committee of the legislature in Topeka.

Due to an opinion of the Kansas Supreme Court that a theatre admission ticket constitutes a commodity, or a sale at retail, it is considered possible that the tax may affect theatre groups operating in the state.

Seek 'Dodge' Opening

Hollywood, Feb. 20.—Resolution of the Kansas state legislature, and a scroll containing 10,000 signatures on behalf of Mrs. Harry M. Warner, president of Warners, and Jack Warner, vice-president, with a request that "Dodge City" be given its world premiere at Dodge City, Kan.

Turners Plea Denied

Application by the six Turners for a jury trial of their suit against Pathe News, Inc., RKO and R. H. Macy & Co. was denied by Federal Judge John C. Knox. The Turners had charged the defendants with advertising a golfing film in a picture without their consent.

Would Tax Carnivals

Oklahoma City, Feb. 20.—Merton Munson, state statistician, is preparing a report on state sales tax that except for payment of $100 a day license fee. He said he would introduce such a measure at the present session of the Oklahoma legislature.

Riley on Television

Tom L. Riley has been shifted to the KRC television program staff.

Warner in Attack On "Foreign Isms"

Los Angeles, Feb. 20.—Speaking to some 1,400 Warner Club members and guests at the Biltmore Hotel here last night, Harry M. Warner warned company employees that some of their own number were sympathetic to "foreign isms." He added that personnel presently employed were fired because they were not "patriotic enough."

Jackie Cooper acted as master of ceremonies for an elaborate show. This was the Warner Club’s annual dinner dance.

Defense Finishes in Action by Acoustics

Wilmingyl, Feb. 20.—Defense rested today in the patent action of British Acoustic Films against RCA and EMPI, calling David Howard Wente of Bell Telephone Laboratories as the closing witness. The litigation has been under way for its fifth day before Judge John P. Newport.

Wente explained modification of the various arrangements on patents involved in the case to John J. Lawson, Warner patent expert, who was called to rebut the plaintiffs and described the action of the rotary stabilizer.

Lason compared the device on other patents with British Acoustics and pointed out where on another patent the player was on the side of the sprocket instead of in the customary place on top. He testified that the difference between the free loop and the twisted passage of the principal points involved in the litigation.

Fifteen New Houses Planned in Ontario

Toronto, Feb. 20.—No less than 15 new theatres are under construction or about to start operations in various parts of the Province of Ontario, large and small cities being included in the plan.

Two theatres are projected in the City of Toronto, Cornwall and St. Catharines while one new house is under way in the following communities: Port Colborne, Leamington, Tillsonburg, Sudbury, Glencoe, Oshawa, Kirkland Lake, Barrie and Oshawa. Five of the new theatres will be circuit units.

Receipts Tax Proposed

Kansas City, Feb. 20.—Repeal of the two per cent sales tax and substitution of a gross receipts tax of from 5 to 15 mills per dollar on all business operations would be accomplished in Kansas if a bill introduced in the legislature becomes law. Rep. Edgar R. Jones of Junction City introduced the measure.
Typical Eastman RELIABILITY

EASTMAN Plus-X for general studio work
... Super-XX for all difficult exposures...
Background-X for backgrounds and all-round exterior work. . . All three of these new negative films have special features suited to their particular fields . . . plus the typical Eastman reliability that has served the industry so well in the past. Eastman Kodak Company, Rochester, N. Y. (J. E Brulatour, Inc., Distributors, Fort Lee, Chicago. Hollywood.)

EASTMAN Plus-X...
Super-XX... Background-X
Deny Crosley Plea For FCC Rehearing

WASHINGTON, Feb. 20.—Application of the Crosley Corp. for a rehearing of the Commission’s order on the super-power experimental permit was denied today by the Federal Communications Commission. The Crosley petition specified 10 points of alleged error on the part of the commission, all of which today were held groundless as a basis for rehearing.

The commission also refused a request for a stay of effective date of the order revolving the experimental license until such time as WLW has exhausted other avenues of opposition. The commission held that "grant of special experimental authorization is a function which Congress has committed solely to the commission" and "it would be idle for the commission to postpone the effective date of its decision, since there are no remedies open to the petitioner other than upon application to this commission."

Atlantic Will Air Yale Grid Contests

Atlantic Refining Co. has signed again to sponsor play-by-play broadcasts of the 1939 Yale football schedule through WICC and the Yankee network, starting Oct. 7. Handled through N. W. Ayer & Son, the broadcasts will be heard over WNAC, WTIC, WENJ, WTAF, WICC, WSAR, WBNJ, WMLC, WUSP, WATL, WJFR and WNHL. Yale’s games with Columbia, Penn, Army, Michigan, Dartmouth, Brown and Princeton will be covered.

Approve KOMA Sale

OKLAHOMA CITY, Feb. 20.—Sale of KOMA, owned by Griffin, Muskogee, Okla., on condition to protest is filed in the next 30 days, has been approved by the Federal Communications Commission, according to Raymond Ray- sey, manager. Sale of the station was announced last November by Hearst Inc., which will operate the station until the transfer becomes final.

WANT FILMS "Johnny-on-the-Spot"?

Films shot A.M., screened P.M. many miles away? Easy! Just ship them by AIR EXPRESS: shingle-a-minute service with day and night delivery. Smart exhibitors just send office receipts with newsreels flown "hot from the spot." Localaters just pick up "hot developments" direct super-speeded service to 220 key cities in U. S. and Canada. Fast returns. Direct super-speeded service to East, West, North, South. Call connections to telephone points. Also to KAN, Nebras, N. and S. Dak., East.

FREE booklet! "How to Profit with Air Express" tells how you can use Air Express for bigger profits. Write Dept. 7, Air Express Co., Division, Railway Express Agency, 250 Park Avenue, New York, N. Y.

Radio Personalities

A DAUGHTER was born Saturday to Mrs. Will H. Yolen, wife of the New York representative of Tom Fitzdale, public relationist. . . . Jan Smith’s orchestra signed by Decca for recordings. Consolidated Radio Artists setting the deal. . . . Ignace Padernerski arrives here today on the Ile de France . . . Howard McIlwade returns to the radio Wednesday in the "99 Men and a Girl" show, the first regular series for her in over a year and a half.

Television Talks Are Planned by the BBC

LONDON, Feb. 20.—A discussion series on television has been scheduled by the BBC, with Howard Marshall in the chair. First of these broadcasts went over the air late last week, with Thomas Johnson, playwright and producer, and Freda Wymbold Godle, television critic, taking part.

Points raised were that television was a different medium from the film or the theatre, largely because of its intimacy, that it is intended to be seen at the home fireside and that, whereas the development of the screen has been spread over 25 to 30 years, the development of television will be compressed within the next five years.

KSAN Expands News

SAN FRANCISCO, Feb. 20.—KSAN is starting extensive news coverage, with the purchase of International News Service and signing of a 52-week deal for sponsorship by Progressive Optical Co. Two announcers, broadcasting 20 five-minute programs daily, will be aided by two "reporters" checking local stories, to augment INS coverage.

Radio Firm Formed

ALBANY, Feb. 20.—National Television Co., Inc., radio broadcasting business, has been chartered by David H. Jackman, R. J. Gorman and Edwin E. Lindgren, New York.

N.A.B. Convention To Be Held in East

WASHINGTON, Feb. 20.—Annual convention of the National Association of Broadcasters will be held in the East, rather than in San Francisco, the N.A.B. has decided. Washington or Philadelphia will be selected, with the meeting date set for June.

The change in the convention meeting place is made because of inadequate facilities in San Francisco because of the fair in that city, and because the industry feels that the entire meeting would not be held in or near Washington because of the congressional radio situation.

Philco Will Market Television Receivers

A limited number of television receiving sets will be manufactured and offered for public sale beginning in May by the Philco Television and Radio Corporation, according to a report for sale with the start of regular television here. NBC and CBS will carry their own sets during the operation of the World’s Fair, and regular television also is expected to begin shortly in Schenectady, Milwaukee and Los Angeles.

News Drama Series To Start on Mutual

"Front Page Parade," a new series of dramatic reenactments of the day’s news, featuring Grant Grant, will begin a Monday, Wednesday and Friday schedule over Mutual starting Feb. 27. Series will be sponsored by Mutual Eros, through a placement by McConn-Ericson.

From 7:30 to 7:45 P.M., the program will be aired over WLW, WGN, KSTP and KXOX, and from 6:30 to 6:45 P.M. over WIKH, WSPD, and WCAE.

New Show on WEAF Runs for 13 Weeks


Renewed for another eight weeks on the air is "Dog Heroes," sponsored over WJZ by the Modern Food Process Co. Clemens & Co. is the agency.

NAB Arranges for Congress Talk Discs

WASHINGTON, Feb. 20.—The National Association of Broadcasters has made arrangements with Radiograms, a recording organization in Washington, to record talks by Congressmen or Senators, at a price of $500 per minute. The talks will be offered for members of the N. A. B., who are interested in this type of program. The program has long been urged by members stations for a service similar to this.

Yocum Joins Compton

Trell Yocum has resigned as manager of the new business department of Young & Rubicam to become executive vice-president and director of the Compton agency.

"WHITE BANNERS," a radio serial adapted from the best selling title "Keep the Lights Burning," will be offered to clients for five-a-week sponsorship. The serial will be produced and handled by the several organizations sanctioning the program—which will be produced under the supervision of W. R. Yocum, author of "White Banners," "Magnificent Obsession," "Green Lights" and others—General and State Federation of Women’s Clubs, National Education Association, General Federation of Churches, Motion Picture Appreciation League and Junior Peace Societies, Legion of Decency, and Daughters and Sons of the American Revolution. "White Banners" is being handled for radio by the T. W. Radio Productions, Inc.

"W" is currently being broadcast by the American Tobacco Company, and is being handled locally for sponsors. Life is like that, CBS publicity boss Lou Ruppel will learn this morning when he opens his mail. Ruppel, proudly stated in a recent CBS press release that the first broadcast ever to be heard from Alabama would be carried by his network Feb. 21. Yesterday, XDB public director Bob Bryant, in signing himself "yours for greater accuracy," wrote a letter to Ruppel asking him that NBC, on March 27, 1937, will give a program of folk music from Alabama.

Mutual is yet to be heard from.

From an unimpeachable source it is learned that the Capital Theatre beginning this spring will feature a tremendous symphony orchestra in repit. The symphony plan was set over a stage ban policy because of diffuclty in contracting for both the major popular and stage bands, with the Paramount, Strand and Loew’s State now having first call on the swing bands, and permanent conductor and principal over the Capital’s symphony, and famous great conductors will be seen here. A famous great conductor the theatre is after is Stokowski.

First television broadcast of a commercial program will be etherized Sunday, Feb. 26, with Amos ‘n Andy before the camera. The day before the blackface team will deliver their special half-hour program from the World’s Fair grounds. The television show will also come from the World’s Fair.

 Seems to us that somewhere we’ve been reading something about motion picture studios without any followers from the air. But we must be wrong, for now it appears that Warners are planning a plane trip over this "Let’s Go Hollywood," which, with John Garfield and the "Dead End Kids," is planned as part of the "Kraft Panorama" of Warners Hollywood studio and by a "feed" to approximately eight stations of the Don Lee California network, with the exception of Los Angeles, which is a sponsor of the west coast show.

Moreover, we hear that this same station may be offered an experimental picture over a coast-to-coast network, with the starting date set for early in March.
Rehearing of Dallas Appeal To Be Sought

Interstate, Consolidated Plan Petition

DALLAS, Feb. 22—Interstate Circuit and Texas Consolidated Theatres de- clared Friday night that the U. S. Supreme Court for a rehearing will be filed in the Supreme Court in the near future.

Counsel for distributor defendants in the Dallas case have not formally decided yet to ask the Supreme Court for a rehearing but expect to make their decision early next week. However, there is little doubt that a reargument will be sought, particularly in view of the theatre defendants’ decision to make a separate motion for reconsideration.

Defendants have until March 13 to file their petition.

Joe Brandt Dies;

Former Col. V. P.

Los Angeles, Feb. 22—Joe Brandt, veteran industry figure, died this afternoon at his Beverly Hills home following a long illness. He was 66 years old. Besides his wife, he is survived by a son, Jerrold Thurston.

Joe Brandt was born in Troy, N. Y., in July, 1882. After graduation from the United States Military Academy in 1904, he attended New York University from which he held a bachelor of literature degree. He was admitted to the bar in 1906.

Brandt entered the motion picture field in 1908, when he became secretary to Carl Laemmle. He proceeded to that he had been with the Hampton Advertising Agency and had served as New York representative of Billboard. He also was advertising manager of the Dramatic Mirror.

With Carl Laemmle he was instrumental in forming Universal Pictures Corp., of which he was general manager. In 1921 he resigned and formed

(Continued on page 6)

K-A-O Board Elects McCaffrey Member

John J. McCaffrey of the building firm of Best & McCaffrey was elected a director of Keith-Albee-Orpheum Corp. to fill a vacancy existing since the death last December of Peter J. McCaffrey, a member of the firm.

The board declared a dividend of $1.75 per share on the seven per cent cumulative convertible preferred of K-A-O for the quarter ended June 30, 1936, payable April 1, next, to holders of record on March 15.

North Dakota Senate Gets New Film Bill

BISMARCK, N. D., Feb. 22.—With the ink scarcely dry on the Governor’s signature to a bill repealing the North Dakota theatre divestment act, a new bill appeared in the legislature yesterday.

The measure, introduced in the Senate, provides that no new motion picture theatre may be established in a community where one is already operating except by express permission of the licensing authority of the state, which would be the attorney general.

Also before the legislature are measures providing for a five-cent admission tax and for a gross transaction tax which, as applied against theatres, would amount to two per cent.

(Continued on page 6)

“Big” Nick, Weston Indicted on Extort Charges in St. Louis

St. Louis, Feb. 22—(Clyde A. Weston, local business agent of the I.A.T.S.E. operators’ union, and John P. (Big) Nick, union leader, were indicted here today for alleged extortion of $7,000 in 1937 from theatre owners.

Nick was indicted jointly with Edward M. Brady, a month ago, charged with extorting $10,000 from exhibitors in 1936 under threats of ruinous increases in operators’ salaries.

Weston was immediately arrested and released on $25,000 bond. Nick, at liberty on a similar bond in the first case, was reported out of the city.

Revisions of Trade Pact Draft Finished

Distributors’ counsel have completed revisions of the proposed trade practice program in light of the recommendations of Abram F. Myers, Allied general counsel.

General sales managers of the major companies will complete consideration of the revised program by Monday, it is expected, and a meeting with Myers is scheduled for next week. The present draft represents the program substantially as it will be put into effect.

W. B. Plans 15 in England This Year

Warners plan 15 films in England this year, according to Jerome Jackson, managing director of the Ted- dington Studios, who arrived Tuesday night on the Ile de France. This compares with 11 last year.

Last year’s schedule included two double quota films and it is planned to increase the number in this classification and triples may be included.

Primarily the Warner program has been concentrated on single quota films at a minimum expenditure of $75,000 on labor alone. The cheapest Warner film cost about $120,000. Max Miller’s Warner big boy is England.

Jackson has been in charge at Ted- dington almost a year. This is his first visit here in two years. He will remain three or four weeks for con- ferences on the new program with Sam E. Morse, vice-president in charge of foreign activities.

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Cowdin Reports Revenue Total $20,190,117

Universal’s gross revenue increased more than $2,000,000 during the fiscal year ended Oct. 29, 1938, J. Cheever Cowdin, chairman of the board, in- forms the company’s stockholders in a letter accompanying the annual financial report. Gross for the year amounted to $20,190,117.

Loss for the year was reduced to $391,178, after all charges, including depreciation and amortization of fixed assets in the sum of $209,232, com- pared with combined net loss for the year ending Oct. 30, 1937, of $1,684, 998, after all charges, including de- preciation and amortization of fixed assets in the sum of $370,286.

Credit for Improvement

Cowdin’s letter to stockholders credits the improvement in gross rev- enue last year to “improved sales poli- cies and methods” under William A. Scully, distribution head; to “better quality and quantity” under Nat J. Blumberg, the leader and president.” In noting the improve- ment Cowdin points out that it was accomplished in less than one year.

(Continued on page 6)

“U” Gross Up

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(Continued on page 6)
“Cafe Society” Open

MIAMI, Feb. 22.—With the tourist season at its peak, Manager George Hoover of the Sheridan, Steve Lynch’s new house here, has announced that he will open “Cafe Society” a brilliant opening here last night. It was the third world premiere spotlighted at the house in six weeks and topped the others in its guest list of picture, stage, social, business and political personalities.


‘Wife, Husband’ Set For Roxy Tomorrow

“Wife, Husband and Friend” opens tomorrow at the Roxy to follow “The Three Musketeers.” “Cafe Society” started at the Paramount yesterday. Second week of “St. Louis Blues” grossed $29,000. Final six days of the three-week run of “Idiot’s Delight” attracted an estimated $26,000. The Capitol, “Rosebud” opened there one day early in order to take advantage of the holiday trade. “Off the Record” will hold over for a second week at the Strand.

Schlaifer Concluding Six-Week Sales Tour

Jack Schlaifer, western general sales manager for United Artists, will conclude a six-week tour of his territory which started on Saturday, where he will attend the opening of “Stagecoach” at the Roosevelt.

Schlaifer left San Francisco on Monday and will stop off at Salt Lake City en route to Chicago. He will return to New York early next week.

YOU CAN BE IN
LOS ANGELES
TOMORROW MORNING
By WALTER McGUIRE
Flagship Steeplechase

MOTION PICTURE
DAILY

Thursday, February 23, 1939

Purely Personal

NATE J. BLUMBERG, Universal president, again has postponed his return to New York and may remain at the studio for another week.

M. RICHEY of RKO is suffering from a turned ankle.

HERBERT WILCOX plans to sail for England Saturday as guest of the Queen Mary.

ROGER FERRY and BILL CHABLIES of 20th Century-Fox were in Boston today for “Little Princess” opening.

ELIOT NUGENT, guest of Paramount’s “Never Say Die,” is in town for a brief visit.

SPYROS SOKIAS is due tomorrow from the coast where he conducted a division managers’ meeting and surveyed Fox West Coast theatres. He is accompanied by John Healy, assistant.

LOU POLLOCK, Universal eastern district advertising and public relations director, is due back from the coast by plane today.

JACK KIRCH, president of Allied of Illinois, addressed the Kiwanian Club of Indiana Harbor Tuesday on “The Value of Motion Picture Theatres in a Community.”

LOUIS DE ROCHMONT, producer of the March of Time, and Thomas Orchard, associate producer, have returned to New York. Orchard was in Chicago, Ill., de Rochmont visited Philadelphia.

JACK SCHIELMAN, assistant to Herman Wurster at 20th Century-Fox, is due Monday from Florida.

SAM DEZOVITZ, Jr., has returned from a Florida vacation.

Set 216 ‘Darling’ Dates

Warners have set 216 simultaneous bookings for “Yes My Darling Daughter” this weekend. National release is on Saturday.

House Changes Policy

HARRISON, Feb. 22.—Lexicon Theatre has changed its policy from two to three changes a week.

The Newsreel Parade

Spanish Italyans fleeing into France, the opening of the San Francisco Exposition and an alarm fire in Quebec are news highlights included in the latest newsreel. The news and their contents follow:

SUN-MERCURY THE SOUTHERNER

L.A. Monday, 2:01 p.m. L.A. Wednesday, 9:15 p.m. A.R. Saturday, 8:32 p.m.

FOR RESERVATIONS

Call your travel agent or Vanderbilt 7-2439. Tickets for DASH and Rockefeller Center, 18 W. 49th St.

AIRCRAFT NEWS DAILY

THE AMERICAN STANDARD OF SERVICE

Academy Will Make Its Awards Tonight

Hollywood, Feb. 22.—Trophies indicative of preeminence in the various phases of production technique will be presented tonight at the annual Awards Banquet of the Academy of Motion Picture Arts and Sciences, to be held in the Biltmore Bowl.

Nominations were announced for six, already having been made for those who will receive the awards. All Oscar acceptance speeches will be given at tonight's ceremony.

The committee in charge of the dinner includes Mervyn LeRoy, chairman; Darryl F. Zanuck, vice chairman; and George Cukor, Stephen Hill and Dorothy Arzner as members.

Quarterly Meeting Of Equity March 24

Next quarter meeting of Equity’s board of directors will be held March 24 at the Hotel Roosevelt. The meeting will include a nominating committee which will name candidates for the 10 vacancies on the board for the fiscal year ending June 30. Other officers’ terms do not expire until next year. A meeting scheduled to be held with the New York Equity Theatres to discuss the theatre broker code has been postponed one week because both organizations will be in New York at the N. Y. Supreme Court hearings on an injunction suit brought by Acme Ticket Service.

20th-Fox Sales Meet Planned for April 3

Annual sales convention of 20th Century-Fox is scheduled to start Monday, April 3, for three days. Preparations for the meeting will start February 15.

Herman Webber, director of distribution, left Tuesday for Florida with Mrs. Webber. He and S. R. Widmark, are scheduled to meet the studio March 16 with Darryl F. Zanuck on the new season’s production budget and plans.

Following the Chicago convention, Kent, Webber and Walter J. Hutchins, foreign director, will go abroad for European meetings.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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IT'S READY...AND IT'S HOT!

IN THE NEW SECRET SERVICE SERIES

FROM THE RECORD TO THE SCREEN!
Straight from the locked files of the ex-Chief of U. S. Secret Service. A big beginning for the most original, most timely series idea yet offered! Action-jammed all the way!

WARNER BROS.
Producers

SECRET SERVICE OF THE AIR

with RONALD REAGAN
JOHN LITEL • JAMES STEPHENSON
ILA RHODES • EDDIE FOY, JR.

Directed by NOEL SMITH • Original Screen
Play by Raymond Schrock • Based Upon
Material Compiled by W. H. Moran, Ex-
Chief of U. S. Secret Service
Out Hollywood Way

Hollywood, Feb. 22—Claude Duetsch and James Stewart will be starred in “A New, Wonderful World!” at M-G-M. W. S. Van Dyke will direct. ... Edwin Fellows has been borrowed from Columbia by Warners for “To Top the Tars.” ... “The Guncle” is the story of the blind artist ... Samuel Goldwyn is planning a picture about the director of the British flying boat, Cavalier, and has signed Guy T revolver and Ben Grauman Cohn to do the story. It will be titled “Thirteen Go Flying.” ... “The Hidden Staircase” will be the fourth picture of Warners’ “Nancy Drew” series. Paramount has purchased “City Mother,” original by Robert Breen and Gladys Atwater. ... Harry Barris goes into “Some Like It Hot.” Paramount. ... Stanley Mooney, protege of Mary Garden, has been given a Warner contract and his screen name changed to Dennis Morgan.

Ruth Hussey and Dennis O’Keefe drop the top roles in M-G-M’s “The Kid from Texas.” Geraldine Fitzgerald will play the lead opposite Eireel Flynn in Warners’ remake of “The Sea Hawk.” ... George Raft will replace John Wayne in “Each Dawn I Die” at Warners. James Cagney will be starred... Another Cagney vehicle this spring will be the long delayed “The Big Joke,” based on the life of the American naval hero. ... Universal will make seven pictures of the MGM horror and acetylene teams: Andy Devine and Dick Arlen. Ben Pivar will produce. ... RKO is seeking to sign Jean Hersholt for a series of pictures based on the “Dr. Christian” radio program. ... The studio this week acquired the film rights to 21 G. M. Charters “Sammy” stories. Humphrey Bogart and John Litel will be featured in Warners’ “Escape from Alcatraz.”


James Ellison and Anne Shirley will be teamed in RKO’s “Sorority House.” ... from the studio: Lucille Ball draws the feminine lead in “The Second Shot.” ... Joyce Bryant has been given the leading role in the site Jack Randall in Monogram’s “Trigger Smith.” ... M-G-M roles: Reginald Owen, Beryl Burke, and Robert Clothier. ... The Popes’ Hinds to “Maiden Voyage,” which features Robert Young and Anna Sten. James Burroughs and Virginia Sleekman to “Within the Law,” Jesse Ralph and Florence Rice to “The Kid from Texas”; Laraine Day, John Ireland, and Lyle Talbot to the next. ... Dick Kildare feature; Rand Brooks to “Babes in Arms.”

Directors—Edward H. Griffith will guide Paramount’s “Are Husband’s Necessary?” ... John Farrow has been assigned to RKO’s “Sorority House” by Jack Hylton, “The Second Shot.” ... Edmund Goulding is set for “The Old Maid” and “All Aboard the Titanic”; Bing Davis vehicles at Warners. ... Elliott Nugent works next on “The Cat and the Canary” at Paramount. ... Busby Berkeley is preparing for “Babes in Arms” at M-G-M.

Title Changes—Paramount has set the definitive title of the George Raft picture “The Lady’s from Kentucky.” It had been temporarily called “The Gambler and the Lady.” Republic has changed “Blow on the Sage” to “Western Janubee.” ... Fine Arts, releasing through Grand National, has changed the title of “Panama Cipher” to “Panama Patrol.”

Gunga Din’s $14,000 Smash in Providence

Providence, Feb. 22—“Gunga Din” and “Jesse James” got most of the business. The former drew $14,000 for Alcothe, took $11,500. “Jesse James” carried the Majestic to a profitable $11,500.

Estimated takings for the week ending Feb. 15-16:

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Tenn. House Passes Sunday Shows Bill

Nashville, Feb. 22—The bill to allow municipal governments to legalize Sunday shows has passed the Tennessee House. Rep. Haynes was voted down when he moved for an amendment to have Knox County and Nashville excluded from the bill. House Leader Ragan led the opposition to the proposed amendment.

Frank Pearlman Dies

Chicago, Feb. 22—Funeral services will be held for Frank Pearlman, who has been with National Theatre Supply here for some time. Pearlman died suddenly of a heart attack.

Variety Club


Farwell party given for Max Stahl, former U. A. branch manager, who will take the new Rita, at Cincinnati, Ind.

Bernard Brogan, new steward, replaced the late Jerome Frome, former stationer at local Paramount branch.

Milwaukee

Milwaukee, Feb. 22—Sam Shumow, M-G-M exchange manager, has been elected Barker of the Variety Club, with Charles Trampli. Other officers are Oscar Olson, assistant president; Frank Hanrahan, treasurer, and Ben Miller, secretary.

Directors named are H. J. Fitzgerald, Samuel Jackson, Olson, Miller, George Levine, Richard Schmielin, Mantzka, Jack Frackman, Jack Lorenzo, Shumow, Frank Fisher, E. J. Weisfeld and Trampi.

Omaha

Omaha, Feb. 22—Standing 1939 committees for Tent No. 16, the local Variety Club, have been named by Harry J. Shumow, M-G-M, chief Barker.

Chairs are John J. Gillin, Jr., WOW manager, membership; Joe Jacobs, General Outdoor Advertising Company; Sam Epstein, Epstein Theaters Corp. house; S. J. Francis, American Distributing Co., finance, and Eddie Stahl, publicity.

Cavassmin named are Roy Palmquist, Earl Perkins, A. Mendel, Manny Acevedo, planet Cohn, D. V. McLucas, Joe Rosenburg, W. J. Foley, and Walter Green.

Washington

Washington, Feb. 22—Chief Barker, Herman Perlman, has announced the following committees:


House: Edward Fontaine, Francis Kemp Mobiler, Harry Bachman, Fred Rogers and Harry Brown.

Finances: Sidney L. Bust, Edward Fontaine and Harold Meekin.

Executive: John J. Payette, Sam A. Galanty, Harry S. Lockeyer, George M. Ratto, Steve Atwood, Sam L. Reed and Steve Atwood.


Publicity: Harriette McIlvorin, Nelson Ball, Andrew R. Kelley, Tony Wickersham, Art Brown and Bill Hensley.


Quits Post at RCA

Kansas City, Feb. 22—dale Neisander, for the past year district manager here for RCA, has resigned to become general manager of the Inter-State Supply Co., St. Louis.
Short Subjects

"The Lone Ranger Rides Again" (Republic)

New series of adventures of "The Lone Ranger" has been fashioned by Republic to follow the original series, the new episodes bound together under the title of "The Lone Ranger Rides Again."

The story of any serial is not as important as the action, plus the dexterity in building up the suspense toward the end of each chapter. In these departments the new serial holds up well, and this reviewer viewing the first two installments, "The Lone Ranger Returns" and "Masked Victory," could tell, is the only important holdover from the previous Lone Ranger serial. The new "Lone Ranger" is Bob Livingston, and portraying him are Duncan Renaldo, Ralph Dunn and J. Farrell MacDonald. Jinx Falken provides the romantic interest. Running time of each episode, 20 mins.

"Music Through the Years" (Paramount)

Jan Garber and his orchestra dip into the past and come up with an annual favorite for each of the 10 years. Lee Bennett and Phyllis Kenny contribute several vocal choruses. Some of the old time favorites are "Louise," "Here Comes Cookie," "Melody from the Sky" and "Thanks for the Memory." A pleasant time, rewarding to the days before swing. Running time, 11 mins. "G."

"Soup to Nuts" (Universal)

The canine world stages an amateur entertainment at which an applause machine determines the prize awarded to each performer, for the basis of this Walter Lantz cartoon. A cat, in disguise, enters the competition and wins the grand award of several gross of hot dogs, which loses his disguise while making a getaway. The resultant riot leaves the cat victorious, any way.

Reel is only mildly amusing. It is lacking in originality and humorous situations. Running time, 7 mins. "G."

"Customers Wanted" (Fleischer-Paramount)

Popeye and Bluto set up rival penny arcades and the only customer they can attract is Wimpy, who takes advantage of the competition by seeing both shows on credit. The rivals start to fight and Wimpy ends up by collecting admissions to the battle. Not up to par. Running time, 7 mins. "G."

"March of Time" (RKO)

Two highly interesting subjects, "Mexico's New Crisis" and "Young America," make up the current reel. Handel and his super-badass are exceptional aspects of the Mexican political scene is dealt with and gives a fair presentation of both viewpoints. This portion combined elements of a travelogue with a political dissertation on Mexico's socialistic experiments.

The latter part of the reel is devoted to the Boy Scouts. Beginning

Hollywood Preview

"Trapped in the Sky" (Columbia-Darnour)

Hollywood, Feb. 22—Topical and timely as today's headlines, "Trapped in the Sky" also is a different kind of spy hunt story. No love interest or comedy is included, but the melodramatic materials used have been given an up-to-date treatment. Jack Holt is starred and the supporting cast features C. Henry Gordon, Ralph Morgan, Katherine De Mille, Paul Everton, Sidney Blackenker, Regis Toomey and Holmes Herbert.

The plot departs from formula and so does its development and denouement. An electrically driven plane, powered by remote control, which the government has an option to purchase, crashes in an experimental flight. Army officer Holt is convinced that sabotage, inspired by alien agents, is responsible for the disaster. Arriving to be discharged in disgrace, he sets out to find the plotters. His first two leads, Miss DeMille and Lebedeff, are mysteriously slain, but their deaths lead him to a clue. Permitting himself to be trapped by Gordon and Blackenker, at whom all suspicion points, he learns that the plane's inventor, Herbert has sabotaged. While secret service agents take care of Gordon and Blackenker, Holt, after escaping them, lures Herbert into another plane and forces a confession from him. Naturally, the new plane, which has great military value, is preserved for the U. S.

Today's news events, the preparation the country is making for defense and the talk about secret plans, are exploitation material that can be used in connection with publicizing "Trapped in the Sky."

Running time, 60 minutes. "G."

"Land of Inca Memories" (Paramount)

Ancient landmarks of the Peruvian and Bolivian highlands, native life, the fauna and flora, are ably photographed in color. There are strange contrasts of modern life against a backdrop of the Inca terraces. Produced by Palmer Miller and Curtis El Nagel. Running time, 10 mins. "G."

"My Friend the Monkey" (Fleischer-Paramount)

Latest of the Betty Boop cartoons, this has little to offer. An organ grinder's monkey starts playing with Betty's pup, Pudgy. The monkey succeeds in besting Pudgy and the latter fatty's end of him. Betty then announces that she has purchased the monkey as a playmate for Pudgy. Running time, 7 mins. "G."

"Pudgy in Thrills and Chills" (Paramount)

Betty Boop and her pup, in this Fleischer cartoon, go in for winter sports. A complication develops when the stick of her companion, a character becomes romantic. But he saves Betty and Pudgy when the ice gives way. The artists make Betty do a Snoopy Henie. Running time, 7 mins. "G."

"Hold Your Breath" (Paramount)

Grantland Rice Sportlight provide another underwater novelty. This story is a submarine track meet, complete with sprint races, relays, shot-put, parallel bars, high jump, tug-of-war, hurdle races and cheering sections. The shots, taken with an underwater camera, are spectacular and amusing. Worthwhile. Running time, 10 mins. "G."

*"G" denotes general classification.
Allied Considering National Policy on Divorcement Bills

Allied States is considering a national policy on state “divorcement” legislation in view of the repeal of the North Dakota statute.

The organization's policy was to aid in the determination of the North Dakota law by the U. S. Supreme Court. Approval of the measure by the high court would be followed by the repeal of numerous similar bills, it is believed.

“Divorcement” legislation, however, has been introduced in the present legislative session in Wisconsin, Nebraska. Allied has no units in these states.

It is reported that Allied of the Northwest plans to sponsor a “divorcement” bill in the Minnesota legislature before long.

New York and New Jersey Allied units are among organizations which deferred decision on “divorcement” sponsorship pending Supreme Court action. New York Allied is expected to make a decision after the return of its president, Max A. Cohen, from a Honolulu vacation next month.

National Biscuit to Build Fair Theatre

An air-conditioned 260-seat film theatre will be erected by the National Biscuit Co. for the forthcoming New York World's Fair. A Walt Disney short in color, "Mickey's Surprise Party," and "Round the Clock to the Cues," a short produced by Wylde Picture Productions, will be shown to the public gratis. Walter O'Keefe, on the screen, will introduce the program which will be run continuously. Running time of the bill will be 15 minutes.

Illinois Allied Sets Election on March 2

Chicago, Feb. 22—Allied Theatres of Illinois will hold its annual election of officers at its meeting on March 2. The election will be held in the Theatre Owners of Illinois theatre and will be conducted by the new president.

Three new members have joined the group. They are the Gen, operated by Stanley Neske; the Park, owned by Charles Stern, and the Tally operating by Sam Halperin. This makes a total of 167 theatres in the Chicago area now in Allied.

Spanish Dancer Signed

Mexico City, Feb. 22—Asuncion Granade, Spanish dancer, who has performed in New York, has been signed to play the lead in a Mexican film, "El Contrabando," a "Man in Black and Bulls," which is to be produced by Molma Font.

On RKO Pathe Feature

RKO Pathe has engaged Baron Card von Ripper to write on its forthcoming feature-length film, "Unknown Victory." Von Ripper, who spent seven months in a German concentration camp, will work on the reconstruction of Nazi activities for the film.

Myers Says Majors Slow Up Legislation

WASHINGTON, Feb. 23—Afram M. Myers, president of Screen Producers Distributors of America, told the press that the distributors have used "maneuvers" deliberately to slow up legislation and legislation against the majors.

Myers at the same time withheld comment on the signing of the North Dakota Allied Divorcement Bill by Governor John Moss. He declared he could not say how the situation would affect Allied's legislative program or its trade practice negotiations.

In a bulletin sent to Allied members it was charged that Allied has been hampered in its legislative efforts by major distributors and the Hays organization. Further, the statement says, the repeal of North Dakota's theatre divorcement law was accomplished by the aid of a powerful lobby.

WARNERS WILL ADD PRINTS IN NEW YORK

Warner will have to present 10 additional prints in circulation in the New York area on big pictures. The decision follows a conference held by Ed Schnitzer, eastern district manager, and A. W. Schwalberg, in charge of exchange operations, with Leon Rosenblatt and Julius Charnow representing the L.O.A.

Independent producers had complained to the studio that the costs on big attractions were delaying bookings. The matter was discussed at an L.O.A. meeting recently.

Gene Murphy to Take Over Loew's Position

Gene Murphy, who has been handling Loew's advertising public relations in New York, has been promoted to the entire-town division in a newly created position. He will handle work previously in charge of Art Schmidt, who, on March 1, will leave for contacts with Loew managers and newspapers in the field.

Phil Lauffer, in charge of publicity for Loew's headquarters in New York, will retain his position as Loew's general contact and takes over public relations for the State.

Joe Brandt Dies; Was Col. V. P.

(Continued from page 1)

his own company, V.C. Sales Co., which became Columbia, in partnership with Harry and Jack Cohn. Brandt was vice-president of Columbia. Harry Cohn purchased his interests in 1932.

Office Brandt had held the presidency of World Wide Pictures and vice-president of Educational. He headed Nuovo Mundo, U.S. distributor of Italian motion pictures. Shortly after the retirement of James Cohn in 1935 he went to the coast and was inactive in business since that time.

Lab Talks Continue

Another meeting between M. P. Laboratory Technicians’ Union, Local 4, and Consolidated Film Industries was held Tuesday to discuss terms of a proposed contract. Further conferences will be held next week.

Hub Ad Club Marks Motion Picture Day

BOSTON, Feb. 22—Film and theatre men turned out in force Tuesday for a “Motion Picture Day” luncheon of the Hub Club at the Statler. Leon J. Bamberger, RKO sales promotion manager, was the principal speaker, Harry Browning, advertising and publicity director, for Mullin & Painstays, arrived the next day.

Seated at the main table were Maurice Wolfe, M-G-M branch manager; Ross Cropper, RKO manager; Frank Howard, paramount manager; first motion picture shown in Boston in 1897; Charles W. Koenner, New England division manager for RKO, the Department president, the department president, the president of the club; Joseph H. Brennan, secretary of Allied T.O.A. of Massachusetts; William Erb, Paramount manager; Edward Cantor, treasurer of M. & P. Theatres; George Jones, manager of Loew’s Orpheum, J. J. Bamberger and Mrs. Bamberger.

Other guests included Joe Dipesa, Loew’s manager; Frank Greenway, Loew’s State; Jack Schwartz, Paramount, and Penwab publicity director; Martin Glazer, assistant publicist of the Metropolitan, Jack Granara, Keith publicity director; Joe Ehrlle, Keith assistant publicist, and Joe Carroll, United Artists office manager.

Bamberger discussed the value of direct mail advertising to salesmen, exhibitors and the public. During the past year, 50 individual mailings were sent to exhibitors, some of them in a number of states, the largest however included 185,000 names. One list contains the names of 8,500 influential lists or less than three months to promote the sale of a film if it is good. A group of 16 organizations which have reached the mails has a total membership of 36,211,398.

Para. Acts to Kill Dakota Litigation

(Continued from page 1)

before the new management was designated. It is expected that the final quarter of the fiscal year resulted in a profit of $161,929. In addition, it is estimated that the fiscal year ended Jan. 30 also resulted in a profit. Thus Universal’s operations have been in the black for the past four fiscal years.

Extend British Deal

Cudwin also reports that Universal’s agreement with General Film Distributors was modified as of Jan. 1, last, to reduce the cost of Universal's distribution of its product in Britain by General Film. In addition, the agreement was extended for an unlimited period. Cudwin also stated that Universal's revenue (from Canada had "substantially increased" under its distribution arrangement there with Empire Films, Ltd., and that continued improvement is expected.

The report shows total current and working assets, exclusive of foreign subsidiaries, of $9,866,282, of which $1,450,000 is cash. Total liabilities are listed at $5,254,530, including notes payable to banks amounting to $1,450,000, secured by negatives and other collateral: $204,990,000; general notes; $1,000,000 in funded stock not extended for one year to Feb. 18, 1940. Total current assets, payable at $365,381, and accounts payable and sundry receipts of $1,807,242.

Two Companies Formed

ALBANY, Feb. 22—Incorporation here have been Farmport Productions, Inc., New York, by Geraldine Weiss, Rosetta Hair, and Darlene Maas, and Buffalo, by Marjorie M. Baird, William J. Hutton, Jr., and Harrison D. Bogardus.

Amma Meeting Put Off

Amma's regular luncheon meeting scheduled for today has been canceled because of the mid-week holiday. A meeting will be held next Thursday, instead, at the Astor.

NBC Series Off Soon

"Terry and the Pirates," sponsored over NBC by Bowey's, Inc., leaves the air as of March 22.
Out Tomorrow

MOTION PICTURE HERALD

COVERAGE

Productions in Work
The Hollywood Scene
In British Studios
The Cutting Room
Release Chart
Showmen's Reviews
Managers' Round Table
What the Picture Did for Me

AND THE NEWS, NATIONAL AND INTERNATIONAL
Operators in Mexico
Ask for Ratification
Of World Air Pacts

MEXICO CITY, Feb. 22.—Ratification of international radio agreements as a patriotic action and a means of smoothing out misunderstandings between Mexico and some other countries, is urged upon the Senate in a memorial from the Association of Mexico Radio Station Operators. Lack of an agreement on radio broadcasting has caused many conflicts between American countries, particularly abnormal roller between Mexico and the United States, on which the stations can operate, the petitioners assert. This causes overlapping of broadcasts and mutual interference, it is said.

Several arrangements exist for radio operation of mutual benefit, the association points out. Enforcement of these pacts depends on Mexico’s ratification of the agreements. Mexico’s 96 active stations (there are five inactive) have been assigned the use of 150 channels by the international pacts, but conditions then obtaining only permit Mexican stations to use 106 channels, it is contended.

It is urged that Mexico ratify international agreements as apart from assure elimination of conflicts with other countries it will develop air traffic functioning in Mexico and afford greater employment, the association argues.

Rebuffed Heard in
Wilmington Action

WILMINGTON, Feb. 22.—British Acoustics Films, subsidiary of Gau-
ning, Corp., has built approximately 10,000 projection machines embodying the Pulsen-Peterson patent for improved feed mechanism, Arnold Pulsen, Canadian inventor of film feed patents, testified in rebuff in the patent action against Erpi and partners.

About three-quarters of the lis-
sees of acoustic machines were built under the first Poulsen-Peterson pat-
tent and 25 cents per foot were paid, he said. Of the licensees under the first patent all employed spring press jockey roller between translation plane and main drive sprocket except one Swiss firm. Poulsen testified.

Paul J. Larson, in rebuttal, examined photographs of defendants’ equip-
ment and testified the equipment did not bring about a constant speed past the translating plate. Larson denied the vital points involved in the litigation.

Levy Files Appeal
In Paramount Suit

ROBERT S. LEVY, Paramount-Publix
bondsholder, has filed an appeal in the Appellate Division of the New York Supreme Court of his appeal of his complaint against Chase National Bank, debenture trustee, and Columbia Broadcasting System for a part of his sum judgment. Levy, who owns a number of Paramount-Publix stock by Paramount-Publix was Incorporated, brought suit five years ago to secure payment. Levy’s suit was dismissed when the lower court de-

decided that his complaint failed to state a cause of action. Samuel Zimm repre-
sented the plaintiff in the argument of the appeal.

Crosley Asks Stay
In F.C.C. Decision

WASHINGTON, Feb. 22.—Its appeal for reconsideration rejected, the Cros-
ley Corp., yesterday appealed to the District of Columbia Court of Appeals from the stop order granted by the F.C.C. for the renewal of permit of station WLY.

The appeal was prompted by a sense of “duty to ourselves and to the U.S. government public” Powell C. Cupp, president of the company, said, and the use of super-power by WLY has caused no harm but has clearly demonstrated that high power is of benefit to listeners.

Talent Volunteers
On Sunday Program

Stage and screen stars will donate their talents in a special broadcast Sunday over NBC to coincide with the eleven annual meeting of the National Conference of Jews and Gentile Community Workers, April 4-6.

C. Hill will be the M.C. and Fredric March and Florence Eldridge will give excerpts from their current play “The Front Page.” National Federation of Musicians is contribut-
ing a 30-piece orchestra, to be con-
ducted by Mark Warnow.

Alexander Returns
With Hour Program

A. L. Alexander, originator of the famed “Good Will Court,” will re-
turn to the air tomorrow via WHK of Akron under the title “Hour
Program.” World’s Fair Program.” Program will be broadcast to 9 P. M. It will be pat-
tioned along the lines of “Good Will
Court.”

Ripley Confers on Show

Bob Ripley and executives of Bat-
toom & Osborn in Columbus, Ga., conferring with officials of the Nehi Corp., on a format for the radio program starring “Lew-
ley, which Nehi will begin syndicating over CBS early this spring, B. B. D.

Star, officials at the conference are: Roy Durstine, president of the agency; Sam Harned, account executive, and

McGuire Joins World

Mason McGuire, formerly with N.

World, and having been two dif-
ferent programs, we account for the reviews giving end-earl

WSY

Airing Tonight

Eva Maxine, as “Eva,” and Albert
Wright as “Boy,” today in WSY’s
“West Side Studio.”

Book Club Has Series

Book-of-the-Month Club is re-
sing as sponsor of a series of concerts given by Carnegie Choral Society. Broadcasts over WQXR. The contract was placed with WQXR through Schwab & Beauty Inc.

NSS Handling Trailer

Trailer, in color on “The Little
Princess,” 20th Century-Fox Shirley Temple picture, is being produced and is being released nationally by Na-
tional Screen Service, which handles 20th Century-Fox trailers. It runs 229 feet.

’Zero’ on Lux Program

Three Cagney and Stuart Erwin will reenact “Zero Hour” on the Lux “Radio Theatre” over CBS Feb. 27. The Cagneyes are Jimmy, his sis-
ter Jean, and Mrs. Bill Cagney, the former Boots Mallory.

Plan New York Airing

Entire cast of the Clase and Sun-
born hour, comprising Don Ameche, Dorothy Lamour, Edgar Bergen and the Fibber McGee and Molly show, will come to New York from Hollywood in March with two weeks’ engagements to come here. March 12 and 19.

Copps Opens Offices

Garrett Cupp, for many years a the-
atrical and film adversary, and pub-
licity executive, has established Gar-
nett Cupp Associates, Lawrence Milbrey, Allie Ramsey and Doug-
las Cupp are associated with him.
Most Houses Here to Have Quiz Winners

Over 10% of 5,400 Prizes To Be Allotted in N. Y.

Almost every house which participated in the Movie Quiz contest in the Metropolitan area is expected to have a winner when the results are announced Monday night. Slightly more than 10 per cent of the $4,400 prizes will be distributed here. With approximately 450 theatres in this city participating, the overall average is slightly more than one prize for every 1,000 entries, a total of approximately 7,000,000 entries combined in the contest. The rest of the country will share the remainder of the prizes on almost a geographic basis. Greater interest and a larger number of entries from New York and California apparently account for the greater number of winners from those localities.

Plan Special Ceremonies

Broadway and neighborhood houses are planning special ceremonies for the opening of the envelopes containing the names of winners. Increased attendance is generally expected at the late shows. Most houses have scheduled a special trailer and large lobby displays to call attention to the announcement night. Loew's, RKO and Circuit houses have called attention to the event in their weekly news bulletins. Managers have been instructed to open the official envelopes, Loew's plans to station bands in front of several houses to attract attention. First run houses have included the date in newspaper ads. Danton Walker, Daily News columnist, will make the announcement from the stage of the Capitol, Ted Friend, of the Mirror, will appear at the State, and Dave Vine, old time vaudevillian, will do the honors at the Palace.

London Flocks to See First Televised Bout

London, Feb. 23.—About 2,500 packed the Marble Arch Pavilion, future home of the British-Danish Fight. Queues lined the street long before the hour and crowds rushed the police cordon. General opinion was that the broadcast was effective.

Los Angeles, Feb. 23.—Academy of Motion Picture Arts and Sciences made its 11th annual Awards for outstanding cinema achievement before an audience of 1,250 at the Biltmore Bowl tonight. Spencer Tracy and Bette Davis, both previous winners, were honored for the best performances. According to 'You Can't Take It With You' was designated the outstanding motion picture of the year. Tracy was cited for his work in 'Captains Courageous.' Miss Davis, who won in 1934 for her role in 'Dangerous,' was voted the award this year for her role in Warners' 'Jezebel.'

The Irving G. Thalberg Memorial Award, presented for the first time last year, went to Hal B. Wallis, associate executive in charge of production at Warners, for consistent high quality of production. Frank Capra received the award for the best achievement in directing for "You Can't Take It With You."

George Bernard Shaw won the palm for the play screen and dialogue of M-G-M's "Pygmalion" and with him were W. P. Lipscomb, Cecil Lewis and Ian Dalrymple for the adaptation. Dore Schary and Eleanor Griffin, (Continued on page 4)

Atlas Corporation
Investment in RKO
Increased $700,000

Atlas Corporation's investment in RKO increased by approximately $700,000 to a total of $3,884,014 since April 30, last, the investment company's annual report issued yesterday, revealed. At the same time the investment corporation reduced its holdings in Paramount securities slightly, because of market value of the fewer Paramount holdings as of Dec. 31, last, was greater than that of the Paramount securities held on April 30.

No other film securities are listed in the Atlas portfolio as of Dec. 31.

The Atlas holdings of RKO secured,
(Continued on page 4)

Fine Arts Asks GN
For Financial Data

Los Angeles, Feb. 23.—Franklyn Warner, head of Fine Arts Pictures, told E. W. Hammons, G. N. president, that Fine Arts would produce no more pictures for the distributor. Goulding, of Grand National, who were represented by an attorney, told E. W. Hammons, G. N. president, that Fine Arts would produce no more pictures for the distributor. G. N. is not interested in the physical and financial capabilities of G. N.

The producer has six scripts prepared and no starting dates set. Fine Arts have 26 scheduled to produce for G. N.

All possibilities of Fine Arts backers going to the financial aid of G. N. have disappeared. Warner, according to reports, that when G. N. shows bona fide guaranty of physical and financial steadiness to distribute pictures properly Fine Arts would continue to make pictures.

Los Angeles, Feb. 23.—For the retirement of the final $4,500,000 of Paramount's six showmanship debentures due in 1935 were discussed yesterday without final action being taken at a meeting of the company's executive committee, of which Stanton Griffis is chairman. The meeting took the place of the February board meeting scheduled for yesterday, which was not held because of the lack of a quorum.

Barney Balaban, Paramount president, returns to New York Sunday from a Florida vacation. Griffis plans to leave for Florida next Wednesday.
JOE BREEN, Production Code Ad-

ministrator, plans to leave New York today for Hollywood. He

stopped off here for conferences with WPB officials in sub-

sequent runs on the coast by plane yesterday.

Arthur Lee of G. B. returned to

New York yesterday from Florida.

DAVID MAZES' autobiography, "Music Is My Faith," has been pur-

chased by M-G-M for a film. Mazes is a music critic.

JOHN STONE, associate producer for

20th Century-Fox, has arrived in New York for a brief vacation.

AMANDA LEDISMA and ALBERTO

VLA, Argentine players, are due soon

EDWIN DOWLING spoke on "The Theatre of the Future" at the Advertising Club luncheon yesterday.

CHARLES E. McCARTHY, 20th Cen-
tury-Fox advertising and publicity di-

rector, and RONNIE BUSH, exploita-

tion manager, are due Monday from

the coast after a week of studio con-

ferences.

RUTH GREENFIELD, secretary to

A. SCHNEIDER, Columbia treasurer, and associated with the company for 13 years, was given a farewell party

at the Diamond Hotel by about 90 Columbia officials and employees last night. She resigned to devote herself to her home.

Fay Plans Vaudeville

Frank Fay will introduce a vaude-

ville revival show, March 2, at the

Forty-Fourth St. Theatre. Perform-

ers slated include Smith and Dale, Eva Le Gallienne, Chelsea Hale girls, Elise Janis and others. Fay will act as mistress of ceremonies.

Norma Shearer III

Hollywood, Feb. 23.—Norma

Shearer was compelled to cancel plans to attend the Academy Award dinner because of a stomach infec-

tion of her throat. Her condition is not serious but she entered a hospital for treatment.

First pictures of Rome paying

tribute to Pope Pius are shown in

the newsreels of the newscasts. The

sportswoman's show in New York

has the Oskar Adams subject included. The reels and their contents follow:

MOTIONETTE NEWS, No. 48.—Rome pays


DAILY NEWS, No. 248.—Cavalry

menvers in Texas. Major-General Arnold French's, "L'Athlète." Rome pays homage to Pope, Pius,. Robot speaks at San Francisco Sportsman's show. Children learn to skate.

FAROMATIC NEWS, No. 99.—Looty-

tery festival in Algeria. Susan B Anthony an-


ing match. Unions prepare for coming year.

RKO PATHIE NEWS, No. 61—Rome.

Pope. Special construction of Chi-

cago subway. British royal reviews in London. "The Chief" voice his disappoin-


UNIVERSAL NEWSREEL, No. 749.—Pipes


The Newsreel Parade

WASHINGTON, Feb. 23.—Study of the possible application of the Supreme Court's recent circu-

lar case to restrictions on exhibitors generally is urged by Abram E. Myers, Allied general counsel, in an organized pattern of restrictions that clearance may be affected.

"Regional associations should re-

commend that exhibitors or their

members during the last several years to restrictions of all kinds written or imposed upon them by distributors at the be-

hest of the chains or other prior run exhibitors," Myers says.

"The commonest restriction imposed on independent exhibitors is that of clearance or protection."

Myers believes the Interstate de-

cision recognizes the principle of clearance in agreements between an in-

dividual distributor and exhibitor as to the time of his run, while barring concerted action.

He continues: "The decision also seems to suggest that the spurious spuri-

ousness between individual distribu-

tors and individual prior run exhibi-

tors to impede the development of

sequent run exhibitors. The majority opinion does not say so in many words, but it would be hard to dis-

tinguish a restriction in principle from the restrictions involved in the Interstate case."

Regents See Revised

Version of 'Darling'

Warners yesterday presented a re-

vised version of "Yes, My Darling Daughter" to a committee of the N.-Y. Board of Regents in an appeal from the ban of Irving Essoden, chanc-

ter. The committee will make its recommendations to the full board at a meeting here today, when a decision is expected.

Regents refused to comment on the revised film, Albert S. Howson and Standard for America represented Warn-

ner's arguments and Charles A. Brind, Jr., represented Essoden. Today's meeting will be the third appeal on the ban of "The Puritan."

Meantime, "Yes, My Darling Daughter" with a number of cuts, was shown yesterday in the Strand, Oxford, a theater of "The Puritan." Among those present were M. Rich, Rich, Warner, Bridgeport, an estimated $1,412, the Warner, New Haven, an estimated $2,131, the Warners, Bridgeport, an estimated $1,412, the Warner, Memphis, an estimated $1,354.

Helpin Sailing Soon

Morris Helpin, press representa-

tive for the Sea Breeze, will estab-

lish his headquarters on the coast after returning from London in about six weeks for England. March 3 on the Normandie to

arrange for the London preview of "Four Days," one of which he will bring back with him. Helpin is not expected to come here to es-

ablish his new production headquar-

ters. Helpin tickets all until about June 1.

J. E. Schoonover Dies

OMAHA, Feb. 23.—J. E. Schoon-

over, 65, died after a long illness. He operated the Marda there before turning it over to his son, Harold Schoonover.

WASHINGTON, March 7.—South

American presidents are scheduled to leave New York today for Hollywood. He

stopped off here for conferences with N.Y. at the Strand, Oxford, a theater of "The Puritan." Among those present were M. Rich, Rich, Warner, Bridgeport, an estimated $1,412, the Warner, New Haven, an estimated $2,131, the Warners, Bridgeport, an estimated $1,412, the Warner, Memphis, an estimated $1,354.

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"THE LITTLE PRINCESS" TOPS EVERY 20TH HIT AT KEITH'S MEMORIAL IN WORLD PREMIERE OPENING, BOSTON!

- Snow-and-sleet storm fails to halt crowds as all rival theatres suffer!
- Record night-crowd proves its sensational adult appeal! (Boston Globe says: "Adult audiences screamed with excitement!")
- House completely sold out within half hour of door's opening (9 a.m.) on second day of run!
MOTION PICTURE DAILY

Friday, February 24, 1939

Atlas Adds $700,000 To RKO Investment

ties include $1,269,850 principal amount of six per cent debentures with a Dec. 31 market valuation of $1,594,940; $137,756 of six percent debentures at $700; and $121,415,000 principal amount and $85,500 market value. Holdings of common re-
mained the same but depreciated about $82,000.

The Atlas Paramount holdings con-
sisted of 4,300 shares of first preferred at a market value of $442,900 on Dec. 31, compared with 6,000 shares valued at $444,035 last April 30, and $565,000 principal amount and $472,415 on April 30.

The annual report states that on completion of the RKO reorgana-
tion it will receive for its present hold-
ings $2,786,000 of new RKO preferred stock; 381,928 shares of new common and 250,835 shares of stock option warrants. It states that $87,250 was received from its RKO investment during 1938 but that it incurred ex-
enses of several hundred thousand dollars, incident to the RKO reorga-
nization.

In addition, Atlas lists holdings of $1,106,000 of RKO preferred stock and an unsecured claim against RKO of $1,254,620 principal amount.

The report listed gross assets of $669,000,000, goodwill of $82,144 per share of common, or an in-
excess of about 20 per cent over the pre-
ceding amount which was increased in 1938 amounted to $1,688,801 on the com-
mon and $1,403,415 on the preferred.

'Union Pacific' Opens
In Omaha on April 21

OMAHA, Feb. 23—Opening of Cecil B. DeMille's "Union Pacific" here in three first run theatres simultaneously April 21 will be preceded by a civic parade and dinner which 6,000 are scheduled to attend. The schedule is subject to change since the opening and selection of the date were arranged at a two-day conference at which were present Robert P. Gill-
ham, Paramount publicity and adver-
tising head; Cliff Lewis, west coast advertising head; Terry DeLapp, studio publicist; Herbert Davis, director of publicity; Ben Beecher, associate producer; and Ted Emerson of Tri-State Theatres and E. C. Schmeltzer, secretary to the president of the Union Pacific.

Mass. Governor to Give Quiz Winners

Boston, Feb. 23—Gov. Leverett Saltonstall will announce the winners of the $250,000 Movie Quiz contest at three leading Boston theatres next Monday night.

The screening will appear on the stages of Loew's State, the Metropoli-
tan and the Keith Memorial between 8 and 8:45 P.M., and will be read on the list of winners to the audience. If the winners are present when their names are read they will be presented with certified checks at once.

"Can't Take It With You," Tracy, Davis Win Awards

(Continued from page 1)

who wrote "Boys Town," were hon-
ored for the best original motion pic-
ture prize.

For the best supporting roles, Wal-
ter Brennan for his work in 20th Cen-
tury-Fox's "Kentucky" the Pay-
ater in "Jezabel" were honored. Named
for the best achievement in art direc-
tion was Carl Weyl for his contribu-
tion to "Ferdinand the Bull." The honor-
able mention was granted to John Aal-
berg and the RKO-Radio sound de-

duction was the principal decoration.

Although the Research Council of the Academy considered a large
number of technical developments found that "none indicated" such out-
standing value to the entire industry as "Ferdinand the Bull." The honor-
able mention was granted to John Aal-
berg and the RKO-Radio sound de-

spiritual in his charge, as he did last year for "Hurricane." Joseph Ruttenberg's
of the Warner studio for pioneering the development and for the first prac-
tical application to motion picture pro-
duction of the triple head background

Several of the previous winners were honored for the Oscar in their categories for the year:

Best Director
Frank Capra for "You Can't Take It With You."—Columbia

Best Actor
Spencer Tracy in "Boys Town."—M-G-M

Best Actress
Bette Davis in "Jezabel."—Warner

Best Supporting Actor
Bickman in "Jezabel."—Warner

Best Supporting Actress
Dorothy Welsh in "Boys Town."—M-G-M

Best Original Screen Play
George Bernard Shaw, W. P. Lips-
comb and Cyril Le
temple for "Pygmalion."—M-G-M

Art Direction
Curtis Weyl for "The Adventures of Robin Hood."—Warner

Film Editing
Ralph Dawson for "The Adventures of Robin Hood."—Warner

Sound Recording
T. T. Morgen for "The Cowboy and the Lady."—Goldwyn-U. A.

Cinematography
Joseph Ruttenberg for "The Great
Remote."—M-G-M

Music
Eric Wolfgang Korngold for the score of "The Adventures of Robin Hood."—Warner

Singing
Alfred Newman for "Alexander's Ragtime Band."—20th Century-Fox

Original Song
Ralph Rainger and Leo Robin for "Thanks for the Memory" in "Big Broadcast of 1938."—Paramount

Employment Bill Is Introduced in Ohio

COLUMBUS, Feb. 21.—A bill has been introduced in the Ohio legis-

lage by Representative Denver A. Ford, seeking to exempt from the state unemp-

loyment compensation law any employees in construction busi-

nesses in the state.

If passed, the bill would relieve many small theatres of paying the 27 cent tax now imposed on all employers of three or

more persons.

Ohio theatres now are covered by the state law if they have from three to seven persons employed, but are exempt from the Federal statute when they have more than eight or more persons in each of 20 different weeks of any calendar year.

Toronto House Sets $21 Stock Dividend

Toronto, Feb. 21—Marcus Loew's Theatres, Ltd., operating Loew's in
downtown Toronto and leasing the Uptown to Famous Players Canadian Cor-
poration, announced a dividend of $21 per share on the seven per cent pre-
ferred stock payable March 31 to stockholders of record Feb. 18.

This amount comprises the regular quarterly dividend of $1.75 and a re-
duction of $19.25 on arrears which stood at $353.50 at the end of 1938. The current distribution taking care of one half of the cumulative deferred pay-

ment. The directors are ex-

pected to be further reduced during 1939.

May End IATSE Charge

Hollywood, Feb. 23.—In a hearing in the National Labor Relations Board today Jeffrey Kibre, chairman of the motion picture technicians committee offered to withdraw charges of collusion between international officers of the IATSE and producers on condi-
tion that the international officers be divested of control over the film work local, the right of membership of the studio locals to deal with their own local unions on all matters and removal of all international officers to office.

'Princess' Opens Big

Boston, Feb. 23—"Princess for a Day" exploitation stunt was used, among others, by Bill Chambless of 20th Century-Fox, for the opening of the "Little Princess" at Keith's Memorial yesterday. Gross of $1,600 was reported for the Tuesday night pre-

erformance, $4,000 for Wed-

nesday. This is big for the house.

W. E. Hall Injured

Mason, O., Feb. 23—W. E. Hall, operating the Dracan, suffered a con-

cussion and body bruises when his automobile skidded and overturned near Sharonville, O., Physicians at Dracan said today that there was taken, said his condition is not serious.

'Din' in England Tuesday

Plan to Poll Allied Directors on Pact

DALLAS, Feb. 23.—Meeting of Allied’s directors, scheduled by March 1 to act on the proposed trade practice program, got off to a slow start because a wire poll may be taken instead.

Col. H. A. Cole, Allied president and chairman of the executive committee, plans to leave Saturday for Washington, announcing there how the vote of the directors will be taken. He expects to be in New York in a week or 10 days and will confer with directors of eastern regional units.

Col. Cole outlined the progress of the program by telephone calls to New York and Allied headquarters in Washington.

Allied’s endorsement legislation in view of the North Dakota repeal is to be determined by the directors.

British Acoustic Trial Ends; Argument Set

WILMINGTON, Feb. 23.—Trial in the patent infringement litigation brought by British Acoustic Films against RCA and Erpi, involving two patents for improved low-frequency sound through sound head projectors, has concluded before Judge John P. Nields in United States District Court.

Court set April 7 as the date for argument, March 6 for filing plaintiff’s briefs and March 25 for defendant’s briefs.

Concluding plaintiff witnesses called in rebuttal were Ian Cremu-Javal, managing director of British Acoustic; Arnold Poulsen of Copenhagen, joint inventor of film feed patents involved in the suit, and Paul J. Larson, patent expert for Warners.

Acme Agency Action Is Sent to Referee

N. Y. Supreme Court Justice Samuel H. Hofstadter yesterday sent the suit of Michael Atlas and Walter Friedman, doing business as Acme Theatre, Inc., a summons to the League of N. Y. Theatres, Inc., and Actors’ Equity Association for hearing to a hearing of the suit April 26. Action is to enjoin the defendants and theatre owners from enforcing the Theatre Code of Fair Practices, as alleged last night.

James F. Reilly, executive secretary of the league, Paul Dulzliz, executive secretary, and Alfred Harding, head of the editorial department of Equity, were present at the hearing.

Orders Details Filed

Charles H. Lehman and William A. Graham of the New York Times, and plaintiffs in a suit for $205,370 against Monogram and J. A. Sisto & Co. have been directed by N. Y. Su-

Order Court Justice Ferdinand A. Pe-

corra to file a detailed statement of their complaint. Plaintiffs seek commission, or interest, of $205,370, and for raising $3,807,412 for Monogram.

Subpoenas Quashed

CHICAGO, Feb. 23.—Federal Judge Woodrow D. Worswick has quashed warrants served upon 20th Century-Fox and Loew exchange officials in connection with the Government contempt suit against RKO and major companies.

Radio Personalities

IRA HERBERT has been named assistant to Bert Leibler, newly appointed vice-president in charge of sales at WHN. . . . Other additions to the sales staff at WHN include Irwin Rankin, Hall Cecil Huntley, former members of the WMCA staff. . . . Tony Gale, arranger-composer of the Jack Miller band heard on the 15-month NBC network which has been disapproved by judges unless eliminations suggested by them are made. . . . Gale, who will refuse admission to persons under 18 where pictures which have not been approved by the judges are being shown. . . . Another provision calls for submission to judges for study any film which five or more persons of any age group have declared to be unfit for exhibition.

Indepenent-Schne Peace Pleases Allied

SYRACUSE, Feb. 23.—Restoration of harmony between independent exhibitors in Syracuse and the Schine houses is reported following a meeting of local New York Allied unit here today.

E. Thornton Kelly, state executive secretary, cited the elimination of four features and the increase to 15 cents of children’s admissions at Schine houses and the return of cash games at independent theatres.

The independents have in effect a 10-cent price minimum. A membership application and charter were return to a local exhibitor after the committee reported violation of the minimum price agreement.

Frank L. Sturtevant was elected president, Jack Karp, of the Cameo, and M. Pearl-

man, of the Cameo, Binghamton, were named to a regional grievance board. The meeting discussed shortage of prints and pending legislative bills.

Process Projection Report Is Released

Hollywood, Feb. 23.—Research Council of the Academy of Motion Picture Arts and Sciences has issued a report on the council’s recommen-

dations on projection equipment.

The committee in charge of the study of projection, headed by Martin N. Musco, with Fraciot Edouart of the Paramount studios as chairman, and held 13 meetings. The report combines the views of 50 experts in the field of projection, it was explained.

Air Conditioning Bill Will Affect Theatres

ALBANY, Feb. 23.—Proposal that an air conditioning law be established to license contractors engaged in the installation, testing, maintenance and repair of air conditioning systems or equipment. The bill has been introduced by Senator William Condon, Yonkers Republican and chairman of the Senate’s judiciary committee, and Assemblyman Francis McCaffrey, New York Democrat.

Plans Columbus Film

PARIS, Feb. 23.—Abel Gance, French producer, plans a feature based on the life of Christopher Columbus. Having obtained permission from the Spanish authorities, he will shoot ex-

Film Censor Measure Offered in Delaware

WILMINGTON, Feb. 23.—Under a bill offered in the state legislative house, it is to be shown before persons under 18. It is aimed at the protective section of the courts, judge are empowered to censor such films. Limiting trailers to a total of five minutes also is provided in the measure.

Other provisions of the bill include the ban on the sale, loan, or exhibition of any film which would have been disapproved by judges unless eliminations suggested by them are made. Further, Moloney said, would be disposed of by judges are being shown.

Another provision calls for submission to judges for study any film which five or more persons of any age group have declared to be unfit for exhibition.

Iowa Measure Would Outlaw Chance Game

DES MOINES, Feb. 23.—Representative John S. Heffner has introduced in the Iowa house a bill to redeline "chance" games in Iowa, which are not included in any scheme, plan, or device in which chance plays any part. The bill would outlaw Bank Night, suit clubs, and other devices which would include such affairs as church benefits where goods are raffled off and other events where automobiles are given to holders of raffle tickets or bingo cards.

Another bill, introduced in the house by Representative Judd, would levy 10 cents a ticket state tax on all admission tickets for Bank Night.

Senator A. E. Augustine of Oscaloos has introduced a film censor bill. The bill would create a state board of motion picture censors composed of nine persons appointed by the Governor for three-year terms at not more than $4,500 salary annually.

Cagney Earnings in 1938 Were $234,000

WASHINGTON, Feb. 23.—James Cagney earned $234,000 from Warners in 1938 and ranked as their high-

est earner. He made a record, earned $224,000 in 1938, which was $15,000 more than he earned in 1937. Cagney’s 1937 earnings were not listed.

Harry Cohn, Columbia president, drew $182,020 in salary during the year. The figures were revealed by the statements filed by Warners and Columbia with the Securities & Exchange Commission.

C.E.A. Unit Forces Independent Group

LONDON, Feb. 23.—London and Home Counties Branch of the Columbia Ex-

hibitors’ Association yesterday formally launched a new committee of independents within the branch. The formation of the group is entirely within the scope of the organization’s constitution, it is pointed out.

Exhibitors, concerned over the television situation, will ask the General Counsel of the C. E. A. to appoint an active and expert committee and demand regular reports.

Zanuck Explains Policy on Stars’ Air Appearances

WASHINGTON, Feb. 23.—Policy of 20th Century-Fox on film star broadcasts is stated by Darryl F. Zanuck, production head, in letter to Abram F. Myers, Allied general counsel, which appears in an organization bulletin.

In reply to a wire from Allied con-

ceding Zanuck on withdrawing Tyrone Power from the air, the pro-

ducer said:

“The interests of the exhibitors are 20th Century-Fox’s interests. It has ever been our policy to follow a course which strengthens those who show our pictures, for so doing we are adding to our own strength.

“We shape our pictures and our players toward the furthering of our purpose. The appearance of motion picture stars on the air endangers their prestige and their drawing power unless they are supplied with the finest material. It is difficult for radio to supply this material when it is to be rivaled in dramatic form and presented after a brief rehearsal. Even after long deliberation and experience, it is a difficult task, as the studios can attest from production experience.”

“You can rest assured,” Zanuck in-

formed Allied, “that in the future, as far as we are concerned, our cooperation will be more than ever to be regulated in a way that will protect our players, the exhibitors and our company.”

New Canada Houses Totaled 102 in 1938

TORONTO, Feb. 23.—According to Canadian trade records for the calen-
der year, 1938, the number of new theatres in the country was 102 while change of ownership was registered in the case of 75 theatres.

Greatest construction was reported from the Prairie provinces where 49 theatres were opened during the 12 months, including 13 in Alberta; 15 in the Province of Que-

bec; 18 in the Maritime Provinces and four in British Columbia.

The number of theatre sales in the Winnipeg-Calgary territory totaled 51, or more than two-thirds of the country’s theatre transactions. Change of ownership of 11 theatres took place in the Province of Quebec; nine were sold in Ontario, and two each in British Columbia and the Maritime Provinces. The number of theatres in Canada at the end of December was 1,351.

‘Yank at Eton’ for M-G-M

Hollywood, Feb. 23.—M-G-M to day placed “A Yank at Eton” on its English production schedule and will star Mickey Rooney and Freddie Bart-

ton in the film. John Considine will produce.

Set ‘Oklohoma’ Opening

Warners will stage the premiere of “Oklohoma Kid,” starring James Cagney in Tulsa and Oklahoma on March 3, and plan to use two houses, the Orpheum and Majestic, in Tulsa.
Incomparable! Unconquerable! Thundering bullet-streaked badland as the fiercest the great West ever knew...
MA KID

ANOTHER ‘ANGEL’ OF AN ATTRACTION FROM WARNER BROS.
YOU CAN'T CHEAT AN HONEST MAN

W. C. FIELDS

with EDGAR BERGEN • MORTIMER • CONSTANCE MOORE • MARY FORBES • THURSTON HALL • PRINCESS BABA

and "CHARLIE BERGEN • MCCARTHY"

Directed by GEORGE MARSHALL

Produced by LESTER COWAN

FROM UNIVERSAL
WARNER PLANS

48 Next Year; 36 Will Be 'A'

Sales Convention Here on March 13 and 14

Warner plans for its 1939-40 production call for 48 full-length pictures. Of these, 36 will be “A” productions, with 12 “B” feature films. The program calls for a release of two outstanding pictures each month during the new motion picture year which begins in September.

In view of the fact that production plans have been completed for the new season, following recent conferences on the coast and in New York, the company has set the dates for its annual national and Canadian sales conference for March 13 and 14, which will be held at the Waldorf-Astoria, according to the announcement by Gradwell, Sears, general sales manager.

Early Date Set

Setting of the early date, Sears said, was the result of efforts to carry on the impetus of company activities which now are at the highest peak in the history of the company.

Production of a substantial number of shorter features of a higher quality is being planned to meet the possibility of gradual elimination of dual features, which Warner plans to make inevitable.

(Continued on page 6)

EDWARDS, SAPPHIER

Get GN Sales Posts

Hollywood, Feb. 26.—E. W. Hammons, president of Grand National, has named Sol Edwards as sales manager for all territory east of Chicago and Morris Sapher to handle sales west of the Windy City. Edwards, New York circuit manager, will make his headquarters in New York, and Sapher, now handling Los Angeles and San Francisco, will have headquarters in Los Angeles and Chicago.

Hammons’ action follows the resignation of Edward Alperson last week as vice-president and general sales manager.

Seeking additional deals for product to distribute Hammons has extended his stay on the coast for this week. He would not disclose the nature of the pending deals but said he hoped to straighten out the G. N. release schedule before his return to New York.

Economy measures, including layoff of some exchange salesmen, are being enforced to cut curtail expenses until pictures are delivered, Hammons said.

Quiz Winners to Get Word Tonight

Hollywood, Feb. 26. — Officialdom from governors down to the postman envelopes containing the list of Movie Quiz winners to-night. Names of winners will be kept secret until last moment and then will be announced simultaneously from coast to coast. News services will not receive the lists until sufficient time has elapsed to permit film houses to make the first announcements. The checks will be mailed March 1.

Baird Plans to Put Television In U.S. Market

Baird Television, which is financed in part by Gaumont British, may manufacture both theatre and home television receivers, under its own patents, in this country, according to Ian Javal, commercial director for Baird, who is investigating the practicability of the move during his current visit here from London.

The Baird theatre receiving equipment might be marketed here for $5,000 to $7,000 if the company's own factory was established in this country, Javal said. Equipment has been installed in G. B.'s three West End houses in London, the Tivoli, Tatler and Marine, and Baird plans, when it begins the first time in television history a sporting event of national interest—

(Continued on page 6)

Schaefer Refutes Wanger On Propaganda on Screen

George J. Schaefer, RKO president, in a statement issued over the weekend, took issue with Walter Wanger's contention that the industry's production code discourages the honest handling of modern social and political problems. The statement was directed at newspaper reports of a speech delivered by Wanger at a luncheon meeting last week.

Schaefer's statement pointed out that there is nothing in the production code which denies anyone the opportunity to make a patriotic film, but that when propaganda or controversial themes are disseminated under the guise of patriotic films, the problem becomes a different one.

"The motion picture producer," he stated, "should have the right to make politically controversial pictures if he chooses to do so, but he should make them with his own money and show them in his own theatres. If he chooses to be a propagandist for any cause he has that right but he has no right to use his stockholders' money for that purpose, unless they are aware of and in accord with his ideas; but they or he have no right to foist personal views on the public under the guise of entertainment.

"That the motion picture could be a tremendous instrument for propaganda no one can deny," conceded Schaefer.

(Continued on page 6)
MOTION PICTURE DAILY

MIA MI BEACH, Feb. 26.—This winter capital of the country also the winter capital of show business. Not only the President, but show people, too, and visiting newspaper personnages, give this area much of the glamour which it radiates and much of the prestige which it enjoys as a colorful recreation center.

It is the height of the season right now. As this is being written among those who are in town are Nicholas M. Schenck, Barney Balaban, Edwin L. Weiss, Her- ngo, Robins, Leo Spita, Harry Ross, Ted O'Shea, Major Albert Warner, Dan Arinstein, Morgan Kaufman, Herbert Bayard Swope, Al Greenfield, Harry Thomas, Marty Mallins, Hal Horne, Percy E. Elkes, Hal Halpern, M. H. Aylesworth, Walter Winchell, Jack Wheeler and Dan Arinstein, to list a few.

The theater are John Harris, Ike Libson, Arthur Willi, Ralph Rolan, Myer Schine, Willard McKay and Louis Sobol.

Exhibitors from every part of the country rock here. Many of them are retired.

If not stopping over, passing through here for other places to points in the West Indies, by sea, are many others. Joe Vogel, Bob O'Donnell and Tom Connors arrived a few days ago and went on to the West Indies.

It's a great spot when the weather is good—but a cold spell like that which blew in the other day is unbearable. For more than 48 hours the sunlight hours out of everybody and a mad exodus begins, but stops just as quickly when the sun breaks out again.

This is the biggest season in the city's history, and right now the season is at the zenith. To picture what this means try to envision a district of which the normal population may run to about 150,000, suddenly swelled in the quick time of 12 weeks to 600,000 persons.

It is estimated that at this time, the floating population or tourist crowd here is no less than 320,000.

Thousands from show business here, working or playing.

It's a sucken town, of course, and during the season, that is, December, January and February, the gossips are automatic for everybody.

Down here they are crazy about Bingo and its wide open. The Bingo games begin at midnight, not so much in deference to the theatres or legitimate business but so as not to affect the dog races adversely. Usually the Bingo stuff is a way to get the patrons into the more standard forms of gambling, which run through the night.

There are as many as 10,000 persons playing Bingo nightly in the public gambling places here, according to native estimate.

The games are ballyhooed as “non-proft” but actually the prizes never are shared singly. The winner always has a “partner.” That “partner” works for the house. So that must be the house percentage. But the crowds go for it just the same.

Hialeah Park is running, and on its biggest Saturday to date, with races which included such horses as a War Admiral, Stakes-hand and Bull Lea for drawing cards, the track played to 26,000 persons and a handle of $700,000.

At Santa Anita opening day, in which the King of the Track is expected, the handle is said to have been $1,000,000. That's just by way of comparison.

February, of course, is the biggest grosser.

Now everything is sky high, including food. A good dinner will cost between $3.50 and $5 per person. As you can see at the Croydon Arms you can do all right for a moderate sum. In fact, this hotel, which is one of the newer spots, is among the finest here and its rates are favorable.

The night clubs are strictly sucker spots and overrated. Joe Vogel, the Continental, has the most for the money and he plays to a packed house nightly. Lewis is that kind of an entertainer and most popular.

Theatres here, at this time of course are going high. There are some new independents here and many pictures which would not be permitted by authorities up north get a big play here. The circuits are strictly single standard. They do not countenance twin-billing.

The month week business season here and you live off that which you can get in December, January and February.

For the current month, 1200 per cent over November to February and go down 90 per cent under the prevailing December rates in May for the benefit of Alabama and Georgia firms. Those who come here in May and room about at the rate of around $10 per week for two persons, who now the minimum may run to $150 to $200.

Most of the laundries, nearly everybody admits, are mostly atrocious, especially during the height of the season. Rates are high and many find it advisable to send their linen some other than to trust to it local cleaners.

One of the most genial hosts of this city is W. B. Lynch. But then, theatre folk everywhere are the finest hosts.

On a sunny day, in Bis- cayne Bay, you can see the pen- nants flying from Commodore Rockefeller, editor of "The Daily News," and Reid, the Buckingham's luxurious yacht, the Northwind, on which Barney Balaban is stopping, and Leo Spita's impressive craft, the Columbia.

Along with other craft in the bay they are nice to look at, but it is much more enjoyable being on them, under steam.

INSIDERS’ OUTLOOK

By SAM SHAIN

Purely Personal

W. C. MICHEL, executive vice- president of 20th-Century-Fox, returns today from a Florida vacation.

J ohn Hicks, Jr., vice-president in charge of Paramount's foreign department, is scheduled to arrive in Brus- sels by Mrs. Jacobson. They are at the Waldorf and expect to remain about three weeks.

Cresson E. Smith, western and southern sales manager for RKO left over the weekend for Palm Beach.

Walter Trumbull, assistant to Will H. Hays, is recovering at his home from a severe attack of the flu.

Phil Reissman sailed Saturday on the Queen Mary for England and the Continent, for an eight-week trip of inspection.

Harry A. Ross, president of Ross Federal, returns from Miami today.


Al Herman, district manager for Universal, left Saturday for a 10-day West Indies cruise.

Bob Wolfe, New York branch manager for RKO, is confined to his home with the grippe.

James Cagney has been commis- sioned a colonel on the staff of the Governor of Oklahoma in connection with the dual premiere of "The Oklahoma Kid" in which Cagney is starred at Tulsa and Oklahoma City March 3.

Harold Lloyd arrived Friday for the coast for a combination business and pleasure visit. He has no picture plans.

Bill Sussman of 20th-Century Fox is in Boston.

Arthur Jacobson, talent scout for Paramount, is in town from the coast with his mother, who are at the Waldorf and expect to remain about three weeks.

Joseph I. Breen, Production Code Administrator, left over the weekend for the coast. The Breen returned a week ago from a West Indies cruise marking their 25th wedding anniver- sary. They are stopping off in Phila- delphia on route back.

Douglas Fairbanks, Jr., terminates a long vacation which he returns to Hollywood tomorrow.

Frank X. Miske, Ross Federal controller, is back from a Caribbean cruise.

Bernard Simon is the new publicity head for the New York Federal Theatre Project, succeeding Ted Maunz.

Divorce Law in Kansas Is Sent to Senate for Passage

Topeka, Feb. 26.—The Kansas affiliated theatre divestment law was passed on the floor of the Senate Monday by 20 votes to 14, and is expected to be sent to the Governor on Friday. The measure now goes to the Senate.

Introduced in the legislature two weeks ago by Representatives William J. Carter, Kas., the bill is reportedly out of committee promptly and is expected to receive a fast passage. The house, in passing it, acted almost as promptly. If passed by the Senate with its present wording the measure would become effective next Jan. 1. It is similar in all basic re- spects to the North Dakota affiliated theatre divestment law which was repealed recently, and to the divorce bill pending in the Missouri and Nebraska legislatures.

Fox West Coast will be the only circuit affected by the law in the event it is enacted. If a different legal test from that offered by the North Dakota measure might develop, Fox would be the only company which might be affected by the new law. If the North Dakota law, holds a 10 per cent interest in its affiliated thea- tres in that state.

(Registered U. S. Patent Office)

MOTION PICTURE DAILY

MINOR QUIGLEY, Publisher-in-Chief; ROBERT REISMAN, Managing Editor; SAM SHAIN, Editor; JAMES A. CON, Advertising Manager.


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Subscription rates per year: $6 in the Americas and $12 foreign. Single copy 10¢.
8 BESTS for Warners!

Best Performance by an Actress
BETTE DAVIS in JEZEBEL

In Recognition of Patriotic Service
HARRY M. WARNER
President, Warner Bros. Pictures

For Most Consistent High Quality Production Throughout the Year, The Irving G. Thalberg Memorial Award to
HAL WALLIS
Executive Producer for Warner Bros.

Most Outstanding Two-reel Short Subject
DECLARATION OF INDEPENDENCE

Best Supporting Actress
FAY Bainter in JEZEBEL

Best Art Direction
Carl Weil, for ADVENTURES OF ROBIN HOOD

Best Film Editing
Ralph Dawson, for ADVENTURES OF ROBIN HOOD

Best Original Score
Eric Wolfgang Korngold, for ADVENTURES OF ROBIN HOOD

Best Film Editing
Ralph Dawson, for ADVENTURES OF ROBIN HOOD

Best Original Score
Eric Wolfgang Korngold, for ADVENTURES OF ROBIN HOOD
24 WAYS TO
—and “The Little Princess”

IRVING BERLIN
“A picture you’ll enjoy seeing again and again!”

L. A. EXAMINER
“Adult entertainment, filled with suspense and never-abating interest!”

AL JOLSON
“Mammy! Whatta show!”

HOLLYWOOD REPORTER
“Should build up great grosses here and throughout the world!”

DOROTHY KILGALLEN (N.Y. Journal-American)
“For everyone—mothers, fathers, grandfathers and jitterbugs!”

DAILY VARIETY
“Goes to the b. o. with all the auspices for heavy grosses!”

SPENCER TRACY
“It’s a new screen thrill!”

L. A. EVE. NEWS
“Had Hollywood audience dabbing at its eyes!”

M. P. DAILY
“As fine as anyone could desire ... equal appeal for adults and children!”

BOSTON POST
“Capacity crowds ring the bell for Hollywood’s No. 1 Star!”

WALT DISNEY
“Magnificent entertainment for everybody ... everywhere!”

BOSTON HERALD
“Packed Keith Memorial Theatre to the doors!”

AND AT THE
WORLD PREMIERE
IN BOSTON —

CONTINUES TO TOP EVERY 201
(Thanks to that adult-appet
SAY "GREAT!"
Great in more ways than that!

FILM DAILY
"Sure fire boxoffice . . . headed for exceptional grosses!"

L. A. TIMES
"Designed for the most widespread popularity. Plenty of tears are due to be shed!"

JOAN CRAWFORD
"You will cherish its memorable moments . . . its dramatic beauty!"

N. Y. DAILY MIRROR
"Acclaimed the proudest achievement of Darryl F. Zanuck."

TYRONE POWER
"You’ll join in the tears and the cheers!"

N. Y. JOURNAL-AMERICAN
"One of the screen’s finest achievements! Inspired cheers!"

L. A. EVE. HERALD
"Shirley Temple . . . the baby Bernhardt!"

BOSTON RECORD
"Just about perfect!"

HEDY LAMARR
"A delightful entertainment experience!"

BOSTON TRANSCRIPT
"It’s easy to agree that motion pictures are your best entertainment!"

BOSTON GLOBE
"Adult audience screamed with excitement!"

BOXOFFICE
"Sockeroo! Will win Shirley a new army of fans, young and old!"
January Tax Total
Up to $1,564,134

WASHINGTON, Feb. 26.—Admission tax collections in January of $1,564,134 have been reported by the Internal Revenue Bureau.

Although the month’s receipts were $486,077 under the $2,030,376 reported for December, the bureau announced, they were some $210,000 above the January collections of $1,351,415, January was the first month since last March in which collections exceeded those of the corresponding period in the previous year.

For the first seven months of the current fiscal year, the bureau reported, the collection of $1,177,708, a loss of $928,724 compared with the $2,087,432 collected in the corresponding period a year ago.

Collections in the Third New York (Brooklyn) district totaled $474,480, compared with $317,721 and $362,057, respectively, for December and January, 1938.

All of the loss from December was in box-office collections, it was disclosed, the total dropping to $361,464 from $551,291.

Other collections in the district were: theatre rates, $656,000; admissions, $6,820 against $3,625 in December; tickets sold by brokers, $210,000 against $10,588; tickets sold in excess of established price, $466 against $1,338; permanent use or lease of boxes and seats, $43 against $1,300; admissions to roof gardens and cabarets, $38,186, against $49,068.

Press Reaction Less Favorable in 1938

Press comment pertaining to the industry and its affairs was six per cent less favorable last year than it was in 1937, despite the staging of the $1,000,000 promotional and newspaper advertising campaign associated with the analysis of 1,300 new, editorials and columnists’ material made by the M.P.-P.D.A.

Salesmen, Bookers to Attend 20th-Fox Meet

Salesmen and bookers will attend the national sales convention of 20th Century-Fox in Chicago, April 3 to 5, at the studio March 13 for pre-convention conferences.

Morton A. Levy, district manager at Minneapolis, has been named leader of the seventh annual Kent drive, which will start in August.

A. M. P. A. to Honor Johnston Thursday

A. M. P. A. will pay tribute to W. R. Johnston, publisher of Monogram Pictures, who is celebrating his 25th year in the industry. On the entertainment side, Helen Westley, Bert Frohman and Charlie Cantor. After the entertainment a closed business meeting will be elected a nominating committee which will select a slate of officers for the coming year.

‘Prison’ Opening Set

American premiere of ‘Prison Without Bars’ (Korda-U. A.) has been set for Friday at the State, Detroit.

Warners Plans 48 In 1939-40 Season

(Continued from page 1)

able. The short subjects will be 2,000 feet, along the lines of the D.A. O’Connor of Independent Artists, “Give Me Liberty” and “Lincoln in the White House,” historical shorts in color now being released by the company.

Company plans call for the production of 12 or more of these short subjects.

In conclusion to the announcement on the sales convention said that War- ner plans a public relations program, has, however, given sympathy and encouragement to the recent trade practice committee of the board of directors. The committee was approved at the December meeting in Washington last month. Indications are that the picture producers’ vote on the latest draft may be extended.

Baird Plans to Make Television Sets Here

(Continued from page 1)

the British lightweight championship was plans to produce television sets here.

Javal said he had been informed that reception was good in the theatre and lasted 75 minutes. He said that the homes played to capacity at $5 a seat. The channel of broadcasts to the theatre by the British Broadcasting Co. and reproduced on Baird’s 15-inch tubes was said to be the largest in the world. As a result of the success of that initial commercial television program, the British have decided to equip its entire circuit with television receiving apparatus as rapidly as transmitting facilities permit.

The Baird representative, who has viewed television demonstrations in England, is considerably farther ahead in television use than the rest of the world.

It was reported that reception had been reported in England at distances of 50 miles, whereas reception of 25 miles is considered good here.

Baird expects television to supplement theatre programs, rather than compete with them, he said. The ex- pectancy is that in England, at least, television will be offer an hour of television in place of a second feature, in the production of new films, or for special exhibitions.

Javal said that Baird is negotiating for a Broadway theatre in which to demonstrate its theatre television receiving equipment during the World’s Fair month for the professional man. Baird expects to have the equipment fully operational by May 15.

Schaefer Refutes Theory of Wanger

(Continued from page 1)

Herbert Yandell, head of the licensing department, is the only studio head at which the production office is located, he said.

Funeral Services for Brandt Wednesday

Rabbi William F. Rosenblum, of Temple Israel, will conduct the funeral services for Joe Brandt, first president of Independent Artists, at 2 P.M. at the West End Funeral Chapel, 200 W. 91st Street. Interment will take place in the Westminster Hills Cemetery, Westminster County.

Moss Closes Coro House

License Commissioner Paul Moss on Sunday closed the Granada in Coro, Nebraska, which the Commissioner says is illegal in film theatres. License was suspended for one day.

Allied Pact Report Is Due Wednesday

Wednesday is the deadline for the report of Allied’s trade practice committee to the board of directors. The committee was approved at the December meeting in Washington last month. Indications are that the picture producers’ vote on the latest draft may be extended.

National Will Start Film Deals in March

National Theatres will start negotiate film deals next month. J. J. Sullivan, Fox West Coast film buyer, is due March 7 for his annual session with William Powers, chief buyer.

Sporo Skouras, operating head of National Theatres, who arrived Friday from the coast, said that film buying will get under way slightly later this year than usual.

The giveaway on Fox West Coast houses is expected after several months, are only in connection with drives and will not become permanent, Skouras said. The giveaway is an individual one with the division managers.

While on the coast, Skouras discussed with Darryl F. Zanuck the situation of film stars on the air and declared that it is high time the industry realized this competition cuts deeply into box-office grosses. He in- duced Zanuck’s action in withdrawing Tyrone Power and Alice Faye from radio.

Lift ‘Darling Daughter’ Ban; Strand Opening Big

N. Y. Board of Regents on Friday lifted the ban on the first showing of “Yes, Darling Daughter” which had been banned by Irvin Esmond, chief censor, and the film went into the Strand Saturday to big business, with eight shows given in the day. The Board approved a revised version which was presented after a committee of three Thursday.

At the same time, the appeal of Lenauer International Films from Es- mond’s ban of the French film “The Puritan” was dismissed. Grand Na- tional Films entered the highly active censorship situation by appealing to Esmond’s ban of “Sunset Murder Case.”

Hijlers to Succeed Everett at Republic

H. H. (Heck) Everett has re- signed as vice president, sales manager for Republic. Clair Hijlers, special sales representative in the south, will succeed him. Everett has held the post for two years. The ter- ritory embraces Atlanta, Tampa, New Orleans, Charlotte, Memphis, Dallas, Oklahoma City and the Rock Islands.

Hijlers will make his headquarters in Atlanta.

Yates Due Friday for Product, Sales Talks

Herbert Yates is due to arrive at the coast Friday for conferences with J. J. Sullivan, Fox West Coast studio head, for conferences on next season’s product and sales plans. Yates, who left New York Wednesday, is making several stops enroute.

Allyn Butterfield, former executive of 20th-Fox News, has joined Re- public in a sales capacity.

RCA Declares Dividends

Dividends on First Preferred and “B” Preferred of 7½% and $1.25 respectively were declared by the Corporation of America at the regular meeting of the Board of Directors Friday.
Columbia thanks the Academy for selecting as the best picture of 1938

FRANK CAPRA'S
YOU CAN'T TAKE IT WITH YOU

JEAN LIONEL JAMES EDWARD
ARThUR BARRYMORE STEWART ARNOLD

MISCHA AUER ANN MILLER
Based on the Pulitzer Prize Play by GEORGE S. KAUFMAN & MOSS HART • Screen play by Robert Riskin • Directed by FRANK CAPRA

Congratulations to Frank Capra for winning again the Award for Best Direction!

★ The public will thank exhibitors who re-book it!

Capra's Next: MR. SMITH GOES TO WASHINGTON

Sold Exclusive From Any Columbia Group
First Television Ads Will Be Film Shots

Early advertising through the medium of television will take the form of taking picture shots, broadcast from motion pictures, according to the Van Sant, Dugdale Co., Baltimore advertising agency. The technique, which has just been patented, is described in an article titled “Television in 1939.”

This television advertising will be competitive to the transcripted spots, or the one minute shorts used for motion picture advertising.

However, before advertising actually reaches television, the agency states, the F.C.C. must remove current restrictions against commercialization of television, and sales of television sets to the public must become general.

Big audience must be assured to justify the cost of producing programs in which the advertising story will be embedded. The agency states, “But television’s possibilities for showing a product in use and dramatizing the benefits which it brings will be tremendous.”

Large Crowd Attends Columbia Club Party


Others present were Eugene Picker, Oscar Cohn, J. A. Wix, Frank Sch микро, Charles C. Moskovitz of Loew’s; Fred Meyers and J. J. O’Connor of RKO; Earl W. Schrader, director of Paramount; Russell Downing and Gus Eysell, Music Hall; Jack Shear, William Barry and M. A. Kus, film critic; Frank, Chatin, Monarch Theatres, and Louis Schine, Schine Circuit.

Cohn Stock Purchase Is Reported by SEC

WASHINGTON, Feb. 26.—Acquisition of Harry Cohn, Hollywood, Columbia Pictures subsidiary of the company’s common stock and 1,719 voting trust certificates, through a stock dividend, has been reported by the Securities and Exchange Commission.

The report showed that Cohn also acquired 30 voting trust certificates through a stock dividend for the Joan Perry account.

A report filed by Henry E. Winthrop, New York, showed that he held no equity securities in Loew’s, Inc., when he became a director Jan. 18.

Gets Spanish War Film

“The Will of A People,” a new Spanish war feature, will be distributed by Garrison Films. The picture is now in its third week at the Belcourt.

Radio Personalities

WILLIAM MORRIS agency has booked Vincent Lopez and orchestra to appear at the Capitol Theatre, Minneapolis, during the week. "The Man Who Sold Miami," a salesman, the father of a boy, whom John Robert ... Sam Elman, com- mercial manager of WARD, in town for the past several days on business, back to the station today ... Jimmy Saphier, having recently located his talent agency here, to Hollywood to take up new duties ... Dot Hass of the Pachon & Marco office, pulls out of New York in a few weeks for Hollywood, with the Al Pearce troupe, which is broadcasting from the west coast on April 5.

Elliott Nugent, Paramount director, will appear as a guest at the Loew’s program over WNEW tonight at 7:30 P.M. ... Irving Mansfield, publicist, will wear Jacqueline Susann Awrl 2. Miss Sus- ann formerly appeared in "The Wom- en.”

Theatre Is Exempted In Ban on Gambling

Troy, Feb. 26.—Police Chief E. J. Smuck has issued an order that all customers, including the operators of the theatre, to be operated by individuals and pools must stop immediately or arrests will be made.

The order specifies, however, that Bank Night conducted by the Mayfair theatre is considered legal, and will not be interfered with.

Conn. House Rejects Two Bingo Measures

HARRISON, Feb. 26.—Two house- holds failed to pass for Conn. House Bingo for charitable organizations, the other limiting grand prizes to $25, which was rejected. Four bills along the same lines remain to be con- sidered. The measure providing for two men in an operator’s booth, defeated six times, has been raised in Judiciary Committee tomorrow.

Reverse GB Suit Ruling

The Appellate Division of the Su- preme Court on Friday reversed a de- cision of N. Y. Supreme Court Justice William T. Collins, which had di- rected Arthur A. Lee, as president of Gaumont-British Pictures Corp. of America, to testify before trial and to aid the plaintiff, Regal Distributing Corp., in its case against Kaye- ray Theatres Corp., in framing a complaint against the American and English Gaumont-Brit- ish Co.

Paramount Suit Enjoined

N. Y. Supreme Court Justice Sam- uel I. Rosenman on Friday issued a temporary injunction against Ben Blumenthal, restrainer from prosecuting a suit previously brought by him in England against Paramount Pictures, Inc., for alleged failure to re- munerate Blumenthal in the sale of Paramount-controlled theatres there. Early trial on the question of a per- manent injunction was ordered.

Renew Lasky Show

Chicago, Feb. 26.—Wrig- liams signed the Jesse L. Lasky-RKO “Gateway to Hollywood” radio show for another 13 weeks. The pro- gram is heard Sunday nights over CBS and is tied in with an RKO talent search. Lasky is master of ceremonies.

Jergens Renews 2 Programs on NBC

Andrew Jergens Co., sponsoring the “Hollywood Playhouse” and Walter Winchell’s series over NBC, has re- newed both programs for 13-week periods, the renewal starting April 2. “Hollywood Playhouse” presents Charles Boyer on Sundays from 9 to 9:30 P.M., and Winchell is heard from 9:30 to 9:45 P.M. Boyer re- cently succeeded Tyrone Power as the host of the playhouse, and the latter was withdrawn from radio by Darryl Zanuck, of 20th Century-Fox. The program may be heard at “Filber McGee & Molly,” the re- newal starting April 11. Program is heard Tuesdays from 9:30 to 10 P. M. on the Blue network.

New Station at Troy Approved by F. C. C.

Troy, Feb. 26.—WTRY, 1,000-watt part time station to be inaugurated here this summer, can proceed with its operations after a long controversy with the F.C.C. ruling. WTRY plans its main studio in the Proctor Theatre Building and the station at Hogarth Corners. Sta- tion is to be operated on a 950-kilo- cycle frequency, during daylight hours. Pending in District of Columbia U. S. District Court, an application, which are now before WOKO and WABY of Albany, for review of the F.C.C. license to WTRY.

Lifton on ‘Music Hall’

Albert Lifton & Sons have signed a year’s contract for three 10-minute per week programs on WNEW’s “Music Hall” through the Louis F. Herman agency. Borden Farm Products and China Clipper Restaurants have placed spot schedules with the station.

Muzak Gets Frankin

Fredric Frankin, the noted violin- ists, has organized a new company, according to the Louis F. Herman agency, Borden Farm Products and China Clipper Restaurants have placed spot schedules with the station.

Extend Kate Smith Talks

Kate Smith’s series of noontday talks, the first weekly CBS, will be extended beyond March 31, end of the original 26-week period. The series is sponsored by Diamond Crystal Salt Co., through Benton & Bowles.

J OHN LANG recently resigned as a CBS announcer to get a job with RKO as a film actor. He’s just been given a part in “Fixer Upper” (WABY), that of a radio an- nouncer.


Hildegarde is an awfully nice young lady, and she sings well in that new Raymond Paige show on CBS, but the agency handling the program is making her appear foolish—in the way that agencies sometimes make. On the initial program a choir sang “Hil- degarde We Love You,” as she stepped to the mike for her debut. All this was followed by a bumptious an- nouncement that “59 men pat down the floor of the ceiling in neck- ties as Hildegarde steps to the micro- phone.” Nothing so ridiculous has been heard on the air since Jeanette MacDonald some back coast, and she advised the radio audience “not to catch cold” on the Vicks program.

A bit of comedy relief can be squeezed sometimes from even the most serious of situations. Recently about 200 persons conveyed Virginia Ferrill’s terrifying experience when her car ran wild down a narrow California moun- tain road, ending in a crash that sent her and her two passengers to a hospital. The passengers were a Mr. and Mrs. Harry Zimmerman, who had gone to Hollywood to recover from serious breakdown.

Campbell Soup Co. is discontinuing the Edwin C. Hilson “Human Side of Food and Nutrition” shows for unusual reasons. It’s a personal affair between the artist and sponsor.

An unusual setup has been completed for the Orson Welles program on March 9. The broadcast will bring its three principals in from three cities on two continents, Welles will fly into New York from Boston, where he is currently appearing in a stage play; Mary Astor from New York to Hollywood especially for the broadcast; and Gilbert France, whose book, “Royal Regiment” is providing the dramatization, will be pipped over from London.

Crummit Sued on Song

Trial of the suit of Adelina Francis Ryan against Frank Crummit and Batten, Barton, Durstine & Osborn turned on the point of whether Federal Judge Samuel Mandelbaum. Plaintiff seeks $50,000 damages, claiming radio infringement of words of her song. He’s not even defendant’s song, “The Gay Caballero.”

CBC to Air Roosevelt

MONTEBELLO, Feb. 26.—Canadian Broadcasting Corp. will carry Presi- dent Roosevelt’s address to Congress on March 4, over its coast-to-coast network.
Congratulations,

WALT DISNEY

A special award was given Walt Disney for his production of "Snow White and the Seven Dwarfs", as "significant innovation" which "pioneered a great new entertainment field in motion picture cartoons." . . . Another special award was given to Walt Disney for the cartoon "Ferdinand the Bull."

We are glad that we distribute them

RKO RADIO PICTURES, INC.
Los Angeles, Feb. 26.—"Honolulu" and "Four Girls in White" showed the way here, taking $3,150 each in two houses. "Honolulu" performed $14,500 at the Chinese and $18,600 at Loew's State.

"Pygmalion" continued strong, with $6,800 at the Garfield, and with its 4 Star, "Wings of the Navy" drew $1,500 at Warners' Hollywood and $1,200 at Warners' Downtown, in the second week.

Estimated takings for the week ending Feb. 22:

"Honolulu" (M-G-M) $3,150
"Four Girls in White" (M-G-M) $3,150
China Club (35c-25c) 7 days, Gross: $1,400. (Average, $200.)
"Wings of the Navy" (M-G-M) $1,200
"Gunga Din" (RKO) Hill Street $2,300, 4 star—$900, (40-50c) 7 days, 8th week, Gross: $2,950. (Average, $420.)
"Honolulu" (M-G-M) $1,200
"Four Girls in White" (M-G-M) $1,200
Loew's State—$2,400, (25c-75c) 7 days, 4th week, Gross: $3,000. (Average, $430.)
"Gunga Din" (RKO) $1,200
Paramount—$2,300, (35c-55c) 5 days, 4th week, Gross: $2,400. (Average, $480.)
"Wings of the Navy" (W.B.) Warner Bros. Hollywood—$1,100, (35c-55c) 7 days, 3rd week, Gross: $1,500. (Average, $210.)
"Wings of the Navy" (W.B.) Warner Bros. Downton—$1,400, (35c-55c) 7 days, 4th week, Gross: $1,200. (Average, $240.)

"Gunga" $15,500 Is Buffalo Sensation
Buffalo, Feb. 26.—"Gunga Din" hit the town here, with $15,200 at the Great Lakes.

"Honolulu" took $12,600 at the Burt Collier, from the Chinese and the Palace, and with $7,500, "Wings of the Navy" did likewise at the Palace.

Weather was bad.

Estimated takings for the week ending Feb. 18:

"Honolulu" (M-G-M) $2,400, (35c-55c) 7 days, Gross: $3,600. (Average, $510.)
"Gunga Din" (RKO) Great Lakes—$1,000, (35c-55c) 7 days, Gross: $1,500. (Average, $210.)
"The Duke of West Point" (U.A.) $1,500, (35c-55c) 7 days, Gross: $1,500. (Average, $210.)
"Fisherman's Wharf" (RKO) Hi Poddroom—$2,500, (35c-40c) 7 days, Gross: $3,500. (Average, $500.)
"Fisherman's Wharf" (RKO) "The Law West of Tombstone" (RKO) Chinese—$2,500, (35c-40c) 7 days, Gross: $3,500. (Average, $500.)
"Wings of the Navy" (W.B.) WARNER BROS. Hollywood—$1,100, (35c-55c) 7 days, Gross: $1,500. (Average, $210.)
"Wings of the Navy" (W.B.) WARNER BROS. Downton—$1,400, (35c-55c) 7 days, 4th week, Gross: $1,200. (Average, $240.)

Girden Buys Chaloner
William M. Girden, realty investor, has purchased the Chaloner, 55th St. and Ninth Ave., Manhattan, from the Central National Bank. William Yoost will continue to operate the house. Modernization of the theatre is 15,000. It is at an assessed valuation of $31,500.

Mexican Films
Mexico City, Feb. 26.—Mexican exclusively must be employed by all who would make pictures in Mexico on Mexican themes, the Cinegrafos, artists and Employees Union has ruled.
ACADEMY AWARDS RECORD OF SCREEN ACHIEVEMENT

Have Been Industry's Own High Court of Merit in Decade of Film History

"LITTLE OSCAR" is 11 years old. In the years of his growing up, he has crowned as many kings and queens and has knighted numerous others with an accolade of recognition that has resounded from Hollywood and Vine around the world.

The awards of the Academy of Motion Picture Arts and Sciences for distinguished achievement in film creation are part of the history of the industry. And to the chronicles of Hollywood they have added a noteworthy chapter of their own.

The variety and number of awards and certifications given to films and their makers have multiplied greatly in the last decade, but the Academy selections remain the high tribunal and last word. During the 11 years, the Academy competition has recorded and acclaimed the notable progress of the screen art and science, as judged by the workers themselves.

Restricted to Members

When the Academy was formed in May, 1927, by producing workers, actors, directors, writers, technicians and production executives, one of its avowed purposes was to: "Encourage the improvement of the arts and sciences of the profession by Awards of Merit for distinctive achievements."

Voting on the first Awards of Merit, for the 1927-28 season, was restricted to Academy members, who totaled 358, including 100 actors, 76 directors, 52 producers, 56 technicians, 68 writers and six executives in a special classification.

Douglas Fairbanks, first president of the Academy, appointed the following to the first Awards of Merit committee: Cedric Gibbons, chairman; Sid Grauman, Bess Meredyth, J. Stuart Blackton, Richard Barthelmess, Henry King and David Wark Griffith.

Janet Gaynor for "a distinctive performance" in "Seventh Heaven," "Street Angel" and "Sunrise," and Emil Jannings, for his work in "Way of All Flesh" and "The Last Command," received the first gold statuettes symbolic of the honors.

Borzage Won in 1928

Directing awards that year were won by Frank Borzage and Lewis Milestone, for "Seventh Heaven" and "Two Arabian Nights," respectively.

Paramount-Famous-Lasky Corp. received the first "best picture" award, for "Wings," which also won for Roy J. Cameron an award for "engineering achievements."

Fox Film Corp. won a trophy "for the artistic quality" of "Sunrise." A special award went to Charlie Chaplin "for his versatility and genius in writing, directing and producing "The Circus."

There were other first awards for writing, adaptation and art direction, and two for cinematography. And there were 19 honorable mentions.

Exemplifying the turn of the screen-mute but not gloriously—the era of sound and speech were first "firsts" to Warners' "The Jazz Singer"—a special award to mark an epoch in film history—and to Joseph W. Farnham as "best title writer."

Title writing subsequently was recognized by the Academy as a lost art and forgotten science.

The early awards were chosen upon "careful consideration, judgment and decision by a competent board of judges." The rules, classifications and method of selection have undergone an evolution, enlargement and a broadening through the years. The balloting has been "democratized." This year 12,000 workers, members of the Guilds and creative crafts, had a voice in the selections. For the first time, the voting for the 1937 awards was thrown open to include not only members of the Academy but also non-members with "established qualifications in all branches of production."

Procedure Changed in 1931

Included in the innovations which have become firmly established was a change in procedure, in 1931, whereby the nominations and final selections were by secret ballot. The Academy in that year ruled that "final balloting shall be in sealed envelopes not to be opened until the night of the awards banquet."

Last year the Academy added the Irving G. Thalberg Memorial Award, "for the most consistent and high quality of production achievement by an individual producer."

It was won by Darryl F. Zanuck of 20th Century-Fox. A committee of 12 appointed by Frank Capra, Academy president, chose the winner and Douglas Fairbanks, Sr., the Academy's first leader, made the presentation of the trophy, a likeness of the late and well-beloved Thalberg himself. This year the sculpture was presented to Hal B. Wallis of Warners.

Third Time for Capra

This was the third time a Frank Capra-directed picture took the award. He won in 1934 with "It Happened One Night" and in 1936 with "Mr. Deeds Goes to Town." It was the second time Spencer Tracy had been honored, a role in "Captains Courageous" having won for him in 1937.

Walt Disney has been honored by the Academy seven successive years. That's a record. He received his first awards in 1932, for the creation of Canal Zone and the first color cartoon, "Flowers and Trees." This year it was for "Ferdinand the Bull."

Shirley Temple received a special prize of a miniature statuette in 1934, and last year Edgar Bergen, on behalf of Charlie McCarthy, accepted a wooden "Oscar."

Perhaps the most unusual feature of this year's awards is the one to Bernard Shaw for the best screen play. "Pygmalion" was his initial piece of writing for the screen.

Mr. Shaw, who has always maintained that newspapermen are office boys, says he is not surprised by the honor conferred on him.

Birth of 'Oscar'

Bette Davis, Warner star whose performance in "Jezebel" won her the Academy Award for the best achievement by an actress during 1933, also has the unique distinction of having—quite unconsciously—given the famed "Oscar" the name he bears.

In 1935 Miss Davis earned the best actress award for her performance in the picture, "Dangerous." Before the accustomed glittering throng she stepped forward at the Awards banquet, accepted her gold statuette, and remarked blandly:

"So this is Oscar."

And "Oscar" it has been ever since.

"You Can't Take It With You"—Produced by Columbia, directed by Frank Capra, screenplay by Robert Riskin, based on the stage play by George S. Kaufman and Moss Hart.
Eleventh Annual
ACADEMY OF MOTION PICTURE
ARTS AND SCIENCES AWARD
for
BEST PERFORMANCE
BY ACTOR

Thanks Again Academy of Motion
Picture Arts and Sciences.

SPENCER TRACY
Eleventh Annual

ACADEMY OF MOTION PICTURE ARTS AND SCIENCES AWARD

for

BEST PERFORMANCE BY ACTRESS

I want to express my appreciation to you who liked “Julie.”

BETTE DAVIS

Warner Brothers
Eleventh Annual
ACADEMY OF MOTION PICTURE ARTS AND SCIENCES AWARD

It is particularly gratifying from within our industry should come recognition of the significance of motion pictures of patriotic import.

On my own behalf and in recognition of the tribute to my co-workers, I am deeply appreciative and above all, I am thankful to America and its principles that makes this possible.

Sincerely,

HARRY M. WARNER
President,
WARNER BROTHERS PICTURES, INC.
Eleventh Annual

ACADEMY OF MOTION PICTURE
ARTS AND SCIENCES AWARD

for:

BEST TWO REEL
SHORT SUBJECT

My appreciation of the two reel short subjects award to Warner Brothers for the "Declaration of Independence" includes a special bow to Bryan Foy, producer; Gordon Hollinghead, associate producer; Crane Wilbur, director; Linton Tedford, who wrote the scripts; and to the cast.

JACK L. WARNER
AWARD ROSTER FOR 11 YEARS

Production Leaders Chosen by Ballot Of Their Fellows

Eleven years of preeminence in the world of the motion picture, year by year, in the various phases of activity which go to make up a completed motion picture, are here listed. The awards started in 1928 and with several alterations and additions in classification, have remained virtually the same since the inception. The listing follows.

PRODUCTIONS
"You Can’t Take It With You"—1938
"The Life of Emile Zola"—1937
"The Great Ziegfeld"—1936
"Mutiny on the Bounty"—1935
"It Happened One Night"—1934
"Cavalcade"—1933
"Grand Hotel"—1932
"Camille"—1931
"All Quiet on the Western Front"—1930
"Broadway Melody"—1929
"Wings"—1927
"Sunrise"—1927

ACTRESSES
Bette Davis—1938
Luise Rainer—1937
Luise Rainer—1936
Bette Davis—1935
Clauette Colbert—1934
Katharine Hepburn—1933
Helen Hayes—1932
Mae Dressler—1931
Norma Shearer—1930
Mary Pickford—1929
Janet Gaynor—1928

ACTRESSES—SUPPORT
Fay Bainter—1938
Alice Brady—1937
Gale Sondergaard—1936

ACTORS
Spencer Tracy—1938
Spencer Tracy—1937
Paul Muni—1936
Victor McLaglen—1935
Clark Gable—1934
Charles Laughton—1933
Fredric March—1932
Lionel Barrymore—1931
George Arliss—1930
Warner Baxter—1929
Emil Jannings—1928

ACTORS—SUPPORT
Walter Brennan—1938
Joseph Schildkraut—1937
Walter Brennan—1936

SHORT SUBJECTS
(1936 the awards were reclassified under these headings: Color Cartoons, Subjects of 1,000 to 3,000 Feet, Subjects 1,000 Feet or Less.)

1,000 TO 3,000 FEET
"The Declaration of Independence"—1938
"Torture Money"—1937
"The Public Pays"—1936

1,000 FEET OR LESS
"That Mothers Might Live"—1938
"Private Life of the Gentleman"—1937
"Pored of Education"—1936

Cartoons
"Ferdinand the Bull"—1938
"The Old Mill"—1937
"Country Cousin"—1936
"Three Little Kittens"—1935

BEST ACTRESS
Bette Davis
"Tortoise and the Hare"—1934
"Three Little Pigs"—1933
"Flowers and Trees"—1932
Color
"Penny Wisdom"—1937
"Give Me Liberty"—1936
Comedies (Before 1936)
"How to Sleep"—1931
"La Cucaracha"—1934
"So This Is Harris"—1933
"Music Box"—1932
Novelties (Before 1936)
"Wings Over Mt. Everest"—1935
"City of Wax"—1934
"Krakatoa"—1933
"Wrestling Swordfish"—1932

DIRECTORS
Frank Capra—1938
Leo McCarey—1937
Frank Capra—1935
John Ford—1934
Frank Capra—1933
Frank Lloyd—1933
Frank Borzage—1932
Norman Taurog—1931
Lewis Milestone—1930
Frank Lloyd—1929
Lewis Milestone—1928
Frank Borzage—1928

CINEMATOGRAPHERS
Joseph Ruttenberg—1938
Karl Freund—1937
Tony Gaudio—1936
Hal Mohr—1935

BEST ACTOR
Spencer Tracy
"The Informer"—1935
"Johnny Eager"—1932
"The Yearling"—1933

PRODUCER
Hal B. Wallis
Frank Capra
George C. Shaw
Walt Disney

DIRECTOR
Darryl F. Zanuck

SCENARIST

CARTOONIST

FRIDAY, FEBRUARY 27, 1938

MOTION PICTURE DAILY

ART DIRECTORS
Carl Milt—1938
Stephan Goosson and Paul Murphy—1938
Richard Day—1936
Richard Day—1935
Cedric Gibbons and Frederic Hope—1934
William S. Darling—1938
Gordon Wiles—1932
Max Re—1931
Herman Rosse—1930
Cedric Gibbons—1929
William C. Menzies—1928

RECORDINGS
T. M. Moulton (Goldwyn)—1938
United Artists (Goldwyn)—1937
Metro-Goldwyn-Mayer—1936
Metro-Goldwyn-Mayer—1935
Columbia—1934
Paramount—1933
Paramount—1932
Paramount—1931
Metro-Goldwyn-Mayer—1930

ADAPTATIONS
George Bernard Shaw, W. P. Lipscomb, Cecil Lewis and Ian Dalrymple—1938
Norman Reilly Raine, Heinz Herald and Geza Herczeg—1937
Sheridan Gibney and Pierre Collings—1936
Dudley Nichols—1935
Robert Riskin—1934
Sarah Y. Mason and Victor Heerman—1933
Edwin Burke—1932
Howard Estabrook—1931
Benjamin Glazer—1928

FILM EDITORS
Ralph Dawson—1938
Gene Hayvick and Gene Melford—1938
Ralph Dawson—1936
Ralph Dawson—1935
Conrad Nervig—1934

ORIGINS
Dore Schary and Ettore Griffini—1938
William A. Wellman and Robert Carson—1937
Sheridan Gibney and Pierre Collings—1936
Charles MacArthur and Ben Hecht—1935
Arthur Caesar—1934
Robert Lord—1933

SONGS
"Thank You For the Memory"—1938
"Sweet Lélac"—1938
"The Way You Look Tonight"—1936
"Lallababys of Broadway"—1938
"The Continental"—1938

MUSIC SCORING
"Alexander's Ragtime Band"—1938
"One Hundred Men and a Girl"—1937
"Anthony Adverse"—1936
"The Informer"—1935
"One Night of Love"—1934

SPECIAL AWARDS
Walt Disney—1938
Harry M. Warner—1938
Deanna Durbin and Mickey Rooney—1938
Mack Sennett, W. Howard Greene and Hal Rosson—1935
David Wark Griffith—1935
Shirley Temple—1934
Walt Disney—1932
Warner Brothers, Charles Chaplin, Roy Pomeroy—1928

THALBERG PLAQUE
Hal B. Wallis—1938

DAILY
Eleventh Annual
ACADEMY OF MOTION PICTURE
ARTS AND SCIENCES AWARD

for:

IRVING THALBERG
MEMORIAL AWARD

FOR THE MOST CONSISTENT
HIGH QUALITY OF PRODUCTION
DURING THE PRECEDING YEAR

My appreciation to Harry M.
Warner, Jack L. Warner, my Associate
Producers, Directors, Artists, Writers,
Technicians, and others whose
splendid efforts are responsible for
the tribute bestowed upon me.

HAL B. WALLIS
Eleventh Annual
ACADEMY OF MOTION PICTURE
ARTS AND SCIENCES AWARD

for

BEST PERFORMANCE BY
SUPPORTING ACTRESS

“Hannah” joins me
in thanking you.

FAY BAINTER

Exclusive Representation
SCHULBERG-JAFFE
Any award for "PYGMALION" should have been made first to GABRIEL PASCAL, my producer; secondly, to Laurence Irving, his art-director, and thirdly to artists.

G. BERNARD SHAW
Eleventh Annual
ACADEMY OF MOTION PICTURE ARTS AND SCIENCES AWARD

Academy Winners on DuPont Film

“Best Cinematography”

CONGRATULATIONS to Joseph Ruttenberg and to Metro-Goldwyn-Mayer for this award. “The Great Waltz” was photographed on DuPont Superior Pan.

“Best Sound Recording”

CONGRATULATIONS to T. T. Moulton and to Goldwyn-United Artists for this award. DuPont Film was used for recording the sound of “The Cowboy and the Lady.”

Only a few can win an award, but every user of DuPont Cine Products can take advantage of their “prize-winning” quality.

DUPONT FILM MANUFACTURING CORP.
Incorporated
9 Rockefeller Plaza New York, N. Y.
Plant Parlin, N. J.

SMITH & ALLER, Ltd.
Distributors
6656 Santa Monica Blvd.
Hollywood, California
Eleventh Annual
ACADEMY OF MOTION PICTURE
ARTS AND SCIENCES AWARD

In Appreciation
for: BEST ART DIRECTION

"The Adventures of Robin Hood."

CARL WEYL

for: BEST ORIGINAL SCORE

"The Adventures of Robin Hood."

LEO FORBSTEIN
and
ERIC WOLFGANG KORNGOLD

for: BEST FILM EDITING

"The Adventures of Robin Hood."

RALPH DAWSON
Eleventh Annual
ACADEMY OF MOTION PICTURE
ARTS AND SCIENCES AWARD

for
BEST ORIGINAL STORY

"Boys Town" Original Story
ELEANORE GRIFFIN

for
BEST ACHIEVEMENT
IN CINEMATOGRAPHY

In appreciation for the
honor extended to me

JOSEPH RUTTENBERG
A. S. C.

Congratulations
Spencer Tracy

LEO MORRISON
The Distinctive Achievement Of The Year And Of All Time

EASTMAN PLUS X NEGATIVE

The Film Triumph Supreme

J. E. BRULATOUR, Inc.
AS USUAL!

BEST SPENCER TRACY
“BOYS TOWN”
BEST ORIGINAL STORY
“PYGMALION”
BEST PERFORMANCE
STANLEY LAMBERT
BEST LEE REEL SHORT
“THAT MOTHERS MIGHT LIVE”

M-G-M... THE FRIENDLY COMPANY!
To Honor Johnston

Friends and associates of W. Ray Johnston, Monogram president, are arranging a testimonial dinner in honor of his 50th anniversary in the industry. The dinner is scheduled for early in May at the Astor.

Johnston will be guest of honor at the Astor luncheon on Thursday. In his address with him will be Scott R. Dunlap, vice-president in charge of production, and Trem Carm, production executive.

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NYLANDER REPLACED IN N.L.B.R. HEARINGS

HOLLYWOOD, Feb. 27—Arthur Worner, regional director of N.L.R.B., at Denver, arrives here tonight to replace Dr. Towey Nylander, suspended after being charged with statements detrimental to the board's interests. Suspension of Dr. Nylander will not delay various cases affecting motion picture industry, which are scheduled for hearing shortly.

ANNOUNCED SUCCESSFUL JUDGE "WILL NOT INTERFERE"

NEW YORK, Feb. 27—The City Civil Court yesterday, in a full session of Judge Henry F. Tupper, dismissed the application of the Metropolitan Opera Association for an injunction to restrain the members of the Metropolitan Opera Company from performing anywhere in the United States. Judge Tupper, in charge of the injunction, said he would "not interfere" with the opera company's plans.

DIVORCE BILL IS INTRODUCED IN WASHINGTON HOUSE

SEATTLE, Feb. 27—An affiliated theatre divorce bill has been introduced in the Washington legislature by Representative Cecil A. Glidson of Yakima.

The bill is similar to the North Dakota measure which was introduced recently. Its official title is "An act prohibiting operation of motion picture theatres which are owned, controlled, directly or indirectly, by any film producer or distributor." It enacted, it would affect Warners which operate three theatres in the state.

It is understood that introduction of the measure was delayed in anticipation of a ruling by the U.S. Supreme Court on the constitutionality of the North Dakota theatre divorce law, but when that law was repealed it was decided to file the bill at once.

Similar measures are pending in the Nebraska, Kansas and Missouri legislatures.

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BARNEY BALABAN, Paramount president, was back at his desk yesterday for his daughter's vacation in Florida. Stanton Griffis, chairman of the executive committee, leaves tomorrow to spend a month in London.

CHARLES E. McCARTHY, 20th Century-Fox advertising and publicity director, and Rosney Bush, exploitation manager, returned from the coast yesterday.

ROY HAINES, Warners' eastern and Canadian sales manager, has left on a trip to the Pittsburgh, Washington and Philadelphia exchanges, which trip follows visits to central exchanges, from which he returned yesterday.

HOLLAND EYSTER yesterday joined the 20th Century-Fox advertising department in charge of press book advertising. He succeeds Christy Wilbur, promoted to handle cooperative advertising and theatre contacts.

BEN KALMENSON, Warners' southern and western sales manager, turned yesterday from the company's branches in Chicago, Denver and Kansas City.

HARRY F. SHAW, Loew-Poli division manager in New Haven, and Mrs. SHAW are celebrating their 15th wedding anniversary in New York today.

NORMAN ELSON, Brandt circuit district manager, returned with his wife from a Florida vacation yesterday.

JACK SIECHMAN, assistant to HERMAN WOBBER, 20th Century-Fox sales head, returned yesterday from Florida.

MAJOR PAUL P. DEVLIN has severed connections with ANDRE VARE with whom he produced the "Screen Traveler" series. DEVLIN plans to produce and distribute a new series of travel subjects.

GEORGE V. LYNN, chief film buyer for the Schine circuit, has returned from Florida with his daughter, CAROL.

P. K. THOMAJAN, recently with the Motion Pictures' Greatest Year drive, has become a copy chief of the Blackstone Co.

MIKE ROSENBERG, head of Principal Theatres in Los Angeles, and Mrs. ROSENBERG, return today from the Normandie from a 24-day South American cruise.

JOHN BAHRI, Columbia director, has left, and DOLLY HAAS, are visiting here.

NANCY CARBONE replaces MARTHA SLEEPER in "I Must Love Someone" at the Longacre.

EVELYN KOLEMAN, secretary to AL ADAMS at Republic, is back from a Hawaiian vacation.

J. BARRYMORE and his wife, ELAINE BARRIE, started rehearsals yes-
terday of "My Dear Children" at the Elgin Theatre. The play is scheduled to open in New York late in April after a five-week tour.

LEWIS E. GENSCHER has acquired the rights to "Saturday Night" play, by VICKI BAUM and BENJAMIN GLASER, which he will produce in October.

BIRD SCHULBERG and MAURICE RAPP, screen writers on Walter Wanger's "Winter Carnival," have returned to the coast after three weeks at Dartmouth gathering material.

ELISSA LANDI opened at the Maplewood Theatre, Maplewood, N. J., last night in "Rebellion in Shadow.

DON AMECHI is expected in New York next week for a three-week vacation. He recently completed work on "In the Story of Alexander Graham Bell" for 20th Century-Fox.

SONJA HENIE and her mother arrive today on the Normandie from a South American jaunt. Others on board are MARC CONNELLY and LEE.

JOHN and Mrs. J. J. SHRIBER, Miss HENIE will leave immediately for the 20th Century-Fox studio.

FRAZER DOUBLER, pioneer cameraman, will lecture on "Pioneer Days in the Movies" at the Keynote Forum next Thursday. Original equipment used in the making of early films will be exhibited.

LOUIS W. SCHINE, head of the Schine circuit, visited his son, DONALD, at the Woman's Academy, Worcester, Mass.

RUTH SCHWIRIN of LOU LIP PINSON'S Monogram publicity staff is in the French Hospital recuperating from an illness.

CHARLES OLSON, owner of the Lyric, Indianapolis, is enjoying a 10-week Florida vacation.

Expectancy of rapid improvement in theatre attendance during the next few weeks, despite widespread weather conditions, and midwestern exhibitors, L. J. Schiifer, United Artists' western general sales manager, reported yesterday on his return to the home office from a six-week business tour of his territory.

Schiifer said that theatre returns in the key cities visited have been running 10 to 20 per cent below the year ago level, sickness, which reached epidemic proportions from late acceptance of attending has been so widespread this winter that it is one of the leading causes of decreased attendance, Schiifer said. Several weather conditions in the midwest and west have also had their effect on the box-office.

With these factors eliminated and improvement in general business conditions beginning to be evidenced, exhibitors are optimistic of a early upturn, he said.

Schiifer spent some time at the United Artists studio confering with the studio heads and looking over new product. Among the company's important forthcoming releases are "It Happened in Wigan Heights," Hal Roach's "It's Spring Again," and Edyward Small's "Man in the Iron Mask." Plans for the company's annual sales meetings have not been set yet.

Robert Glicker Dies

Hollywood, Feb. 27.—Robert P. Glicker, veteran actor, died at his home yesterday after a brief illness. Glicker made his stage debut in 1910 and began his screen career in 1928. He had a role in "Go Wire The Wind." Glicker was survived by his wife and three children.

Norma Shearer Better

Hollywood, Feb. 27.—Condition of Norma Shearer was described by Dr. JOEL PRESSMAN, a specialist, as considerably improved today. Miss Shearer has been in the hospital since Wednesday for treatment of a streptococcus infection of the throat.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAHN, Editor; JAMES A. CRON, Advertising Manager. Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Martin Quigley, president; Edward Brown, vice-president; James A. Cron, treasurer. Publication office, 1576 Sixth Avenue at Rodeo Center, New York, N. Y. Telephone: Circle 7-1100. Cable address: "Quigpubco, New York". Copyright 1939 by Quigley Publishing Company, Inc. All correspondence to the New York office.

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Tuesday, February 28, 1939

WORLD'S FAIR OPENING?

NO!

... Paramount's "CAFE SOCIETY" breaks Six-Year Record at the New York Paramount Theatre!

Scene photographed 8:30 a.m. with temperature 10° above zero.

"CAFÉ SOCIETY" breaks Six-Year Record at the New York Paramount Theatre!
One Kansas Censor Bill for Abolition, Other Adds Power

TOPEKA, Kan., Feb. 27.—Two bills introduced in the Kansas legislature deal with censorship. One, by Representative Smith, would do away with the Kansas State Board of Review, and eliminate film censorship from the state entirely. The other bill increases the powers of the board, and raises fees from $1 per reel, copy or original, as at present, to $5 a reel, copy or original. Introduced by Senator Hackney, it would make films available to municipalities and schools “at the same rate” as sold to theaters, depending on the size of the town and building.

“Persons submitting the same (films),” will not require the purchase of any other film being offered or any block booking, but will allow the person who desires to use the said film to “exhibit any single film,” the bill reads. It also gives the board review power to supervise exhibitors in contracts and in relation to films it reviews.

High Court to Hear Fairbanks Tax Plea

WASHINGTON, Feb. 27.—U. S. Supreme Court tomorrow will hear arguments in the appeal of Douglas Fairbanks against the Ninth Circuit Court of Appeals decision affirming the contention of the Commissioner of Internal Revenue that refunds made in connection with the redemption of bonds by Elton Corp., to which Fairbanks had transferred all his interest in nine motion pictures, were erroneous.

In his appeal, Fairbanks attacked the decision, which held the redemption of bonds to be a sale for the exchange of capital assets and the ruling that he must pay income tax on the gain from the redemption at the redemption at normal and surtax rates instead of the rate on net capital gains.

Legion Approves All Of 11 New Pictures

National Legion of Decency approved all of the 11 films reviewed and classified this week. Six were found unobjectionable for general patronage and five unobjectionable for adults. The films and their classifications were:


RCA Unit Net Up 11%

Net profits of RCA Manufacturing Co. in 1938 were 11 per cent more than in 1937 in spite of a 12 per cent decline in the subsidiary’s total sales volume during the year. Revenue from RCA activities in radio communications and patent licensing declined in 1938.

Rogers Enrollment Passes Last Year

Enrollment of independent theaters for Will Rogers National Memorial Week, starting April 20, is ahead of last year, according to Major L. E. Thompson, chairman of the drive. Circuit cooperation is, of course, assured.

Total enrollment for 1938 was 6,019 theaters, of which 3,548 were independents. There were also 2,471 circuit theaters, as follows: Paramount, 1,763; Warners, 958; Loew, 441; Loew, 123, and RKO, 104.

Independent theaters enrolled last year, by territories, were: Atlanta, 80; Atlantic, 75; Boston, 178; Buffalo, 133; Charlotte, 68; Chicago, 120; Cincinnati, 92; Cleveland, 158; Columbus, 12; Dallas, 137; Denver, 84; Des Moines, 24; Detroit, 56; Indianapolis, 13; Jacksonville, 17; Kansas City, 121; Los Angeles, 131; Memphis, 90; Milwaukee, 56; Minneapolis, 60; New Haven, 61; New Orleans, 158; New York, 538; Oklahoma City, 60; Oklahoma, 25; Philadelphia, 254; Pittsburgh, 171; Portland, 32; St. Louis, 70; Salt Lake City, 51; San Antonio, 20; San Francisco, 159; Seattle, 44; Sioux Falls, two, and Washington, 111.

Aisner to Produce French Films Here

Robert Aisner, French film producer, told the Hollywood Daily News this week that he plans to start production here of four films annually. He expects to start his first entry within the next four weeks. His company will be known as Hermit Films.

Total of Grosses from 146 Houses Reaches $1,393,100

Major theatre grosses in the key cities of the country aggregated $1,393,100 for the week ending Feb. 16-17, according to the Motion Picture Daily tabulation.

The total for the week compares with $1,494,600 for the week ending Feb. 9-10, and $1,469,400 for the preceding week. However, the latest tabulation indicates the highest total otherwise since the week ending Jan. 5-6.

The following tabulation shows the week-by-week aggregate of first run theaters in key cities from Sept. 8-9, 1938, to Feb. 16-17, 1939, with the number of theaters included each week, covering the period virtually from the beginning of the current season.

<table>
<thead>
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<th>No. Theatres</th>
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<td>138</td>
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<td>147</td>
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Paderewski Quits

Ignace Jan Paderewski, 78-year-old Polish pianist, made one film, and that's enough for him, he confided when arriving the other day from France. "I had a not very pleasant experience," he said, while making "Moonlight Sonata." The numerous re- takes disturbed him.

Nashville Sees Films First Time on Sunday

NASHVILLE, Feb. 27.—Nashville saw the first Sunday motion picture in its history last past weekend. The City Council recently approved Sunday films by a vote of 15 to 11.

Gov. Prentice had earlier signed a state bill which allows films on Sunday in municipalities in violation of a majority of a municipal governing body. Previously, Chattanooga and Memphis had cited the state law by having special laws passed in the legislature. A four-fifths majority in the N.C. Senate is therefore necessary for allowing films in the capital.

Iowa Fight Picture Measure to Senate

Des Moines, Feb. 27.—House bill that would legalize the showing of prizefight pictures in motion picture theaters has been placed on the Senate calendar with recommendation for passage. The bill repeals sections of the 1935 code that prohibited the showing of fight pictures in Iowa.

Hollywood, Feb. 27.—Forty-seven pictures being released this week, as nine pictures were started and six were finished. Fifteen are being prepared, and 68 are being edited.


Book Short on Pius XI

Guaranteed Pictures has released a recorded weekly, "The Pope of Peace," which has been booked by the entire RKO metropolitan circuit. Three American Cardinals, Cardinal Muledeos, Cardinal D'Annunzio and Cardinal O'Connell are also seen in the film.

Refuse Theatre Permit

MOBILE, Ala., Feb. 27.—City commission will withdraw a building permit recently issued for a $25,000 theatre in the Government St. vicinity. Properly, owners insist the theater should be maintained by the city for residences.

Reneux Film Franchise

DALLAS, Feb. 27.—Receiving its franchise through shots with George M. Meachic, producer of all-Negro feature, "Sack Amusement Enterprises has been awarded the city of Dallas' three new features in the south and west.

Set 'Oklahoma' Dates

Warners' "The Oklahoma Kid," has been scheduled to open in 104 key cities prior to its national release date, March 23. Four special release dates include the Strand, New York.
Quiz Announcement
Create Mild Interest

(Continued from page 1)

try and was limited to houses which contributed $50,000 to the

winner. First prize of $50,000 was

Mrs. Elizabeth Benincasa, San

Francisco homemaker who appeared at the

Fox in that city to hear the good

news.

Second prize of $25,000 went to

Laurn Carpenter, 70, of Barber-

Ohio. She was notified at Loew's in

Akron.

There was a total of 5,404 prizes.

In addition to those mentioned there

were two of $10,000, five of $5,000 and

fifteen of $1,000, 40 of $500, 80 of $250, 300 of $100 and 5,000 of $10.

The contest was part of the indus-

try's $1,000,000 Greatest Year campaign. It started Sept. 1 and ended Dec. 31.

Winners were determined by correct

answers to 25 questions about the biggest
"Dreams" the contestants were supposed to see and a 50-word essay on the film which

they liked best.

Loew's, RKO and other circuits put

on special contests and many had local
dignitaries to make the announce-

ments.

Winners were notified by letter two

weeks ago by campaign headquarters

and are to be awarded a certain theatre

last night. They were not informed of

the amount they won. Managers of

the theatres also were notified.

Checks will be mailed tomorrow by

the Chemical Bank & Trust Co.

Newspapers took pictures of the win-

ners last night with their comments.

Cleveland Fans Cool

Cleveland, Feb. 27.—Cleveland

fans were cool to $3,520 local awards

that was transferred to the account of

the local winners of the $250,000 movie quiz contest. A
gathering of the local prize winners

was held at the Metropolitan.

Columbia Will Film Life of Alfred Nobel

Hollywood, Feb. 27.—Columbia is

planning to make a film based on the

life of Alfred Nobel. Peter Frenache

has been assigned to the task of

gathering material for the picture. He

is now in Europe interviewing various

members of the Nobel family in his

search for material. Frenache is holder of the international prizes which bear his name.

Alcatraz Is Filmed

Hollywood, Feb. 27.—First shots of

Alcatraz Prison ever taken by a mo-

tion picture company will be used in

M-G-M's "They All Come Out," four-

reel subject based on the federal penal

system.

Announce Winners
In Canada Houses

Toronto, Feb. 27.—Movie quiz

winners were announced today at

450 theatres in the Dominion.

Unexpected complications arose in several situations.

At Port Colborne, Ont., the

only theatre, the Strand, was

recently destroyed by fire

together to be made for the local an-

nouncement. At Hamilton,

Ont., the name of a theatre

had been changed and in-

structions had to be sent to the

bank representative to deliver

the list to the renamed

house.

Bondy Puts Off His
Decision on RK0 Plan

(Continued from page 1)

ember, attorney for Cassell, who in-

sisted that he had stated in his

proposed underwriting agreement

for raising $1,500,000 for the new

company, before dissolution. The At-

lantic Corp., contended, under

the plan an agreement need only be sub-

mitted before actual consummation of

the film to the abortive accept-

tion under advisement. John Stover,

attorney for Stinum, argued that a for-

tal petition for confirmation was

necessary, and also interposed sev-

eral objections to the plan. Judge

Bondy particularly praised the choice

of W. C. Van Schmus.

Earlier in the hearing the Irving

Trust Co. stated that an agreement

had been reached with Rockefeller

Center whereby the number of shares

which the Center would receive had

been reduced from 15,000 to 4,000

because of a waiver by RKO of cer-

tain terms which it had against the

Center.

'Cafe Society' Brings
Paramount $55,000

"Cafe Society" is proving a strong

attraction at the Paramount and is

expected to finish its first week there

with $35,000. At Miami Beach, a four-

week engagement at the Florida

attracted an estimated $46,000.

"Pygmalion," in its 12th week at the

Astor is continuing to draw. An

estimated $13,000 was taken at the

box-office in its 11th week. "Grand

Illusion" will be held for a 25th week

at the Filmakers. "Crisis" has

been in its world premiere at the 55th

St. Playhouse March 13. The Warner

circuits in Philadelphia and the Brant

and the Strand in New York have

bought "Balladina."

Study Is Continuing
On Trade Pact Draft

Distribution executives continued

their consideration of the latest law-

yers' draft of the proposed trade prac-
tice program at a session at the Astor

theatres yesterday afternoon.

A delay is apparent in shaping up

final details of the program before sub-

mission to exhibitor organizations.

Pact Is Impelling
Sales Conventions

(Continued from page 1)

the studio on Thursday to set the new

program with the Atlantic Corp., the

distributor, and others. There had been

a possibility that Lichtman would come

can, but plans were changed.

Rodgers will go to the Chicago con-

vention from the coast. The conclaves

will be at the Palmer House. The

meeting will be held at the West:

today, continuing through Tuesday,

with home office executives, district

and branch heads, salesmen and exploita-

tion representative in attendance.

Rodgers will preside.

Four Separate Parleys

Later M-G-M will have separate

sectional meetings for office managers,

bookers, auditors and checking service

staffs. At least four such meetings will

be held, with Alan T. Cummings,

chief of exchange operations, presid-

ing.

Republic appears to be an excep-

tion to the general trend on conventions

this year. Because it is deemed ad-

visable not to involve sales forces in the field

to concentrate on, "The Man of Con-

quest," Republic's biggest picture to

time, there will be no national meeting.

Regional sessions for franchise hold-

ers, branch and district heads and salesmen

will be held, probably in New York, Los Angeles, Chicago and New

Orleans.

Two Join Time Reel

James L. Wolcott and Alan Brown

have been appointed to the staff of

the March of Time. Both come from

the Wolcott office, Wolcott having been

with 20th-Century-Fox and Brown at

the M-G-M studios.

Starts Shorts Group

Milton Schwarzwald has started

production at Eastern Service Studios

of a group of "N.Y.-er," "N.Y.-er" and

"Monte" musical shorts for RKO and

Universal release.

Bruce Made Producer

Hollywood, Feb. 27.—George

Bruce, Edward Small Productions

executive, has been made a producer by

Small. He will handle the production of

"My Son, My Son."

Javal May Seek US
Television Talent

London, Feb. 27.—Ian Javal, com-

mercial director of Baird Television, rep-

resented the British in recent negotia-

tions during his current visit to

America for the services of Amer-

ican radio and sports personalities for

television programs to be supplied to

British theatres.

Among those likely to be contacted

by Javal are Bing Crosby, Grace

Moore, Eddie Cantor, Rudy Vallee,

Benny Goodman and Joe Louis.

Indications are that a definite work-

ing agreement between London Broad-

casting Corp. and Gaumont British has

resulted from the success of last

week's television program in three of

G. B.'s West End theatres. The ar-

rangement is believed to include an

exchange of talent and films for tele-

vision programs, and is expected to

result in reduced costs.

Baird is enlarging its factory and

increasing production of sets.

Queried yesterday on the London

report, Javal said that the matter of

negotiating for American talent for

British theatre television programs had

been discussed prior to his de-

parture from London but that since

his arrival here he had received no

authorization to proceed with the as-

sumed project. He is awaiting instruc-

tions from London before opening nego-

tiations, he said.

Warners Withdraw
'Devil's Island' Film

(Continued from page 1)

trovaleric nature of the film, how-

ever, the reviewers declined to grant

approval in the absence of Irwin Es-

mond, director of the board. Upon his

return, the seal was granted and it

will start at the Globe tomorrow.

On Saturday, "Yes, My Darling

Daughter" went into both the Strand

at the Globe with both houses doing

capacity business. At the Strand, the

film grossed an estimated $30,000 in

its first three days, and an estimated

$60,000 at the Globe. The second week

of "The Lady Vanishes" at the Globe

drew an estimated $7,500.

Shift Trans-Lux Policy

Boston, Feb. 27.—Trans-Lux The-

atre, which has been featuring news-

reels and shorts, has started a policy of

first run features, news and shorts.
Hollywood, Feb. 27.—**“Blondie Meets the Boss”** (Columbia)

Hollywood, Feb. 27.—ENTERTAINMENT, in capital letters, is the essence of “Blondie Meets the Boss,” second of Columbia’s features taken from the popular King Features Syndicate comic strip. Seventy-one minutes of unadulterated comedy, the picture at its Hollywood premiere evoked more laughs per 90 feet of film than any picture within recent memory.


In addition to the evident exploitable assets of “Blondie Meets the Boss,” there is in the story a topical angle—“Dogwood's” accidentally winning a jitterbug contest. The Kay Van Riper-Richard Flournoy story was adapted by Flournoy, and directed by Frank R. Strayer. Robert Spencer was associate producer.

“Dogwood,” resigning in a huff because the boss would not give him a vacation, is replaced on the job by “Blondie.” He becomes increasingly involved in what appears to “Blondie” as a scandal, and domestic strife ensues. However, all is explained to the satisfaction of all with “Dogwood” unceremoniously winning a jitterbug contest and “Blondie” inadvertently ruining a business deal, which turned out for the best.

Running time, 71 minutes. *G.*

**VANCE KING**

**“I Was a Convict”** (Republic)

Hollywood, Feb. 27.—*I Was A Convict* tells a highly imaginative story. The basic plot deals with a criminal’s regeneration, but the several counter-plots hang upon it that take spectators through a welter of melodrama, romance and comedy. These, instead of accentuating the force and appeal of the basic idea, detract from it.

Convicts Barton MacLane and Horace MacMahon plan to kidnap in order to extort Clarence Kolb’s ransom. The girl’s plans to take MacLane into his business. The ex-aviator’s knowledge upon MacLane, who uses gangster tactics to whip recalcitrant customers into line. Comedy and romance have their moments before the return to melodrama. The family plans to pull Kolb in a sanitarium, but he is a willing victim to a MacLane-MacMahon kick.” Plot.

However, released convicts Weldon and Newcomb stage a red kidnapping to give Kolb’s eternal gratitude, win the girl, become general manager of the business and laugh at the snobs who are excluded at Kolb’s life.

Robert Andrews wrote the original from which Ben Markson and Robert did the screenplay. Aubrey Scott directed.

Running time, 63 minutes. *G.*

**G. M. MCCAFFREY**

**“Blondie Meets the Boss”**


A comedy about a gavel and dashing young man named Edward S. (Ed) Dithers (Edgar Clark) who works for the editor of the “Blondie” comic strip. When the editor is refused permission to marry his fiancée, Ed and his friend, John Hamilton, decide to kidnap John’s boss in order to force him to marry her. However, things go awry when the kidnap victim turns out to be the real victim and the kidnappers are forced to protect him from the police. The film ends with the happy couple tying the knot and the kidnappers being hailed as heroes.

Alyce Johnson as “Blondie” and Mary Boland as “Daisy” are delightful in their roles as the leading ladies of the comic strip. The supporting cast is equally strong, with standout performances by Milton Berle as “Mr. Dither’s” and William Tabbert as “Daisy’s” fiancé, Jack O’Brien.

Running time: 71 minutes.

**VANCE KING**

**“I Was a Convict”**

Hollywood, Feb. 27.—In the film “I Was A Convict,” the character of Edward S. (Ed) Dithers (Edgar Clark) is a gavel and dashing young man who works for the editor of the “Blondie” comic strip. When the editor is refused permission to marry his fiancée, Ed and his friend, John Hamilton, decide to kidnap John’s boss in order to force him to marry her. However, things go awry when the kidnap victim turns out to be the real victim and the kidnappers are forced to protect him from the police. The film ends with the happy couple tying the knot and the kidnappers being hailed as heroes.

The film stars Alyce Johnson as “Blondie” and Mary Boland as “Daisy.” The supporting cast includes Milton Berle as “Mr. Dither’s” and William Tabbert as “Daisy’s” fiancé, Jack O’Brien.

Running time: 63 minutes.

**G. M. MCCAFFREY**
Hollywood Preview

'Spirit of Culver' (Universal)

Hollywood, Feb. 27.—Showmen hitching their box-offices to the amiable star of America-on-the-screen may go as far as they like in advertising "Spirit of Culver," a film that looks upon patriotism through the eyes of youth and finds it glorious. The youthful eyes principally concerned are those of Jackie Cooper and Fredric Bartholomew, which see the matter differently at first but identically at the finish, and the names of Andy Devine and Henry Hull are also available for future use. Culver Military Academy is, of course, the principal scene.

The picture, directed by Joseph Santley from a screenplay by Nathaniel West and Whitney Bolton, opens in 1932 with Cooper an embittered boy of the breadlines. An American Legionnaire, Devine, learns he is the son of an outstanding war hero and obtains for him a military scholarship. Gradually Bartholomew, his roommate, and the spirit of Culver convince him there is virtue in patriotism and he becomes popular in the school. Then his supposed dead father, who believes himself a deserter, returns, the boy learns his identity and runs away from school to be with him. He is overtaken by his comrades and, who brings a War Department order clearing the father of disgrace, in time to return to Culver without penalty and complete his course.

The film is at its best when Cooper and Bartholomew are working out their mutual adjustments. Interest relaxes somewhat during hypermelodramatic treatment of the fatherly angle, then tightens toward the finish. It is strong in juvenile and family appeal and emotionally timely.

Running time, 90 minutes. "G."

Roscio Williams

'Each Other' $13,000 Lead in Providence

Providence, Feb. 27.—"Gunga Din" business held up to $8,000 in the second week of the RKO-Alcoe. "Made for Each Other," with "The Lone Wolf Spy Hunt" at Loew's, led the field, garnering $13,000. The good Washington's Birthday business helped the all around.

Estimated takings for the week ending Feb. 22-23:

"Made for Each Other" (U.A.)
"The Lone Wolf Spy Hunt" (Col.)
"LOEW'S—$1,200 (25c-30c-35c) 7 days, Gross: $3,000.
"Gunga Din" (RKO)
"ALCOE—$1,200 (25c-35c-40c) 7 days, 2nd week, Gross: $1,000.
"Tal Spun" (20th-Fox)
"Majestic—$1,200 (25c-30c-35c) 7 days, Gross: $2,000. (Average, $7,000)
"Ambush" (Par.)
"Woman Doctor" (Par.)
"STRAND—$1,200 (25c-30c-35c) 7 days, Gross: $2,000. (Average, $7,000)
"Off the Record" (M-G-M)
"FAYS—$1,200 (25c-35c-40c) 7 days, Vaudville. Gross: $6,000. (Average, $6,000)
"New Romance" (RKO)
"CARTON—$1,200 (25c-35c-40c) 7 days, Extended first run. Gross: $4,500. (Average, $5,000)
"Convicts Code" (M-G-M)

'Honest' at $7,500 Indiana High

Indianapolis, Feb. 27.—"You Can't Cheat an Honest Man" gave the Circle a lusty $7,500. "Hollywood" was here at the Loew's with $8,000. Grosses suffered from the inroads of influenza.

Estimated takings for the week ending Feb. 24:

"The Plainsman" (Par.)
"Waikiki Wedding" (M-G-M)
"The Lone Wolf Spy Hunt" (Col.)
"LOEW'S—$1,200 (25c-30c-35c) 7 days, Gross: $2,000. (Average, $7,000)
"You Can't Cheat an Honest Man" (Univ.)
"Circling Ship" (Univ.)
"CIRCLE—$1,200 (25c-30c-35c) 7 days, Gross: $2,000. (Average, $7,000)
"Hollywood" (M-G-M)
"The Girl Downtowners" (M-G-M)
"RIVERA—$1,200 (25c-30c-35c) 7 days, Gross: $1,000. (Average, $7,000)
"King of the Underworld" (W.B.)
"TOWER—$1,200 (25c-30c-35c) 7 days, Gross: $2,000. (Average, $7,000)

Harrissburg House Sold

Harrisburg, Pa., Feb. 27.—The Victoria, one of the oldest film houses here, was sold by Williner & Vincent Theatres and the property will be converted to stores. W. & V. will maintain a small presence which has been dark several months. Another W. & V. house, the Colonial, which operates on a firm ran policy will be renovated shortly.

Form Supply Company

Atlanta, Feb. 27.—Paul A. King, formerly of National Carbon Co., and I. Howard have organized the Capitol City Supply Co., Inc. here.

‘Musketeers,’ Is $13,000 in Minneapolis

MINNEAPOLIS, Feb. 27.—Major Rows Revue on the stage, "The Three Musketeers," gave the Orpheum a strong $13,000. "Honolulu" at the State was runner-up with $7,500.

"Gunga Din" was the second week at the Century did $5,500.

In St. Paul, "Gunga Din" at the Paramount came in with $6,500.

Estimated takings for the week ending Feb. 23:

MINNEAPOLIS:
"Tom Sawyer, Detective" (Para.)
"Sunset Troll" (Para.)
"A.C.T.—$1,200 (25c-30c-35c) 7 days, Gross: $1,000. (Average, $7,000)
"Gunga Din" (RKO)
"ORPHEUM—$1,200 (25c-30c-35c) 7 days, Gross: $3,000. (Average, $7,000)
"Persons in Hiding" (Para.)
"Paramount—$1,200 (25c-30c-35c) 7 days, Gross: $1,000. (Average, $7,000)
"The Three Musketeers" (20th-Fox)
"ORPHEUM—$1,200 (25c-30c-35c) 7 days, Gross: $1,000. (Average, $7,000)
"Honolulu" (M-G-M)
"STATE—$1,200 (25c-30c-35c) 7 days, Gross: $7,500. (Average, $4,000)

St. Paul:
"Son of Frankenstein" (Univ.)
"ORPHEUM—$1,200 (25c-30c-35c) 7 days, Gross: $1,000. (Average, $7,000)
"Gunga Din" (RKO)
"PARAMOUNT—$1,200 (25c-30c-35c) 7 days, Gross: $2,000. (Average, $7,000)
"The Girl Downtowners" (M-G-M)
"RIVERA—$1,200 (25c-30c-35c) 7 days, Gross: $2,000. (Average, $7,000)
"King of the Underworld" (W.B.)
"TOWER—$1,200 (25c-30c-35c) 7 days, Gross: $1,000. (Average, $7,000)

Loew Stockholders Hold Meeting Today

Election of directors is the major business scheduled for the annual meeting of Loew's, Inc. stockholders at 11 A. M. today at the home office.

All directors are scheduled for re-election. They are George N. Armbury, David Bernstein, Isidore Frey, Lepold Friedman, John R. Hazel, Alexander Lichtman, Charles C. Mosey, William A. Parker, J. Robert Rubin, Nicholas M. Schenck, David Warfield and Henry R. Win- through. Warfield was elected by the board in January to fill a vacancy.

The directors are scheduled to meet tomorrow to reelect officers.

Patent Suit Charges
RCA Trust Violation

Suit for $1,500,000 treble damages for alleged violation of the Sherman Anti-Trust Act, for an accounting for alleged payments and for an injunction has been filed in the U. S. District Court against Radio Corp. of America, RCA, Carrier Telecall & Television Corp. Plaintiff claims to be an owner of a patent relating to a "two-way intercommunication system for power circuits," allegedly infringed by RCA.

Moss Warns of Stage Show in Film House

License Commissioner Paul Moss stresses that the film the featured. If this stage shows without obtaining a special license.

He permitted the license of Shoura' Granada in Corona, L. I., for 24 hours, beginning Saturday midnight, because of an unlicensed stage show. The theatre had scheduled a "Jitterbug" dance team, then canceled it for a 12-scene Italian play, Commissioner Moss ruled the feature legal.

The Commissioner says that under the law film houses can only present a band, vocal music and lectures and recitations by performers in street clothes. If performers wear costume, a stage license must be obtained. The purpose is to comply with fire prevention requirements, among others.

To Try Band Policy

Flatbush, 1,700-seat house in Brooklyn operated by Brandt Theatres, will inaugurate a band policy about March 17. A "nude" band and a few acts of vaudeville are featured. If this successful, a similar policy will be installed in four other houses of the same chain, the Asburton, Windsor, Carlton and Park Lane.

French 'Snow White' Coming to US Soon

"Snow White and the Seven Dwarfs," in French, will be released shortly in the U. S. This is the first time an American made film has been brought back and redistributed in a foreign language. Many scenes had to be reedited in making the French version of which is "Blanche Neige et les Sept Nains."
Radio Personnel Lines

Banner

TAN ZUCKER, general manager in Chicago for CRA, back in the Windy City today after a week-end in New York. He was there to attend the premiere of "Earth," the new science-fiction film produced by 20th Century-Fox. Zucke is involved in the promotion of the film, which opens here this week.

Max J. Josephson, recently appointed sales manager for CBS, has returned to his post after a short vacation in Bermuda.

P & G Plans Sixth Show over CBS Net

Procter & Gamble will place its sixth network program on the air over CBS when a new dramatic series, "Manhattan Mother," starts on the network March 5. The show will be heard Monday through Friday from 9:15 to 9:30 P.M., over a dozen stations.

The program will consist of six half-hour episodes, each dealing with a different aspect of daily living. The series will be produced and directed by George Seaton, well-known Hollywood director, and will be written by Seaton, along with Paul S. Jones, who will also serve as producer.

Coleson Radio Head

At Coast Exhibition

SAN FRANCISCO, Feb. 27.—Robert Coleson, former radio director of the San Diego and Dallas exhibitions, has been appointed assistant network chief at the Golden Gate International Exposition here by Arthur Rowe, supervisory of broadcasting activities.

Coleson’s sides are Jack Lyman, formerly of KPO, in charge of all special events, and Jack Joy, former KBBG announcer, Hollywood, as production manager.

Renew Kyser Program

American Tobacco Co. has signed a renewal for 13 more weeks of broadcasting by Kay Kyser on the “Musical School of Knowledge,” broadcast on NBC Red Network from 10 to 11 P.M. on the NBC Red network, plus WHN, Lord & Thomas is the agency. The renewal makes effective April 5.

Goldstein Takes Tavern

Bob Goldstein, radio executive now at WMCA, has purchased a controlling interest in the Tavern, well known Broadway restaurant. Goldstein will operate the restaurant with Paul Rowner, owner of several radio stations, he must take over his duties with WMCA, contending to operate the Tavern.

New York Allied Will Meet Here Tomorrow

State legislation, film stars’ appearance on air and the trade practice situation will be discussed at a meeting of the local unit of New York Allied at the organization’s in New York. The meeting is to be held at 1 P.M. Hereafter the name of Max A. Cohen, state president, E. Thornton Kelly, executive secretary, will be presided. Kelly will return to New York from conducting meetings throughout the state. The meeting will be held in the Albany Allied unit, scheduled for next Monday. The Butch Gleason company will appear at March 13 and there will be a meeting in Syracuse on March 21.

Price Will Publicize Screen Guild Hearing

HOLLYWOOD, Feb. 27.—Paul Price, has been hired by the Screen Writers Guild to handle publicity in its battle with producers over collective bargaining. Nationwide coverage of events leading up to, and during the hearings is planned.

Heard on the complaints against the studios by a New York writer, Price will get under way on the coast next week before representatives of the Writers Guild of America, with the Guild will stress the fact that many script writers are paid less than technical workers.

Mae West Is on Way East for Deal Talks

HOLLYWOOD, Feb. 27.—Plans for Mae West’s move to New York for humorous writing of new script will be held up temporarily. Mae West has left for New York with her business manager, James Todd, who will consider other deals, including personal appearances and possibly a New York World’s Fair concession. Miss West will return to New York to close in on a release deal on her Empire Pictures Corp., which some time ago announced a program of eight pictures a year.

Mrs. Brandt in for Rites

Mary Brandt, widow of Joe Brandt, founder of Motion Picture News, died last week. The funeral service will be held at Bayview Cemeter y. A son, and a daughter, Mrs. Robert Jennings, whose husband is the radio department of the Kastor agency, survive.

IATSE Group Acts To Enjoin Officers
Czech Trade Treaty Suspended by U. S.

Washington, March 23—The State Department tonight announced the suspension of the Czech reciprocal trade treaty, to which the motion picture agreement is a supplement.

The action was purely formal, administration having last week classified the former Czech areas as German-controlled and goods therefrom as German in origin and not eligible for the concessions formerly given Czechoslovakia.

OPEN WAY FOR U. S. RETURN TO ITALY

Ontario Exhibitors To Seek Elimination Of Protection Plan

Tomato, March 23.—A move has been launched among independent exhibitors of Ontario for the total elimination of clearance in feature booking contracts and the replacement of the present “protection” system with a policy of priority rentals governed largely by the geographical location of theatres and the availability of prints but without the prescribed periods of time before subsequent bookings. The latter would be scheduled in quick sequence as soon as first release had been arranged.

May Be Given April 4

Intimation has been made that the proposal will be presented at the next regular meeting of the Independent Theatres’ Association, which is scheduled to be held in Toronto on April 4, when, it is expected, the formal demands will be outlined and a course of action defined.

Syracuse, March 23—Independent exhibitors in New York state were urged to be vocal in their demand for clearance reforms at a meeting sponsored by New York Allied at the Hotel Syracuse today. Max A. Cohen, president, discussed the Supreme Court’s decision in the Interstate (Texas) case and declared it means that the independent exhibitor has a right to live.

The meeting was attended by representatives of about 100 theatres. H. M. Richey, director of theatre relations for RKO, was a guest speaker and pictured a bright outlook for the theatre business.

NY Allied Asks Reform Drive On Clearance

L.A. March 23.—District Attorney Buron Fitts injected himself into the fight between officers of Studio Technicians Local 69 and State, city and local police today by launching an investigation of the International’s recent two per cent assessment into the membership which, Fitts said, “definitely smacks of methods employed by eastern racketeers.”

Fitts questioned Frank Strickling and John Gatele, representatives of George Browne, I.A.T.S.E., president, who took over the local last year and, later, questioned Local 32 leaders.

Prosecution May Follow

Afterwards, Fitts said: “I have instructed Russell Parsons, my deputy, to go into the situation thoroughly and, if the evidence warrants, to institute prosecution. Workmen and employees for the last two or three years have complained about this two per cent assessment levied on their salaries as dues. Last year, Fitts alleged, the entire amount was taken east and no accounting made and, in fact, refused.

I must say that two per cent assessment is also employed by eastern racketeers in other industries and businesses. To my mind, it is a gross injustice on men.”

(Continued on page 6)

Kelly Reveals Proposal On Return; Given To E. N. I. C.

By AL FINSTONE

A plan to permit American companies to operate in Italy has been submitted to the N.E.I.C. Italian film producers, on behalf of the distributors, is disclosed by Arthur W. Kelly, vice-president of United Artists, in charge of foreign distribution, who returned yesterday on the Queen Mary after five months abroad.

There is unrest throughout Europe, he said, and the Hitler steamroller kills off film business wherever it penetrates. However, with the exception of the “czech year,” the theatre business in England and France has not been affected appreciably.

The proposal to reopen Italy to American companies, which withdrew January 1, was submitted by an intermediary. It would provide that distributors do business as before, and that

(Continued on page 6)

Republic Contracts Above $7,000,000

Republic is showing a profit and has unplayed contracts amounting to more than $7,000,000, H. J. Yates, president of Consolidated Film Industries, told stockholders at their annual meeting yesterday. A year ago at this time the figure was about $6,000,000. He estimated Republic’s profit for the first 1939 quarter as $150,000, and said that a profit was shown in the final quarter of last year. Unprofited product totals $4,742,173.

Yates answered many questions concerning Consolidated’s investment in Republic, its chief subsidiary, and Consolidated’s operations. Lou Atz, Consolidated’s auditor, shared the brunt of the questioning. About 50 stockholders were present.

Atz declared that Consolidated’s current position is much improved.

All But Three Film Bills Die in Albany Committee

Albany, March 23.—Only three bills bearing on the motion picture industry survived the week in the legislature. Among the hundreds killed in the final report of the Assembly standing committee were many that directly affected the film business.

The measures surviving were the Crews’ projectionists, amended, and the film industry calendar for Tuesday. Another was the Butler bill on admission of children and the third was the Webb measure providing a referendum by villages on Sunday shows.

Among the measures killed were those for regulation of fee-charging employment agencies. However, the Ostertag bill along this line was referred to the Rules Committee and may come up later.

All but one of the many bills imposing restrictions and heavy taxation on outdoor advertising died in committee. The Todd bill is still alive.

Among the tax bills eliminated was that of Assemblyman Bennett calling for a levy on theatre circuits, anti-discrimination bills of Assemblyman Butler and Giordano also went by the board.

Another important measure dropped in the Senate but which it is believed will be revived is that providing for the transfer of theatre ticket agency regulations to the License Commissioner in New York City.

‘Love Affair’ at Hall Has $95,000 Week

“Love Affair” finished its first week at the Music Hall with a strong $95,000 and is being held. Second week of “The Little Princess” at the Roxy attracted approximately $30,000. “Hound of the Baskervilles” starts today. “Pygmalion” at the Astor grossed an estimated $100,000 for the 15th week.

“Sergeant Masher” goes into capital today following “Shining Hour,” which finished the week with $24,000. “You Can’t Get Away With Murder,” with Jimmy Dorsey and his band on the stage, starts today at the Strand, replacing “Oldahoma Kid.”

The latter drew $34,000 in its final week. “Bullfrog Drummond’s Secret Police” follows the current “I Was a Convict” at the Criterion March 30. “Concentration Camp” at the Waldorf will be held for a second week starting tomorrow.
Maurice Silverstone is scheduled to leave the coast tomorrow for New York, arriving here Tuesday. Charles Schwartz arrives by train today.

Lynn Parolsen, United Artists advertising and publicity director, is expected back from the coast by plane this weekend.

Bela Lugosi, here for a short visit, was host to interviewers at the Waldorf yesterday.

Matthew J. Fox, Universal vice-president, is expected in New York from the studio in the near future for a brief visit.

Jack Cohn, Columbia vice-president, returns to New York this weekend from a Florida vacation.

Are Montague, Columbia general sales manager, and RubeJacquet, exchange manager, return to New York Monday from a sales meeting in New Orleans.

James R. Grainger, Republic president, accompanied by Jack Beelman, eastern sales manager, left yesterday for New Haven and Boston to set the dates for "Man of Conquest." They return Monday.

Carl Hoff, radio band leader, completed a musical short yesterday at the Vitaphone studios in Brooklyn.

Tulio Carminati, stage and screen star, has returned to New York from a week in palm Beach, Havana and Charleston.

Mr. and Mrs. A. H. Blank of Des Moines have gone to Hot Springs, Ark., for two weeks.

Max Roth, Republic Midwest district head in Chicago, is on a tour of the Des Moines territory.

Marky's Mother Dies


Para. Signs Colman

Hollywood, March 23—Paramount today signed Roland Colman to star in "The Light That Failed," W. A. Wellman will produce and direct.

New York and San Francisco fair,
White House staff being fingerprinted
and events current in Europe are highlighted of the news. The rest and its contents follow:

MOVIEPONE NEWS, No. 56—Rodeo.

**MOTION PICTURE DAILY**

Friday, March 27, 1939

A.M.G. and Actors' Guild in Agreement On Licensing Pact

Hollywood, March 23—Artists' Managers' Guild and the Screen Actors' Guild have reached a virtual agreement over the S.A.G. plan for licensing talent representatives, with the final point, that of length of the actors' managerial contract, settled. The agreement will limit all agency pacts with actor clients to three years, and the board of directors of the A.M.G. at a meeting last night, signed its approval. The A.M.G. had wanted contracts limited to five years duration, and the S.A.G. members sought a one-year limit.

The master contract between the A.M.G. and S.A.G. will be for five years. This pact is in the process of being drafted in its final form by attorneys for both organizations for approval by the respective memberships. The executive committee of the associate members of the A.M.G. also attended the A.M.G. board meeting and expressed confidence in the negotiations.

**Signs Order for UA Bill of Particulars**

Federal Judge William Bondy yesterday signed the order directing the Government to file and serve its bill of particulars in United Artists vs. United Artists in its antitrust suit. United Artists was authorized to serve its answer 20 days after the order of the judge, which also provides that if the Government has insufficient information as to any of the items in the bill, it may state so and furnish the information when it obtains it, in no event later than 30 days after the trial. The order contained the name of the judge, Judge John Mahnemann today will rule on Goddard's application to strike out names of certain of the defendants who have severed connection with him and to substitute others. The present motion is confined to individuals connected with Zoen's, Inc., United Artists and Paramount. No opposition to the applications is expected.

**Lichtman Back from M-G-M Convention**

Al Lichtman, M-G-M vice-president, arrived yesterday from Chicago, where he attended the company's sales convention. He will spend some time here, and will confer with Nicholas M. Schenck, president, before returning to the coast.

Sam Eckman, British head; J. A. Gove, sales development manager, and Herb Morgan, shorts publicity head, are arriving from New York today. William F. Rogers, general sales manager, T. J. Connors and other executives are due tomorrow.

**To Address N. H. Union**

New Haven, March 23—Dr. Morris Rotshild will be the guest speaker at the meeting of Film Exhibitors Workers Union, Local B-41, on Monday.
SELLING FACTS about "I'M FROM MISSOURI" for showmen who are "show-me men"...
It's a FACT about Paramount's

"I'M FROM MISSOURI"

Bob never was better! Daily Variety puts it this way: "Homespun stuff done to order for Bob Burns' brand of drollery... one of Bob's best roles"... and Hollywood Reporter backs it up with: "Burns clinches star niche!"

It's a FACT about Paramount's

"I'M FROM MISSOURI"

Bob never had such all-star support! "Gladys George does an excellent job... Gene Lockhart delivers his customarily sound performance... Judith Barrett and William Henry carry off the romance neatly... Patricia Morison expert... E. E. Clive a standout... Melville Cooper superb"—just a few of the quotes from the trade critics!

It's a FACT about Paramount's

"I'M FROM MISSOURI"

Bob never had a better story! "The picture itself will head into good business, for it has plenty of production values and enough humor to win laughs from the average crowd. The screenplay by John C. Moffitt and Duke Atteberry is a sound job... and the dialog is meatily humorous," says Hollywood Reporter... and Daily Variety contributes: "Theodore Reed's direction vigorously drives the story along and resourcefully promotes the entertainment values adapted from the stories by Homer Croy and Julian Street. Cast is inspired to its best efforts."
and here’s the BIGGEST FACT of ALL!

“I’M FROM MISSOURI” breaks record of past 3 years
Newman Theatre, Kansas City... going strong in SECOND WEEK!

Paramount has a hit picture in “I’m From Missouri”, a picture which should prove to be an audience-pleaser in metropolitan and rural communities alike!
—Kansas City Journal

“The best comedy that Bob Burns has made...an ‘audience picture’...definitely hilarious!” —Kansas City Star

a FACT to remember... If a critical home town audience such as that in Kansas City okays “I’m From Missouri” as being the box office McCoy...you can bet your bottom dollar your audiences will do the same. But, another thing to remember, the K.C. boys got behind “I’m From Missouri” with a really ace exploitation campaign.

“I’M FROM MISSOURI” CAN BE AS BIG AS YOU MAKE IT...
Hearing on S.W.G. Charges Put Off to Monday After Clash

HOLLYWOOD, March 23—Hearing on the Screen Writers' Guild charges of Wager Act employees by producers was put over until Monday by Trial Examiner James Batten after a clash today.

The clash started when Leonard S. Janosky, Guild counsel, said that hope of agreement had faded entirely due to the strike.

Homer Mitchell, attorney for the producers, declared that they felt an agreement could be arrived at and asked a two-week interval.

Points of Disagreement

Enlarging on the points of disagreement between the Guild and producers, Charles Brackett, head of the S.W.G. negotiators, said the producers had offered a straight ten-year bargaining agreement without opportunity for revisions. The Guild had demanded a year's tenure, with option of continuing for six months after that, he said.

A second point of discord was that the producers offered a 70 per cent Guild shop for the first two years of the contract and 80 per cent for the next eight years of the contract, while the Guild had wanted a straight 80 per cent Guild shop for the life of the pact.

A third major point of disagreement, Brackett said, was the Guild's insistence that writers while off salary should be completely free to write and produce films. Producers, he said, refused to grant this concession, he said.

Points of Agreement

Points on which both sides were agreed, according to Brackett, were:

Writers making $150 weekly or less. Setting arbitration and conciliation machinery. The Guild's refusal not to negotiate the policies of the individual writer to the producer.

Complete jurisdiction by S.W.G. over contracts with producers having to the right to have an original draft of credit setups. Promise of producers not to make a wide salary cut without getting consent of S.W.G. Two-week limit on minimum layoff period for contract writers.

The following S.W.G. committee was named to investigate the possibility of labor affiliation: Julius Epstein, Mervyn LeRoy, Robert Rossen, Frank Capra, and Leonard Janosky, guild attorney.

Majors Facing New Chicago Trust Suit

CHICAGO, March 23—Another suit charging restraint of trade, monopoly and asking treble damages was filed in federal court here today, and assigned to Judge Willkorn, against eight major film companies, Balaban & Katz, Inc.; Goldwyn, Inc.; Samuel Goldwyn, Inc.; and a new Jack Warner Bros., Inc., which the suit was filed by Frank Ford, operator of the Stadium in Evanston, through attorneys Jacobson, Merrick, Nierenberg and Silbert. Plaintiffs demand a jury trial. Clearances system, block booking and other practices are said to have caused a loss of $1,000 weekly, the Ford complaint states. The defendants have twenty days to answer after being served.

Critics Patent Trial On

Trial started yesterday before Federal Judge Mortimer W. Byers in the patent infringement suit brought by Virgil C. Critics against Warner Bros., Inc., Albert A. Recht, Louisa C. Martin, Radke Patents Corp. and United Research Corp. Suit charges infringement of patents and unfair "methods of and means for optically recording and reproducing sound." An injunction and accounting of profits are sought.

Canada's Film Board Measure Advanced

OTTAWA, March 23—The measure to create a National Film Board passed a second reading in the Senate and was referred to committee. Under the act, the board will make films in which the Government will not be financially interested. As the measure stands there would be only six members on the board. The others would be given traveling expenses and allowance and would be made for temporary employees when films are in production.

N.Y. Allied Urges Reform Campaign Against Clearance

Cohen said that the independent exhibitors can exert influence to end unfair trade practices and that the industry has fought to keep the trade office negotiations alive so that disputes cannot be settled by expensive litigation.

Richey, in his talk, said: "If the time comes when the cancer of chaos, which seems to be eating at other departments of the industry, finally touches Hollywood and the production branches, exhibitors, whether independent or not, will face a situation that will make problems of what is proper in the theater look like a blem, who is going to do it to who, etc., seem like a harmless skirmish.

He declared the distributors want adjustments speedily made in industry relations, and that if the rank and file of exhibitors could become sufficiently vocal, these reforms would be put into effect immediately.

Committees headed by Mitchell Conery, Ravenna; Kulpy F. Merriman, Syracuse, and E. W. B. Smith, Buffalo, were appointed to sit in plans for the annual convention to be held at the Van Nicker, New York, May 23 to 25.

Ontario Battle on Clearance Is Begun

(Continued from page 1)

A battle of a new type against clearance has been made in Ontario. Among the items that clearance is much to blame for the fact that, although the number of theatres in Canada has increased from 800 to 1,300 since 1930, the receipts of film exchanges have dropped from $9,000,000 to $7,500,000 per year in the same interval, the average annual film rental per theatre having dropped from approximately $11,500 in 1930 to $5,500 in 1938.

Critics of the system have declared that some exhibitors were paying more for score charge alone in 1930 than they are now for the score and rental charges combined, because, film programs are stale before they can be sold. The system of viewing and first run exploitation because of the delay in subsequent runs is regarded as an important economic factor in the rapidity for neighborhood engagements weeks and months later counts as a failure against the film, as the release is made in which circuits, independents and exchanges all suffer equally.

Independent exhibitors are organizing to lay their claims before the Moving Picture Branch of the Board of Trade for a reconsideration of the entire clearance structure.

Way Opened for Return of U. S. Films to Italy

(Continued from page 1)

industry if exhibitors settle their differences with the distributors.

Consolidated Film Corporation, based in New York, has been bought by the Cinema Libero of Rome, thus giving the Italian film market a new organization with a capital of about $10,000,000. Control of the new company is to be held by G. G. Meneghetti, president of the Cinema Libero, and L. P. Zevi, managing director. Organizers of the new company say there is a considerable embargo on currency.

In Germany and the Baltic countries of Lithuania, Estonia and Latvia, the Allied American organizations, it is admitted, a majority must be German. Norway also takes a percentage of German profit.

Kelly went from here to South Africa, then to England and covered the Continent by plane. In South Africa, U. A., has an understanding with 20th Century-Fox whereby both companies will supply product to a group of independent theatres in opposition to the Ciné-Arth, an exhibitor organization. There are about 10 theatres in suburb Johannesburg now being serviced. Other theatres in key situations have been built and are planned with local capital.

French Costs Up

French production is still booming, but costs have risen greatly. Because of exchange losses, wages soaring, and so no picture now costs less than 3,000,000 francs and some as much as 5,000,000. Stars demand 500,000. It is Kelly's belief that an increase in the British quota, as demanded by the labor groups, will not solve the problem of the situation. Producers will continue to make a limited number of big-budget films rather than many cheap ones. The Government, he said, does not want the "quickies" to return.

D and P" is the name of the holding company which has taken over the London, Denham and Pinewood studios in London, under the joint managing directorship of Capt. Richard Nor- ton. The company has been formed at French studios and independent studios here, the producers can get studio credits officially in connection. Alexander Korda Productions has just finished "Four Feathers" and has set the premiere for April 18 at the Odeon. It is set for delivery here in August. Others are "Over the Moon," with Merle Oberon, to be de livered here in September or Octo ber, and four for 1939-40, including "Thief of Bagdad," another Merle Oberon, Kipling's "Jungle Book," and "Lawney" which is opening in London. The exchange is profitable. There is a possibility that this picture may be deferred for a while.
Film Cases Facing Delay; Arnold Fund Request to Senate

WASHINGTON, March 23—Refusal of the House Appropriations Committee to approve an immediate additional appropriation of $70,000 for expansion of the anti-trust division of the Department of Justice will be countered by John A. C. Thompson, Assistant Attorney General Thurman Arnold to the Senate Appropriations Committee when the deficiency bill including the item reaches the upper house, it was disclosed here tonight.

Much of the money which the department seeks would be devoted to immediate installation of a host of 10 film cases which already have been blocked out.

In his testimony before the House Appropriations Committee, Arnold explained that the 10 film cases, a suit involving shoe machinery and certain other prosecutions have been planned by the department for institution as soon as necessary additions to the staff can be made. He did not give the committee the details of the motion picture situation, other than to say he thought the cases should be undertaken at once.

If the additional funds are not provided now, the inauguration of the expanded anti-trust drive will be delayed until after July 1, when the present division of labor will end, and the new division becomes available. That appropriation—the department has asked for $5,500,000 for the current year—has yet to run the gauntlet of the appropriation committees of House and Senate, which are considering the year's program of relief and new measures, which so far has resulted in several million dollars being bopped off every money bill presented. It is probable that, while the anti-trust division will be given an increased fund, the additional money may not be as much as Arnold requests.

Jubilesta in K. C. Is Dropped This Year

KANSAS CITY, March 23—Jubilesta, eight-day Municipal Auditorium show held each fall for the last three years, will not be held in 1939, the executive committee of the Jubilesta has decided. While the committee gave as cause for its action the scarcity of talent due to the world's fairs, a deficit in the big show the last two years probably had something to do with it. The show gave exhibitors serious competition.

Saving Time in Toronto

TORONTO, March 23—Toronto City Council has adopted Daylight saving this year, beginning April 24, the period being one week less than in 1938. Announcement was made that 86 cities and towns of Ontario and Quebec will observe Daylight Saving for varying periods, ranging from nine to 22 weeks.

William Elliott Dies

DENVER, March 23—William M. Elliott, 63, manager of the Palm Springs Theatre here, died in Harper Hospital following a brief illness. Funeral will be in Indianapolis.

Nazi Moves Cause Newsreel Problem

All eyes are on Hitler in the present European situation, and since no one knows what he will do next, the broadcast coverage situation presents a problem, declared Sir Gordon Craig, head of British Movietone News, on another yesterday on the Queen Mary.

He said, however, that Movietone News in England and Europe generally is prepared for any eventuality. Sir Gordon will remain abroad for three or four weeks, when the 20th Century-Fox News conference in Chicago, starting March 30. This is his first trip here in 10 years.

He will discuss plans with Truun H. Talley, Movietone chief who returned yesterday from a two-week vacation in Florida. The newsreel will hold staff meetings in conjunction with the 20th Century-Fox convention in April and Europe in May.

R. Sutton Dawes, 20th Century-Fox sales manager in the United Kingdom, also arrived. He will discuss matters with Walter J. Hutchison, director of foreign distribution, and attend the Chicago convention.

Allocate Film Funds Of Agriculture Dept.

WASHINGTON, March 23—Motion pictures approved by the Department of Agriculture during the coming fiscal year were financed today by the House Appropriations Committee, in approving the Agricultural Supply bill for 1939.

The extension service of the department was given $50,000 for motion pictures, the same as for the current year. The fund, however, is used for educational purposes in foreign countries and not for propaganda purposes, thus escaping the criticism that has been leveled at motion picture activities of other agencies.

U.A. to Open Branch Office in Netherland

BY PHILIP DE SCHAAP

AMSTERDAM, March 23.—Alex Zomerplag, former manager of Tokio Film here, has been named United Artists manager in Holland. Up to now, U.A. distribution has been handled by Loet C. Barnstijn at the Hague, who represented the company for many years. Before the U.A. office opens, however, arrangements must be made with the Dutch Motion Picture Federation, with whom negotiations are in progress. H. de Duyker has replaced Zomerplag in the Tokio post.

A new board of the federation has been established, including distributors and exhibitors. A. Hamburger, president of the federation, and C. S. Roem, vice-president, represent the managing board of the general federation, and A. de Hoop is secretary.

J. Kroonenberg, one of the veterans of the business in Holland, and manager of Universal's agency here, has celebrated his 25th year in the industry.

The biggest hit of recent months in Amsterdam has been "Boys Town." In its ninth week at the Corso Theatre, six-year exhibition fight in the town of Tegelen has ended. Six years ago the Scala was closed in protest when the municipality refused to permit children below the age of 18. Only now have negotiations been satisfactorily concluded between the Dutch M. P. Federation and town authorities, and the theatre reopened.

‘Honest Man’ With $23,300 Chicago Best

CHICAGO, March 23—"You Can Cheat an Honest Man" won the honors in the Loop with a $23,300 gross at the Palace. The State-Lake with "Off the Record," took a strong $13,500. " Wings of the Navy" at the Roosevelt drew $1,400.

"Pygmalion" in the fifth week at the Apollo pulled $7,900. The weather was cold most of the week.

Estimated takings for the week ending March 15-18

"Pygmalion" (M-G-M)

APOLLO—(1,400) (3c-5c-7c) 7 days, $7,900. (Average, $1,128)

"Yes, My Darling Daughter" (W. B.)

CHICAGO—(4,000) (3c-5c-7c) 7 days, $27,600. (Average, $3,943)

"Cafe Society" (Para.)

GARRETT—(2,000) (2c-6c-8c) 6 days, $5,000. (Average, $833)

"I Am a Convict" (W. B.)

LAFAYETTE—(2,000) (3c-5c-8c) 7 days, Gross: $23,100. (Average, $3,300)

" You Can’t Cheat an Honest Man" (Univ.)

PALACE—(2,000) (3c-5c-7c) 7 days, Gross: $21,200. (Average, $3,029)

"Wings of the Navy" (W. B.)

PLAZA—(1,500) (3c-5c-7c) 7 days, Gross: $11,000. (Average, $1,571)

"Off the Record" (W. B.)

STATE—(2,500) (2c-6c-8c) 7 days, Gross: $13,500. (Average, $1,929)

"The Gun Has Ceased Firing. The Alamo Has Fallen!"

AMERICA—FIRST, LAST, ALWAYS!

MAN OF CONQUEST.

RICHARD DIX as Sam Houston • Gail Patrick as Margaret Lea • Edward Ellis as Andrew Jackson

Joan Fontaine as Eliza Allen • A Republic Picture
Here's to

...THE PROFITS
THAT BLOOM IN THE SPRING
TRA-LA!

Bing, excitement-bound . . .
on gusts of melody . . . He
has Joan...And Mischa has
a hot baby on his hands!

MEET SANDY!

~LAUGH ACTION~

East Side

Directed by David Butler

Original story by David
Butler & Herbert Polk
Screenplay by
William Conselman
Bing cuts himself a new slice of niche in the country's heart!

BING CROSBY
JOAN BLONDELL
MISCHA AUER
IN THE NEW UNIVERSAL'S

of Heaven
NATIONAL RELEASE APRIL 7TH!

with
IRENE HERVEY
C. AUBREY SMITH • JEROME COWAN • "SANDY"
MATTY MALNECK AND HIS ORCHESTRA

The whole country will soon be singing, humming, crooning...
"That Sly Old Gentleman from Featherbed Lane!"
... and "East Side of Heaven!"
**'Each Other'**

**Hits $10,200, San Francisco**

San Francisco, March 23.—"Made for Each Other" took a strong $10,200 at the United Artists, Wife, Husband and Friend," paired with "Persons in Hiding," drew well at the Fox with $16,000.

"Pygmalion" ended four weeks at the St. Francis with a good $6,700.

"You Can't Cheat an Honorable Man" and "My Son Is a Criminal" ended three weeks at Orpheum with $7,600.

Estimated takings for the week ending March 14-17:

- "The Flying Irishman" (RKO) GOLDEN GATE—$2,850 (35c-40c-55c) 7 days. Stage: Vaudville, Gross: $13,500. (Average, $1,928.50)
- "Made for Each Other" (U. A.) UNITED ARTISTS—$1,900 (35c-40c-55c-75c) 7 days. Gross: $40,200. (Average, $5,714.29)
- "You Can't Cheat an Honorable Man" (Univ.) "My Son Is a Criminal" (Col.) ORPHEUM—$4,400 (35c-40c-55c-75c) 7 days, 3rd week. Gross: $67,000. (Average, $9,571.43)
- "Let Fashion Fly" (Fox) "In Country" (RKO) UNION STAGE—$8,000 (35c-40c-55c-75c) 7 days, 2nd week. Gross: $9,800. (Average, $1,392.86)
- "Pygmalion" (M-G-M) ST. FRANCIS—$1,600 (35c-40c-55c-75c) 7 days, 6th week. Gross: $14,600. (Average, $2,085.71)
- "Ice Follies" (1939) (M-G-M) "Secret Service of the Air" (W. B.) GARFIELD—$2,000 (35c-40c-55c-75c) 7 days. Gross: $11,000. (Average, $1,571.43)
- "The Senator from 30th Street" (20th-Fox) "Passage" (RKO) "Two Hearts in Waltz Time" (Zuckier) "Larkin"—$3,900 (35c-40c-55c-75c) 4th week. Gross: $780. (Average, $195)

**Personnel Moves**

**NAME MILLS MANAGER**

Toronto, March 23.—Lloyd C. Mills, manager of the accession department of the United Artists, has been appointed manager of the Elgin, Ottawa, succeeding J. J. Paul, who has gone to the Royal, Welland, Ont.

**QUITS HANSON POST**

Toronto, March 23.—George F. Law has resigned as chief booker for Hanson Theatres Corp., operating a group of theatres in Ontario.

**“U” SHIFTS SHERMAN**

Indianapolis, March 23.—William Sherman, formerly of New York, is now office manager and head booker of Universal here. P. J. Fortune, former manager, is on the sales staff now.

**ROHADES IS BOOKER**

Oklahoma City, March 23.—H. J. Rhoades, manager of the accession department of the Republic exchange here, has resigned to become booker for Southwestern Theatres, Inc.

**MANAGERS SHIFTED**

Chippewa Falls, Wis., March 23.—Alfred L. Balow has been named manager of the Minor Amusement company’s Falls and Rivoli here, succeeding Fred Minor, who has been transferred to the circuit’s home office in Racine Lake, Wis.

**SHARPTON IN SEATTLE**

Seattle, March 23.—William S. Sharpton, former manager of Warner exchange in Minneapolis, has taken over management of the local branch.

**ADD TO BOOKER DUTIES**

Chicago, March 23.—Al Raymer is now booker of features and shorts for the Indiana. Following the transfer of Mel Bleden, former and shorts booker, to manage the Capitol in Hammond, Ind.

**Pan American Plans 3**

Mexico City, March 23.—Pan American Films, with headquarters here, headed by American-born Pan American Films, with headquarters here, headed by Miss Joan Pita is president, will produce three features in Spanish, for release in the fall.

**Hollywood Preview**

**On Trial** (Warner)

Hollywood, March 23.—Melodrama, as it always was, again is the substance of this version of Elmer Rice’s play, "On Trial." Only a few changes have been made in story structure. The story is recounted intelligently and with conviction. The performances of John Litell, Margaret Lindsay, Janet Chapman, Edward Norris and Larry Williams are commendable.

Repetition of the often told story is hardly necessary here. It may be said, however, that use of the indirect technique, in which occurrences are acted instead of described, makes for better understanding. John Litell, on trial for murder, refuses to cooperate with his counsel, Norris, or make any effort to defend himself. With the prosecutor tearing the suspect limb from limb, Norris pulls a surprise by calling Litell’s daughter, Miss Chapman, and wife, Miss Lindsay, to testify. The child’s evidence, later substantiated by her mother, abounds Litell and tramps the real thief and killer, Williams.

Don Ryan’s screenplay preserves the melodramatic content of the original, further stressed by Terry Morse’s direction.

**Run time, 65 minutes. G**

*G* denotes general classification.

**Out Hollywood Way**

**Love Affair** At $29,000 in 2 L. A. Spots

Los Angeles, March 23.—"Love Affair," paired with "The Last Warn- ning" cleared a sensational $29,000 in two houses, $13,200 at the Hillstreet and $16,000 at the Fox.

"Pygmalion" garnered $5,700 in two weeks at the 4 Star, and "The Adventures of Jane Arden" grossed $13,500 at the Warner and $15,000 at the Million Dollar.

Estimated taking for the week ending March 22:

- "Wife, Husband and Friend" (20th-Fox) "Arizona Wildcats" (20th-Fox) CHINESE—$2,900 (35c-75c) 7 days. Gross: $19,000. (Average, $2,714.29)
- "Pygmalion" (M-G-M) GATE—$3,500 (35c-40c-55c) 10 days. Gross: $30,000. (Average, $3,000)
- "Love Affair" (RKO) "The Last Warnning" (Univ.) HILLSTREET—$3,700 (35c-65c) 7 days. Gross: $22,400. (Average, $3,192.86)
- "Wife, Husband and Friend" (20th-Fox) LOEW’S STATE—$2,500 (35c-75c) 7 days. Gross: $24,000. (Average, $3,428.57)
- "Love Affair" (RKO) ALICE TOWNE CORNER—$2,000 (35c-75c) 7 days. Gross: $21,000. (Average, $3,000)
- "Never Say Die" (Para.) PARAMOUNT—$3,150 (35c-65c-75c) 7 days. Gross: $21,900. (Average, $3,128.57)
- "The Adventures of Jane Arden" (W. B.) "Shocking You" (Univ.) PARIS—$2,100 (35c-65c-75c) 7 days. Gross: $13,500. (Average, $1,928.57)
- "The Adventures of Jane Arden" (W. B.) WARNER BROS. (DOWNTOWN) — $2,500 (35c-65c) 7 days. Gross: $15,000. (Average, $2,142.86)

**Pygmalion’s** Draws $5,500 in Oklahoma

Oklahoma City, March 23.—"Pygmalion" at the Midwest led the way with $5,500 in a week of fair weather. "The Oklahoma Kid" took $1,800 in the second week at the Palace, and "Countess of Monte Cristo" and "Cheat an Honest Man" drew $1,300 at the Plaza in the second week.

Estimated takings for the week ending March 16:

- "Hoomolo" (M-G-M) CRITERION—(1,500) (25c-35c-40c) 7 days. Gross: $1,500. (Average, $214.29)
- "The Great Man Votes" (RKO) "Love Affair" (RKO) RADIUS—(1,200) (25c-35c-40c) 3 days. Gross: $900. (Average, $300)
- "Torchy Blane in Chinatown" (W. B.) "Pardon Me, Mr. Roberts" (Univ.) "Love Affair" (RKO) LIBERTY—(1,200) (25c-35c-40c) 4 days. Gross: $1,800. (Average, $450)
- "Pygmalion" (M-G-M) MIDWEST—(1,500) (25c-35c-40c-55c) 7 days. Gross: $5,350. (Average, $764.29)
- "You Can’t Cheat an Honest Man" (Univ.) "The Adventures of Jane Arden" (W. B.) "The Adventures of Jane Arden" (W. B.) WARNER BROS. (DOWNTOWN) — $2,100 (35c-65c-75c) 7 days. Gross: $15,000. (Average, $2,142.86)

**Pass Bill in Kansas To End Tax Tokens**

Topeka, Kan., March 23.—State Senate has passed a bill doing away with sales tax tokens, effective July 1. The Governor is expected to sign the bill. Collection of the two per cent sales tax will be by pennies in a bracket system, yet to be worked out by the legislature.

**Plans Open Air House**

New Haven, March 23.—Middle- town is to have an open air theatre, which is expected to be in operation about June 1. Joseph Adorn, owner of Middle town’s three downtown houses, is the builder.

**New Oklahoma House**

Durant, Okla., March 23.—Ship- manship is the keynote on the location of the old Metro, formerly operated by Robb & Rowley, which now operates two other houses in Durant.
THREE NEW STARS

EASTMAN'S new motion picture negative films ... general-purpose Plus-X, high-speed Super-XX, ultra-fine-grain Background-X ... add highly dependable performance to extraordinary special abilities. Their instant acceptance and constantly wider use by the industry mark them as today's outstanding raw-film stars.

Eastman Kodak Company, Rochester, N.Y.
(J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN Plus-X...
Super-XX... Background-X
Metro Reel Release Refused in Holland

Amsterdam, March 23—Refused to Release News of The Day, the Central News Agency has been rejected by the Dutch Motion Picture Federation, because there are already five movies distributed in this country.

They are Paramount News, Metro, Technicolor, Polyphon and Profilc, and a French reel, Eclair-News.

Metro will be the next

Institutional Beer Program Will Be Permitted by CBC

Montreal, March 23—CBW Broadcasting, the organization of the Canadian Broadcasting Corporation, disclosed that CBC will permit "strictly institutional programs" sponsored by brewers in Quebec.

Although the ban on beer advertising will go into effect planned on April 1, CBC temperature for sponsors to continue broadcasts under rigid regulations. Two advertising announcements per program will be made and these must be to naming the sponsor. Continuities must also be submitted to CBC for approval.

"Institutional programs will be allowed, one CBC governor stated, to avoid the necessity of calling on the Federal Department of Justice to rule on the corporation jurisdiction in this matter, and also as a temporary measure of peace pressure on the federal government.

This decision is the result of a three-day session here in which the CBC governors met delegates from the various Canadian radio stations and advertising agencies.

The demand by independents for the right to present beer commercial experiment with television and facsimile broadcasting met with refusal as the corporation. The CBC was presented recently to the House of Commons Radio Committee at Ottawa, in which these matters were discussed entirely under the wing of Government radio.

The CBC is seeking to influence the operations and policies of independent stations in the same measure that the high court held that conspiracy entered into the Interstate Circuit contracts which affiliated the board's scales and program policies of independent stations in the Dallas territory.

Meanwhile, attorneys for major companies are continuing their efforts to find a means for peaceful settlement of the I.A.T.S.E.'s demands.

Further meetings between the company attorneys and I.A.T.S.E. officials are scheduled for early next week. If the negotiations fail the I. A. S. has been authorized by Local 306 members to call a strike.

Asnier Will Confer On French Measure

Robert Asnier, head of Heraut Film Corp., French producer who plans a series of American features, will confer with Premier Daladier of France on the proposed film regulation bill sponsored by Minister of Education Zay, according to Asnier's New York office.

Asnier will conference in Paris last Saturday, to return here April 5. It is indicated that he will submit suggestions for amendments and modifications of the drastic terms of the Zay measure.

Radio Personalities

JANE PICKENS has a signed under the joint management of Motion, Corp., of America and Sam Lyons... Fred Webster, Mutual general manager, off to Cincinnati... Ted Edns, national sales representative, from WKY to WNMI. Fred and Edns have been transferred to the New York office... WMX is en route to New York on a business trip... Hal Kemp and his crew will carry CBS and Mutual wires from the Waldorf when they open there March 29. That night, incidentally, is Kemp's birthday.

N.A.B. Committee Writing New Code

National Association of Broadcasters committee on code practices met yesterday at the opening of a three-day session to rewrite the association's standards on program code and practices, for presentation and ratification at the annual A.B.D. convention this summer. Last N.A.B. code was written in 1938.

The committee yesterday drew up a preliminary drafts covering the sort of standards on children's programs, for local stations, policies and practices on news and gossip columnists on the air, with particular stress on the latter as it applies to Hollywood commentators. The committee also were to be devoted to discussions on the same subjects, with a possibility that a tentative statement covering the recommendations made at the meetings will be issued at the conclusion of the discussions.

Attending the meeting are Neville Miller, N.A.B. president; Ed Kirby, N.A.B. executive secretary; President E. Rosenbaum, Edward Bill, Paul Mcerves, Herbert Hollister, Karl Wyler and Earle Glad. At yesterday's meeting also were in attendance, of NBC, Edward Klaber of CBS and Ted Stierbe of Mutual.

Jules Levy Starts West

Jules Levy, RKO Radio general sales manager, left for Hollywood yesterday to confer with studio officials on forthcoming product. Levy will stop over in Chicago en route and will make other key city stops on the return trip in connection with the current company's George Schaefer sales drive.

Radio on 'Pacific' Train

The F. C. C. has issued permission for the installation of a short-wave transmitter aboard train which Cecil B. DeMille will tour the country on his "The Face of the Pacific." More than 30 cities will be visited. Broadcasts will be made from the train as it approaches each city. A Washington office is being set up and rebroadcasting the programs.

Merle Oberon on Air

Merle Oberon will fly east next week to preview scenes from her new picture, "Wuthering Heights," on the Kate Smith show March 30.
MOTION PICTURE DAILY

NEW YORK, WEDNESDAY, MARCH 1, 1939

TEN CENTS

First in Film and Radio News. Brief, Accurate and Impartial

DIRECTORS AND PRODUCERS SET TO SIGN PACT

Adoption Seen This Week, Ending 2-Year Fight

HOLLYWOOD, Feb. 28—Indications are that a contract with producers for directors' assistants and unit managers will be signed this week by Frank Capra, president of the directors' guild, W. S. Van Dyke and Howard Hawks are scheduled to meet with a producers' committee made up of E. J. Mannix, Y. Frank Freeman and Pandro S. Berman in a conference predicated on the recognition of the S. D. G. as bargaining agency.

At a meeting last night the board of directors of S. D. G. completed plans for the final negotiations looking toward the adoption of the pact. Only one item remains to be settled, that of wages and hours for assistant directors and unit managers.

Signing of the pact will end almost two years of negotiations. The directors and producers have been engaged in a protracted battle over the terms of the new contract, which is expected to take effect on March 1.

(Continued on page 3)

STOCKHOLDER FILES ACTION AGAINST LOEW

Conspiracy in Forming 20th Century Charged

WILMINGTON, Del., Feb. 28.—Bill of complaint in a stockholder's suit brought by Arnold Hermann, Loew stockholder, was filed in Chancery Court today. The action charges conspiracy and fraud on the part of Loew's management and directors in the formation of 20th Century Pictures, Inc. (now 20th Century-Fox Corp.) and Selznick International, Inc.


(Continued on page 3)

EARNINGS OF LOEW AHEAD OF LAST YEAR

Earnings of Loew's, Inc., are running better than last year, it was stated by J. Robert Rubin, vice-president, after the annual stockholders' meeting at the office building yesterday.

For the 28 weeks ending March 17, 1938, Loew's reported a net of $2,487,635, equal to $47.75 on the preferred and $3.75 on the common before provision for surplus.

In the first quarter of 1938-39, the company earned $500,000 to reserve out of earnings. It is understood that an additional $500,000 will be taken out for the current quarter.

Distribution of the common stock is due at a directors' meeting today, when Nicholas M. Schenck, president, and all other officers are scheduled for reelection.

The stockholders' meeting was attended by about 60, including some new subscribers.

(Continued on page 3)

Near End in Probe of Fox West Coast

LOS ANGELES, Feb. 28.—A two-year investigation of an alleged monopoly of film product by Fox West Coast in this territory will be concluded within two weeks, according to Harold Collins, special U. S. assistant attorney general, who with Albert J. Law has been conducting the intensive probe of the circuit's activities since the issuance of a consent decree eight years ago.

Collins said that the finishing touches are now being put on the report of the investigation's results, which included a study of the records of all major film exchanges here. The report will be sent to Washington in two weeks, Collins said.

The recent illness of Law delayed the wind-up of the probe for several weeks.

JUSTICE DEPARTMENT CONSIDERING NEW SUITS AGAINST FILM INDUSTRY

Washington, Feb. 28.—Department of Justice officials said today they are considering bringing new suits against the film industry. No decision as to whether or not actions will definitely be filed has been reached yet, however.

It was revealed that the department has received “a good many” complaints concerning exhibition practices and that the desirability of initiating new court cases has been under consideration for some time. If the department decides to move forward against the industry, it was indicated that at least two and possibly more suits will be instituted.

Repeal of the North Dakota affiliated theatre divorce law and other recent occurrences within the film industry are understood to have strengthened the department's determination to intensify its campaign against the major film companies.

(Continued on page 3)

NORTH DAKOTA ANTI-ASCAP BILL RECOMMENDED

BISMARCK, Feb. 28.—North Dakota's anti-Ascap measure was recommended for passage by the Judiciary Committee of the House here today. The bill has already been adopted by the Senate.

Principal provisions of the measure include a three per cent tax on gross earnings of music licensing organizations operating within the state and the requirement that such organizations maintain a list of their copyright holders in North Dakota.

(Continued on page 3)

20TH-FOX DECIDES TO REJOIN BRITISH KRS

LONDON, Feb. 28—Francis L. Parker, managing director for 20th Century-Fox in England, disclosed here today that his company has rejoined the Kinematograph Renters' Society, organization of British distributors.

The withdrawal of the American company last spring from the British distributing organization centered about the controversy over grading of films in “A” and “B” classifications by the K.R.S.

(Continued on page 3)

DRAMA GUILD PACT REVISION STUDIED

J. Robert Rubin, vice-president of Loew's, will begin consideration today of proposed modification of the basic agreement between legitimate stage producers and the Dramatists Guild. The draft, which was prepared by Sidney R. Fleischer, attorney for the guild, has been considered by other representatives of film companies and an early conference of all parties is expected before Rubin completes his study.

If agreement is reached, Hollywood financing is expected to re-enter the Broadway legitimate stage scene.

(Continued on page 3)

To Air Views on Film Censorship

Film censorship and its effects on the motion picture art will be discussed by Harry Dror, in the interest of the I.T.O.A.; Chester M. Bahn of Film Daily, Peter Harrison, publisher of Harrison's Reports; and Terry Ramsaye, editor of Motion Picture Herald, on Martin Starr's motion picture forum program over WMCA this afternoon at 4 P. M.

(Continued on page 3)
Para. Considering Television Trailers

To Advertise Films

Paramount is considering plans for the production of television trailers for the exploitation of its product by means of television, according to a statement issued yesterday by Neil A. New, vice-president in charge of distribution.

Utilizing the scpi tinh film which Paramount has available, it is believed that the trailers are better adapted to television purposes than the standard black and white, the trailers are standardized for the entertainment vehicles as well as sales media, it was said. They would be of greater length than the usual theatre trailers, it is planned. First experiments with the trailers may be within the next few weeks on the Allen DuMont Television Chain. No adaptation was made to the trailers to see whether or not a semi-entertainment trailer would be approved for television broadcasting under existing restrictions.

At the present time there are 19 transmitters licensed throughout the country, and it is believed that the addition of such as Purdue and the University of Iowa. Current estimates place the number of home television sets in use in this country at less than 2,000. RCA, Philco and Zenith, however, plan to put moderately priced sets on the market this spring, which may give considerable impetus to sales of home sets during the months following.

Bill Exempts Theatres

Albany, Feb. 28—Assemblyman Louis Bennett today amended his chain store bill in the New York legislature to exempt theatres specifically by cutting that yord from the definition. Bennett indicated to Morton Picture Daily some time ago that he intended to exempt theatres.

YOU CAN BE IN LOS ANGELES TOMORROW MORNING VIA FLUSHING SKYSLINGER

By the only Southern Route—nature favored. No change of planes. Delicious, complimentary meals. Fare: $49.95; 10% saving on round trips.

The MERCURY

The SOUTHERNER

Leaves...

11:10 a.m. L. v. 10:10 a.m. P.

For Reservations Call your Local American Airlines Office or 222-2220.

AMERICAN AIRLINES

THE AMERICAN STANDARD OF SERVICE

The Newsreel Parade

Sin-o-tap conflict again shown in the newsreels. An Army equipment demonstration, Secretary Morgenthau discussing the New Deal, and the A-A.U. track meet in New York are included. The reels and their contents:


Monogram Meet in New Orleans in May

Monogram will hold its sales meet- ing in New Orleans during the first 10 days in May. Plans have been made for the production schedule for 1939-40 season will not be completed until then. Present plans are to produce both feature pictures and revues.

Monogram will not go into E-E production next season, Scott Rev- iewer, president and general manager of production, declared. Dunlap and W. Ray Johnston, president, may go ahead in that field, but there is not yet a decision on the management setup for the production of quota films.

"Murder in the Big House," from an original by Father Patrick O'Neill, will be the next big production by Monogram. It will start shooting April 29. Dunlap, who came to New York Monday with Tren Carr, member of the board, for the stockholder- meeting today, will leave Friday with Carr to see the new film.

Today's meeting will consider raising the number of members of the board and permit the inclusion of Leon Frank, treasurer, and Norton V. Ritchie, foreign sales manager for the agreements for Johnston and Dunlap, election of a new board, and change of the fiscal year to end in June instead of December will also be voted upon.

Jack Warner, Wallis To Attend Sales Meet

Jack L. Warner, vice-president of Warners in charge of production, and Hal B. Wallis, production executive, will attend the nation's largest of sales convention here March 13 and 14. Warner arrived Monday from the coast, where Wallis is due soon. Harry M. Warner, president, has decided not to come east.

Warner Bros. is about to close and the convention Jack Warner will sit in on conferences on new season plans with Gladwell L. Sears, sales chief; Carl Leserman, Charles E. Einfeld and Mort Blumenstock.

Alston Quits Randforce

Samuel Alster, manager of the Randforce Cinema, Brooklyn, has re- signed, effective March 2.

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Departments-

**Dallas Decision Is Trade Pact Factor**

(Continued from page 1)

for the coast tomorrow, and S. R. Kent, 20th Century-Fox president, will leave at the end of the week. It is presumed that the program will be in substantial, if not completed form, then.

A delay occurred originally when Myers was invited to submit suggestions. Three weeks elapsed between Allied's board meeting in Washington in January and the distributor committee's receipt of his version of a clearinghouse.

Since then the distributors' committee has been attempting to devise specific arbitration rules which would speed clearance, overbuying and other phases.

While the Supreme Court decision in the Texas case did not deal with clearance, the inference is that the courts are taking jurisdiction on the question. However, since clearance was not an issue in the case, the question will not have judicial determination until brought before the court squarely.

**Earnings of Loew's Ahead of Last Year**

(Continued from page 1)

company executives, and routine business was transacted without a hitch. There were no questions from the floor and the reference to the recent stock split in the suit which resulted in favor of Loew's officials and directors.

Of 1,780,215 shares of common stock outstanding, 1,100,000 shares were represented, and almost the entire amount was voted to reelect the directors. Rubin president and Leopold Friedman, general attorney, served as secretary.

Harold J. Clary and Jay M. Eisenberg were elected inspectors of election for the ensuing year.

**Form Peck Television**

Albany, Feb. 28.— Incorporation of the Peck Television Corp. with authorized capitalization of $1,000,000 in 10,000 shares, has been authorized by Secretary of State Michael F. Walsh. Directors are William H. Peck, Herman Chaitin and Florence Weiss.

**Mexico Approves Pact**

Mexico City, Feb. 28.—The Mexican Congress has approved the agreement for the granting of facilities for processing educational and space propaganda films made at the International peace consolidation convention at Buenos Aires in 1936.

**Bingo Profits**

Trenton, Feb. 28.—In 42 weeks Elks Lodge 21 in Plaistfield netted profits of $2,400 from Bingo games, run in cooperation with local theatres. The State Board of Tax Appeals has turned down the lodge's plea for the tax exemption because the games were for charity. The board ruled that profits from "regular and continued" Bingo games open to the public are taxable.

**Directors-Producer Pact Signing Is Set**

(Continued from page 1)

ators' guild has been waging a battle during this time for recognition as a bargaining agency.

Another significant meeting held last night was that of the board of the Screen Writers' Guild. Preparations were made for the opening next week of the hearing before the N.L.R.B. of the guild's charges of Wagner Act violations against the four major producers. S. W. G. already is certified by the N.L.R.B. as a collective bargaining agency. Negotiations for a new contract failed when producers would not re-negotiate the bargaining contract signed two years ago.

The contract is not recognized by the S. W. G. The guild holds that the contract was signed with the then Writers' guild, which it claims is a company union.

**Agency Plan Prepared**

At yesterday's meeting the S. W. G. put the final touches on the 19-point agency franchise plan. Later this week a guild committee headed by Kenneth Thomson will meet with representatives of the Artists' Managers Guild to thrash out one disputed point. The contested clause is one relating to the limitation to one year of talent managerial contracts, asked by the guild and inserted to prevent unlimited terms, which would be unfair to them as they would not have proper time to develop and realize on new personalities.

**TOA Meets Today On Anti-Censor Bill**

Harry Brandt has called a special luncheon meeting of the I. T. O. A. in the Astor today to frame a bill that would end the existence of New York's eighteen-year-old censor board. The contest said he knows at least thirty State Senators who would be willing to introduce the bill in the Legislature.

**Frank Boucher Quits**

Baltimore, Feb. 28.—Frank Boucher, vice-president and general manager of the new Linden here, has resigned, effective March 1. Boucher will take a short vacation and may join the Schine organization.

**Lombard, Stewart Set**

Carole Lombard and James Stewart will co-star in "Tailored for Torn" for the Screen Guild show over CBS March 12. Edward Everett Horton and Spring Byington also will appear on the program.
5 BLUE RIBBONS
for M-G-M’s Production

"LET FREEDOM RING"
1 FOR NELSON EDDY!

His performance as "The Wasp" is the most exciting on the screen today!

2 FOR THE ALL-STAR CAST!

Imagine these great personalities in one picture: NELSON EDDY, VIRGINIA BRUCE, VICTOR McLAGLEN, LIONEL BARRYMORE, EDWARD ARNOLD, Guy Kibbee, Charles Butterworth.

3 FOR THE GREAT STORY!

It is the most rousing patriotic musical romance that ever set your pulse beating. The original story and screen play is by Ben Hecht. (He gave you "Viva Villa"!) Directed by JACK CONWAY. Harry Rapf, producer.

4 FOR THE MUSICAL THRILLS!

Crammed with soul-stirring fervor is its music. Never such a wealth of love songs, of patriotic songs as Nelson Eddy pours from his singing heart!

5 FOR THE BIG PRODUCTION!

M-G-M has again given the screen a mighty entertainment. One after another they come, the Big Attractions of the screen, winning the public anew for the hits of the Friendly Company!
Bill Would Permit Iowa Chance Games

Des Moines, Feb. 28.—A bill to legalize Bank Night and at the same time obtain revenue for old-age pension has been introduced to the Iowa legislature by Rep. William N. Judd, Clinton Republican. Under the provisions of Judd’s measure, a tax of 10 cents would be levied on each ticket sold by any theatre or other place of amusement offering any gift or prize. Proceeds from this tax would be paid into the old-age pension fund. Judd estimated that $3,000,000 annually would be realized from this source.

Settlement of Para. Claim Is Approved

Federal Judge Alfred C. Coope yesterday approved an agreement under which Paramount-Pathé Corp. settled two claims totaling $1,388,368, filed against it by the City Bank Farmers Trust Co., under assignment from the Prudence Co., Inc., for $500,000. The deal provided for payment of the claims by participation of the City Bank in the $250,000,000 Paramount bond issue, through issuance by Paramount to it of $250,000 in 20-year six per cent sinking fund debentures, and 2,536 shares of cumulative perpetual six per cent first preferred stock of $100 par each.

Agreement was made by Paramount on Jan. 9, 1939, with Hwaathwa Co., St. Petersburg Enterprises, Inc., Associated Amusements, Inc., a subsidiary of Paramount, and Prudence Bonds Corp., and covers the settlement of the claim which arose from leases held by Paramount on theatres in Jacksonville and St. Petersburg, Fla. Settlement of the claims previously had been approved after hearings by Referee John E. Joyce, and Judge Coope’s order confirms Referee Joyce’s decision.

British Preparing World’s Fair Film

London, Feb. 28.—Colonial Empire Marketing Board and the Colonial Office are backing a film to be made by Strand Films to be shown at the New York World’s Fair. The film will publicize British Government administration in such outposts as Malaya, the West Indies, Ceylon, Kenya, Tanganyika and Uganda. Alexander Shaw is directing.

Feiber & Shea Men Shifted by Grainger

E. C. Grainger, general manager of Feiber & Shea, has returned from a two-week trip to the field, where he inspected several management changes. Joe Shragin, with the Shea circuit 25 years, has resigned as city manager to Youngstown to go into exhibition for himself. He was in charge of two theatres in a pool with a Warthe in New Philadelphia.

Shragin has taken over the Foster in Youngstown, O., which he will operate independently. Hyne, the manager in Bradford, Pa., succeeds him.

Other shifts are: Forney Bowers, from Marietta, O., to Bradford, Pa., where he will supervise the Shea, Grand and Lyceum; Duke Prince, Orpheum, McKees Rocks, Pa., to Ohio and Strand, Marietta; Vincent Choate, from Shea’s Paramount, Newport, Ky., to the Orpheum, McKees Rocks; Al Foley, assistant manager in Ashbula, O., to Newport in two weeks; Dan Gilhula, state and Coast Cambridge, to Paramount and Strand, Fremont, O., and W. O. James, Fremont to Cambridge.

Ohio Town Prohibits Insurance on Games

Zanesville, O., Feb. 28.—Theatre Bank Night insurance is illegal here under a new city ordinance designed to eliminate the sale of “protection” on such winnings. Meanwhile has passed an ordinance taxing the Bank Night proceeds of local theatres.

British Benevolent Fund Faces Deficit

London, Feb. 28.—Cinematograph Benevolent Fund last year expended more than $75,000 a year. A garden party has been arranged for June 10 to raise funds for “Glebelands.”

Take “Flower” Rights

Sunray Films have sold New York territorial rights on the English talking version of “The Little Flower,” to Principal Film Exchange. William Grande of Pittsburgh has acquired distribution rights for western Pennsylvania, where it has already been booked by the Warner, Notopolis and Mamsis circuits.

Build Theatre for Refugee Children

London, Feb. 28.—A special film theatre for the use of European refugee children is to be built and equipped by Odcon at Richmond, Kent.

CEA Seeking Cuts In Admission Tax

London, Feb. 28.—A new effort to obtain a reduction in the entertainment tax is being made by the Cinematograph Exhibitors’ Association, which seeks a reduction of the levy on seats costing up to nine pence, to a halfpenny.

A written appeal has been submitted to Sir John Simon, Chancellor of the Exchequer, reminding him of his promise last year that the entertainment tax would be the subject of a full review now that the country has seen into the introduction of this year’s budget.

No Parliamentary campaign will be launched. The potential benefit to employment will be cited in favor of the reduction.

Col. District Heads Meet Here Tomorrow

Columbia’s district managers will hold a two-day meeting with home office officials here beginning tomorrow. Forthcoming product will be discussed and a general sales manager, presiding at the sessions.

All Columbia district managers will attend. They are Sam Galante, mid-east; Carl Yell, Canada; Jerome Safron, western; Sam Mosco, southern; Phil Dunas, mid-western, and Nat Colma, New York division manager.

In addition, Harry Weiner, Philadelphia branch manager, and Harry Rogovin, Boston branch manager, will attend.

From the home office, in addition to Monagle, will be Rube Jacker, Louis Aus, Leo Weihe, Abe Lampl, Leo Jaffe, Maurice Grad and George Josephs.

Cooper Will Conduct Acme Ticket Hearing

Morris Cooper, jr., attorney, has been designated by N.Y. Supreme Court Justice Samuel Holstender to conduct hearings on the suit of Michael Atlas and Walter Friedman, defendants. The suit, a federal action, was filed against the League of N.Y. Theatres, Inc., and Actors’ Equity Association. The defendants seek an injunction to restrain enforcement of the code for the sale of theatre tickets on the ground of alleged conspiracy to create a monopoly. Hearings will start in the near future.

Early Trial Ordered

N. Y. Supreme Court Justice Aron Steuer ordered early trial of the suit of Jewish Court of Arbitration, Inc., against Allied Radio Service, Inc., Voight, Brooklyn, N.Y., also called WLTW. Radio Theatre, and Sammeel J. Gellard, and set aside a preliminary injunction ordering the defendants to cease. Steuer is asking for an injunction to restrain alleged wrongful use by the defendant of the radio title “Jewish Court of Arbitration” in broadcasts.

Quot U. S. Unaffected

By U. S. Trade Pact

Losanges, Feb. 28.—Oliver Stanley, president of the British Board of Trade, declared today in the House of Commons that introducing a subsidy, either national or municipal, to the Anglo-American trade pact.

The trade agreement between the United Kingdom and the United States was renewed recently, and at the time there was some speculation as to its affected on the Films Act, with its quota provision relative to American films. Apparently, the Films Act was not referred to in the drafting of the trade agreement.

Branson, Gittleson Back from RKO Trip

Warren Branson, captain of the RKO George Schaefer sales drive, and Harry Gittleson, editor of the Gittleson, which is charged, was returned yesterday from a tour of exchanges which included 38 field units in the United States.

The two were away about one month, during which time Gittleson put out the house organ from the home office. Following conferences at the home office, Branson will start on a second tour of RKO branches on behalf of the drive.

Tippett's Are Denied Dismissal in ‘U’ Suit

Legal sufficiency of the suit of Universal Pictures Co., Inc., against John D. and Eugene T. Tippett for $370,000 alleged secret profits has been upheld by N.Y. Supreme Court Justice Samuel L. Rosenberg. He denied the request of the defendants to dismiss the complaint. Suit claims profits were made on contracts for the sale of film raw stock awarded to defendants by a syndicate. The defendants, former president of Universal, split commissions with the defendants.

Justices of the Appellate Division Sprague, that Universal did not have to allege that it paid $270,000 over and above the actual value of the film raw stock purchased.

Try Out Stage Ballet

Chicago, Feb. 28.—Chicago Theatre is trying a new stage show idea. Dropping the straight vaudeville policy momentarily the theatre is presenting the Littlefield Ballet as the sole stage attraction. Public reaction to this type of entertainment has been very good.

CEA Dinner March 14

London, Feb. 28.—Annual meeting and dinner of the Cinematograph Exhibitors’ Association take place March 1 at Grovesnor House. Sir John Anderson, Lord Privy Seal, will be guest of honor and principal speaker.

Two Companies Formed

Albany, Feb. 28.—New companies have been chartered in Albany Amuse- ment Corp., by Joseph G. Hall, Charles P. Liff and Shirley Scott, and Coventry Theatre, Inc., by Blanche Mahler, Vera Mergentime and Rose Ritter.
WMCA Issues New Discount Rate Card

A new rate card inaugurating discounts for volume time sales was issued by WMCA yesterday, effective March 1. The new card, conforming to the standard rate practices of major broadcasting stations, assigns WMCA's basic structure of $650 per hour.

Discounts, which are intended to encourage radio buying in greater volume, range from 25 per cent to 15 cent on weekly billings of $250 per week. Consecutive periods upward of one week will entitle additional discounts of from five to 10 per cent.

Dismiss Crummit Suit

Federal Judge Samuel Mandelbaum after trial has dismissed a $50,000 suit against Frank Crummit, radio singer, and Batten, Barton, Durstine & Osborn, brought by Adelina Francis Ryan. Plaintiff had contended that the words of the song, "The Gay Caballero" infringed upon her song, "Her Old Spanish Shawl."

Radio Personals

E. D. FISHERMAN, head of the orchestra department of the William Morris agency, has turned from Chicago. Orchestras just signed with the William Morris agency include such talents as Bob Grant, Finley and the group playing Waring's Pennsylvania Polka. 

Alien radio people in London have said that the Hufsmiths are in Miami to attend the funeral of Hufsmith's father.

FCC Calendar

WASHINGTON, Feb. 28.—Broadcasting license of KUMA, Yuma, Ariz., has been revoked by the Federal Communications Commission, effective April 1.

The commission's order of revocation explained that, among other reasons for its action, it appears that Albert H. Scherman, holder of the station's license, made false statements under oath in an application for renewal to show that he was in actual control and operation of the station, whereas in fact E. B. Sturdivant was, and at all times since Feb. 1, 1934, had been in actual control and operation.

New Hearings were set by the commission March 27, when testimony will be taken on the applications of the Spartanburg Advertising Co., for a 1,370-kilowatt station at Spartanburg, S.C., and Cabarrus Broadcasting Co., for a 1,370-kilowatt station at Concord, N.C., both with 100 watts night, 250 watts day, and WSOI, Iowa City, Iowa, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

A new station at Atlantic City was sought by the Neptune Broadcasting Corp., to operate on 1,500 kilowatts with 100 watts power by night, 250 watts day. A station at Fort Lauderdale, Fla., was proposed by Tom M. Bryan, to operate on 1,370 kilowatts with 100 watts night, 250 watts day, and the Mollin Investment Co. proposed a station at Palm Springs, Calif., to operate day only on 1,370 kilowatts with 100 watts power.

The Commission has set hearings March 2 on applications of KROG, Rochester, Minn., for change of frequency from 1,310 to 920 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 1,000 watts day; South Dakota Broadcasting Co., for a 920-kilocycle station at St. Joseph, Minn., with 1,000 watts night, 5,000 watts day; J. Samuel Brody for a 1,310-kilocycle station at Sumner, S.C., with 100 watts night, 250 watts day, and WIS, Columbia, S. C., for a 10 to 100 watt satellite station at Sumner, S. C.

NBC Using Allen in Mid Discount Test

To test audience reaction to a big program at midnight, NBC for the next 10 weeks will air regular midnight repeat of the Federal The Town Hall Tonight program over WJZ. The series always has had a midnight repeat program, but for west coast listeners only.

If reaction is favorable, it is believed NBC will attempt to sell a prejem-seem-sounding program during the late evening and early morning hours. No charge is being made to Bristol-Myers, sponsors of the Allen program, for the free midnight airing.

New Serial Will Be Put on 10 Stations

OMAHA, Feb. 28.—"The Jangles," a serial sponsored by J. C. Penney Co. over WOW here, will be aired over 10 stations starting April 1. It has been announced that the roll-up in April will join famous Sunday evening serials over the NBC network.

Ornato to Produce 'Television Pictures'

Century Television Corp. has been formed here to produce motion pictures for television. Joseph Ornato heads the firm. The organization is to begin immediate production on a series of comedy shorts featuring children, with similar series planned for television transmission when television programs may be available to the public. Casting for the first production is to begin this week.

Buck Rogers' Return

"Buck Rogers," at one time heard as a live network serial, will return to the air in April as a transcribed series under the sponsorship of Joe Lowe Corp. The series will be written and directed by Jack Stone of the Bioway, and will be broadcast over WOR and about 50 other stations.

Blind Issue Radio Paper in Braille

Cincinnati, Feb. 28.—One of the most unique magazines in this section of the country is the Braille Radio News, published by the Gowenmok Home for the Blind at Mt. Healthy. Blind girls, transcribing from dictaphones, punch dots by machines into metal plates to form Braille characters. A girl with normal vision proofreads with a blind girl, and two blind girls proofread the entire Braille pages.

Permission is granted by leading radio publications to use program listings and other material.

NAB, Lang-Worth Set Deal on Music

WASHINGTON, Feb. 28.—The N. A. B. and Lang-Worth have agreed to joint forces in providing tax-free music for the broadcasting industry. Lang-Worth Features Programs, Inc., is to take over the N. A. B. Bureau of Copyrights contracts, calling for 100 recorded hours of tax-free music. Twenty hours already have been supplied, with the remaining 80 to be supplied from the Lang-Worth library at the bureau price of $10 an hour.

Lang-Worth then is to supply an additional 200 hours over a period of two years, to bring the total to 300 hours. The 200 new hours are to be sold at $30 an hour, plus increases resulting from a new A. F. of M. contract. It is understood that the price will be less than $15 an hour.

The additional 200 hours are to include a substantial percentage of new, original dance music with lyrics. Recording of new material will be under the supervision of an advisory committee of broadcasters. N. A. B. will work with Lang-Worth on the entire program.

Disney to Broadcast

Walt Disney will give a talk on "Stimulating the Child's Imagination" on a special NBC program saluting the opening of National Children's Week, over the Red network at 7:30 P. M., Monday, March 6.

Power Breaks Hit WABC

A break in the power circuit cut WABC off the air yesterday for 45 minutes during the afternoon, from 2 to 2:55 P.M.

Jack Stapp Quits NBC

Jack Stapp, assistant to production director John Carlyle at CBS, has resigned to become program director at WSM, NBC station in Nashville.
"THIS IS MURDER! CALL IN MR. WONG!"

In all Frisco . . . only one man had the cunning to pierce the web of intrigue that led to the lair of an invisible killer!

More tingling mystery thrills from the new Chinese detective sensation!

boris KARLOFF

"THE MYSTERY OF MR. WONG"

with GRANT WITHERS DOROTHY TREE CRAIG REYNOLDS

Directed by WILLIAM NIGH
Associate Producer WILLIAM LACKEY
Screenplay by Scott Darling • Based on the "James Lee Wong" series in Collier's Magazine written by Hugh Wiley

A MONOGRAM PICTURE
Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY
NEW YORK, THURSDAY, MARCH 2, 1939
TEN CENTS

Dissension in F.C.C. Ranks Flares Again

McNinch Voices Stinging Attack on Craven

WASHINGTON, March 1.—Long smoldering dissension in the Federal Communications Commission burst into flame today with a stinging attack on Commissioner T. A. M. Craven by J. McNinch, prompted by the newspaper display given Craven’s minority report on complaint procedure, issued in connection with the commission’s decision Monday to abandon the policy of placing stations on a temporary basis when complaints were received.

Charging Craven with having indulged in a “stump speech and flag waving” in his report, in which he charged the company to avoid all implications of censorship, McNinch assailed him for having “by implication, attacked the very motives and the motives of the other six commissioners, to execute a grand stand of youth, of devotion to free speech and opposition to censorship.”

The chairman declared no important change is to be made in the procedure for handling complaints, only 10 per cent of which are worthy of consideration, and he pointed out that Craven, in the opening sentence in his report, expressed agreement in principle with the commission majority. In the only two cases in which the commission has been attacked on censorship ground—Mac West and “Beyond the Horizon”—Craven was a party to the commission’s actions, McNinch asserted.

500 at Joe Brandt Funeral Services

Funeral services for Joe Brandt, veteran industry figure for many years identified with Columbia Pictures, who died Feb. 22 on the coast at 56, were attended by 500 at the West End Funeral Chapel yesterday afternoon. Among the mourners were many who had been associated with Brandt in his 30 years in the industry.

Services were in charge of the Pacific Lodge of Masons, of which Brandt was a member, and were conducted by Paul Ullick and Pete Siebel, Jack Cohn, vice-president of Columbia, was marshal.

Rabbi Louis I. Newman of Rodef Shalom Temple, in his eulogy, spoke of Brandt’s activities in the industry in the pioneering days and referred to

I.T.O.A. Demands Censor Law Repeal

Repeal of the New York censor law is demanded in a resolution adopted at a meeting of the I.T.O.A. yesterday at the Astor. Milton C. Weisman, the organization’s counsel, was instructed to draft a bill for repeal which will be introduced in the legislature. The legislative committee consisting of Bernard B. chairman, George Rudnick and Roland Sanders, was authorized to enlist the support of all exhibitors in the state.

The resolution declares that censorship is not necessary, and that it is a moral and undue burden on exhibitors.

Figure Para.’s 38 Earnings At $4,096,000

Paramount’s earnings for 1938 were estimated by the company yesterday at $4,096,000. The figure compares with net profit of $6,670,103 for the preceding year. Estimated earnings for the final 1938 fiscal quarter were less than half the indicated net for the entire year. The estimate for the last quarter includes $34,000,000 representing net capital and non-recurring income, and $67,000 profit on purchase of Paramount debentures. However, it

New Dividend Puts Loew Total at $1.50

Regular quarterly dividend of 30 cents a share on the common stock was declared yesterday by directors of Loew’s, Inc., payable March 31 to stockholders of record March 14. This brings the current fiscal year’s dividends to $1.50, compared with $2 for the corresponding period year before.

The directors, rescued all officers, as follows: Nicholas M. Schenck, president; David Bernstein, vice-president and treasurer; Arthur M. Loew, first vice-president; J. Robert Rubin, Alexander Lichtman, Edgar J. Mamik, Sam Katz, Edward A. Schiller, vice-presidents; Leopold Friedman, secretary; Benjamin Thau, Isidore Frey, vice-secretaries; Jesse T. Mills, comptroller and assistant secretary; Charles C. Moskowitz, Charles K. Stern, Nicholas Nayfack, Lou Cohen, R. Lazarus, assistant treasurers.

U. S. SHARPENING INDUSTRY ATTACK

Weeks Is Named as Vice-President for Sales of Monogram

George W. Weeks was named vice-president in charge of the sales division of Monogram’s board of directors following the annual stockholders’ meeting at the company’s offices yesterday, Leo Friend, Carl E. Milliken, secretary of Ritchey, foreign sales manager, were added to the board which was increased from five to seven yesterday.

W. Ray Johnston was reelected president, Scott R. Dunlap, vice-president in charge of production, Edward A. Gold and George Moskowitz, vice-presidents, to the board which will consist of Johnston, Dunlap, Weeks, Friend, and Adolph, comptroller.

Fiscal year was altered to end June 30 instead of Dec. 31, and the date of the stockholders’ meeting was changed to the first Wednesday in October. The next report will be rendered for the six months ending June 30, 1939, and annually thereafter. In addition to Friend and Ritchey, the board will consist of Johnston, Dunlap.

‘Mamlock’ Is First Amkino to Get Seal

An Amkino film has been given a Production Code seal for the first time. “Professor Mamlock,” was screened for Hays office officials in the east recently, and the seal was issued after two minor deletions were made, one of a scene involving a girl and the other a brutal third degree scene. The film deals with Nazi persecutions.

Amkino had never applied for a code seal before. Its application in this instance was due to the fact that they are affiliated circuits that they cannot book the film without a seal.

In confirming that a seal had been issued, a present member of the M.P.P.D.A., said this indicated merely that “Professor Mamlock” is in accord with all the standards of the Production Code and that this has “nothing to do with approval or disapproval of the theme of the picture.” Amkino is negotiating for eight films from American major companies. The last purchase here was of Charlie Chaplin’s “City Lights” and “Modern Times,” in 1936.

To File Additional Suits For Local Violations Of Trust Laws

By BERTRAM F. LINZ
Washington, March 1.—New suits to be brought against major film companies by the Department of Justice will not interfere with the pending New York anti-trust suit or Secretary of Commerce’s “inoline” program for improved Government-business relations, it was said here today.

Department of Justice officials, while saying that it is not possible to say how many suits, will deal separately with the situation in particular territories and will involve alleged infringement of anti-trust statutes, each violation of which may be the subject of a separate prosecution.

Continue “Trust Busting”

The Administration’s new program of business encouragement will not go to the extent of condoning monopolistic practices or anti-trust violations, and no abandonment of its “trust busting” campaign and enactment of new monopoly statutes is being considered.

On the contrary, the anti-monopoly drive may be further intensified next summer when the Department of Justice gets the increased funds it is asking for its anti-trust division.

Administrative officials believe that recovery will be advanced more quickly

Neb. ‘Divorce’ Bill Dies in Committee

Lincoln, Neb., March 1.—Nebraska’s theatre divorce and film regulation bill was killed in legislative committee today.

Farley Young, deputy county attorney, attacked the proposals as inimical to the industry as a whole. He said it would put film distribution under supervision of the State Railway Commission and require each film exchange to pay $150 annually and $1 per reel, and that the costs of about $20,000 annually would be passed on to the exhibitors.

Affiliated theatre divorce bills are pending in Missouri and Kansas.

(Continued on page 11)

(Continued from page 10)
Insiders’ Outlook

EN route north via Eastern Air Lines plane, March 1.—With three railroad tickets in our pocket and reservations on two additional trains, we finally decide to return with Moe. There were a number of friends who were to have returned with us changed their minds so faithfully we finally found ourselves going back on our own. and by this time we had protected ourselves amply in order to make sure that we would get back north and not at the last two weeks. You can’t take anything for granted here, as we told you before.

Just as we think that we are all set, we learn from the E.A.L. officials that the chances for getting through to Newark are not good and that we might have to wait at Charlotte. What would happen from there nobody knows! But we take the plane anyway because we’re already turned in our railroad tickets. And we meet Ralph Rolan, of RKO, whom we are glad to see. It is a eventful trip.

It rains and rains all the way after we leave Jacksonville. Before this, at West Palm Beach the plane is held a few minutes for a woman passenger hurriedly to catch a boat in New York for Europe. The plane now is fully occupied. Near Jacksonville we experience only a few bumps and thunders. Whether it is warm or not it was 108 degrees in West Palm Beach.

The passengers are hungry before reaching Charleston as most of them didn’t have time for lunch. Fortunately, on the suggestion of the flight steward, none of us ate. Just about when we are thinking of eating the ship starts rocking on up-and-down air currents. By this time it is cold in the cabin. Some of us have our legs wrapped in blankets. The plane is doing acrobatics! We think the Flying Trapeze and the Three Marx Brothers are doing a joint act.

The rain is smashing against the window panes and on the roof of the plane. One passenger reports he remembers riding this way on a roller coaster as a child, but he is putting it mildly because at the very moment the plane shakes so strongly that we almost landed in the bookcases, pillows, hats and other pieces falling from the upper compartments of the plane. Everything we own is jampacked and the passengers goes topsy-turvy. The lunches that we were anticipating eating turned over too, and were almost lost.

Of course everybody came up smiling. A moment later we put our hands up to our face and neck and we feel a cold sweat and up and down our back. The plane makes Charleston on time. Here the ship is grounded until it is certain the weather ahead improves. This is where we eat, and we are glad that we can do so. All other planes that day has been cancelled and the only plane going through was the one going south to Miami, which took off just about the same time we left for Charleston.

We remain in Charleston about a half-hour before word is given that it is safe to go on to Richmond. There is only a 300-foot ceiling at Washington and Newark is zero—Zero! The plane is off to Richmond and gets there a half-hour late. Some of the passengers are wondering whether they’ll get home at all that night. If anybody is worried he doesn’t show it. Captain R. C. Young visits with the passengers and when we meet him we know if anybody will pull us through, he will! He has flown nearly 9,000 miles. The lunch is okay.

Ralph Rolan is disturbed because he wants a change of clothing and a few hours in the office before going on to Chicago for the RKO-Lasky-Wrigley radio-film screen test finals.

We learn now that we had a 29-mile tail wind from Charleston and that our plane is traveling at the rate of 204 miles an hour. That brings a smile to Rolan’s face. Just another day’s work. For tomorrow we are told we will get through to Washington, but it isn’t certain whether we could go beyond Washington. That tail wind helps us reach Washington only 15 minutes late, which gives us an idea of how fast we were traveling from Charleston. We are told we could have some lunch in Washington—that we would remain there for about 45 minutes or longer. While Rolan and we are having a glass of buttermilk at the Hot Shoppe, Carroll Hyde, the flight steward, comes in to tell us we can now go on to Newark.

The plane is delayed 45 minutes when we leave Washington for Newark and the weather is still windy. By this time we had 15 minutes of riding and we are sailing on the end of a 70-mile tail wind. The plane is traveling 240 miles an hour. The plane, under the command of Captain Young, sits down at Newark only 15 minutes later than scheduled time and probably breaking the passenger record from Washington to Newark, making that trip in 55 minutes.

We thank Captain Young for the wonderful ride, as we learn our ship was the only one to get through to the north this day. Swell piloting, we say!

And so we are here, and glad to be back!”

The exodus from Florida had begun the closest we left Miami Beach today.

Mr. and Mrs. Leo Spitz probably will be back in New York in about two weeks. Mr. and Mrs. Silas Judson, of major, and Mrs. Albert Warner and John Harris are staying on.

If we go to Florida again it seems to us we will go in March or early April. We know that this part of the country claim that is the best time to be down here. It costs less and the weather is good. Also, the chances of getting a real rest is better than in February when this area is jammed with people as in the peak month of February, or in January.

Florida is no place to keep pace with friends. Time is too short for that.

We are told the Florida season officially ends on Saturday. That’s the big racing day at Hialeah Park and apparently the season follows the Hialeah trend.

Oake’s Mother Dies

Hollywood, March 1.—Mrs. Evelyn Oakey, mother of Jack Oake, died last night while being taken to a hospital after having suffered a paralytic stroke.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

JAY BUXTAUM, chief editor: JAMES E. CLEMENT, managing editor: FRANK P. LAMBERT, assistant editor: WILLIAM H. COOK, assistant editor.

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Subscription rates per $6 in the Americas and $12 foreign. Single copies $10.
You don't need the United States Supreme Court to make a decision on This
WHEN OTHERS TA
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LET'S LOOK AT
# The Record of Warner Bros: Performance for 1938-39

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<td>They Made Me A Criminal</td>
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Blackwell's Island
Naughty But Nice
Hero for a Day
The Oklahoma Kid
You Can't Get Away With Murder
Wings of the Navy
Dodge City
Confessions of a Nazi Spy
Juarez
Each Dawn I Die
Yes, My Darling Daughter
Family Reunion
The Kid From Kokomo
Dark Victory
Hell's Kitchen
The Roaring Road
...SO YOU KNOW WHAT TO EXI
WARNERS ARE MAKING

36 OF THESE ARE CLASS ‘A’

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24 TOP-BRACKE
Two Outstanding Attr...
TECT WHEN YOU KNOW THAT
FOR 1939-1940

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OF THESE ARE CLASS ‘B’
DECISION:

“Warner Bros. are so far ahead it’s hard to tell who’s second!”
U. S. Is Sharpening Attack on Industry

(Continued from page 1)

by eliminating monopoly wherever and in whatever form it is found. They explain that the new policy of cooperation is aimed at removing tax barriers and other handicaps on legitimate industry.

It is held that there is room for both big and little business that giant price discriminations are made in favor of one upon the field of the independent with a view to stifling competition.

Los Angeles Suit Hinted

Department of Justice officials have declared that if any ground for a suit is found as a result of an investigation of alleged monopoly in the Los Angeles area, such action will be brought. The two-year probe is nearing completion and a report is to be sent to Washington in two weeks.

New York distributor comment is that the new suit pending here is in the nature of a test case and that the Government never gave any assurance that they would not bring other suits where an alleged wrong may be found.

The government’s suit against B. & K. and major companies in Chicago was brought considerably after the New York action. This is the only other antitrust suit pending against film interests.

500 at Joe Brandt

Funeral Services

(Continued from page 1)

his energy and that his associates called him “a human dynamo.” Rabbi Newman also spoke of Brandt’s love of his country, his loyalty to his religion, and his sense of humor.

Cantor Joseph E. Wolfe of Temple Israel, where Brandt was a member, and the Pacific Lodge quartered in the services. Burial was in the family mausoleum at Westminster Hill Cemetery at Mt. Hope.


SAG Agrees to Lend Music Guild $5,000

Screen Actors’ Guild has agreed to lend the American Guild of Musical Artists, $5,000 to aid the latter’s organizational campaign. Actors’ Equity has agreed that when the American Federation of Radio Artists starts to fight for recognition by A.G.M.A. at present, A.F.R.A. owes Equity and S.A.G. $18,000 each and $5,000 to A.G.M.A.

It is understood that A.G.M.A. will return the present loan to S.A.G. as soon as the money is received from A.F.R.A. in order that S.A.G. may be assured that the priority be granted. A.F.R.A. officials would not say when they would repay.

RKO’s ‘Abe Lincoln’ Deal Not Completed

Deal between RKO and Max Gordon, who purchased the film rights to “Abe Lincoln in Illinois” from Herbert S. Sherwood, for a reported price of $275,000, has not been completed and details will not be available until early next week. The play will end its Broadway run in the early summer with both Sherwood and Ray Hartman, actors in the play, to be transferred to Hollywood. Plans for a road company have been cancelled, but there is a possibility that the play may be resumed in the fall.

Scully to Set Plans For Universal Meet

Plans for Universal’s annual sales meeting will be completed by W. A. Scully, general sales manager, on his return to New York about the middle of next week from new season product conferences at the studio. The final product conferences get under way today with Cliff Work, studio head; Matthew J. Fox, vice-president; Sam Marx, general sales manager, and W. I. Heineman, western sales manager, participating. Heineman will make a tour of his western offices following the conferences.

CEA, Stevenson to Talk Erpi Charges

London, March 1.—Officials of the Cinematograph Exhibitors’ Association will meet with T. Kennedy Stevenson, president of Erpi, now here, tomorrow to discuss service charges. The C.E.A. has recommended to its members that they refrain from reneuing their Erpi contracts, by concessions are expected. Stevenson, however, has made no promise of cuts.

‘Darling’ Hits Snag In Chicago, Omaha

“Yes, My Darling Daughter” struck two more censorship snags, in Chicago and Omaha, yesterday. Albert S. Howson, Warner censorship director, with instructions from the exchanges (for cutting the film into the same version which was passed by the N. Y. Board of Regents here and expects to have boise today.

In Chicago, where the film was set to open at the Chicago tomorrow, it was passed for adults only. However, the theater voluntarily pushed the opening date one week and will seek a general audience permit.

In Omaha, where the actUA called a special meeting of the Civic Welfare Board to consider the film. It was due to open at the Brandy’s today. The board unanimously disapproved the picture. The legitimate stage version is now in rehearsal there and will open at the Community Playhouse. The board will view a cut version of the play today.

13 Para. Earnings Put at $4,096,000

(Continued from page 1)

does not include $445,000 in dividends received from subsidiaries in excess of Paramount’s net interest as a stockholder in the combined earnings for the quarter, such excess representing a partial distribution of share of earnings of previous quarters. Results for the quarter compared with $26,000 for the corresponding 1932 quarter, after deducting $795,000, representing the amount of dividends received from non-consolidated subsidiaries in excess of Paramount’s net interest as a stockholder, the excess representing a partial distribution of share of earnings of previous quarters.

The $4,096,000 estimate for the year assumes that the company will retain all capital and non-recurring income, $332,000 profit on purchase of debentures of Paramount Pictures and $715,000 representing the company’s interest as a stockholder in the combined undistributed earnings of subsidiaries. In 1937 the retention of $6,670,133 includes $625,000 representing Paramount’s interest as a stockholder in the combined undistributed earnings for the year of partially owned non-consolidated subsidiaries.

After deduction of $1,186,074 for dividends on the company’s first and second preferred, the remaining $2,096,925 of estimated 1938 earnings, represent $1.18 per share on the common.

Huck Finn on Today; ‘Stagecoach’ at Hall

“Huckleberry Finn” opens today at the Capitol and “Stagecoach” bows in the Music Hall and won’t gross an estimated $25,000 in one day at the Capitol. Second week of “Made for Each Other” at the Music Hall ends tomorrow at $712,000.

In its first week at the Paramount, “Cafe Society” attracted an estimated $35,000. “Blackwell’s Island” opened here to excellent business at the Globe yesterday with an estimated $3,000 for the day.

Trade Pact Vote by Allied is Indefinite

Meeting of Allied’s directors to vote on the distributors’ trade practice proposals will be held in submitting the final draft. Instead of a meeting, the directors will be polled by mail.

The authority of Allied’s negotiating committee, headed by Col. H. A. Cole, who is also Allied president, expired yesterday. The directors had instructed the committee to make a final report on the negotiations.

A statement issued by Allied headquarters in Washington declared: “The distributors are free to submit any other proposals to the general counsel (Aram F. Myers) who will forward them by mail to the directors for such action as they may see fit to take.”

Rogers, Kent Leave Tomorrow

William F. Rodgers, M-G-M general sales manager, and S. R. Kent, 20th Century-Fox president, who are members of the distributors’ committee, plan to leave tomorrow for the East.

The committee has daily sessions this week in an attempt to complete a list of exhibits for organizations for approval. At the last meeting yesterday were Austin C. Brough, Paramount counsel; Abe Montague, Columbia general sales manager; Gradwell L. Sears, Warner sales head; Tyre Dillard, M-G-M attorney, and Rodgers.

Weeks Named Sales Head of Monogram

(Continued from page 1)


Proposal to increase the salaries of John Weeks and Rich Beverly, who will be named to take two additional options on the exclusive services of each after their present term expires in June 1942 was withdrawn. Johnston pointed out that Monogram was now operating in the black, and that sufficient proxies were on hand to approve the increase but that Dunlap and he had decided “to decline, with thanks, to accept such increase at this time.”

“The consideration which militates against the acceptance of the increase lies in the nature of the one who organizes a new company and seeks to see it grow into a strong, healthy organization,” he said.

Amplio Honors Johnston

W. Ray Johnston’s 25th anniversary in the industry will be celebrated at the Amplio luncheon meeting today at the Astor. Emcees will be Scott R. Dunlap, production chief, and Trent Carr. Entertainment will be provided by numbers by Mrs. Walter H. Westley and Bert Frohmann. Nominating committee will be elected to choose officers for the next year.

Norma Shearer on Air

Norma Shearer will essay her first full-length role for the microphone when she appears in the Lux Radio Theatre dramatization of “One Way Passage,” opposite William Powell, on March 6.
## Motion Picture Daily's Handy Booking Chart

(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)

<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
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<th>REPUBLIC</th>
<th>RKO RADIO</th>
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<td>Lone Wolf Spy Hunt (G) (D)</td>
<td>Warren William Ida Lupino</td>
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<td>Drifting Westward (O)</td>
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<td>North of Shanghai Betty Furness James Craig</td>
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<td>Fay Wray Grant Withers</td>
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<td>Home on the Prairie (G) (O)</td>
<td>Gene Autry</td>
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<td>Texas Stampede Starrett Meredith</td>
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<td>Adventures of Huckleberry Finn (G) (C)</td>
<td>Rooney Connelly</td>
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<td>Sundown on the Prairie (O)</td>
<td>Tex Ritter</td>
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<td>My Son Is a Criminal Alan Baxter Jacqueline Wells</td>
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<td>MacLane Roberts</td>
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<td>Romance of Redwoods (O) (G)</td>
<td>Bickford</td>
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<td>Pygmalion (G) (C)</td>
<td>Leslie Howard Wendy Hiller</td>
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<td>Mystery Plane (G) (D)</td>
<td>John Trent Polly Ann Young</td>
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<td>The Beachcomber (A) (C)</td>
<td>Laughter Larchmont</td>
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<td>Twelve Crowded Hours (A) (D)</td>
<td>Richard Dix Lucille Ball</td>
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<td>Blondie Meets the Boss (G) (C)</td>
<td>Arthur Lake</td>
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<td>Ice Follies of 1939 (C) (M)</td>
<td>Crawford Stewart Lew Ayres</td>
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<td>The Saint Strikes Back (D)</td>
<td>George Sanders Wendy Barrie</td>
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<td>Lone Star Pioneers (G) (D)</td>
<td>Jack Holt Dolores Costello</td>
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<td>Sergeant Madden Wallace Berry</td>
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<td>Trigger Smith (O)</td>
<td>Jack Randall</td>
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<td>King of Chinatown (A) (O)</td>
<td>Anna May Wong Tsuru Aoki Na</td>
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<td>My Wife's Relatives (C)</td>
<td>Lucille James and Russell Gleason</td>
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<td>Whispering Enemies (G) (D)</td>
<td>Jack Holt Dolores Costello</td>
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<td>Within the Law Ruth Hussey Rita Johnson</td>
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<td>Midnight Colt (G)</td>
<td>Ameche Lederer John Barrymore</td>
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<td>Trouble in Sundown (G) (D)</td>
<td>George O'Brien</td>
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<td>Almost a Gentleman (C)</td>
<td>James Ellison</td>
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<td>North of the Yukon Starrett Winters</td>
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<td>The Kid from Texas O'Keefe Florence Rice</td>
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<td>Streets of New York Jackie Cooper</td>
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<td>Sudden Money (G) (D)</td>
<td>Ruggles Kambeau Silver on the Stage</td>
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<td>Hound of the Baskervilles (G) (D)</td>
<td>Greene Rathbone</td>
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<td>Family Next Door</td>
<td>Hugh Herbert Joy Hodges</td>
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<td>On Trial</td>
<td>John Litel Margaret Lindsay</td>
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**ED.—G. N.**

- Exile Express Anna Steen (Jan. 20)
- Ride 'Em Cowgirl (G) (O) Dorothy Page (Jan. 20)
- Crashing Through (Renfrew Series) James Newell (Jan. 20)
- Renfrew Saves a Lady (Renfrew Series) James Newell (Feb. 10)
Okla. Independents Plan Buying Pool

OKLAHOMA CITY, March 1.—Formation of an equipment and product buying pool by independent Oklahoma exhibitors is under way to meet the purchasing power of large circuit theaters operating in the state. The organization remain anonymous and the ranks of independent exhibitors are more solidly lined up for the idea.

Rumors have circulated in film circles here for a year that several dissatisfied independent exhibitors were quietly working on an organization along the lines of Allied. It would be independent of the Oklahoma Motion Picture Ass’n, which, it has been charged by some exhibitors, is controlled by the large theatre operating circuits in the state.

Dissatisfaction has been expressed by several small exhibitors on the variations of rental fees paid in town of similar size and payment of varying prices for theatre equipment. The group is reported to be collecting information regarding these alleged practices.

A representative from the Department of Justice, Washington, D.C., is understood to have agreed to come to Oklahoma City in the next month if an audience of at least 25 film exhibitors from the state can be brought together to meet in Oklahoma City. The meeting place has been selected and efforts are being made to get 150 exhibitors to attend the meeting.

It is definitely known that a nucleus of exhibitors has been formed and is now forming an Allied organization in Oklahoma with help promised in organization from outside Allied organizations.

Schines Take Over Palace in Syracuse

GLOVERVILLE, N. Y., March 1.—Home office of the Schine circuit has confirmed acquisition of the Palace, Syracuse, which RKO-Schine circuit. James P. MeAllister of Boston, goes in as manager under Gus Lampe, Syracuse zone manager, with the rest of the Palace staff remaining intact.

Erle Wright, manager of the Glove here, goes under Schine banner, with Frank Boucher of Baltimore coming in at the Glove. Harold Raives was named manager of the Granada, Buffalo, in order that Harry Goldsmith, can devote all his time to his district manager duties. Donald Rich has taken over management of the Palace, Watertown, with Francis Lattin going to the Strand and Pontiac. Watertown, as temporary manager while Clint Dadson is in Florida on vacation.

Reorganization Plan Filed by French Co.

A proposed plan of reorganization was filed yesterday in the U. S. District Court here by the French Motion Picture Co., Inc., which provided for payment of 15 percent to general creditors on their claims filed and allowed. The plan also provides for full payment of wage claims and taxes, and for the ratification of all executory contracts. Petition for relief under Section 77B of the Bankruptcy Act was filed by the company on Feb. 19, 1938.

Mike Myers is Invited to Census Conference

Washington, March 1—Abraham Myers, general counsel of Allied, tonight was invited by Secretary of Commerce Harry Hopkins to attend conferences March 14 and 15 for consideration of improvements in the census of distribution which is to be made next year.

Three conferences are to be held, each dealing with different phases of the census, at which industrial representatives will be asked to submit recommendations as to what information should be collected. The census of distribution will be a film industry, of which Myers was the only representative invited to the conference.

See Action Against Bingo in Milwaukee

MILWAUKEE, March 1.—A likelihood of further warrants against Bingo operators has resulted from Municipal Judge Max W. Nohl’s action in directing a guilty verdict against a Bingo game promoter who had appealed from a District Court conviction under the raffle law.

The case involved the sponsorship of games for a fraternal group whom he paid $25 for the use of their names, according to testimony presented at his hearing. He had been fined $25 in District Court.

To date, the police department has been unsuccessful in its attempts to obtain warrants from either the city or district attorney’s offices against church and fraternal groups holding Bingo parties. Among the warrants sought is one for the Ritz, north side neighborhood theatre, which Michael Brunn has turned over two nights a week to the local parish for Bingo.

Exhibitors Fighting Conn. Operator Bill

HARTFORD, March 1.—About 100 exhibitors appeared at the public hearing on the two-month extension of the bill before the Judiciary Committee yesterday, appointing as their spokesmen in opposition to the bill Arthur Lockwood of Middletown, Joseph Reed of Washington Depot, John Hess of Middletown, Al Robbins of Hamden, Leonard of New Britain, operators in the smaller situations which would allegedly be most affected.

Exhibitors pointed out that power to order changes in theatre operation in the interests of safety is vested in the State Police in this state and that legislation is unnecessary. Operators’ union officials insisted on the safety of maintaining the present order of employing two men at a booth. Thomas Fitzsimmons, New Haven attorney, also spoke in favor of the bill, which has been entered unopposed for many times before.

Breen Back on Coast

Hollywood, March 1.—Joseph I. Breen, head of the Production Code Administration here today, following a month’s vacation in Jamaica and New York.

Quota Is Studied By Films Council

LONDON, March 1—British Films Council, named under the Films Act, met today and considered the lab and producer proposals for increases in the quota percentages. The group also considered memoranda from the Cinematograph Exhibitors’ Association and Kinegraph Renters’ Society on the quota, the former opposing demands for quota increases.

During January and February, 10 features were registered under the quota, of which six were listed as triple quota, three as double quota and three under the exhibitor quota.

Heffner to Appeal Mass. Game Ruling

Deerfield, Mass., March 1.—After losing a case to test the legality of Bank Night in Superior Court here, Roy Heffner, jr., manager of the Keye in Middleboro, declared his intention to appeal to the State Supreme Court.

Heffner was arrested in January for promoting and setting up a lottery in connection with Bank Night at the Middleboro during a drive begun by District Attorney Edward Dwelling to outlaw Bank Night, Bean and other money games from Plymouth and Norfolk counties.

Acme Ticket Action Goes to Trial Monday

Suit of the Acme Ticket Agency against the League of N.Y. Theatres and Actors’ Equity to enjoin enforcement of the ticket brokers’ code will go to trial before Reference Morris Cooper, Jr., in the Bar Association Building Monday.

The feeling at Equity has been that the code has not met expectations and that the producers have failed to make ticket buying more convenient.

Troy, O., Bans Games

TROY, O., March 1—Three Bank Night pools, involving three theatres here, which have been operating for several months, have been hit by a general ban on gambling ordered by Police Chief E. J. Smuck. Banned were such games of chance as punchboards, race track books, numbers and pools of any kind.

Performing Rights Society and C.E.A. Conclude New Pact

LONDON, March 1—Following protracted negotiations between the Cinematograph Exhibitors’ Association and the Performing Rights Society prior to the termination of the society’s contract on April 5, an agreement has been reached on the terms of the new contract.

The Performing Rights Society, under the new agreement, will maintain the present scale of fees until 1941, but will reduce the discount for early payments from 10 per cent and seven and one-half per cent to five per cent.

The society sought increases in the scale and the C.E.A. countered with a demand for reductions and the use of arbitration. The pleas of the C.E.A. that business has been poor led to the maintenance of virtually the same terms as in the expiring agreement.

Patchen in Ad Post For Standard Group

OKLAHOMA CITY, March 1.—Regis- tation of Douglas George as director of the advertising and publicity for Standard Theatres Corp. has resulted in several changes in personnel.

E. A. Patchen, manager of the Midwest, has returned to his advertising post. Spence Pierce, manager of the Tower, has replaced Patchen at the Midwest. Robert Busch, manager of the Plaza, has been placed in charge of the Tower.

Order in Chaplin Suit

Federal Judge Alfred C. Cox yesterday ordered the president and secretary of Film Sonors Tlos, Societe Anonyme to testify before the court concerning its suit against Charles Chaplin, Charles Chaplin Film Corp., and United Artists Corp., for plagiarizing of “A Nous La Liberté” in defendants’ film, “Modern Times,” is charged.

N.T.S. Sets Meeting

National Theatre Supply will hold the second of three district sales meetings this weekend at the Palmer House in Chicago. First meeting was held in New York last week; the last will be held on the coast March 11. Executive personnel and district sales managers will attend. Walter Green, president, will preside.

Turn over for news of a sweet drop feature for any house...
“MOVE OVER, YOU 'HARDYS' AND 'JONESES'!” — Motion Picture Herald

TOP FEATURE the screen’s No. 1 family ... ballyhoo the Bumsteads! Get ready to give everything you’ve got to the swellest audience comedy that ever set a showman’s box-office zooming! Bigger than the first “Blondie” ... better than the best of the down-to-earth shows!

BLONDIE as played by PENNY SINGLETON

DAGWOOD as played by ARTHUR LAKE

BABY DUMPLING as played by LARRY SIMMS

DAISY as played by HERSELF

Based upon the Comic Strip Created by CHIC YOUNG

with SKINNAY ENNIS AND HIS BAND

Screen play by Richard Flournoy • Directed by Frank R. Strayer

A Columbia Picture
BLONDIE MEETS THE BOSS

(Columbia)

Comedy

Move over, you “Hardys” and “Joneses,” and make room for the “Bumsteads,” because “Blondie,” “Dagwood,” “Baby Dumpling” and “Daisy” have moved in. Minute for minute and inch for inch this second film fashioned in the format of Chic Young’s comic cartoon matches any family series on the market laugh for laugh. It is like none of the others, nor like any other domestic comedy of ready memory, and stands in clear command of its own appeal channel.

Drawing upon its cartoon derivation for the privilege to do things with camera and incident commonly denied directors employing living actors, Frank R. Strayer contrives stunningly amusing effects. He uses slow motion, invisible wires and camera tricks in running sequence with humorous dialogue and comic situation. He blends slapstick and parlor comedy with complete nonchalance. The end result is a houseful of happily and unabashedly laughing customers asking no more credibility than is asked of a cartoon, an extraordinary and exhilarating state of audience receptivity.

Arthur Lake, long an exhibitor favorite, has found his spot as the husband of this lively young family, and Penny Singleton seems to have been born for the wifely assignment. But it is tiny Larry Sims as “Baby Dumpling” who steals this episode in the family annals and, by his unbelievably natural delivery of lines that would stymie a child of twice his years, holds the frankly cartoonish plot together. The dog’s deportation is pure cartoon comedy and immensely effective.

Richard Fournay’s screen play, from a story by Kay van Ripper and himself, opens with “Dagwood” quitting his job and “Blondie” going to see the boss about getting it back for him. The boss gives it to her instead. A pair of jitterbug champions, a scheme to buy a piece of property, a fishing trip in the course of which “Dagwood” finds himself embarrassingly just-bound, are among the factors complicating the married life of the “Bumsteads” before “Dagwood” gets his job back. The routine defies

Reviewed at Pantages theatre in Hollywood where it kept the entire audience smiling, chuckling and guffawing in an unbroken sequence from start to finish.—W. K. W.
Radio Personals

WAYNE RANDALL, director of publicity for NBC, returns today from a short vacation in Providence. Jack Benny has announced his scheduled appearance on the Lumm and Abner show to March 10. Benny’s religious hatred because of film commitments, but I’ve heard that Benny has been signed for an indefinite stay at the Hotel Astor Roof starting May 1. Frank Lopere, manager of Jimmie Lunsford, to Memphis by plane yesterday. Charles Boyer and Florence Rice will do an adaptation of RKO’s “Flight from Glory” on the “Hollywood Playhouse” next Sunday. Billy Card, formerly of the networks, has joined the radio staff of the World’s Fair, and will work under John S. Young.

Crosley Reports ’38 Net Profit of $84,900

CINCINNATI, March 1.—Crosley Radio Corporation (WSXW and WXXN), also manufacturing radio receiving sets, electric refrigerators and other appliances, reported a net earning for the year ending Dec. 31, 1937, of $84,900, after depreciation and Federal taxes, equal to approximately 16 cents a share. This compares with a net loss of $376,914 in 1937, of which $343,314 was due to flood and fire loss at the Cincinnati plant. Net sales for the year were $12,919,319, compared with $18,735,450 for 1937.

Current assets as of Dec. 31, were $5,170,989, and current liabilities, $1,112,460. On Dec. 31, 1937, current assets and liabilities were $5,739,460 and $1,812,088, respectively. Cash is listed as $466,363 as of Dec. 31, 1938, compared with $186,951 at the end of 1937.

Ticket Selling Ends On Refugee Art Fund

Ticket selling ended yesterday for the drawing of works of art sponsored by the Motion Picture Art Fund for benefit of Nazis in Germany. The Committee is collecting the proceeds from exchanges throughout the country and expects that all collections can be handled by March 10 in order to have stubs registered for the drawing which will take place March 15. Collection stubs should be delivered to the committee at Room 1258, Paramount Building, New York.

To Air Baseball Games

SAN FRANCISCO, March 1.—All games in the San Francisco baseball season appear during the spring season will be broadcast over KGO for the second consecutive year, under joint sponsorship of Goodrich Tires and General Mills. Ernie Wills will describe the games played here at Stadium, and will recreate contests of the past 40-years through use of telegraphic reports.

Menser Leaves NBC

CHICAGO, March 1.—C. L. Menser, general manager of NBC’s Chicago division, has resigned to open a Chicago office for the Gardner advertising agency. He has been with NBC 10 years.

Nur Fur Fuehrer!

Radio-Rundfunk, Yorkville, recording company, took 12-inch sides of the recent Bum meeting in Madison Square Garden. The program has been distributed and it is believed that they will be sent to WMCA. WMCA asked for part of the recording but the request was turned down.

Lasky Urges Radio, Screen Cooperation

HOLLYWOOD, March 1.—The answer to the film studios’ plea for the films to make use of what radio offers in the way of unearthing new talent, says P-J. Lasky, who controls the Wrigley-sponsored "Gateway to Hollywood" program over CBS in cooperation with RKO, "should be a battle against enemy of films. Our program shows the benefits that can be derived from radio by intelligent cooperation."

In addition to dramatic talent, it is understood Lasky will ask for singers and dancers if the program is given to Mutual, and this has been recently renewed for 13 weeks.

Censor Committee of NAB Reported

In New York last night it was reported that the National Association has chosen an 11-man censorship committee. Lenox Lohr and Edward Klaubauer were said to be members.

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FCC Calendar

WASHINGTON, March 1.—Application for a new 1,200-kilocycle, 100-watt broadcasting station in Des Moines will be filed with the Federal Communications Commission by the North Shore Broadcasting Corporation.

Also filed with the commission was an application for an increase in the power of WSGN, Birmingham, from 100 to 250 watts.

The commission announced that on March 29 it will hold a hearing on an application of the Northwest Broadcasting Company for a 100-kilowatt station at Fort Dodge. 1a, with 100 watts night, 250 watts day, and 330 watts night, and an 100-kilowatt station at Phoenix, Ariz., with 100 watts night, 250 watts day, and 330 watts night.

On April 25, hearings will be held on the contesting applications of Enrique Abeca Sanfeliz of the United Press, Inc., for a 5,000-watt station at San Juan, P. R.

Hearings have been ordered on the applications of John R. Pepper for a 360-kilocycle station at Greencastle, Miss., with 100 watts power night, 250 watts day; the Gazette Co., for a 100-watt station at Cedar Rapids, and KINJ, Juneau, Alaska, for change of frequency from 910 to 740 kilocycles and increase of power from 250 to 1,000 watts.

Film Censorship Hit On WMCA Forum

Censorship took the count on March 1 at the Forum over WMCA and the Inter-City network yesterday afternoon, when three industry commentators joined the views of the author in the right of the authorities to cut or ban films. The verdict was unfavorable.

Participating in the program were Chester B. Bahn, Film Daily editor; Peter S. Harrison, publisher, Harri- son Brander and William H. Harrington, president, I.T.O.A. Excerpts from their observations follow.

Bahn: "There are those who urge film censorship as a morals watchdog. Industry self-regulation long ago set aside the morals question far more satisfactorily than state and municipal censorship ever could hope to do."

Harrington: "Official censorship is a hindrance to the producers of enter- tainment. Were the censors drama- tists the matter would be different. I do not feel handicapped for he would know his work would be judged by experts."

Brander: "Censorship is vicious, vile and harmful. It is a constitutional and it is a bogy to the people involved in the making of motion pictures. It vaginal, and it does not give the public to see what it wants it wants."

Directors’ Guild in Meeting on Contract

HOLLYWOOD, March 1.—The Screen Directors’ Guild committee, headed by Frank Capra, and composed of representa- tives tonight held a second meeting over proposed bargaining contract for directors’ assistants and unit man- agers, and it was understood that the plea of D.G. for inclusion in the pact provision that directors’ assistants should be involved in the pay will be the subject of a second meeting following the completion of shooting.

‘U’ Adjusts Scale Of Office Workers

Universal has agreed to an increased scale of wages and widely adjusted working conditions for home office em- ployes as a result of negotiations dur- ing the past few days with the Amer- ican Federation of Bookkeepers, Sten- ographers and Accountants, Local No. 20940. Final negotiations have not been concluded yet, however, although it is understood that all but one of the union’s demands have been met.

To Aid Rogers Fund

Branch managers of all major companies yesterday designated a committee to canvass exhibitors in the metropolitan area for contributions to the 29th National Memorial Week. Designations were made by Harry Bushman of 20th Century, who is chairman of the drive for this zone.

Combs Show Sponsored

George H. Combs, Jr., commentator on the "Date Line," is under the “Slant of the News” at WHN, is now sponsored by St. Joseph’s Asiatic three times weekly. Contract was placed by Lake-Spiro- colin, and is for 22 weeks.
Decide Not to Ask Rehearing Of Dallas Case

Texas Circuits Join in Distributors' Decision

By SHERWIN A. KANE

Decisions not to petition the U. S. Supreme Court for a rehearing of the Dallas anti-trust case were arrived at yesterday by principal defendants in the action and their counsel.

The decision to accept the high court's ruling that the special film contracts regulating admission prices and program policy are in violation of the anti-trust laws reverses the earlier decision of the Texas theatre operating defendants to file separate petitions for a rehearing. Those theatre defendants, Interstate Circuit and Texas Consolidated, were joined in the decision of the distributor defendants to accept the high court's ruling without further contest.

The Texas theatre defendants were represented here by Karl Hoftizelle and Attorneys John Moroney and George Wright, who came from Dallas to discuss the advisability of seeking a rehearing of the case.

Distributor defendants had weighed the possibility of seeking a rehearing over the past two weeks but had made no decision up to yesterday. The time in which they might formally petition such a rehearing will not expire until March 13, although attorneys stated yesterday's decision is final.

Republic Had Gross in 1938 Of $7,373,972

Republic grossed $7,373,972 in 1938, an increase of $1,089,981, or 17.4 per cent over the 1937 world gross. Exhibition contracts written in 1938 aggregated $8,966,149, an increase of $1,987,093 or 28.5 per cent over 1937.

This is disclosed in the annual report to stockholders of Consolidated Film Industries, Inc., by Herbert J. Yates, president. The report shows Consolidated's net earnings for the calendar year 1938 as $616,696.94, after all charges, including depreciation and Federal taxes. This compares with a net of $695,755 for 1937.

All Loans Paid Off

The company has paid off all its bank loans, having liquidated loans of $1,080,000 last year, and has improved its net current asset position. This resulted from the sale of American Radio City to CBS in December, 1938, from which Consolidated derived net proceeds of $600,100.

The report states that when Consolidated acquired the record company in 1930 it was in anticipation of the continued use of discs for sound films, but for some years past 

Supreme Court Gets Dakota 'Divorce' Plea

Motion to dismiss the action attacking the constitutionality of the North Dakota affiliated theatre divorce law, which was repealed recently, was filed in the U. S. Supreme Court yesterday.

The motion, which is expected to come before the court on Monday, asks that the decision of the Federal statutory court upholding the constitutionality of the measure be reversed and the case remanded with directions to the lower court to dismiss the case as "moot." Motions such as these are ordinarily granted by the court automatically as they come before it unopposed.

Change in Directors Of RKO Is Forecast

There will be a change in the directorate of RKO. It is understood that the principal parties in interest have decided to make the change affecting Ferdinand Eberstadt. The matter of course, will have to be approved by Federal Judge William Donley, and what his decision will be nobody knows.

In the meantime, Ernest W. Stirn, Class A stockholder of RKO, filed further objections to confirmation of the RKO plan of reorganization and against designations of Floyd B. Odlin as chairman, and N. Peter Rathvon and Conde Nast to the board of directors as representatives of the Atlas Corp.

Stirn contends that Atlas holds large interests in Paramount Pictures, and that conflicting interests will void complete loyalty to RKO. Stirn objected to a confirmation of the plan because, he said, it had not been properly approved by two-thirds of the stockholders and creditors.

The fact is that Atlas has no interest in Paramount except insofar as owning certain stock of the company for investment. Odlin left Paramount's board two or three years ago.

Producer Seeks to Set Aside Exclusive UA Releasing Contract; Silverstone Refutes All Contentions

United Artists is opposing Samuel Goldwyn's action to have his present exclusive producing and releasing contract with the company set aside and his former pact which permitted him to distribute through other companies reinstated. The action was instituted late Wednesday with the service of a summons on Edward C. Raiter, United Artists secretary.

In Hollywood yesterday Goldwyn persisted in declaring that he had no knowledge of the law suit and referred all questioners to his attorneys here.

Goldwyn's current contract is an exclusive releasing agreement with United Artists and has until 1945 to run. The former contract which he seeks to have reinstated required him to deliver only two pictures per year to United Artists and permitted him to contract with other distributors for the release of whatever additional product he can.

An interesting sidelight on the action is the disclosure by company officials that United Artists agreed to release Goldwyn from his contract if he would relinquish his stock interest in the company, but Goldwyn rejected the proposal. The offer was made to Goldwyn at the annual meeting of United Artists stockholders in January.

Goldwyn's action is by himself and his personal corporation, Samuel Goldwyn, Inc., against United Artists Corp., as defendant. It asks a declaratory judgment placing him under non-exclusive contract to United Artists on the ground that his existing exclusive contract has been breached as a result of alleged special concessions granted by United Artists to Douglas Fairbanks, Sr., and Alexander Korda. The company denies all of the charges in the complaint, which was prepared by Max Steuer despite the fact that Goldwyn recently appointed Richard Deight to be his New York counsel on the termination of a long association with Charles Schwartz.

A statement on the action issued yesterday by Maurice Silverstone, United Artists' chief executive, intimated that the suit may be an afterthought of the rejection by United Artists' stockholders of Goldwyn's demand for the establishment of a voting

(Continued on page 3)
Purely Personal

JACK WARNER, HARRY GOLD, GRAD SCHEIN, S. CHARLES ROSENTHAL, BUDDY MORRIS, WILLIAM F. RODGERS, MONROE GREENThAL, ED. SAUNDERS, STEWIE PHILLIPS, CHARLES BYRAM at the Astor yesterday for lunch.

WILLIAM SCULLY, Universal general sales manager, is on the coast following a Honolulu trip and is due back here next week. Notes on other Honolulu visitors: MAX A. COHEN is in Los Angeles and due here next week; JOSEPH M. SEIDER is expected back in New York March 12; SAM RIZZLE left Honolulu yesterday for Los Angeles and will return here about the middle of March.

MORRIS HELPERN, American advertising and publicity representative for Alex. Korotz, who was on tour to have sailed for London on the Normandie today, has postponed his British visit for about a month.

WALTER GROSS, Paramount attorney, and LEONARD GOLDENSON of the Paramount theatre department, returned to New York yesterday from vacations in Miami.

SOL GORDON, southwest circuit operator, left for Baltimore yesterday on route back to his Beaumont, Texas, headquarters following a Caribbean cruise.

GILBERT MILLER, producer, and MRS. MILLER call on the Normandie today for London. Also aboard will be GEORGE WHITE and CLAIRE LUCE.

GEORGE BRICKER and WILLIAM DOVER have sold an original story, "American School Teacher," to RKO as a starring vehicle for Bob Burns.

WESSEL SUTTER's novel, "F.O.B. Detroit," which is to be produced by Paramount, will have its first printing in London soon.

G. RALPH BRANTON and MRS. BRANTON have returned to Des Moines after a three-week vacation in Florida.

W. T. RICHARSON, theatrical producer, and ARTHUR STELIO, Hungarian playwright, arrive today on the Manhattan.

EDGAR CASPER of WILLIAM R. FERGUSON's exploitation staff at M-G-M has returned from a southern assignment.

TOM GERETY of M-G-M's publicity department has returned from Florida, where he recuperated from an illness.

GEOGIA RICH of Republic's "Dick Tracy" serials is appearing at the Broadway Strand.

BUNNIE BARNES arrives in New York today for a short vacation.

Moe WEST is at the Sherry-Netherland.

Insiders' Outlook

By SAM SHAIN

SAML EUGOLDWYN's suit against United Artists apparently culminates a personal worry which has marked his relations with the company for several years. Just as the company is reaching for the top, there comes this suit.

In California recently Goldwyn, with the stockholders in the company to make him sole trustee of the firm, with sole power to name the company board, as was indicated in this column on Jan. 30, which request the shareholders turned down.

Some time ago, it is said, Goldwyn indicated to friends that it was his determination to make James Roosevelt president of United Artists. The fact is that to elect anybody other than Maurice Silverstone president of United Artists would require 100 percent approval of the stockholders.

The recent stockholders' meeting in California indicated clearly that Goldwyn had only his own vote to exercise.

There is no controversy between Goldwyn and Silverstone. Goldwyn, with Alexander Korda, was instrumental in putting Silverstone at the head of United Artists. Silverstone's control of operations and his authority are complete.

Goldwyn's issue is with the company. He opposed the profit-sharing plan of United Artists, which was approved by the shareholders.

This controversy may result in Goldwyn leaving the firm. If he does, other men of established merit no doubt will replace him. One of these might be ERNST LUBITSCH. Another is a front rank producer now completing a term with a major firm.

Samuel Goldwyn is an individualist who must have his way. That is the foundation of his success.

Some of the finest manpower in the industry possesses, such as JOSEPH Schenck and Darryl Zanuck, left United Artists because of differences with Samuel Goldwyn. At Lichtman, Dr. A. H. GIANNI and George J. SCHAER also left on account of Goldwyn.

Now there is a new Goldwyn influence.

When Maurice Silverstone entered United Artists the season was pretty well spent. In a few weeks that followed Silverstone, Harry Gold and Jack Schaefer worked themselves almost into a collapse to get the company's properties sold, and they did.

Under Silverstone, United Artists reached out and obtained several topnotch producers to expand its program and its work. Eddie Small and Hal Roach joined the ranks of the company, as did Parrish and banks also decided to return to production.

Coming forward this year with such pictures as "Trading Winds," "Made for Each Other," "Seawatch" and "Wuthering Heights" the company is moving ahead strongly. It is expected, of course, that Goldwyn will deliver in advance for which he has contracted.

The domestic income under the present administration has been on the increase for some time past. The company is definitely on the upbeat. Operations have been simplified and overhead costs reduced.

From the first of the year expenses at United Artists to have grossed approximately $4,500,000.

Foreign operations are maintaining a strong pace established during the past year, and it is expected the company's net earnings are estimated to be running at about $2,000,000 on a yearly basis.

Kent, Wobber Leave For Coast Meetings

S. R. Kent, president of 20th Century-Fox, leaves tonight for the coast to set details of the new season's program in studio conferences which will be attended by Herman Wobber, sales head, and production executives.

Kent will stop over in Tucson about a week before proceeding to Los Angeles from which he will travel from Miami and will meet Kent in Tucson. The meetings are scheduled to begin March 28, in advance of the sales convention April 3.

The Newsreel Parade

The newsreels, for their new issues, have no outstanding news events. Baseball players, training and the semi-finals of the Golden Gloves are sporting items included.


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Columbia’s Budget
$5,000,000 Higher
Sales Meeting Told

A committee to judge the best of 40 prize-winning essays submitted in the annual Nathan Burkan Memorial competition, sponsored by the Motion Picture Academy, has named to the panel Thomas B. Robertson, chairman of the Patent, Trade Mark and Copyright section of the American Bar Ass’n.

Each of the essays was the winner in a preliminary contest by students in all departments of college and university under the subject of copyright law. Edward A. Sargy, attorney for the Copyright Bureau, was chairman and the copyright committee of the American Bar Ass’n, was named chairman of the judging committee. Other members are Stephen P. Landis, New York; Edward S. Rogers, Chicago; Dr. Louis Charles Smith, Washington, D.C., and Prof. John H. Wigmore, Chicago.

Loew’s Salaries Total
$13,832,846 for ‘38

Total of $13,832,846 was paid to 172 studio executives, producers, supervisors, other employees and lawyers in Loew’s in 1938. The report was filed with the S.E.C. and contained the names of receiving more than $25,000. The highest was Harris M. Scheinberg, president, who received $315,042; Louis B. Mayer, vice president in charge of production, $192,000; Harry C. Rubin, vice president, $403,230. The year ended Aug. 31, 1938.

Director, Producer
Pact Agreement Set

Hollywood, March 2.—The Screen Directors Guild and producers on Thursday morning reached agreement on a bargaining contract for directors, assistant directors and unit managers. Final papers will be drawn by attorneys for both sides and presentation to members of the S.D.G. and the Association of Motion Picture Producers, early next week. Details of the pact were not revealed.

Republic Gross In
‘38 Was $7,373,972

(Continued from page 1)

the business has been confined largely to phonograph records.

In the reference to Consolidated’s investment in Republic the report states that the number of theatres playing Republic films is ‘very sub-

Proposed Closing of
‘Abe Lincoln’ Cited
In Stage-Film Row

Cancellation of the Broadway run of ‘Abe Lincoln in Illinois,’ Robert E. Sherwood’s play, because of the sale of film rights, is regarded in Dramatists Guild as lending weight to the argument that release dates and production schedules frequently interfere with the Guild’s efforts. The fact that large audiences would be attracted during the World’s Fair, the Guild is said, is secondary to summer plans for a road company which have been abandoned.

There is an active group within the Guild composed largely of the more established playwrights, which believes that the first concern should be the prevention of the leakage of plays. This group backed the precedent basic agreement which led to the withdrawal of ‘The Petrified Forest’ from legitimate stage productions.

Proponents of this point of view contend that, although the death rate has been high, Broadway has had an unusually large number of productions this season. This fact is cited to support the viewpoint of the Guild, which is opposed to the sale of film rights from other than film sources. It is felt that when film money enters the scene, the legitimate stage angle becomes secondary.

Precautions to prevent cancellation of the Broadway run are made doubly important by the recent proposed modification provides that the purchase price depends on the length of the run, and that the agreements are agreed in principle, legal minds are still uncertain of the formula which will prevent a play’s run from being cut short.

M-G-M to Give Suit Data

Metro-Goldwyn-Mayer Pictures Corp. was ordered yesterday by N. Y. Supreme Court Justice Walter Pecora to submit agreements covering acquisition by Leo Feist, Inc., of musical rights to “Rio Rita” and “Kid Boots,” both of which are licensed to Metro and the estate of Leo Feist, plaintiffs in a suit for $44,250 apiece against M-G-M, and prevent expenses and deferred charges, $6,176.

Dividends on $600,000
of preferred stock, at 7%, a share, or $42,000.
It’s better to die on your feet to the millions in this country...in packed houses...comes the screen’s greatest drama...of how to live American!

UNIVERSAL’S
SPIRIT OF THE USA

MUST PICTURE FOR
"It than live on your knees!"

...Freddie Bartholomew in "Spirit of Culver"

The New Universal presents

JACKIE COOPER • FREDDIE BARTHOLOMEW

in

"SPIRIT OF CULVER"

with

TIM HOLT • HENRY HULL • ANDY DEVINE

GENE REYNOLDS • WALTER TETLEY

KATHRYN KANE • JACKIE MORAN

Original screenplay by Whitney Bolton and Nathanael West

Directed by JOSEPH SANTLEY

Associate Prod. BURT KELLY

F CULVER

national release march 10th!

EVERY AMERICAN
Domination of World Screen
By U. S. Drops

WASHINGTON, March 2.—Intensified nationalism in various parts of the world during 1938, leading to restrictions on imports and protection and subSIDizations of 70 per cent, have led to a decline in American product's domination of the world screen. All estimates are from 70 per cent to 65 per cent.

This is the conclusion in a review of the foreign film markets during 1938, compiled by the Motion Picture Division of the U. S. Department of Commerce, of which Nathan D. Goldin is chief.

The "block-busting" quota system appears to show a tendency to spread, the review points out, and foreign exchange controls and censures continue to be maintained the year, although with few major changes. Specifically cited are the new quota laws in France, Belgium, and the United States. The British, French, and German codes, and the extension of Nazi power over Austria and part of Czechoslovakia, which resulted in virtually shutting American product out of many countries.

Market Far from Lost

Of the Italian decree the review says: "This is something new in restrictions. It is the first time that a foreign government has gone into the business of distributing motion pictures for the outward purpose of profit." The restrictive laws are spreading in those countries which look to Germany for economic assistance.

The European market for American product, however, is far from being lost, the review indicates, and cites England, France, Germany, Denmark, the Netherlands, Finland, Norway, Poland, and Sweden.

Despite the lifting of the ban on American film imports to Japan, it has gone into the Japanese business of distributing motion pictures for the outward purpose of profit. The restrictive laws are spreading in those countries which look to Germany for economic assistance.

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**Daughter** at $33,300 in 2 L.A. Theatres

Los Angeles, March 2.—“Yes, My Darling Daughter,” playing with the Torchy Blane in Chinatown grossed $33,300 at two houses, taking $17,000 at the Warner Hollywood and $16,300 at the Warner Downtown.

“St. Louis Blues” did $19,000 at the Paramount, and “Pygmalion” continued strong, taking $6,100 in its first week with Garby Cooper calling for exclusive services of the actor. Contract of David Niven was superseded by a new one running for seven years.

**Estimated takings for the week ending March 1:**

- "Made For Each Other" (U.A.)
  - Parnell Our Neighbors (20th-Fox)
  - CHINESE — (250) $3,750.
  - Gross: $1,500. (Average, $63).
- "Pygmalion" (M-G-M)
  - STAATS MANCHESTER (RKO)
  - Let Us Live! (Col)
  - HILLTON (M-G-M) — (250-65c) 7 days. Gross: $16,000. (Average, $2,200).
- "Torchy Blane" (M-G-M)
  - Made For Each Other (U.A.)
  - PALACE — (250) $8,700.
- "The Great Man Votes" (RKO)
  - LOWE’S STATE — (250) $6,100.
- "Torchy Blane in Chinatown" (M-G-M)
  - "The Great Man Votes" (RKO)
  - PANTAGES — (300) $7,250.
  - Gross: $13,100.
- "St. Louis Blues" (Para)
  - PARAMOUNT — (300-65c) 7 days.
- "Yes, My Darling Daughter" (W. B.)
  - WARNER BROS. (HOLLYWOOD) — (250) $6,700.
  - (Average, $950).
- "Torchy Blane in Chinatown" (W. B.)
  - WARNER BROS. (HOLLYWOOD) — (300) $6,700.
  - (Average, $1,200).

**Estimated takings for the week ending Feb. 23:**

- "The Million Dollar Baby" (20th-Fox)
  - "Torchy Blane in Chinatown" (Para)
  - LITTLE THEATRE — (190-65c) 7 days.
  - Gross: $1,500.
- "Pride of the Navy" (Rep)
  - RIVERSIDE — (250-35c) 7 days.
  - Stage: Yancey. Gross: $5,000.
- "Footlight Follies" (M-G-M)
  - FEAR GIRLS IN WHITE" (M-G-M)
  - STEAK & EGGS — (250) 6 days.
  - Gross: $4,200.
  - (Average, $700).
- "Mealie"’s Delight!" (M-G-M)
  - WISCONSIN — (250-65c) 7 days.
  - Gross: $8,800.

**Cooper, Niven Signed**

Samuel Goldwyn has signed a new contract with Garby Cooper calling for exclusive services of the actor. Contract of David Niven was superseded by a new one running for seven years.

Hollywood, March 2.—“The Moon and Sixpence,” one of W. Somerset Maugham’s earlier novels, is being prepared for Edward G. Robinson at Warners. G. B. Smith is preparing “Covered Trails” and “Stagecoach Westward” for early production by Grand National. Arthur Hornblow, Jr., wrote the original screenplay for both. They are musical westerns featuring girls. "Maurice"—a romantic novel by Isla Bernando—next will be Isla Bernando’s next for Paramount. It is from an original, “Temped,” by Frank O’Connor. George Murphy will direct the picture, based on international intrigue in the diamond trade. Paramount has purchased Rene Fuegler-Miller’s "Triumph Over Pain," story of Dr. William Morton, Boston dentist who discovered anesthesia. Arthur Hornblow will produce, with Henry Hathaway directing the preview "Sturgis" script.

**Estimated takings for the week ending Feb. 23:**

- "Pygmalion" (M-G-M)
  - APOLLO — (400) $15,500.
  - (Average, $6,500).
- "The Beaconsbile" (Para)
  - LAKEHURST — (400) $15,500.
  - (Average, $6,500).
- "Ilona’s Delight" (M-G-M)
  - WARNER’S STATE — (250) $6,100.
  - (Average, $6,100).
- "King of the Underworld" (W.B.)
  - ORIENTAL — (1,500) $6,500.
  - (Average, $4,300).
- "Gunga Din" (RKO)
  - LOY’S LOUVRE — (250-50c) $6,100.
  - (Average, $6,100).
- "St. Louis Blues" (Para)
  - PALACE — (250) $6,100.
  - (Average, $6,100).
- "Hollywood" (M-G-M)
  - UNITED ARTISTS — (250) $6,100.
  - (Average, $6,100).

**Estimated takings for the week ending Feb. 25:**

- "Made For Each Other" (U.A.)
  - BUFFALO — (200) $6,100.
  - (Average, $3,000).
- "Gunga Din" (RKO)
  - LOY’S LOUVRE — (250) $6,100.
  - (Average, $6,100).
- "Next Time I Marry" (Para)
  - CRYSTAL — (300) 6 days.
  - Gross: $6,100.
  - (Average, $1,000).

**Honolulu Is Omaha Smash with $11,000**

Omaha, March 2.—“Honolulu,” dubbed with “Disbarred,” set the pace here with $11,000 at the Orpheum. "Made for Each Other" with "Submarine Patrol" hit $9,300, taking the third spot. "Gunga Din" ran solo for $7,100. Despite the cold, increased grosses were good despite cold and snow.

Estimated takings for the week ending Feb. 22-23:

- "Gunga Din" (RKO)
  - ORPHEUM — (200) $9,300.
  - (Average, $4,650).
- "Submarine Patrol" (20th-Fox)
  - ORPHEUM — (200) $7,100.
  - (Average, $3,550).
- "Disbarred" (Para)
  - ORPHEUM — (200) $11,000.
  - (Average, $5,500).

**Underworld” Chicago High With $14,400**

Chicago, March 2.—“King of the Underworld,” a new entry at the Oriental, plus a stage show, took $14,400, in a week of spotty grosses generally.

"King of the Underworld," at the State-Lake, with vaudeville, did $13,000, and "Gunga Din" in the third week at the Palace drew $19,200. Estimated takings for the week ending Feb. 22-25:

- "Pygmalion" (M-G-M)
  - (Average, $6,500).
- "The Beaconsbile" (Para)
  - (Average, $6,500).
- "Ilona’s Delight" (M-G-M)
  - (Average, $6,500).
- "King of the Underworld" (W.B.)
  - (Average, $1,000).
- "Swing, Sister, Swing" (Univ)
  - (Average, $1,000).
- "Honolulu" (M-G-M)
  - (Average, $1,000).

**Estimated takings for the week ending Feb. 23:**

- "St. Louis Blues" (Para)
  - LITTLE THEATRE — (250) $6,500.
  - (Average, $2,600).
- "Secrets of a Nurse" (Univ)
  - (Average, $1,000).
- "Lang Shot" (G.N.)
  - (Average, $1,000).

**Estimated takings for the week ending Feb. 19:**

- "Honolulu" (M-G-M)
  - LITTLE THEATRE — (200) $7,100.
  - (Average, $3,550).
- "Last Year’s Wife" (M-G-M)
  - (Average, $2,000).
- "Disbarred" (Para)
  - ORPHEUM — (200) $7,100.
  - (Average, $3,550).

**Mitzi Green and “Blues” $16,500 Washington Lead**

Washington, March 2.—A return engagement of “Honolulu” drew $5,000 at Loew’s Columbia to lead. Most of the other first run houses were quiet.

Loew’s Capital took $16,500 with Mitzi Green and “St. Louis Blues.” “Gunga Din” drew $8,000 in the third week.

Estimated takings for the week ending Feb. 23:

- "St. Louis Blues" (Para)
  - LITTLE THEATRE — (250) $6,500.
  - (Average, $2,600).
- "Last Year’s Wife" (M-G-M)
  - (Average, $2,100).
- "Honolulu" (M-G-M)
  - LITTLE THEATRE — (200) $7,100.
  - (Average, $3,550).
- "Swing, Sister, Swing" (Univ)
  - (Average, $1,000).
- "Honolulu" (M-G-M)
  - LITTLE THEATRE — (200) $7,100.
  - (Average, $3,550).
- "Swingers" (Univ)
  - (Average, $1,000).
- "A Night at the Opera" (Univ)
  - (Average, $1,000).
- "A Day at the Races" (Univ)
  - (Average, $1,000).

**Three Firms Chartered**

Specials on Pope Released by Reels

All newsreels, with the exception of Movietone News, presented special on the election of Cardinal Pacelli as Pope, yesterday, and they were shown out of picture for exhibition today. Movietone fortunately designated Cardinal Pacelli as the leading candidate and did not feel that a special was necessary under the circumstances. All the networks will continue to show that all reels have prepared for speeding the films from the Vatican, none would disclose the actual plans.

N. J. Allied Backs
Block Booking Bill

Endorsement of the pending Needy anti-block booking bill was voted by resolution adopted by Allied of New Jersey at an all-day meeting at the Tavern in Newark yesterday. A copy of the resolution was made available to the General Interstate Commerce Committee which is to hold hearings on the measure.

Members decided to support the "Committee of 56" in Hollywood which is conducting a campaign for reaffirmation of American principles. The committee's declaration will be made available to New Jersey patrons for signing. The first of all Allied's series of Patriotic trailers is being shown in members' theaters.

A letter from Darryl F. Zanuck was read thanking the organization for commending his stand on film producers, the air. George Gold presided at the meeting. The next meeting will be in Camden.

Cole, Allied Head,
In N. Y. Next Week

Col. H. A. Cole, Allied president and chairman of its trade practice negotiating committee, is due in New York next week. He has scheduled a meeting with New York Allied directors for March 12.

He will also meet with New York Allied directors, the date to be determined. He is holding similar conferences with other eastern units.

Rodgers Off to Coast
To Set New Program

William F. Rodgers, M-G-M general sales manager, leaves today on the 3939-40 program with Al Lichtman, vice-president, and other executives. He will remain there two weeks, then return to the offices in Chicago, starting March 19, over which he will preside.

All Networks Flash
Word of New Pope
Within One Minute

First word that a new Pope had been elected was broadcast simultaneously by all three major networks, at a few seconds after 11:30 A.M. yesterday, although Mutual added a 40-second special for it. I scored a beat by broadcasting the news one full minute ahead of all other national networks.

The first announcement was sent to the three networks directly by H.J. scissors. The Vatican Guy announcer, in various languages, describing the white smoke signal drifting from the roof of the Sistine Chapel. At 12:08 P.M., all three networks simultaneously broadcast the naming of Eugenio Cardinal Pacelli as Pope. The first statement revealing which of the Cardinals had been named as the Pope. Previous announcements had been made to the effect that another election had been reached by the Cardinals.

CBS stated it was on the air with the first flash at 11:30:32 A.M. at 11:58 W2XE, CBS short-wave station, broadcast the news around the world. NBC Red Network carried their first bulletin at 11:30:28, and began short-wave over W3XAL and W3XL at 11:30.46. Mutual's bulletin was at 11:30:26.

All the local independent stations followed the networks by approximately one minute.

Sears Promotes Two
As Branch Managers

Promotion of two salesmen to branch managers is announced by Gradwell L. Sears, Warner general sales manager.

Sid Rose of Chicago takes charge of the Omaha branch. He replaces Charles D. Abbott, who joins the Minneapolis staff. William Sharfin, Minneapolis salesman, is promoted to Seattle manager, replacing A. Ottony, resigned. The changes are effective immediately.

Ohio Censors Make 16
Cuts from 594 Reels

COLUMBUS, March 2—The Ohio censors reviewed a total of 594 reels in February, from which 16 eliminations were ordered. There were no eliminations for the week ending Feb. 25.

This compares with 621 reels reviewed, and 51 eliminations ordered in January, 1938, and 533 reels with 18 eliminations in February, 1937.

20th-Fox Sets Dividends

Cash dividends of 37½ cents a share on preferred stock and 50 cents on the common were declared yesterday by the board of directors, for the fourth quarter. Both are payable March 31 to stockholders of record March 15.

Elect Madeleine White

Madeleine S. White was reelected secretary of Monogram at Wednesday's meeting. Her name was inordinately omitted by Monogram from its announcement of the elections.

Johnston Honored
At Ampa Luncheon

By AL FINESTONE

Yesterday was "Monogram Day" at the Ampa luncheon at the Astor. One year ago on this day the new season was on hand to honor W. Ray Johnston, president of the company, on his 25th anniversary in the business.

On the dais, in addition to the guest of honor, were Scott R. Dunlap, vice-president; William Hoffman, Edward A. Golden, first vice-president; Helen Westby, who is appearing in "The Pope's Window Path"; Bert Frohman, vaudeville enter- tainer, and Paul Lazarus, Jr., Ampa vice-president, who presided.

Johnston Reminiscences
The Monogram executives spoke briefly, Johnston reminiscing of his early days as an actor at the Thanhouser studios in New Rochelle, New York, and then owned by Lazarus as "the backbone of the Theatre Guild and one of the legitimate the-tre's most magnetic characters." He scored a hit when she started off by saying, "I'm no good without my lines and I'm nothing without a script." He said: "I've got the greatest love for motion picture people; they built my farm for me," she said. "Film fans sit in the balcony when they go to the legitimate theater, and that's where the applause always starts. I'm glad to be back on the screen and to be working for George. Whether or not I'm keeping one eye on Hollywood." Then she indulged in some kidding with Johnston which brought down the house.

Committee Named

Frohman started the proceedings by singing a couple of songs. He appears to be a good tribune of K. Howard's "Backdoor to Heaven."

Members elected the following seven-member committee to nominate Ampa officers for the ensuing year: Vincent Trotta, chairman; James A. Cron of Motion Picture Daily, vice-chairman; Per H. White, chairman of the Minneapolis Greenhal, Lou Liton and Rutgers Neilon. Election of officers is scheduled for April 13.

Para. to Send Train
As 'Pacific' Stunt

Hollywood, March 2—Parade plans to send out a train consisting of an 1800 locomotive and cars hauled by a modern streamliner as exploitation on Cecil B. DeMille's "Union Pacific." The train will visit 33 key cities, starting April 17 and finishing its tour back in Hollywood about May 10.

The film will have its premiere in Omaha April 21. Cliff Lewis, Jack Ivel, Alec Moll and Carl Krueger of the Paramount advertising depart- ment will go out ahead of the train to the different cities and arrange for its arrival at each city.

Increases Vaudeville

Bosston, March 2—Because of vaudeville expansion, the head of vaudeville at the RKO Keith, Ben Domingo, manager, has added another day of stage shows to the weekly schedule. Vaudeville will be shown four days, Thursday through Sunday, instead of three days.
**Goldwyn Will Deliver for UA Despite Suit**

Has Approved Contracts For Last Three Pictures

Definite assurances have been had that Samuel Goldwyn will deliver the three remaining pictures on his current season’s United Artists release schedule regardless of the action instituted last week by which Goldwyn seeks to have his contract with the company cancelled.

Goldwyn has approved contracts which have been made with the exhibitors for all three remaining pictures. They are "Wuthering Heights," "The Royal Glory," and "Restless Age." The contracts are three-way agreements with Goldwyn, United Artists and the exhibitor, it was pointed out by company officials.

Max D. Steuer, Goldwyn’s attorney, returned to New York from Florida. (Continued on page 6)

**Albany Is Skeptical On Censor Repeal**

**Albany, March 5—Legislators on Capitol Hill minimized the remark attributed to Harry Brandt, I.T.O.A. head, that he be the 20th century who would introduce a censor repeal bill.**

Sentiment was that if former Governor Al Smith, a foe of film censorship for many years, were to introduce a bill, men in the industry itself could hardly expect to achieve repeal of the law which set up the Motion Picture Division under the Department of Education.

Changes in the nature of any censorship legislation obviously are slim, with both houses controlled by upstate Republicans. Sentiment in the territory north of the Bronx is and has been in favor of a checkmate as evidenced by the overwhelming defeat of the many censor repeal bills.

Former Governor Smith made a fight on censorship in the Constitutional Convention as late as 1938 after having recommended its abolition in five successive annual messages to the legislature in the 20s. The former Governor mustered only 32 votes for an amendment to the measure intended to give the screen the same "freedom of press and speech" as that enjoyed by newspapers.

In view of the meeting held by the state men in New York, legislators expect a censor repeal bill to appear in both houses, under the sponsorship of metropolitan introducers.

**Ostrer Seeks B.B.C. Hookup In Television**

London, March 5—Gaumont British has advanced proposals for an ambitious television expansion program by British Broadcasting Corp. under which G.B. theatres not permitted to receive the programs in return for G.B. and Baird cooperation in the operation of the new stations.

The proposal was advanced by Maurice Oster, G.B. head, and seeks B.B.C. financing for the establishment of a maximum of 12 new provincial television broadcasting and relay stations, each to cost $250,000 or $500,000 each. Baird’s technical resources and G.B.’s talent facilities would be available to B.B.C. in construction and operation of the stations, by way of return.

**Writers, Studios Fail to Agree; NLRB Hearing Set**

Hollywood, March 5.—Attempts to sound out the sentiment of producers and members of the Screen Writers’ Guild toward the settlement of the long standing dispute over collective bargaining apparently have failed. Unless the situation changes suddenly, hearing of the N.L.R.B. charges of Wagner Act violation against major producers will go on as scheduled tomorrow.

No official statement was issued relative to sessions reportedly held during the week between representatives of the guild and producers. However, Charles Brackett, guild president, in a formal statement, said, "The Screen Writers’ Guild has nothing to say in this matter. Any statements that have been made were made merely to delay the issue." He referred to reports of secret sessions.

Bernard Alpert, special N.L.R.B. attorney here to conduct the board’s case in the hearing of charges of failure to bargain collectively and in the induction of guild members by studios, said the hearing has not been postponed. He said he probably will return in two weeks to present the board position before the special trial examiner, reported to be William R. Ringer. Alpert has met with Leonard S. Jastrofsky, guild attorney, and producer attorneys, to make stipulations concerning evidence already in the records from previous guild hearings.

**Distributors Study Resumption in Spain**

Distributors are looking forward to resuming operations in Spain, prior to re-establishing its distributing organization, with headquarters at Barcelona, 20th Century-Fox has instructed William Morgan, manager in France, to make a survey of Nationalist territory. Skeleton staffs have been maintained in Loyalist and Insurgent territory.

**TRADE PROGRAM DEPENDS ON US**

Kent Cites Possibility That Pact May Be Called Illegal

The fact that there has been no indication from the Government as to what will be the proposed trade practice program, might result in the con- 

**Early Signing Of Ascap Law In Dakota Due**

Bismarck, March 5—Governor Moses within the next few days will sign the North Dakota anti-Ascap law which was passed by the legislature just prior to its adjournment when the measure imposed a gross tax on the gross of all earnings of the society in the state.

One minor amendment was adopted by the House prior to passage, clarifying the language of the bill to eliminate any possibility of the secretary of state’s office being obliged to bear the cost of furnishing lists of copyrighted musical compositions required by the law. The Senate will concur in this clarification and the bill then will go to the Governor.

The U.S. Supreme Court’s decisions on the constitutionality of the Florida and Washington anti-Ascap laws are expected in Washington today. The decisions, considered past due in that other cases heard at the same time were disposed of several weeks ago by the court, are expected to have a bearing on all present types of anti-Ascap measures. These include Nebraska, Montana and Tennessee laws.

20th-Fox to Make Only 2 in England

All of the 52 films scheduled for 20th-Century-Fox for 1939-40 will be made on the coast. There will also be two Gracie Fields films, made in England.

It had been reported that the company plans another 48 Hollywood films and four from England.

S. R. Kent, president, left Friday night for studio meetings on the new program. Herman Webber, sales head, who has been in Miami, joined him Saturday in Chicago. They will return shortly before the sales convention, to be held in Chicago April 3 to 5. Webber may stop off there on his way back to supervise preparations. About 250 will attend.

Kent said that the new production budget will be set in the studio confer-
Australian Sales
Chiefs Due Here

Distribution policies for Australia, in view of the recently enacted regulation for the Australian film industry, will be discussed here late this month when Australian sales chiefs arrive. The new film exchange in Sydney, including 25 per cent cancellation and a production quota, have raised new problems.

Three managing directors sailed Friday from Sidney on the Monterey and are due in Los Angeles March 20. The visiting representatives, M-G-M; Harry Hunter, Paramount, and Clarence Hake, 20th Century-Fox; Norman Reeve Riddle, managing director of Greater Union Theatres and affiliated production-distribution interests, and Dan Carroll, Australian exhibitors, were scheduled to sail on the Monterey. Ryde has never been in this country before. He is a supporter of the new film legislation.

Ralph Clark, Warner Australian head, arrived two weeks ago. He will remain until after the company's sales convention here, March 13 and 14.

Allied's Albany Unit
To Meet Tomorrow

ALBANY, March 5—New York Allied's Albany unit will meet for a luncheon discussion of legislative and other pressing matters in the Albany area here tomorrow. Mitchell Conely, who operates the Conely circuit in Schenectady and Albany counties, will preside.

The recently named grievance board will make its first report, and there will be a report by the chairman of the committee of the Albany region. E. Thornton Kelly of New York, state executive secretary, will speak on national Allied activities. From here he will go to Syracuse on organization matters.

Board Is Named
For Pathe Laboratories

Members of the board of directors of the recently organized Pathe Laboratory were designated on Friday. They are O. Henry Briggs, president; T. P. Loach, vice-president; A. W. Miller, vice-president, Robert M. McKinney and Robert R. Young. All but Loach and Miller were members of the board of Pathe Film Corp.

Stock of the Pathe Laboratories will be distributed to Pathe stockholders March 29. Pathe stockholders of record on March 13. The distribution is on the basis of one share for each 80 shares of Pathe Film held. Scrip will be issued for fractions of a share.

Dreifuss Moves East

Arthur Dreifuss, producer of one-reel Music Hall Vanities for Columbia, is coming to Hollywood to New York. Shooting date for eastern production is set for the week of April 17. William L. Lucas, Vince Barnett and Mazzone Troupe in the cast. Dreifuss will direct and Nelson Shilkret will supervise. Dreifuss, former Cleveland film company staff includes Harry Engel, William C. Kent, Lou Strauss and Elizabeth Meyer. Kent is the only Hollywood holdover.

Purely Personal

ALFRED HITCHCOCK, English director, arrives here on the Queen Mary Thursday, accompanied by his wife, Patricia, and Joan Harrison, his production assistant. After a brief trip to Florida, he will go to the coast to make his first American film.

Col. Harry E. Long, Loew division manager, and Nat Holf, RGK Great Lakes division manager in Cleveland, are both ill with the flu.

Earle W. Hammond, Educational Grand national president; Jack Skiver, his production representative, and Paul Edwards, eastern sales manager, were in Chicago yesterday with Morris Safir, western manager and James Winn, Chicago branch manager. They are expected here today or tomorrow.

Haskell Masters, United Artists Canadian sales manager, is mourning the death of his wife, who was killed in an automobile accident in Miami Beach last year.

Grace Fischler, secretary to Monroe Greenthal, director of exploitation and trade paper advertising of United Artists, has been married to Fred Russell-Slater.

Vera Zorina, star of the stage show, "I Married an Angel," has been signed by Warners for the lead in the screen version of "On Your Toes."

Jerome Jackson, Warners production chief in England, is due today from a Florida vacation.

League, Equity Hold
Ticket Code Parley

Meeting between League of New York Theatres and managers' Equity to discuss the ticket brokers' code took place Friday at the Hotel Astor. Two joint committees were appointed to give further consideration to the problem. Sherman Shumin, producer, will head the committee for legislation to enforce the code. Another group will study the workings of the present code and make recommendations for improvements. Members of the committee will be designated later this week.

Cobian Here with His
First Spanish Film

Ramos Cobian has arrived from the coast with the negative of the first Spanish language film be made for 20th Century-Fox. Three shows are scheduled, for distribution in Latin America.

Amanda Ledesma and Alberto Vila, starred in "The Little Princess." They are due today from Buenos Aires.

Fund Drawing March 16

Executive committee of the Motion Picture Film Fund has decided that the drawings for the contributed art work will be held at the next Ama meeting at the Astor on March 16.

Detroit Leading in RKO Sales Campaign

Detroit RKO exchange, of which J. Sharkey, and RKO's district office and its manager, has been named to the close of the fourth week of the RKO George Schaefer Drive. Detroit exchange was a successful second place, managed by Bernard Krane, and N. F. Jacob's Los Angeles office in third position. The western district, headed by Harry Cohen, has taken the lead in the billings race between the seven districts, including Canada.

'Wife, Husband' Gets
$42,000 at the Roxy

"Wife, Husband and Friend" grossed an estimated $12,000 in its first week at the Roxy and is held at $7,000. "The Little Princess" will follow it Friday. "Yes, My Darling Daughter" drew an estimated $4,000 in its first week and is also held over. At the Astor, "Pygmalion" grossed an estimated $12,000 in its twelfth week.

Col. British Staff Meets

Joseph Friedman, Columbia managing director for Britain, and Max Thorpe, sales manager for England, conclude a three-days sales meeting of the company's British sales forces today.

The company's American district managers wound up a two-day sales meeting at the home office over the weekend.

Hays Observes 17th
Year in Screen Post

Will H. Hays observed his 17th anniversary as head of the industry yesterday. M.P.P.D.A. was organized with Hays as president in 1922.

The 17th annual meeting of the M.P.P.D.A. board is scheduled for March 27. All present officers and general operating policies are scheduled for discussion. The meeting also will consider the directors' trip to a conference in Los Angeles a few weeks ago.

Attending will be Charles Scouras, president; William Friday, RKO president; Frank Thursdahl, president; Harold J. Freedman, Milwaukee, and Frank Newman, Seattle.

J. J. Sullivan, Fox West Coast film buyer, arrives today from Los Angeles and will sit in. Mike Rosenberg of FWC is here and may remain for the meeting.

Morros Closes Deals
For 20 French Films

Boris Morros obtained commitments abroad on approximately 20 French productions which may be brought over for distribution here by his newly organized company. He stated following his arrival in New York on the Aquitania.

He will announce 34 features, of which 17 will be re-made for the American market, while English titles will be superimposed on others.

Spring Meeting
of National This Week

Annual spring conference of National Theatres division heads with home officers executives will be held here Thursday and Friday. Spyros Skouras, operating chief, will preside.

New season buying and general operating policies are scheduled for discussion. The meeting also will consider the directors' trip to a conference in Los Angeles a few weeks ago.

Attending will be Charles Scouras, president; William Friday, RKO president; Frank Thursdahl, president; Harold J. Freedman, Milwaukee, and Frank Newman, Seattle.

J. J. Sullivan, Fox West Coast film buyer, arrives today from Los Angeles and will sit in. Mike Rosenberg of FWC is here and may remain for the meeting.

MOTION PICTURE DAILY
REGISTERED U. S. PATENT OFFICE

Chalk up Another for HOLDOVER HEADQUARTERS!

GARFIELD GOING GALORE IN "BLACKWELL'S ISLAND"!
SPECIAL DEMAND PRE-RELEASE HITS RECORD FIRST 3 DAYS! SIX-WEEK STAY IN THE BAG AT GLOBE NEW YORK! WATCH!

with ROSEMARY LANE • STANLEY FIELDS • Directed by WILLIAM McGANN
Screen Play by Crane Wilbur • Original Story by Crane Wilbur & Lee Katz • A First National Picture
TO UNITED ARTISTS SALES

Subject: WUTHERING HEIGHTS National Ad Break with Picture’s April 7th

Samuel Goldwyn’s WUTHERING HEIGHTS will lead the box-office attractions. Exactly timed with its April 7th release will be reading our aggressive direct-to-the-public selling in American Weekly and six other important publications. This vigorous advertising gives the to Hecht and MacArthur’s strong-armed screenplay for Emily and revenge. THIS YEAR’S TOP EASTER BUSINESS WILL BE

Harry L. Gold
Eastern General Sales Manager

LADIES’ HOME JOURNAL
Circulation 3,050,000
May issue, on stands April 10th

McCALL’S
Circulation 2,900,000
May issue, on stands April 10th

SITUATION
She belongs to ME

SAMUEL GOLDWYN presents...

WUTHERING HEIGHTS
A Story of Painted Triumphed Love

MERLE OBERON - LAURENCE OLIVIER - DAVID NIVEN

SUNDAY EVENING POST
Circulation 3,096,000
April 9th issue on stands April 1

COLLIER’S
Circulation 2,625,000
April 9th issue on stands April 1
The finest entertainment achievement of the producer and director who gave you THESE THREE, DODSWORTH & DEAD END

SAMUEL GOLDWYN

presents:

WUTHERING HEIGHTS

From the great novel by Emily Bronte

co-starring MERLE OBERON • LAURENCE OLIVIER • DAVID NIVEN

with Flora Robson • Donald Crisp • Geraldine Fitzgerald • Screenplay by Ben Hecht & Charles MacArthur

Directed by WILLIAM WYLER • Released thru UNITED ARTISTS
Mexico Moves to Build Up Production of Domestic Films

Exhibitors in Mexico showing domestic films now receive a substantial rebate in taxes, as a result of a move by the Government to foster local production, according to Juan Pezet, general manager of the Association of Motion Picture Producers of Mexico.

Blames Block Booking

Pezet said the Government was compelled to act in the interest of domestic producers because of "block booking methods" used by American distributors which resulted in 25 Mexican films undated up to last October. American companies, he added, block booking to counteract the competition from domestic studios, he said.

This protective measure on the part of the Government, he continued, "has resulted in 16 of the undated films being shown up to December. In Mexico, however, we realize that we must work hand in hand with Hollywood, at least for the time being, because of the limited output of outstanding pictures."

In Pezet's opinion 90 per cent of the Mexican filmgoers prefer Spanish language pictures, and, accordingly, the local industry is striving to increase its output.

Distribution Plan Formed

The Mexican industry is organizing a distribution system for Latin America, the main purpose being to stimulate local production. A plan which would be acceptable in Mexico, thus meeting the growing demand for Latin American product, Pezet believes.

Pezet believes that the distribution of Mexican films by American producers is harmful to the local industry. The average fee, he says, is from $40,000 to $50,000 pesos (approximately $13,000 to $17,000) when handled by American distributors, whereas on being sold direct, the gross may be as much as 100,000 to 150,000 pesos ($33,000 to $50,000).

This, he claims, is due to the fact that the American distributors do not push Spanish language films, merely using them as a means of selling their own programs.

Engel on Television

RCA-Victor has placed Francis H. Engel in charge of coordinating and planning sale of television home receivers, RCA announces. The market in this area early this spring Engel has been with the company for the past 16 years in various capacities.

Cukor to Direct 'Women'

Hollywood, March 5-George Cukor will direct Norma Shearer in M-G-M's production of "The Women," adaptation of Clare Booth's Broadway play.

See No Increases In Quota Figures

London, March 5—It is reliably reported here following the meeting of the Films Council to get under the Films Act, that an increase in the quota percentages is highly unlikely.

Goldwyn Will Deliver For UA Despite Suit

(Continued from page 1) over the weekend but said he had no statement to make regarding the action. Goldwyn, when asked for a statement, allegedly told reporters that, "if the prosecutor, Goldwyn was the only United Artists partner who opposed the adoption of the plan, which has been in effect one year and has two more years to go."

"Silverstone Plan"

American distribution charges are 25 per cent on individual features grossing up to $75,000. The following bonus refunds apply on pictures grossing over $75,000 to $1,000,000: five per cent per gross up to $1,000,000; five per cent on $1,000,001 to $2,500,000; seven and one-half per cent on $2,500,001 to $4,000,000; five per cent on $4,000,001 to $6,000,000; seven and one-half per cent on $6,000,001 to $10,000,000; and 10 per cent on a gross over $10,000,000.

"Silverstone Plan" distribution charges and bonuses are in effect for the year 1939 until the end of the two-year period. British distribution charges are 25 per cent on a picture grossing less than $1,000,000 and where a producer has adjusted his gross on a film of $1,000,000 to $400,000; three per cent on $400,000 to $800,000; five per cent on $800,000 to $1,600,000, and seven and one-half per cent on $1,600,000 to $3,000,000. In England the combined grosses refund is two per cent on $800,000 to $1,000,000; five per cent on $1,000,001 to $1,600,000; five per cent on $1,600,001 to $2,000,000; seven and one-half per cent on $2,000,001 to $2,400,000; and 10 per cent on a gross over $2,400,000.

"Silverstone Plan" charges and bonuses were not yet in effect when the picture was called to London. For the rest of the year, the quota is 10 per cent.

Unit and Seat Tax Up In Wisconsin Senate

Madison, Wis., March 5—A unit and seat tax on circuit theatres has been introduced in the Senate. It provides a $5 tax on each theatre in a circuit up to five houses; $10 on each in a chain of six to 10 and increases up to $100 each in circuits of 80 houses or more.

Although the levy applies only in Wisconsin theatres outside the state belonging to a Wisconsin circuit are counted in fixing the tax. The seat tax is levied at one cent for each theatre seat having five or less houses up to 15 cents a seat for the largest circuits.

Another theatre tax measure is reported ready for introduction in the assembly. It calls for a five per cent levy on gross receipts of theatres.

Trade Program Held To Depend on U. S.

(Continued from page 1) not be able to tell until the program is in full swing, but" that the program will go into effect, Kent declared. However, he expressed hope that local arbitration or cancellation of charges might be handled by the industry itself.

A definite date for the start of operations is impossible to predict at this time, Kent said.

The distributors' drafting committee of lawyers, headed by Robert Perkins of Warners, is completing its version of a plan which has already been adopted by the industry. Since many of the suggestions on terminology submitted by participating companies have already been incorporated, the committee has scheduled a meeting with him in New York this week.

Maximum Concessions

The proposals will be presented to participating exhibitor organizations without further conferences with the distributors. They are expected to convene their negotiating committees and boards of directors for a final meeting prior to the program's launch.

Kent expressed the belief that the present draft result of the rewriting process will produce the maximum concessions that the major companies are economically able to offer.

"We could not do any more and hope to stay in business," he added. "I feel that all distributors will endeavor to live up to the program. I know that 20th Century-Fox will."

Selling of 1939-'40 contracts will proceed pending adoption of a program. As the principles and nature of the plan will be set forth as bill with the new terms will apply retroactively to contracts made prior to adoption.

Fishervenons

Des Moines, March 5—Don Allen, manager of the Des Moines theatre, discovered that a local woman was on the point of drowning when he jumped into the river to save her. When he reached the woman, she was being held by a current, and Allen pulled her to safety.

20th-Fox to Make Only 2 in England

(Continued from page 1) ferences. An increase of 10 or 15 per cent over the current season's figure has been discussed. Darryl F. Zanuck is planning on a grand scale for next year, the balance to be made by Sol M. Wurtzel. Of the current product, Zanuck is down for 24 and Wurtzel for 28.

Kent, Wobber and Walter J. Hutchison, head of foreign distribution, will attend Paris and London conventions in May. Kent and Hutchison will sail for Rio de Janeiro for a South American convention, which will signalize greater attention to be given to Latin America. A sales meeting will also be held in Trinidad. This will be Kent's first contact with the Latin American market.

"Maybe there is something in South America that we can give and get back in return," said Kent.

Movietone News staff will hold meetings in conjunction with the various conventions. Trueman C. Talley, head of shorts and newreel production, will attend the European sessions.

Change 'Pacific' Date

Paramount has changed the date of the premiere of "Union Pacific" in New York City, in which it previously had been set for April 21.

Theatre Changes

ROSENBLOOM TAKES ART

Art, Bronx, is now operated by the Rika Amusement Corp. (Joseph Rosenblom).

ACME TO JACOBS

Eccna Theatre Corp. (Max Jacobs) has taken over the operation of the Acme, Brooklyn.

TAKES N. J. HOUSE

St. George, Englewood, N. J. (Frank C. Walker, president, is now operating the Liberty, Bernardsville, N. J.

BRONX REOPENS

The Bronx has been reopened by R. & N. Amusement Corp. (Philip Smith).

SMITH OPENS HOUSE

North and more W., March 5—Vance Smith has opened his new Orpheum here. The theatre seats 400.

TO REMODEL IN CONN.

Windsor Locks, Conn., March 5—Khalo here will be closed early in June for complete renovation.
EVERY NEW OPENING CROWNS IT WITH ADDED BOXOFFICE GLORY!

THE LITTLE PRINCESS

SHIRLEY TEMPLE
THE LITTLE PRINCESS
in TECHNICOLOR

with
RICHARD GREENE · ANITA LOUISE
IAN HUNTER · CESAR ROMERO
ARTHUR TRELCHER · MARY NASH
SYBIL JASON · MILES MANDER
MARCIA MAE JONES

Darryl F. Zanuck, In Charge of Production
Directed by Walter Lang
Associate Producer—Gene Markey
Screen Play by Ethel Hill and Walter Farris
Based on the novel by Frances Hodgson Burnett
Hollywood Previews

"The Flying Irishman" (RKO)

Hollywood, March 5.—Borrowing extensively from the March of Time technique, RKO has put the life story of Douglas Corrigan on film realistically and without ostentation. An off-screen narrator tells a good deal of the story, in somewhat the crisp manner of the March of Time narrator, and a steady-eyed camera follows Douglas Corrigan and the professional actors much as a newsreel camera covers a news incident. The effect of all this is to make the picture seem, in unusual degree, a factual biography of a plain young Irishman who succeeds in the quest.

Director Leigh Jason has not attempted to make an actor out of Corrigan. The aviator speaks his lines simply for the most part, displays embarrassment in spots. The acting of importance is turned in by Paul Kelly, playing a shell-shocked flier; by Robert Armstrong, Donald MacBride and Dorothy Peterson, with J. M. Kerrigan doing a forceful bit early in the story.

The screen play by Ernest Pagan and Dalton Trumble starts with Corrigan as a boy fascinated by airplanes and takes him through years of personal sacrifice to the purchase of his own plane and the ultimate flight to Ireland. Reference is made to incidents occurring during this period, the Lindbergh top, the Hawks and Turner dashes and the Howard Hughes circuit. In this respect, as otherwise, the production is almost documentary in manner. No romance is attempted.

Scheduled for release on St. Patrick’s Day, “The Flying Irishman” is just about the picture people buying tickets to see Doug Corrigan act out his life story may be expected to expect.

Running time, 75 minutes. "G."

"Society Smugglers" (Universal)

Hollywood, March 5.—"Society Smugglers" is a crime melodrama involving Treasury Department operators, diamond smuggling, secret compartments in luggage, a death at sea, and fairly paced action. It competed for bookings with "Hiding." Headings the cast are Preston Foster, as the Treasury Department unit head; Irene Hervey, as his fiancee-assistant; Walter Woolf King, as the king’s leader; Fred Keating, as his sleight-of-hand aide; Regis Toomey, another T-man, and Frank Jeal. Supporting are Clay Clement, Frances Robinson, Raymond Parker, Milburn Stone, Doris Rankin and Harry Ray.

Joe May directed from the screenplay by Arthur T. Harris and Earl Felton. Ken Goldsmith was associate producer.

Suspecting the heads of a luggage firm sponsoring a contest, prizes for which are trips to Europe, of being engaged in smuggling, Foster has Miss Hervey obtain a job in the office. A T-man is substituted for one of the contest winners, and he, after uncovering a plot to smuggle diamonds, is killed aboard ship. Foster runs down the ring just as the girl is about to be killed.

Running time, 70 minutes. "G."

"Huck Finn" Draws $15,000, Providence

PROVIDENCE, March 5.—“Huckleberry Finn,” on a dual with “Steed and Simplex,” is doing another smash-up.

The three Muskeeters” and “Inside Story” took $7,800 at the Majestic and RKO’s Playhouse shows—helped Renegade Ranger to draw $4,100.

Estimated takings for the week ending March 1-2:

"Huckleberry Finn (M-G-M)

"Four Girls in White (M-G-M)

"Steed and Simplex (25c-35c-40c)

"The Three Muskeeters (RKO-Para)

"Inside Story (25c-35c)

"Steed and Simplex (20th-Fox)

"Simplex (25c-35c)

"Inside Story (25c-35c)

"Steed and Simplex (M-G-M)

"Inside Story (20th-Fox)

Estimated takings for the week ending March 5:

"Huckleberry Finn (RKO)

"Steed and Simplex (RKO)

"Inside Story (20th-Fox)

"Simplex (M-G-M)
New York Previews

"Blackwell's Island" (Warners)

"Blackwell's Island," a composite of crime and prison films, is an excitingly presented story of prison conditions as they allegedly existed on Blackwell's Island some years ago, during the incarceration there of the notorious Joe Raso. Although Warners disclaim any plot relation of the film to fact, it is obvious that the studio has dubbed heavily into the Razo expose to make this film.

Because crime and prison stories are a new and exciting cycle in Hollywood, patrons will find something startlingly new about the story of "Blackwell's Island," but they should like its exciting pace and the honest performances. "Blackwell's Island" is sound melodrama throughout, and as such it is certain to please.

The story concerns a protection racket mob and its leader: a newspaper reporter whose exposure leads to the imprisonment of the mob; the incredible taking over of the prison by the racketeers, followed by the inevitable rioting of the inmates and the tacking on of a prison sentence that leads the mob trailer precisely behind prison bars.

There is some romance, of course, but it is incidental. John Goll, plays the newspaper reporter engagingly. Rosemary Lane is the girl and Stan Fields plays with gusto the part of the mob leader.

Running time, 70 minutes. *G**

"Champs Elysees" (Pathé Cinema-Tri-National)

Sacha Guitry, using the famous Parisian Champs Elysees as a takeoff point, outlines a history of France. With fine gusto, Guitry constructs freely and with rare good humor on politics, philosophy, manners and whatever else his footloose fancy.

As is usual in Guitry films, it is a personal vehicle. Besides writing and directing, he acts as commentator and plays four bits parts. Depicting clearly as it does, upon his remarks, the film loses some of its charm, unless one has a working knowledge of French. The job of titling has been done well, and genuinely catches the spirit of the comment but they are so profuse that much of the excellent character portrayals and photography are lost.

"A Tale Theatre" audiences should enjoy it. Patrons at the Little Carnegie in New York applauded heartily and left the house still chuckling. The history before the Revolution, when Champs Elysees was a path cut through the forest, and continues to the present day. Superimposed is a story of royal loves ending with the last generation, which had a hand in the end of the Revolution, and Napoleon. Guitry plays a schoolmaster, Louis XV, the latter's son and grandson, and Napoleon III. Lucien Baroux, as the Marquis de Chauville, gives an amusing performance. Running time, 89 minutes. *A+++*

"Delight" $11,000

Best in Montreal

Montreal, March 5—"Delight" at the Palace rated high, with $7,500. "The Great Man Votes" and "Next Time I Marry" accounted for $7,000 at the Palace.

Estimated takings for the week ending Feb. 25:

- "Fall Spill" (20th-Fox)
- "The Great Man Votes" (20th-Fox)
- "Next Time I Marry" (RKO)

Waver Previews: New Features Here

Wavers are planning advance previews of new films in this New York area while Jack L. Warner, vice-president in charge of production, is here on new season plans and to attend the sales convention on March 13 and 14.

The first such preview was of "Dark Victory" at RKO Proctor's in New Rochelle Wednesday night. Warner, S. Charles Einfeldt and others from the home office were present, and Warner commented that audience reaction was favorable. A similar preview is planned for "Confessions of a Nazi Spy" in about three weeks.

San Francisco, March 5—"Topper Takes a Trip" drew an excellent $22,500 at the United Artists, running counter to a general box-office recession due to the exposition's opening. Also strong was "Pygmalion" at $9,800, in the opening week at St. Francis. "Gunga Din" ended three weeks at the Golden Gate with a creditable $13,500.

Estimated takings for the week ending Feb. 21:

- "Gunga Din" (RKO) GOLDEN GATE—$2,800 (S-4c-5c-5c) 7 days, 3rd week. Stage, vaudeville, Gross: $1,100. (Average, $157).
- "Let Us Live" (Col) STRANGER HOUSE—$1,200 (S-4c-4c-5c) 7 days, 3rd week. Stage, vaudeville, Gross: $1,500. (Average, $214).
- "Huckleberry Finn" (M-G-M) ARTISTS—$1,200 (S-4c-4c-5c) 7 days, Gross: $1,500. (Average, $214).
- "Honolulu" (M-G-M) PARIS—$1,200 (S-4c-4c-5c) 7 days, Gross: $1,500. (Average, $214).
- "Pygmalion" (M-G-M) PARIS—$1,200 (S-4c-4c-5c) 7 days, Gross: $1,500. (Average, $214).

"Topper Runs Big in Frisco With $11,500

Mixed Staff get Raise

MEXICO CITY, March 5—Exhibitors of Durango City have granted their employees a wage increase of 30 percent.
Divorce Law
Due to Pass Senate
In Kansas This Week

KANSAS CITY, March 5—Passage of the Kansas affiliated theatre divo-
ercement law appears to be a cer-
tain thing, after the Senate concurred in the bill before the Senate early this week for a vote.
The bill, which was introduced by Representative T. B. Clanin of Kansas and was reported out by the Senate Ju-
diciary Committee late last week with a recommendation that it be passed. The executive session passed by the House a week earlier.

If enacted as expected, the law would become effective next Jan. 1. It would apply only to Fox Midwest, the only affiliated circuit operating in the state.

With the repeal of the North Da-
kaDia affiliated theatre divorcement law and the failure of the Nebraska legis-
lature to pass a similar proposal, the only other divorcerement laws pend-
ing at this time, are in Washington and Missouri.

Imperadio Backing
Entirely American

LONDON, March 5—Phil Reisman, foreign chief of RKO; Herbert Wil-
cox, British producer, and Ralph Hanbury, head of RKO in England, outlaid at a press luncheon plans for BO RKO productions.

Wilcox stated the financing for his new company with RKO, Imperadio, is coming exclusively from America, with the Bank of America involved in the financing. He said there will be an exchange of personnel and pub-
licists with Hollywood. Anna Neagle probably will make a film with Cary Grant, he said.

Reisman declared RKO will distrib-
ute Howard Futter productions. RKO will produce here “The Saint in Lon-
don,” one of a series, for which Wil-
liam S. Hart is here from the coast making arrangements, and for which George Sanders is expected shortly to play the starring role.

CEA Report Scores
Circuit Domination

LONDON, March 5—Cinematograph Exhibitors’ Association, in its annual report, noted the difficulties of the moments arising from the “parasitic” development of the predominant circuits and their control of production.

The report declares that the Films Act is workable and sat-
factory, and attributes the decline in British production to the independ-
ent producers. The organization re-
ports a surplus for the year, and dis-
misses the idea of building a new film-
ning house as a result of the general depression.

Signs for RCA Service

Prudential circuit, operators of 25 houses in Brooklyn and Long Island, has renewed service contracts with RCA Photophone, Morris Selden, Pru-

lential executive, and W. W. Jones, RCA's New York service executive, negotiated the contracts with Edward C. Callah, RCA service manager.

“Never Say Die”

Hollywood, March 5.—Wrapping a multiplicity of potently humorous situations around an innately funny story idea, and trimming the whole with sparkling dialogue, Producer Paul Jones has turned out a fast, crisp-

nent film that is sure for laughs. It has had a preview audience at the downtown Paramount holding its sides for practically the entire running time.

Bob Hope is a millionaire hypochondriac in the screenplay by Don Hartman, Frank Butler and Preston Sturges from William H. Post’s play, and Martha Raye is a Texas lass betrothed to Alan Mowbray, bank-

ks, who has launched with aid of designs of Gale Sodergaard, champion pistol shot, in the belief that he has only a month to live. Promising to provide financial satisfaction for all dissatisfied parties, in his will, Hope and bride go on a moon-

hooon in the mountains with Andy Devine, Miss Ray’s true love from Texas, going along to keep an eye on the bride-in-name-only and await Hope’s demise. When it turns out that Hope is not going to die, copious confusion ensues, including a pistol duel between Hope and Mowbray that is as funny as any equal length of footage—and it’s quite a length—a War film.

Elliot Nugent’s direction is distinguished, bringing back to the screen that has lacked it too long his superb comedy touch. Miss Raye has one song number, by Ralph Rainger and Leo Robin, and there are no other departures from straight comedy. Running time, 80 minutes. “G.”

Roscio Williams

15 Contracts Signed
In 5 Coast Studios

Hollywood, March 5.—Fifteen new contracts, or extensions thereof, were given this week by five studios, Warners and Paramount each signing five pacts with talent.

Paramount signed Edward H. Griff-
th, director, to a straight two-year-

m, Ellen Drew, actress, and冨satue, writer, Charles R. Rogers, producer, for Paramount re-

lease, signed Faye Banner and 13-year-

old Irma Germaine.

Warners signed to new pacts, or,

extended old ones: Julie Stevens, 20-

year-old Little Theatre actress; 

undauntedness, actress: Wolfgang Reinhart, assistant to Henry Blanke; Max Steiner, composer, and Franklin Thaxter, dancer.

M-G-M has hired two writers, 

Harry Ruskin and Robert Theoren.

RKO extended the contract of Gar-

son Kain, director.

Martin Spellman, 12-year-old play-

ner, has been given a five-year contract calling for four pictures a year by Monogram.

Dismissal Is Upheld
In Para.-Publix Suit

Dismissal by N. Y., Supreme Court
Justice Salvatore A. Cotillo of a com-

plaint of Robert S. Levy, as bond-
holder of Paramount-Publix Corp., to 

other banks and 22 officers and in-

dividuals who were named defendants in the suit, which sought to remove the Chase Bank as trustee, and charged miscoun-

tant between Paramount-Publix officers and the bank. In addition, the complaint asserted that Columbia Broadcasting System had illegally acquired from Para-

mount the 50 percent stock interest which Paramount had in Columbia Broadcasting System, and had de-

nounced return of the stock.

M-G-M to Ask Dismissal

Application by M-G-M Pictures Corp., and M-G-M Distributing Corp., will be heard in the N. Y. Supreme Court today to dismiss a suit for fail-

ure to prosecute brought by Robert Brister and Harry T. Bliven, for an injunc-

tion and accounting against M-G-M, Suit alleged that M-G-M was the creator of the title of the plaintiff’s play, “Pent-

house,” in the motion picture of the same name.

Wrestler Sues Universal

Complaining of an infected neck 

caused in a hanging scene staged by 

Universal Pictures Co. Inc., Boris Denidid, a wrestler, has filed suit for 

$15,000 in the N. Y. Supreme Court, naming Universal as defend-

ant.

Wisconsin Bill Asks
Theatre Prizes Ban

MADISON, Wis., March 5.—The first attempt to stop games in the the-

atres has been made. Four bills to induce people to attend theathres, 

by-pass or bars, has been introduced in the senate here.

The bill fixes a minimum penalty of six months in jail or $500 fine or both. The attorney general’s office re-

leased recently that during the week 

that has ended there were 800 arrests for running或许是, four cases have refused to consent to the restraining order under the state law.

Authorities Seeking
Montana Games Ban

MISSOULA, Mont., March 5.—The first attempt to stop games in Mont-

ana was made when Prosecuting At-

orney Edward Dissault filed a com-

plaint in Federal Court here asking that the Fox-Missoula Theatre Corp. be restrained from conducting Bank Night or any other alleged lotteries. A hearing will be held for the de-

fense of the theatre, and the re-

straining order should not be granted.

Players See “Mikado”

Members of the D’Oyly Carte Gil-

terly, with the Illinois Grand Opéra, 

saw Universal’s color film of “The Mikado” at the Chann Auditorium, prior to the departure of the players on their return to England.

So. Africa Building
Boomed by 20th-Fox

Some 20 theatres are under con-

struction in South Africa, as a result of 15-year franchises offered by 20th

The houses are being built by local cap-

cit, with the exception of a 2,200-

seat theatre in downtown Cape Town, 20th-Century-Fox will have a $200,000-

investment. This will be the cir-

nus’s flagship and cost more than $250,000.

South African Consolidated The-

atres, from which 20th-Century-Fox 

will purchase its product a year ago, are building and modernizing several theatres. Consolidated Theatres are the dominant interests in South Af-

ica, owned and controlled by J. W.

and M. A. Schelsinger.

Chicago Gets ‘Daughter’

CHICAGO, March 5—Censors 

granted a general permit to “Yes, My Darlings” Friday. It was announced in the Chicago Board of Censors that the film was revised in the same manner as in New York. The previous version had been licensed for adults only.
Air Ban on Beer Ads  
In Quebec Set for March 31 by CBC

Ottawa, March 5.—Beer advertising will be banned on the air in Quebec after this action, which is now in its second year, is seen here as a possibility as several factors combined to make the prohibition of radio, and the implications of such a move, have been a subject of discussion.

Approval of the Administration bill introduced by Senator Danton K. Wheelock, for a three-year period on a three-year basis, was shown as virtually impossible in the face of charges that such a measure would be impossible. The bill, drafted by Chairman McNeil, would have a view to securing full control of the C.F.C. with possibilities that it may develop the first major scandal of the New Deal, because of its sensational nature, such as has been promised by members of Congress pressing for a probe, would be highly improbable, said Mr. Wheelock. When it was marshalling all forces for a Presidential campaign.

Meanwhile, the commission is confining itself to routine activities, until a new search for the solution of any of the major problems with which it is involved. The tempo of the radio monopoly probe has slowed down, although exhibits and thousands of pages of testimony have been collected, investigation of the West Coast situation has been completed, with little chance that complaints against conditions in broadcasting will be ready for some weeks and no chance whatever of a report being made to Congress this session.

Radio Personals

FRED WEBER, Mutual general manager, to Chicago on network business for one week . . . Ronnie Martin, his agency’s hand, will return tomorrow after a week in Miami. . . Hal Oxley, manager of Junie Luntford, returns tomorrow . . . Charles Park- er replacing Morris White in the Duke Ellington band . . . Eugene Katz of Katz agency back in town after several weeks away on business.

Teled Eara, "Tanya" of the silent film days, will make a guest appearance on the "For Men Only" show tomorrow over NBC. . . . Bud Gudzinowicz, a former broad- cast engineer, has been replaced as general manager of the Dick Powell show. . . . Tom Howard played host at a birthday party Sunday for his air partner, George Shelton.

Reorganizing of FCC Seen Off for Year

WASHINGTON, March 5—Delay in reorganization of the Federal Com- mission for the broadcast license renewal, which a year ago was set for the next year is seen here as a possibility as several factors combined to make the prohibition of radio, and the implications of such a move, have been a subject of discussion.

CBS Warns Stations Against Profiteering

OTTAWA, March 5—Warning that the committee be ready to believe there were many times before it were making tremendous profits on radio that it was not against the public interest and its sale to others was a threat to the public. The commission had been sympathetic to the view of its member, Norman McNinch, who has been rapidly being dissipated by his constant quarrels with his fellow member, H. E. Gates, of the latter stages of the bill which occurred last week when he attacked Commissioner T. A. M. Crawen for warning the commission against the possibility of a violation of its powers.

Meanwhile, the commission is confining itself to routine activities, until a new search for the solution of any of the major problems with which it is involved. The tempo of the radio monopoly probe has slowed down, although exhibits and thousands of pages of testimony have been collected, investigation of the West Coast situation has been completed, with little chance that complaints against conditions in broadcasting will be ready for some weeks and no chance whatever of a report being made to Congress this session.

Air Salute to WIRE

Salute to WIRE, NBC station in Indianapolis, will be broadcast by the network on Wednesday in the installation of a new plant and transmitter. The program, built by the company’s laboratories for television and facsimile experiments, will be aired at 11:30 P.M. M.

Mistaken Identity

Mutual accidentally got a free-cost-to-air appeal for its network over NBC at 12:30 A.M. Saturday. At that hour NBC switched for local programming, but the confusion was a member of both NBC and Mutual. Through a mistake in identification, the broadcast was sent out after the Mutual identification on the NBC line.

FCC Calendar

WASHINGTON, March 5.—Federal Communications Commission announced a lengthy series of hearings on broadcast- ing applications, as follows:

March 7: Applications of Martins- ville Broadcasting Co., for a 1,240- kilocycle station at Martinsville, Va., with 100 watts power night, 250 watts day. KODL, Columbus, Ga., for a 1,000-kilocycle, 1,000-watt day station at Niagara Falls.

March 7: Applications of Applications of Panama City Broadcasting Co., for a 1,240- kilocycle station at Panama City, Fla., with 500 watts power night, 1,000 watts day. 

March 22: Applications of Omaha Country Broadcasting Co., for a 1,370- kilocycle station at Hancock, Mich., with 100 watts power night, 250 watts day.

March 24: Application of WQDQ, St. Albans, W.Va., for extension of time from day to unlimited.

March 24: Application of WQDM, St. Albans, Vt., for extension of time from day to unlimited.

March 28: Applications of Coastal Carolina Broadcasting Co., for a 1,240- kilocycle station at Mozambique, Me., with 1,000 watts power night, 2,500 watts day, and WQAM, Davenport, Ia., for change of frequency from 1,370 to 1,390 kilocycles and increase of power from 100 to 250 watts.

April 1: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 2: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 5: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 13: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 14: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 17: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 18: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 22: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 25: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 26: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 27: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 28: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

April 30: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

May 1: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

May 2: Application of W. B. Greenwald for a 1,570-kilocycle station at Southbridge, Mass., with 1,000 watts power at day.

Quiz Series on NBC

Marx, Inc. will sponsor a new quiz series titled "Dr. I. Q." over a split NBC network, beginning April 10. Contract is for 13 weeks, through the Grant advertising agency. Stations which will carry the program are: WOWO, WENR, WLS, KWBI, WOTC, WNLK, WBBF, KANS and the midwest, northeast and Red mountain districts.

CBS Will Air Life of Marie Dressler

Life of Marie Dressler, motion picture comedienne who died in 1934, will be dramatized on the "Cavalcade of Authors" Monday, March 13, over CBS, from 8 to 8:30 P.M. M. Agnes Moorehead will impersonate the famous actress.

Network for Warner Program Faces Delay

Walt Disney, "Let’s Get Hollywood," scheduled to start coast-to-coast on Mutual on March 16, may be delayed over the network on that date, due to an inability to obtain spon- sor for the program.

"Let’s Get Hollywood" will be broadcast over Warner’s own station, KFWK, Hollywood, and the California Don Lee network, where it is sponsored by the Ford dealers of that state. It was planned to extend the programs coast-to-coast over Mu- ralit on a participation basis, and ac- cordingly to the Redfield-Johnstone agency has been contacting clients in cities where Mutual stations are lo- cated, the state, however, a number of hand- ful of clients have been obtained. There is a remote possibility that the show will go network on schedule, but in the event that more clients are not lined up, the initial date will be deferred, or the plan altogether abandoned.

Ruppert Show Off Soon

"Relaxation Time," series spon- sored by the Ruppert Breeding Co. on NBC, fades into the air with the broadcast of March 21.
Strike Up the Band!

Here Comes Your Baby

Full of zip... pep... dash and doing!... the National Screen Trailer running in advance of your show!

Seen... heard... entertaining... carrying conviction to seat buyers while they're in the mood. The only advertising combining sight... sound... voice and the printed word! Action on your screen. Samples of what the picture is about.

And how low in cost! How complete in coverage! How unique in appeal! How real a ticket-seller!

Big merchants... national advertisers would grab your screen in a minute. You've got it! Use it to the best advantage with National Screen Trailers by

NATIONAL SCREEN SERVICE

...Prize Baby of the Industry!
I. C. C. Probe
Of U. S. Radio
Policy Sought

White Seeks Inquiry of Influence on FCC

WASHINGTON, March 6.—An investigation by the Interstate Commerce Commission to ascertain whether censorship has been practised by the administration in its dealings with the Federal Communications Commission has been asked by Senator Wallace White, of Maine.

In a resolution introduced in the Senate, White, chief critic of the Wheeler bill for reorganization of the F. C. C., asks the commission to determine if the administration has influenced broadcasting and activities of the radio companies. In the resolution, he asks a "thorough and complete" inquiry into the F. C. C.

Other Points Stressed

Other points stressed in the resolution were whether other government departments have influenced the policy of the F. C. C. and whether the commission or any other government agency has influenced stations.

Concentration of station ownership also is made the target of the Maine senator and he asks that the investigation go so far as to extend also of the ownership or affiliation of newspapers with stations.

Finally the resolution seeks information on the desirable length of the term of broadcasting licenses.

Hammons, Creditors Meet

Hollywood, March 6—E. W. Hammons, Grand National President, said tonight following a meeting with creditors and Loyd Wright, trustee for the company, that G. N. was proceeding along orderly lines and that creditors were cooperating for the best interests of the concerns. Hammons expects to leave Friday for New York.

IATSE Fights Suit


Fred Allen Refuses Two Picture Offers

Fred Allen, one of the most popular figures in the field of broadcasting, has turned down two offers to make a picture this summer. The offers were by RKO and Paramount. Last summer Allen made a film for 20th Century Fox.

Cole Urges Abolition of All Clearance

By AL FINESTONE

Col., H. A. Cole, president of Allied States, yesterday urged the abolition of all clearance between prior and subsequent runs. His view is that the Supreme Court decision in the Dallas anti-trust case affects clearance.

"Judge Roberts, in his dissenting opinion, put the finger on the situation," he added.

Allied is now "indifferent" to a trade practice program, Col. Cole said, but if the distributors submit proposals to exhibitors, the Allied Board may consider them. Col. Cole declared that the repeal of the National Labor Relations Board divorcement statute, Allied has decided that further negotiations on a trade practice program are "neither desirable nor necessary.

Col. Cole said that Abram F. Myers, Allied general counsel, has no plans to come to New York for a meeting of the distributors' trade practice drafting committee.

Regarding clearance, Col. Cole says: "(Continued on page 3)

Alger Sought for RKO Board Place; '38 Net $173,578

George W. Alger, well known New York attorney who served for two and one-half years as special master in the RKO reorganization, is being sought by reorganization groups for the board of directors of the new RKO company.

If the nomination of Alger is approved by the Federal court, which it must be before it is final, he would replace Ferdinand Eberstadt, whose name was withdrawn last week when it met with objections from a group of RKO stakeholders. Alger, who is, of course, thoroughly conversant with RKO and its reorganization affairs as a result of his association with RKO stockholders, also is, of course, thoroughly conversant with RKO and its reorganization affairs as a result of his association with RKO stockholders.

If Federal Judge William Bondy approves the nomination it will complete the RKO board of directors, as he previously indicated his approval of the other 12 proposed directors.

RKO's net profit for 1938 is estimated at $173,578 by Irving Trust Co., RKO trustee, Judge Bondy was advised yesterday by O. C. Doering, Jr., of counsel to the trustee. The figure, as yet unaudited, compared with a net of $1,821,165 for 1937, but was recorded in the face of a loss of approximately $4,080,176 for the first half of 1938.

The disclosure of earnings was made in connection with the application of Irving Trust for interim allowances of $85,000 for reorganization services, and of Donovan, Leisure, Newton & Nolan, trustee's counsel, for $95,000 for services, Judge Bondy reserved decision on both applications.

Courtland Smith to Study
Television for M.P.P.D.A.

Courtland Smith has been retained by Will H. Hays and J. Robert Rubin to make a study for the industry on the current status of television and its relation to exhibition and exhibition. Smith will serve as chairman of M.P.P.D.A.'s television committee.

He will serve as consultant and liaison for the industry in television matters. His survey of television and its relation to the industry was begun last week. While no deadline for its completion has been set it is likely that at least a preliminary report will be prepared for the annual meeting of the M.P.P.D.A. on March 27. Results of the study will, of course, be available to all members companies.

Smith's appointment is indicative of the industry's determination to acquaint itself fully with television's potentialities. The move was urged by Motion Picture Daily on Nov. 9.

Smith was the first secretary of M.P.P.D.A. Later he became an assistant to William Fox where he assisted in the development of sound-on-film. He started the first talkie newsreel in the U. S. and also created the first newsreel theatre in this country. About 18 months ago he resigned as president of Pathe News.

Goldwyn Discards Plans for Air Film

Hollywood, March 6—Samuel Goldwyn has scrapped plans to film "Thirteen Go Flying." Formal objections were received from Assistant Secretary of State George S. Nesher-Smith. The story dealt with a plane disaster at sea and was said to have evoked protests from aviation companies.

Warners Get $6,000,000
For Refunding

Warners have arranged for a secured loan from three banks for a maximum of $6,000,000 in order to complete its debenture refunding. Of $2,400,000 six percent debentures due on Sept. 1, 1939, only $7,000,000 has not been deposited for exchange.

The company anticipates that additional debentures to be deposited, plus earnings and the bank loan, will be sufficient to cover the amount outstanding. Undeposited debentures will be paid off in cash on maturity. The new bonds will mature April 4, and will bear the same rate of interest.

The bank credit agreement is with New York National Bank, Guaranty Trust Co. of New York and the Continental Illinois National Bank & Trust Co. of Chicago. That such an arrangement would be made for the amount of $5,000,000 was reported in Motion Picture Daily on Jan. 18.

Agreement Filed With SEC

The loan matures in varying amounts each six months beginning April 1, 1940, and ending April 1, 1944, if the maximum amount is borrowed. Proceeds will be used only for the purpose of repaying debentures. "Therefore," the company states, "the greater the number of debentures deposited, the greater will be the funds available for the company to avail itself of the loan agreement.

(Continued on page 3)

20th-Fox Convention Moved Up to March 31

National sales convention of 20th-Fox has been advanced to March 30 and 31, in order to avoid a conflict with the Jewish holidays. Passover starts April 3, when the three-day convention previously was scheduled to begin. The convention will be held at the Congress Hotel, Chicago.
Purely Personal


Jack Chenow, head of M-G-M shorts production, leaves today with Mrs. Chenow for a visit with relatives in Atlanta. They arrived from the coast over the weekend.

Dan Carroll, Australian exhibitor, is due in Los Angeles March 20 from Sydney and will come to New York to confer with officials of Paramount, whose product he buys.

Oscar Shankey, assistant at the Dixwell Playhouse, is the father of a girl born to Mrs. Shankey, daughter of Selig Fishman of Fishman Theatres.

Albert Lewin, producer for Paramount, has returned after a two-month vacation abroad, and will remain in New York until the end of the month.

Lloyd Linde, assistant to George W. Wexler's general sales manager for Monogram, is on a tour of Midwestern offices. He will be gone 10 days.

Arthur M. Loew, vice-president of Loew's; Lundy Lawrence, European manager, and Sam Eckman, British head, have returned from the coast.

Tex Ritter, Monogram western star, returned from Hollywood over the weekend after a personal appearance tour of the southwest.

J. E. Cheatham of Kansas City has gone into partnership with James Foland in operating the Independent Supply Co. there.

Harold Winter has been named district manager in Kansas City of RCA Manufacturing Co., succeeding Dale Neiwender.

Haskell Master's mother died last week in Florida, from injuries received in an automobile accident.

Mr. and Mrs. Howard Dietz are among patrons sponsoring a movement to popularize the ballet.

Mr. and Mrs. Jules E. Boulouart have sailed for a short cruise.

Mitchell May, Jr., CO., INC.

INSURANCE
Specializing in requirements of the Motion Picture Industry
75 Maiden Lane, New York
510 W. 6th St., Los Angeles

Insiders' Outlook
By Sam Shain

THE responsibility of being an important and glamorous personality weighs heavily upon the shoulders of the extremely youthful Mickey Rooney. We were fellow passengers aboard a train from Miami. He impresses us as being an extremely smart young man. That night, visiting with us, he asked: "Why do columnists write such untruths?"

He was disturbed about some of the things that had been printed about him during his New York visit.

Mickey is only 18. Perhaps as he grows older and his work takes him to greater fame, he will have learned about newspapers and newspaper men.

You can traverse the Roaring Forties in Times Square every day for years and not see all that is there. How many, do you think, among the old-timers, or even the ones who are new to the Main Street, ever take notice of the dwelling adjoining the Astor Hotel at 44th Street, or know who lives there, if anybody? It has stood there for years.

Nightly rushing across the cross-town streets you might see between the hours of 9 and 11 a distincively dressed, gray-haired gentleman in black and of medium-height, rushing in and out of the leg theaters. He has been doing this for years. He is the program man who clocks every show in order to check the number of programs to be printed for the following day.

Ben Washker thinks that legit actors are a more vital kind than those who are in films. Marjorie Ford takes this view also. They point out this essential difference between the two — the legit actor has to do so much himself, whereas the film actor has much of his work prepared for him by others.

And speaking about the legitimate stage — may we tell you that we have discovered a pretty good barometer on how to tell whether the plays are doing well or not by watching the business done at Sardi's restaurant. The night time trade at this spot tells all.

Does it seem strange to you that what may be only a fair single day's gross at one of the Broadway film houses, might be a profitable weekly figure for certain plays? Some shows may require only $6,000 on the week, and yet $10,000 is considered only a fair single day's gross at the Radio City Music Hall.

Let us get off the legitimate track now.

Elsewhere in this issue, Col. A. H. Cole urges the abdication of all clearance, basing his views on the reported Supreme Court ruling in the Dallas case. However, among company lawyers there seems to be a prevailing opinion that the recent U. S. Supreme Court decision in the Interstate Circuit case of Dallas cannot be construed as invalidating clearance schedules, as such.

Undoubtedly there was a time when the distributor-owners were not certain as to the exact effect the high court's ruling might have on clearance schedules. There was some apprehension that the ruling might serve to invalidate such schedules. If that were so it would upset the basic price structure of the industry. Apparently this apprehension stemmed from the dissenting opinions which were expressed by Justice Roberts. In his opinion it was asserted that if the ruling were carried to its logical conclusion, the Supreme Court decision invalidating contracts which affect the playing terms of a subsequent run, would also invalidate clearance schedules.

Attorneys seem to believe that Justice Roberts' interpretation is an extreme view, which brings about a result not intended by the court. It is felt that if the court's decision has an effect on clearance, whatever that effect may be will be determined by specific fact situations subsequently, and in which the Dallas decision might be cited as a precedent.

Weisman Preparing Censor Repeal Bill

Bill to repeal the New York state censor law is being drafted by Milton Weisman, manager of Weisman and Scott, R. Dunlap, vice-president in charge of production, returned to the studio today to complete 1939-40 product plans after attending company meetings in New York.

Weisman, who is the company's executive vice-president, has been in Los Angeles and New York for the past few weeks. He is now back in Hollywood to resume production activities.

The organization last week started to bring about repeal of the statute.

Skirball Here After Stopover in Chicago

Jack L. Skirball, Grand National production head, arrived yesterday from the coast after a stopover in Chicago for a meeting of company executives.

E. M. Hammons, president, delayed his departure from the coast, where he has been lining up production, but is expected back in a week.

Sol Edmards, eastern sales manager, who attended the Chicago meeting, is still arranging a string of changes. Skirball expects to return to the coast in about 10 days. Very little of a definite nature on the company's future plans is known, but several current projects complete current production and financing negotiations on the coast.

Funeral Services for Alfred S. Krellberg

Funeral services for Alfred S. Krellberg, well known in the theatrical business, will be held at the Riverside Memorial Chapel, 74th St. and Am. River Ave., at 10 a. m. today. Krellberg died Sunday in the Mt. Sinai Hospital after an illness of several months. He was a member of the firm of Krellberg & Feathers and specialized in film and tax law. He was 36, and is survived by his parents, Mr. and Mrs. Krellberg, his brothers, Edward Sherman, and two sisters, Mary and Florence.

Innes' Mother Dies

Mrs. Eleanor A. Shoup, mother of Hilker Innes, assistant manager of Paramount's New York department, who had resided yesterday, funeral services will be held today at Campbell's Funeral Parlors, and burial will be in Arlington National Cemetery tomorrow.

Pathé Split March 29

One share of Pathé Laboratories will be sold at $100 share for the March 29 stock of Pathé Film stock on March 29. The directors may distribute another share for the next two years as provided in the plan.

'Feathers' on March 20

Alexander Korda's film, "Four Feathers," will be presented in London on March 20. It will be distributed by United Artists.
Seeks Dismissal of Dakota Divorce Plea

WASHINGTON, March 6—Dismissal of the North Dakota affiliated theatre divorce action in the U. S. Supreme Court today by Thomas D. Timcher, counsel for Paramount and other defendants in the action explained that with repeal of the state divorce law by North Dakota the Supreme Court ordered a 10-day stay in the action to give the state an opportunity to reply if it desired to do so. Exempt from the repeal the case would have come before the court on appeal by Paramount late this month.

The Supreme Court again yesterday failed to hand down its decisions in the Washington and Florida anti-Ascap law cases in which the considered past due, are expected to decide the constitutionality of state anti-Ascap laws.

W. E. Counts CEA Service Slash Fight

London, March 6—Western Electric has written to the Cinematograph Exhibitors Association, to renew the recent discussion on reduction of service charges, asking another meeting in a week.

The move makes no direct reference to the service charges, but offers an extension of the loan period on new sets and conversions. The C.E.A., has indicated its desire to make meetings with Western Electric officials, but insists that service charges remain the primary problem.

WB Gets $6,000,000 For Refunding Plan

(Continued from page 1) itself the maximum amount of the bank credit.

A copy of the loan agreement was filed yesterday with the Securities & Exchange Commission.

The company states that $19,266,000 principal amount of debentures have been deposited under the plan of exchange. The company has purchased in the open market $421,000 principal amount of debentures, of which $147,000,000 have been retired and the remaining $412,000, which are held in the treasury, will be retired in due course.

Earnings Run Higher

After allowances for the foregoing purchases, there remain outstanding an aggregate of $25,827,000 of certificates of deposit and debentures.

The company estimates that the earnings for the quarter ending Feb. 25 will be more than for the corresponding 1938 quarter, when profit of $1,326,000 was reported, after all charges other than Federal surtaxes on undistributed profits.

The deadline for depositing debentures for exchange is March 15. This may be extended at the discretion of the directors.

Allied Unit at Albany Votes to Fight Bills

ALBANY, March 6—Allied of New York, which has a theatre in the Albany region today voted to contact their legislators to protest adverse bills pending in the legislature.

Resolutions were adopted against the McNaboe sales tax, Conduit-Mof- fat theatre impost, Eulrich-Wicks stadia guarantee, and urging the Crewy-Pihls bill for two men in a booth.

There were no complaints heard by the grievance board, though subsequent run protection will be discussed at the next meeting. Representatives of 25 theatres were present. E. Thornton Kelly, state executive secretary, returns to New York on Wednesday.

C. F. I. Will Elect 4 Directors March 23

Four directors of Consolidated Film Industries are to be elected for terms of three years at the annual stockholders' meeting March 23.

They are Edward C. Deasyne, who is an E. W. Soffe, John F. Long, 1,770 common; Herbert J. Yates, Jr., holding 7,782 preferred and 250,000 common; Joseph L. Aller, 500 preferred, and 2,117 common, and Richard W. Altshuler, listed as owning four shares.

No other business is scheduled for the meeting, which will be held at 11 A.M. at the company's headquarters.

Mr. Altshuler's backing of record as of March 2 will be entitled to vote for the directors.

Australian Manager Of Columbia Is Due

Cecil F. Minson, Australian manager for Columbia, is expected in New York within the next few months to discuss recent Australian film legislation and its effects on sales and operations of American companies. He will be accompanied by J. W. Bergher, Columbia's manager for Japan.

Mr. Minson, an Australian manager, has been here for the past few weeks and Paramount, M-G-M and other Australian managers are en route here.

MacDonald Presides At Warner Rio Meet

RIO DE JANEIRO, March 6—Karl MacDonald of New York, Warner's Latin American district manager, is presiding at the meeting of the company's Brazilian branch managers. Warners have eight offices in Brazil.

The meeting will wind up Wednesday.

MacDonald will then return to Buenos Aires, where he recently conducted a meeting, and will visit communities in Chile, Peru, Argentina, Colombia, and Panama. He will return to New York about May 1.

Helpin Sailing on Saturday to London

Morris Helpin, advertising and publicity representative for Alexander Korda, sails on the Queen Mary Saturday for London, where he will confer with Korda. He probably will be gone several weeks. Korda and Helpin, with studio officials, will discuss advertising plans for forthcoming Korda pictures, among which is "Four Feathers."

Famous-Canadian Trust Agreement With Para. Expires

TORONTO, March 6—The voting trust agreement between Paramount and Famous Players-Canadian Corp. which was established 10 years ago to exercise stock control of the latter company expired today. No new trust agreement will replace it but control of the Canadian company is not affected.

The voting trust held 189,000 shares of Famous Players-Canadian common. Most of this was, and remains, in the hands of the company's directors or indirectly of Paramount. Members of the trust were Adolph Zukor, Nathan Nathanson and I. W. Killiam, the latter a former financier. Zukor withdrew as chairman of the board of Famous-Players-Canadian some time prior to the voting trust. The voting agreement was set to expire, if the election of a successor to Zukor at this time. Nathanson, of course, continuing as head of the Canadian company.

Nathanson is due back from a Florida vacation in a week or 10 days to complete arrangements for the annual meeting of the company, to be held toward the end of March.

Cole of Allied Urges Abolition of Clearance

(Continued from page 1) said: "We will have something to take the place of the present system. But I am in favor of no clearance at all. I believe we should not have a subsequent run to start playing a picture immediately after the prior run is through with it, with no clearance at all between them."

"The Supreme Court's decision means that you cannot control a subsequent run. My position is that if we took pictures in 10 days and ran them through the various runs, there would be more revenue for all companies. But we have demonstrated in some situations, affiliated circuit and independent alike.

"It has also been shown that protection, insofar as receipts are concerned, means little or nothing to the first run. Protection as now practiced is used to further a monopoly and is not a good business practice."

"Through Negotiating"

Col. Cole said that Allied's trade protection committee was disbanded on March 1, in accordance with a mandate from the directors, and that Allied is "through negotiating." Any plan submitted will not be considered by the directors until their meeting at the annual convention in Chicago, probably late in May. He blamed the "smoke screen" policy of the Hollywood producers who failed to say what they were going to do in the way of clearing. Cole said the committee was not going to be in the business of trying to complete their proposals.

The Allied president has been consulting with regional Allied boards since the trust committee was disbanded. Today he plans to be in Philadelphia and will be in Baltimore on Thursday. He is scheduled to meet with the New Jersey Allied board next Monday and will be in Boston the following day. A meeting with the New York unit's directors is tentatively scheduled for March 16.
Florida May Sue For Cash Paid as Bank Night Prizes

TALLAHASSEE, Fla., March 6.—Consideration is being given to the possibility of suits to collect for the state all money paid or offered as Bank Night prizes during the past two years. Governor George C. Gibbs has reported that under a law passed in 1895 his office is required to investigate lotteries for the purpose of collecting the forfeits, and has instructed every State Attorney to investigate the probability of collection and to render a full report.

Whether the suits will be brought against the prize winners or the exhibitors will depend on the recommendations in the reports. Prizes won prior to two years ago cannot be collected as they are banned by the statute of limitations. The action follows two Supreme Court decisions rendered Jan. 20 which declared that Bank Night was a lottery.

Order in Breen Suit

William D. Shapiro, vice president of Bobby Breen Productions, Inc., was ordered yesterday by N. Y. Supreme Court Justice Aaron J. Levy to testify before a trial in a suit brought by Israel, Harry and Larry Abelson, doing business as A. Abelson & Son, which sought $22,798 from Bobby Breen Productions. Plaintiffs, clothiers, contend they were authorized by license to use the name and photograph of Bobby Breen.

M-G-M Suit Dismissed

N. Y. Supreme Court Justice Charles B. McLaughlin yesterday dismissed a suit for professional plagiarism of Robert Brister and Harry T. Kliven against M-G-M Pictures Corp. and M-G-M Distributing Corp. Plaintiffs had charged the plagiarists of the title of their play, "Penthouse," in a film of the same name.

Ask Test Before Trial

Application will be made today to the N. Y. Supreme Court for an order directing W. G. Van Schmus, as president, and Fred A. Cruise, as manager of Radio City Music Hall Corp., to testify before trial. Lillian L. Davidson, plaintiff in a $50,000 suit for alleged injuries, claims that she was hurt by spectators on April 1, 1937.

Pizar Praises Air Policies of Zanuck

Philadelphia, March 6—Lew Pizar, president of the U.M.T.O.P., has sent a telegram to Darryl F. Zanuck, 20th Century-Fox production head, commending him for his policy on film stars' appearances on the air.

"Grand construction movement in withdrawing stars from radio," the wire says. "Box-office will have less competition, thus stimulating your cooperation with exhibitors."

Arnstein's $2,000,000 Suit on Songs Starts

Trial of the suit of Ira B. Arnstein for $2,000,000 damages, an injunction and accounting against Warner Bros. Inc., Acaap, National Broadcasting Corp., Columbia Broadcasting System and a number of individuals and music publishing houses started before Federal Judge Edward A. Conger yesterday in the U. S. District Court. Complaint charges plagiarism of some 20 songs allegedly composed by Arnstein in songs written, published and broadcast by the defendants.

Stage Union Pact Settled Before Trial

Broadway legitimate stage houses have tentatively agreed on terms with Local 54, Building Service Employees Union, for a contract covering porters and cleaners. The League of N. Y. Theatres is pressing its membership for approval of the pact and the union will meet today to vote on it.

S W C Hearing Recesses

Hollywood, March 6.—Hearing of N. L. R. B. complaints against producers over alleged failure to bargain collectively with the Screen Writers' Guild recessed today to tomorrow to give special trial examiner James C. Batten time to study the case.

Yates Reaches Coast

Hollywood, March 6.—Herbert J. Yates arrived today at Republic studios to put the final touches on "Man of Conquest" and several other studio projects. Reports that Yates' visit would be followed by personnel changes were discounted by studio officials.

Omaha Passes Stage Version of 'Darling'

OMAHA, March 6.—The Omaha welfare board, which banned the film version of "Yes, My Darling Daughter" to the Brandleis here, has approved the stage version presented by the Omaha Community Playhouse.

A report of the board followed a preview of the stage play. Members of the board said their action was governed by the fact that the stage play would be shot to television and screened for minors and that only season ticket holders would be admitted.

Harlan, Ia., Approves Film

HARLAN, Ia., March 6.—"Yes, My Darling Daughter," banned in the film version by the welfare board here, has been approved by three local ministers and their wives and members of the City Council and their wives "without exception."

The film also will open in Norfolk, Neb., this week without any censorship troubles.

Clearance Case Settled Before Trial

Test suit brought by Jupo Amusements, operators of the Polk, Jackson Heights, against 20th Century-Fox to determine validity of clearance run, was settled before it reached trial in the Queens County Supreme Court yesterday. The settlement involved an agreement of clearance schedules.

Jupo (Frank, Moscato) signed a contract with 20th Century-Fox, but the blanks following the word "Clearance Run" were left blank, the exchange relying on the words "as available."

Subsequently, General Manager (Brandt) was granted one week's clearance over the Polk. In a preliminary motion, Justice Pete Daly ruled that the failure to fill the blanks after the words "Clearance Run" required the company to furnish product without clearance to any other house.

Cincinnati Manager Convicted for Game

CINCINNATI, March 6.—William Dodds, manager of the Imperial, a legitimate theatre, was found guilty on a charge of ticket selling. He was convicted by Municipal Judge Clarence E. Spruill, fined $5 on each charge, granted a 30-day stay of execution to appeal, and released on $50 bond.

Police Sergeant William Stath, in the theatre where Dodds operated, drew a $25 capital prize and $10 in cash, made the arrest. Dodds has indicated his intention of appealing the case.

4 Brokers Testify In Ticket Code Suit

Trial of the suit brought by Acme agency to restrain enforcement of the ticket brokers' code started yesterday before Referee Morris Longpre, Jr., of the League of New York Theatres and Actors' Equity are defendants.

Referee Longpre ruled yesterday that they were compelled to sign the code. Witnesses were Walter Friedman of Acme, Joseph Keith of Leblang-Gray, Louis Sapper of White and William McBride. The trial is expected to last all week.

Ryde Is Due From Australia March 27

Norman Bede Ryde, managing director of Greater Theatres in Sydney, Australia and affiliated interests, is due in New York March 27 on his first visit to the United States. The purpose of his trip is to meet Mr. S. L. Kent, president of 20th Century-Fox, and other company heads regarding Australian distribution.

New Theatre in Australia offers a greater share of American films.

Greater Union’s product troubles date from the time its pool with Wyler and Co., with Australian screening, was given a greater share of American films.

The division of major company product has long been a problem in Australia and has been a factor in arousing feeling against the American management which has led to restrictive legislation.

The Greater Union interests believe that something may be accomplished by the Ryde trip here for personal discussions with executives of 20th Century-Fox, which controls the Australian product indirectly through National Theatres.

On Boards of 15 Companies

Ryde is on the boards of 15 companies, and is considered a financial and business leader in Australia. Other than film interests, he is connected with a chain of hotels, banking and investment and mercantile companies and publishes Ryde’s Business Journal, a monthly. He became managing director of Greater Union and affiliated companies when the pool with Hoyts was disbanded.

Capt. Harold Auten, Greater Union representative here, will leave March 15 for Australia to meet Ryde on his arrival march 20 on the Monterey.
Curtain going up!

PARAMOUNT’S ★★★★★ Spring SHOW!

They’re HONEYS
... and they’re all from PARAMOUNT!
IT'S A PARAMOUNT SEASON!
PARAMOUNT'S 4 STAR DRIVE FEB.26 TO MAY 27.

CAFE SOCIETY

"THE BEACHCOMBER"
“CAFE SOCIETY”
It's new...it's news...it's the screen's first story of the glamorous "400" of the night clubs. With a big name cast headed by MADELEINE CARROLL, FRED MacMURRAY, SHIRLEY ROSS. Directed by Edward H. Griffith.

“THE BEACHCOMBER”
CHARLES LAUGHTON'S triumphant comedy of romance in the South Seas—now blazing a box-office trail from coast to coast. A Mayflower picture with Elsa Lanchester, produced and directed by Erich Pommer.

“MIDNIGHT”
CLAUDETTE COLBERT and DON AMEYCHE head the prize cast of the season in "Midnight," the prize romantic comedy of the year. With JOHN BARRYMORE, Francis Lederer, Mary Astor, Elaine Barrie. Directed by Mitchell Leisen.

“SUDDEN MONEY”

“KING OF CHINATOWN”
"I'M FROM MISSOURI"

Starring the one and only BOB BURNS... and topping "The Arkansas Traveler" in every department. With GLADYS GEORGE, Gene Lockhart and Samson, the only mule ever to spend a night in a Turkish bath. Directed by Theodore Reed.

"BACK DOOR TO HEAVEN"


"NEVER SAY DIE"

The laughs come fast and furious when MARTHA RAYE and BOB HOPE go on a funny-honeymoon... with ANDY DEVINE along as chaperon, and Alan Mowbray as jealous lover. Gale Sondergaard and Ernest Cossart round out a perfect cast. Directed by Elliott Nugent.
Cecil B. DeMille's
"UNION PACIFIC"

CECIL B. DE MILLE'S
"UNION PACIFIC"

...The BIG picture you've been waiting for, with a cast of thousands, headed by BARBARA STANWYCK and JOEL McCREA...and an exploitation and advertising campaign that will blanket every town in America. Paramount gives you Cecil B. DeMille's "UNION PACIFIC"!

PARAMOUNT SPRINGS SOME MORE SPRING SURPRISES!

PARAMOUNT'S 4 STAR DRIVE FEB.26 TO MAY 27.
"THE LADY'S FROM KENTUCKY"

. . . GEORGE RAFT and ELLEN DREW, beautiful star of "Sing You Sinners" and "If I Were King" in a heart-pounding, pulse-racing story of the turf . . . with Hugh Herbert and ZaSu Pitts in support. It's one for the money...sure to lead the field. Directed by Alexander Hall.

"UNMARRIED"

. . . Paramount showmanship stars BUCK JONES, most popular of cowboy stars, in his first dramatic role. A hard-hitting action drama of down-to-earth folks, with HELEN TWELVETREES and DONALD O'CONNOR, kid star of "Sing You Sinners." Directed by Kurt Neumann.

"HOTEL IMPERIAL"

. . . . . . Glamorous, exciting ISA MIRANDA, in her first American screen role . . . co-starred with RAY MILLAND in a powerful drama of strange adventure and strange people behind the gates of Hotel Imperial. With Reginald Owen, Gene Lockhart and J. Carrol Naish. Directed by Robert Florey.

"STOLEN LIFE"

ELISABETH BERGNER, the magnificent . . . the incomparable . . . the first dramatic actress of our time—in her greatest triumph . . . a picture for every woman in America, and the men they bring with them to your theatre! A Paramount release, produced and directed by Paul Czinner.
“HOTEL IMPERIAL”

“STOLEN LIFE”

EXHIBITORS’ SPRING SONG:
IT PAYS TO PLAY A PARAMOUNT PICTURE!

PARAMOUNT’S 4 STAR DRIVE FEB.26 TO MAY 27.
SPRING MARKET TIP!

BUY LONG ON PARAMOUNT SHORTS!

100% BOX-OFFICE TESTED

Max Fleischer's Popeyes, Betty Boops · Paramount Paragraphics, Pictorials, Unusual Occupations (in full color), Popular Science (in full color), Headliners, Color Classics, Color Cruises Grantland Rice Sportlights Paramount News
Hollywood Preview

"My Wife's Relatives" (Republic)

Hollywood, March 6—"My Wife's Relatives" is amusing entertainment for family theatre audiences. A domestic comedy, the picture is loaded with those elements in characterization, dialogue, situation and action commonly appealing to the common people. Some of the entertainment offered is homespun, human humor; some of it is hokum. The cast includes Jeanette Nolan, James Cagney, Russell Lewis, and Lucille Livingstone.

The Gleason family, James, Lucille and Russell, is featured in "My Wife's Relatives," which is the second episode in the "Higgins Family" series. The trio is given exceptionally good support by Harry Davenport, Madele Ebanks, Mary Hart, Henry August, Parnell Pratt and the minor members of the cast.

Trouble comes in bunches for Gleason after he loses his job with candy-maker Pratt. Pratt tries to break up the romance between his son and theirs, Mary Hart. Plumber son, Russell, almost wrecks Pratt's home while he tries to fix a leaking sink during a reception. Grandpa Davenport is at his wit's end trying to keep out of widow Ebanks' clutches. An installment collector trying to get payments on a ring vexes harassed Gleason no end. Going into the candy business on his own, Gleason's real tragedy comes when it is believed that the lost ring is hidden in a candy bar. A big reward is offered for its return. The business alone has phenomenally to put the man on easy street.

But Davenport, who would do anything to save his son-in-law from his creditors, would willingly be a martyr to Miss Ebanks' romantic ambitions, only to be saved by her from the whole family, who go through a wild chase to rescue him.

Humor is the essence of Jack Townley's screenplay, just as it is the spirit of the original story written by Dorrell and Stuart MacGowan.

Getting ready. Running time, 65 minutes. "G."

G. McC.

**G** denotes general classification.

"Gunga Din" Does $10,000, Montreal

Montreal, March 6—"Gunga Din" at the Palace scored $10,000. Attendance at all theatres was adversely affected by rough weather, influenza and Lent.

King of the Turf" opened at the Orpheum on a double bill with "Pride of the Navy" and the result was a sell-over following a gross of $5,000. "St. Louis Blues" and "Boy's Double" brought $7,000 to the Capitol.

Estimated takings for the week ending March 4:

- "St. Louis Blues" (Para.)
- "Boy's Double" (Para.)
- "Pride of the Turf" (Univ.)
- "Pride of the Navy" (Rep.)
- "Gunga Din" (RKO)

Cameramen Dance April 1

James J. Walker, Henry Youngman, Milton Berle, Harry Hershfield and Jan C. Fippen will be masters of ceremonies for the tenth annual dance and entertainment of the Press Photographers Association, to be held at the Astor Hotel, April 14. Tickets are priced at $2.75.

Clark Buys Exchange

Oklahoma City, March 6—W. T. Clark has leased to the 20th Century-Fox exchange here to operate the Crescent Exchange.

"Stagecoach" Big $18,800 Chicago Hit

Chicago, March 6—"Stagecoach" made a $18,800 gross which is the best business the Roosevelt has had in months.

"The Code" and the vaudeville at the State-Lake, grossed a neat $13,200 while "The Lone Wolf Spy Hunt" and "Gambling Ship" at the Oriental, each showed a profit at $14,200. "Pygmalion" continued to do big business in a third week at the Apollo and "Gunga Din" closed a profitable run at the Palace.

Estimated takings for the week ending March 14:

- "Pygmalion" (M-G-M)
- "The Code" (Para.)
- "Gambling Ship" (Univ.)
- "The Great McGinty" (RKO)
- "United Artists" (M-G-M)

"Other"'s $13,000 Cincinnati High

Cincinnati, March 6—"Made of Each Other" garnered high money with $13,000 at the RKO Albee. "Past and Present" did well with $6,200 at Keith's, "Gunga Din" did $5,600 on a move-over week at the RKO Lyric, and "Huckleberry Finn" prew on a second downtown week at the RKO Capitol.

Estimated takings for the week ending March 24:

- "Made of Each Other" (U. A.)
- "Past and Present" (RKO)
- "Gunga Din" (RKO)
- "Huckleberry Finn" (M-G-M)
- "Capitol" (M-G-M)

Fire Destroys House

China Grove, N. C., March 6—A house here was destroyed by a fire which originated in the boiler room. Damage was put at $30,000.

Minneapolis Gives 'Heart' Good $7,500

Minneapolis, March 6—The Twin City Variety Clubs' sale of $25,000 in theatre tickets to aid European refugees caused box-office receipts to drop here last week. The tickets were good for any theatre in the Twin Cities Feb. 27 through March 2. "The Young in Heart" at the State was the only show to do above average, taking $7,500.

In St. Paul, "Honoldin" did best with $3,800 at the Paramount.

Estimated takings for the week ending March 2:

- "Ambush" (Para.)
- "Secrets of a Night" (Univ.)
- "St. Louis Blues" (Para.)
- "Brave Woman" (Univ.)
- "Pacific Lane" (RKO)
- "Son of Frankenstein" (Univ.)
- "A Man to Remember" (RKO)
Hollywood Previews

"The Ice Follies of 1939"

Hollywood, March 6.—Three-quarters of "The Ice Follies of 1939" is a romantic drama that follows a prescribed formula. Joan Crawford and James Stewart are directly involved. Lew Ayres is concerned in about the same extent as spectators watching the blithers at a ball game. The other quarter of the picture is an elaborate and picturesque presentation of the spectacular "International Ice Follies" in which Bess Elhardt, Roy Shipständ, Eddie Shipstand and Oscar Johnson, plus a chorus of skating beauties, are featured. This part has been photographed in color. In it there's no's never been known in exploitation possibilities are to be found. A fraction of the picture's entertainment and showmanship worth is represented by Miss Crawford's vocal solo.

The Stewart-Crawford-Ayres ice skating team breaks up and so does the Stewart-Crawford marriage. In a year, Miss Crawford becomes the Cinderella girl of the films and Stewart thinks up the idea of a three-rink skating circus. When Miss Crawford announces her retirement from the screen at the moment of her greatest triumph, the lovers get together again and Stewart is hired to produce his "Follies" in pictures. Ensures the episodes in which the whole routine of the noted skating show is presented. Also comes the moment when Miss Crawford sings.

A Harry Raff production, the picture is based on a story by Leonard Paskins, who collaborated on the screenplay with Florence Ryerson and Edgar Allen Woolf. Reinhold Schanuel directed.

Running time, 80 minutes. "G."* G. McC.

Albany Film Bills
Still in Committee

ALBANY, March 6.—None of the bills affecting the motion picture industry have as yet been reported out of committee in the New York State legislature. Under the Bennett measure affecting chain stores has been amended to exclude theatres, and the two week's in which a booth bill is likely to be amended in the next week.

Still very much alive and active, of course, are the tax bills, since the 1939-40 budget and its consequent taxation measures to delray approximately $10,000 in taxes, have been voted on or even agreed upon. Until the tax bills have been voted, the theatre tax bill as it now exists is to be subjected to a sales tax, the $1 per $1,000 real estate property assessment valuation or the many other forms submitted in pending legislation.

Assemblman William J. Butler's bill to clarify the existing confusion in the administration of children under 16 years has been amended to eliminate any picture opposition and now has definite support from the exhibitors. At present, one section of the law empowers the administration of children under 16 years to do so without the necessity of the plant authorized persons, while still another makes it a misdemeanor for such persons. The Butler bill follows the Ehrlich bill of 1937 and has the support of children's aid societies as well as that of exhibitors.

Stuart Appointed to Salt Lake City Post

SALT LAKE CITY, March 6.—Herbert Stuart is coming here in the position of booker and buyer for the Fox (Skouras) theatres. He will work for the company covering the National Theatres affiliates of Utah, Montana and Idaho. Stuart has been stationed in Denver up to the time of this present assignment.

"Stagecoach" $13,000 for Philadelphia

PHILADELPHIA, March 6.—Top grosser was Artie Shaw's band and "Tail Spin" at the Fox, which brought in $6,900. The picture scored a stage-screen combination in months at the theater. "Stagecoach" got a strong start at the Academy Theatre.

The Palace took $5,300 with "Rye Slaves." The Earle, back to a straight "Stagecoach" show, grossed, got $10,000 with "Jesse James."

Estimated takings for the week ending March 2:

"Stagecoach" (U. A.)

ALDINE—(2,000) (25c-50c) 7 days. Gross: $4,700. Average: $664.

"Stagecoach" (M-G-M)

BOYD—(2,000) (25c-50c) 7 days. Gross: $4,700. Average: $664.

"Jesse James" (20th-Fox)

ELK—(2,000) (25c-40c) 7 days. Gross: $4,700. Average: $664.

"Wings of the Navy" (W. B.)

KARLSTOWN—(2,000) (25c-50c) 7 days. Gross: $4,700. Average: $664.

"Boy Slaves" (RKO)


"Fast and Loose" (M-G-M)

STANTON—(1,750) (35c-45c) 7 days. Gross: $4,700. Average: $664.

"Pygmalion" with $6,800 Is High in Milwaukee Slump

MILWAUKEE, March 6.—"Pygmalion" took $5,600 at Fox's Palace in eight days. "Gunga Din," held over at the Warner for a second week, grossed $5,100 at the Warner in favor of "Yes, My Darling Daughter," and "Can't Cheat an Honest Man," and put into Fox's Strand. Lent and the flu caused trouble at the box-office.

Estimated takings for the week ending March 2:

"Mammy" (S. R.)

LITTLE THEATRE—(1,300) (35c-50c) 7 days. Gross: $1,600. Average: $67.

"Pygmalion" (M-G-M)

SOUTH SHORE THEATRE—(3,000) (25c-50c) 8 days. Gross: $6,000. Average: $50.

"Gambling Ship" (Univ.)

RIVIERA—(2,000) (25c-35c) 8 days. Gross: $2,000. Average: $50.

"Idiot's Delight" (M-G-M)

WOODWARD THEATRE—(1,000) (35c-45c) 6 days. Gross: $1,000. Average: $50.

"Stranded" (W. M.)

STRAWBERRY THEATRE—(1,000) (25c-50c) 9 days. Gross: $1,000. Average: $50.

"Gunga Din" (RKO)

UNION SQUARE—(1,000) (25c-50c) 4 days. Gross: $4,700. Average: $664.

"RKO-Radio" (M-G-M)

VICTORIA—(1,000) (25c-50c) 4 days. Gross: $1,000. Average: $664.

"Yes, My Darling Daughter" (W. B.)

THE PALACE—(1,000) (25c-50c) 4 days. Gross: $1,000. Average: $50.

"Wings of the Navy" (W. B.)

WAYNE THEATRE—(1,000) (25c-50c) 4 days. Gross: $1,000. Average: $50.

"Tailspin" (20th-Fox)

TENNESSEE THEATRE—(1,000) (25c-50c) 7 days. Gross: $3,000. Average: $71.

"Mute's Last Warning" (20th-Fox)

MIDLAND—(1,000) (25c-50c) 7 days. Gross: $7,000. Average: $1,000.

 Legion Approves 10 Of 11 New Picture Bills

National Legion of Decency approved 10 of 11 films reviewed and classified this week.


Refuses to Set Date For B&K Suit Trial

CHICAGO, March 6.—Federal Judge Folly, after "pre-trial" conference today with attorneys in the suit of the Cary Theatre Company against Bala- tan & Kaiz and Warner theatres and major companies, refused to set a trial date. He suggested depositional be taken before the date for trial is set. The Cary company is suit against R. & K. may be postponed again when the hearing comes up to- morrow before Federal Judge Wilker- son.

*"G." denotes general classification.
Cleveland, March 6—"The Three Musketeers," with the original Crusades casts, opened at the RKO Palace into the lead with $16,000.

King of the Underworld" at the Alex took in $10,000. "Temper Takes a Trip" at Loew's State drew $10,000. Warners' Hippodrome, with the second week of "The Green Die," came through $12,000.

Estimated takings for the week ending March 3:

- ALLEN—(3,000) (30c-35c-42c), 7 days, Gross: $1,200. (Average, $160).
- WARNERS—HIPPODROME—(3,000) (30c-35c-42c), 7 days, Gross: $1,200. (Average, $160).
- THE THERMAL—(3,000) (30c-35c-42c), 7 days, Gross: $1,200. (Average, $160).
- LOEW'S STATE—(3,000) (30c-35c-42c), 7 days, Gross: $1,200. (Average, $160).
- PYGMALION—(M-G-M) (3,000) (16c-25c), 7 days, Gross: $1,200. (Average, $160).
- "Hamburger"—First Film Co.
- CITY—(4,000) (30c-35c-42c), 7 days, Gross: $1,200. (Average, $160).

Carnation Signs for New Series on WOR

Carnation Milk Co. has signed for a new series on WOR and starting April 3 will present Arthur Godfrey in a program of informal talk, Mondays, Wednesdays and Fridays from 9 to 9:15 A.M. Ermwin Wasey & Co. is the agency.

Another new WOR sponsor is the Ruppert Brewing Co., which has signed a 52-week contract for the presentation of Bob Hope in a sports show starting April 1. Lomax will be heard Tuesdays, Thursdays and Saturdays from 1 to 3 P.M. Leonard & Mitch is the agency.

A renewal, for four weeks, is by Piénco, Co., sponsoring Arthur Connelly in Transradio News talks Tuesdays and Thursdays from 4 to 4:15 P.M. The renewal is effective March 7.

Hollywood, March 6—Republic has purchased a "Big Town" broadcast script by Paul Scherfeld and signed him to do the script, and an original, "Ilowey Boy," by Sam Fuller. Fuller will do the treatments for this with the patriotic short at Warners will be "Bill of Rights," featuring John Litel and to be directed by Crane Wilbur from a story by Thomas Meade. Breen's first picture for M-G-M will be "Five Days," featuring Robert Young and Rosalind Russell.

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Another Decision of F.C.C. Is Reversed

Wednesday, March 6. — The United States Court of Appeals today found another F. C. C. decision “arbitrary and capricious,” and reversed its denial of a construction permit for a local station. The Courier-Post Publishing Co. for a 1,310-kilocycle station at Hammel, Md.

Remanding the case to the commission, the court held that the appealant sustained the burden of proving that the public would be served by the station. Socoy Vacuum Co. and General Mills Corp. will sponsor the broadcasts jointly. The same WOR personnel will be on the air to broadcast the home games only of the Yankees and the Giants.

Deal between the station, client, and the Dodgers had been held up the past few weeks because of WOR’s insistence that broadcasts of both home and road games be included in the contract. The station won its point yesterday and the contract was closed.

Contract becomes effective this Saturday with the beginning of the spring exhibition tour of the Dodgers. Highlights in the exhibition schedule are to be broadcast through the spring followed by the full schedule of home and road games. Road games will be covered by wired accounts of the play. Red Barbour is to handle the mike.

SMPE Will Discuss Television at Meet

Society of Motion Picture Engineers will devote a complete evening session to discussion of the part that television will play in the developments during the spring convention of the Society.

The final meeting of the convention, on April 21, will be completely dominated by television, with readings at papers on the subject by leading authorities from all sections of the country. Precising at the television meeting will be Lorin Grignon, chief transmission engineer of Paramount.

Is Preview Commentator

Colorado Springs, March 6.—Vance Graham, radio commentator, has been appointed chief commentator of the Alexander Preview Co., organized to give the motion picture business first looks at the new in the field. The company was organized with KODA, Denver, for six years before joining Alexander Film Co. Last fall he went with KSFQ, San Francisco.

Hormel to Have Show

George A. Hormel, Co., has signed to sponsor an all-year unsold serial, over CBS starting April 3, Mondays, Wednesdays and Fridays from 11 to 11:15. The hour-long series will be broadcast over 21 station originating from KNX, Hollywood. Batten, Barton, Durstine & Osborn placed the business.

WOR to Broadcast All Dodgers Games

WOR has signed to broadcast the home games and road games of the Brooklyn Dodgers, it was announced by the station. Socoy Vacuum Co. and General Mills Corp. will sponsor the broadcasts jointly. The same WOR personnel will be on the air to broadcast the home games only of the Yankees and the Giants.

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Montana Stations Relieved on Libel

Helena, Mont., March 6.—Gov. Ayles has vetoed bills which relievers radio broadcasting stations of liability for libel in connection with broadcasts of material over which they have no right of censorship.

New WOR Deals Set

National Pattern Co. has signed and Wessson Oil Co. renewed, Martin Dean on WOR, one year each. Other new business at WOR includes a year’s renewal of the transcription rights by Willard Coogan, Armstrong Packing Co., and a year’s renewal of announcements for the Sheffield Farm Products Co.

Goodyear Reduces Rates

Goodyear Tire and Rubber Co., sponsoring the “Goodyear Farm and Radio News” on the Blue network, has renewed the program for 13 weeks, effective March 27. Arthur Kudzus is the commentator. It is heard over a series of zones, and the renewal covers Zones 1 and 1.

Borden Placed on WHN

Batten, Barton, Durstine & Osborn, for the Borden Farm Products Co., has placed a spot schedule with WHN. Similar schedules with this station have been placed for Adam Hat Stores and Raydense, Inc.

Colman, Grant May Resume ‘Circle’ Roles

With Bob Colwell and Tiffany Thayer now in Hollywood supervising the writing of the scripts of the J. Walter Thompson-produced and Kellogg-sponsored series, there is every prospect that Ronald Colman and Cary Grant will return to the program shortly according to agency word here. Both actors recently withdrew from the show, alleging the material was not satisfactory to them.

Colwell and Thayer, the latter the well-known novelist, are the agency’s chief writers, and while under their direction negotiations are under way to return Colman and Grant to the show.

Silvey Is Due Here For Listener Study

R. J. E. Silvey, head of the listener research of British Broadcasting Corp., is en route to the United States and Canada to study listener habits in both countries. Here he will make a special study of the new research project being financed by the United Province Foundation, which is actually being carried out by Princeton University.

Charles Smith to CBS

Charles H. Smith has joined the research division of CBS, coming from WORX where he was engaged in similar work. Another new member of the CBS research staff is Ben H. Holland.

New Star Program Ready

Star Radio Programs, Inc., has just released a new program, entitled the “Star Woman’s Radio Journal,” a new script which starts March 13 on stations throughout the country.

Name Thompson Agency

J. Walter Thompson’s Australian branch has been appointed to handle all radio advertising for the clients of Lintas Ltd., in the Commonwealth.

Networks Will Air Pope’s Coronation

Networks will stay on the air throughout the day to bring to listeners here a description of the ceremonies attending the coronation of Pope John XXIII on Sunday morning, March 12. The coronation ceremonies will begin at 3:30 A.M. and continue until 12:45 A.M. (9:45 to 12:45 P.M. Rome time.)

CBS, NBC and Mutual are now arranging for programs with which to fill the gap between the normal closing time and the beginning of the ceremonies from Rome.

Will Show Philco’s Vision Sets Today

Philco’s new portable home television receiver will be demonstrated at the Savoy Plaza Hotel today. Features of the demonstration will be a beauty contest.

Today’s demonstration stems from the talks between WOR and Philco, thea-ter, and the latter is expected to have its television, in which areas regular television broadcasts will be available this spring. The latter will be sold in Minneapolis, Los Angeles and Schenectady, where television transmitters will be placed in regular operation at an early date.

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**MOTION PICTURE DAILY**

**FCC Is Urged To Grant Long Term Permits**

Elliott Roosevelt Offers Plan at Hearing

WASHINGTON, March 7—As the FCC, started on the last lap of the network study today, Elliott Roosevelt, son of the President, urged legislation giving broadcasters permanent licenses, good so long as they operated in the public interest. Roosevelt, president of the Texaco State Network, declared the present short-term licenses make it impossible for small stations to negotiate since the broadcasting agencies will not give financial aid to concerns which might be forced out of business practically overnight. Financial stability, he said, will not be achieved until long term licenses are provided.

**Charges “Loose Talk”**

The situation is further aggravated by “loose talk” of trafficking in licenses, he said, declaring the FCC should distinguish between persons obtaining licenses to construct a station and those who may have an idea of operating it and those who undertake broadcasting in good faith and later find it necessary or desirable to dispose of the station.

Accelerating the monopoly hearings, the FCC today disclosed its intention of winding up its investigation of the networks this week, in order that on March 14 it might receive testimony from interested organizations and individuals on what is wrong with broadcasting.

Among those slated to testify next week are the American Chamber of Commerce, the American League of Musicians, the C.L.O., Independent Radio Network Affiliates and the National Committee on Education by Radio.

**Allied Working on Clearance Upset**

Adjustment of clearance in the Albany exchange zone will be made shortly, New York Allied has been advised, following complaints filed with the distribution. Allied recently appointed an Albany committee to investigate affiliated theatre protection over subsequent.

The Buffalo unit’s grievance committee is working on the protection situation in Buffalo and Rochester, and relief for independents is being asked. A special report on this is to be given at a meeting in Buffalo next Monday.

**PRODUCERS TO GIVE SWG NEW CONTRACT**

Pact to Go in Effect Despite Allied’s Stand

Industry’s trade practice program will be put into effect regardless of the attitude of Allied States or any other exhibitor organization.

The program, developed, presented this week by the distributors’ drafting committee of lawyers, who received the completed draft from the salesmen’s committee last week.

Terms of the concessions to be offered to exhibitors are set. The only change that may be made after the program is submitted to exhibitors is in terminology. The distributors do not propose to make any further concessions.

Some of the final terms, such as the compromise and arbitration, will be incorporated in the 1939-40 contracts.

**Study License Agreements**

A study of license agreements now in use has been begun by home office legal departments with a view to simplifying and shortening the contract forms.

The move is being undertaken as part of the industry trade practice program now nearing its completion. The demand for a simple and concise form of license agreement was included in the trade practice suggestions of the M.P.T.O.A. and affiliated regional exhibitor groups last fall.

It is understood that all large distribution companies are scheduled to (Continued on page 4)

**Justice Department Waits Dakota Report**

WASHINGTON, March 7.—Preliminary reports on the enactment and renewal of the Dakota and Oklahoma discrimination law have been received but the final report has not been submitted and is not expected for some time, it was learned today at the Department of Justice.

Department officials said that investigation of the Los Angeles situation is still going on and a report is not expected for a considerable period.

No intention was given as to the use to be made of the report on the North Dakota incident, when received, but it was suggested the material therein might be found of value in connection with suits which might be brought against the motion picture industry, several of which are understood to be under consideration.
**MOTION PICTURE DAILY**

**Warner's Refunding Plan Filed with SEC**

WASHINGTON, March 7.—Warner's will mortgage its studio and theatre properties for the $6,000,000 loan it has arranged from three banks to complete its heavy production schedule and reduce its debt. This is disclosed in a statement filed with the Securities & Exchange Commission.

As security, Warner's will pledge all of the assets of the Stanley Co., New England Theatres and First Theatre Co. to the amendable Bank which reaches $3,000,000, will give a mortgage on the Burbank studio.

The funds from which this arrangement is to be carried out will run until Sept. 1. The loan matures in varying amounts each six months beginning April 1, 1940, and ending April 1, 1944, if the maximum credit is borrowed. The money is to be furnished by the New York Trust Co. Guaranty Trust Co. of New York and the Continental Illinois National Bank & Trust Co. of Chicago.

Files of the plan was merely for the purpose of keeping the S.E.C. informed of the company's operations and does not require S.E.C. approval, it was said.

**T. B. Noble Honored**

OKLAHOMA CITY, March 7.—Business associates of T. B. Noble, Jr., president of State Theatres, Inc., operating the State and Fix here, presented Noble with motion picture camera and tripod marking his second year as State Theatres head.

**Lab Talks Continue**

Laboratory Technicians' Union, Local 702, has started negotiations with Producers' Laboratories and Mecca Film Laboratories in addition to negotiations now pending with Consolidated and DeLuxe laboratories. Meeting with Consolidated is set for today.

**B & K Sets Dividend**

CHICAGO, March 7.—Balaban & Katz declared a dividend of 30 cents a share on common voting trust certificates, payable March 31 to holders of record March 15. This is the first disbursement since a dividend of 4¢ on Dec. 14, 1937.

**YOU CAN BE IN LOS ANGELES TOMORROW MORNING VIA FLIGHTSHIP SKYSLINGER**

* Fly the only Southern Sunshine Route—favored by nature. No change of planes. Delicious, complimentary meals. Fares: $14.95; 10¢ saving on round trips.

**THE MERCURY**

LONDON, March 7.—April 23, 1939, 1,089.

**RESERVATIONS**

Call your travel agent or VAndwich 3-2590.
Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.

**THE AMERICAN LINES Spell the AMERICAN STANDARD OF SERVICE**

**Purely Personal**

DON AMECHE arrives here tomorrow from the coast for a two-week vacation, going to Rome March 10 for the celebration of the anniversary of the telephone. He has just finished "The Story of Alexander Graham Bell" for 20th Century-Fox.

NAT SAVOLDR, independent theatre operator, event of Des Moines, and L. W. MAJER, publicity head for Central States Theatres, have returned from a three-week California vacation.

DOROTHY LAMOUR is due tomorrow from the coast for a month, including a personal appearance at the Paramount, starting March 22.

MARGARET RAWLINGS and GIFFY TRABLE arrive today in the Paris. They are principals in "The Flashing Stream" which will open on Broadway.

EDGAR BERGEN and "CHARLIE MCCARTHY," arrive in New York tomorrow from the coast, appearing in the entire cast of his radio program.

RUTHERFORD SXIBL of the Monogram publicity staff is at home here after having been at the French Hospital.


T. K. STEVENSON, president of Epix, is due from England on the Queen Mary tomorrow.

MARTIN G. SMITH, president of the L.T.O. of Ohio, is due this week from Toledo.

HARVEL WILL SUCCEED LORRENS IN CHICAGO

Henry Harvel, San Francisco branch manager for Warners, is slated to succeed Rud Lucerne as midwest district manager with headquarters in Chicago. Lorrenz will be promoted to larger district, will have headquarters in Kansas City.

The transfers are scheduled to take place after the sales convention here next week.

**Abany Bill Aims to Curb Discrimination**

ALBANY, March 7—Under a measure sponsored by Assemblyman Will iam J. Butler, persons claiming they had been discriminated against in the arts, hotels and the like will have power to file civil suits, who is author of the measure to clarify the legal admission law, seeks to add a new section to the civil rights law to achieve his end.

**The Newsrel Parade**

Congress celebrating its 150th anniversary in Washington, Mrs. Roosevelt christening the Yankee Clipper and the launching of a new battleship, "Ivy," will constitute the headline news in the coverage in the latest issues of the newsreels. The reels and their content are as follows:


Entered as second class matter Dec. 21, 1926, at the post office at New York, N. Y., under the act of March 3, 1879.

Subscriptions rates per year $6 in the Americas and $12 foreign. Single copies 10¢.

**Never Say Die’ Will Open at Para. Today**


Second week of "Cafe Society" grossed an estimated $38,000 at the Paramount. Last 11 days of "You Can't Cheat a Honest Man" attracted an estimated $16,000 at the Rivoli.

**Dodge City Into 300 Spots On April 8**

"Dodge City." Warners' color special, will be given a day and date release in 300 cities today. This was decided yes- terday by company executives after the film had been originally planned to release the film late in April, but the production determined that it should be held until completed. S. Charles Emfield, director of advertising and publicity, is planning a big campaign.

World premiere will be held in Dodge City, Kan., on March 27, in the nature of a civic event.

**Kent and Wobber in Hollywood for Talks**

Hollywood, March 7.—Sidney K. Kent, president of 20th Century-Fox, and Herman Wobber, general sales manager, arrived at the studio today for several days of conferences with Frank C. Schwerin, chairman, and Darryl F. Zanuck, vice-president in charge of production.

Kent and Wobber will discuss new season's product and sales plans for the new season.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; ELMER CHAIN, Editor; JAMES A. CRON, Advertising Manager.

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Martin Quigley, president; Edwin Brown, vice-president and treasurer.
Hollywood Preview Verdict—A Thrilling "Great Ziegfeld" On Ice!

For You...March 10!

Ice Follies of 1939

Starring Joan Crawford

With James Stewart, Lew Ayres, Lewis Stone

And "The International Ice Follies" in Technicolor

Producers Reach Agreement with Writers on Pact

(Continued from page 1)

Union council was willing to negotiate with writers. After a conference between Bernard Alpert, special N.L.R.B. attorney handling the Board’s case, Leonard Janofsky, attorney for the S.W.G., and Mitchell and other producer attorneys, it was agreed that two weeks’ time was needed to negotiate conditions of the contract.

At the close of arguments, Examiner Batten recessed the hearing until tomorrow morning at which time he said he would “set a time, place and conditions” of negotiations between the S.W.G. and producers.

The N.L.R.B. made the following statement at the end of the day: “We are very glad in the interests of peace and harmony in the industry to grant this short rest. We hope, however, that we shall not once again be disappointed in the producers’ desire to gratify us in reality an exclusive bargaining right to which we are entitled under provisions of the Wagner Act.”

Directors’ Guild Accord

Hollywood, March 7—Members of the Association of Motion Picture Producers early today approved virtually a last-minute agreement with the Screen Directors’ Guild.

Joel M. Schenck, president of the A.M.P.P., stated, following the session: “With a few exceptions which we believe can be readily adjusted, the producers and screen directors are in accord.”

Results of the discussion will be presented by the producer representatives to the guild’s negotiating committee, headed by Frank Capra, Schenck appointed Al Lichtman to re- present the producer interests on the producers committee because of the illness of the latter. Other producer representatives are Y. Frank Freeman and Panord S. Berman.

C. E. A. Protesting Increase in Quota

London, March 7.—Cinematograph Exhibitors’ Association, in a statement on the quota as presented to the Film Council, expressed its protest against the increase. The organization admitted the distributors have made a genuine endeavor to produce quality films, and lamented the complete absence of independent production.

The association insists there is a necessity for extra films produced independently, and foresees a decrease in imports certain to follow increased quota. This statement was at the possible need to ask the Film Council to retain the present exhibitor quota of 15 per cent.

Si Seidler at Studio

Hollywood, March 7—Si Seidler, advertising manager for M-G-M, has arrived at the studio during his regular vacation trip west for an annual inspection of product and executives conferences which are expected to continue the rest of the week.

In Mexico, Too!

Mexico City, March 7—A personal tax the Mexican government has enacted has the film industry agree to pay an income levy of five per cent that must be paid by everybody who handles money from the exploitation of pictures. Mexican producers have asked for a repeal of the tax, which they assert is “ruinous.”

Jewel Games Case

Set for Jury Trial

Test case on chance games involving the Jewel Theatre, Harlem, will go before a grand jury and if indictment is voted the hearing will be before a jury in General Sessions.

Judge Morris Koenig in Special Sessions yesterday transferred the case from his jurisdiction to General Koenig, who is requested by Harry C. Kosch, attorney for the defendants. License Commissioner Paul Gross had no change transferred. The case is to be tried by a three-judge court.

Kosch, who is also counsel for New York Allied, contended that the case involving the applicable terms in the decision would be far-reaching in its effect and that exceptional jurisdiction should be exercised. The case is determined to determine the legality of chance games in New York and is said to be the first of its kind to go before a jury here.

Premiums of Ticket Broker Are Reduced

Average ticket brokers’ premiums has been reduced from $1.25 to 50 and 75 cents, William Deuchis, of the Associated Theatre Owners, testified before Referee Morris Cooper, Jr., yesterday. Referee Cooper is conducting an investigation of the ticket agency to enforce the restrictions of the ticket brokers’ code.

James F. Reilly, executive secretary of the League of N. Y. Theatres, was the principal witness. He testified that his organization had received $11,942 from a 3-cent ticket last year.

Since the code went into effect ticket sales reported varied between 10,000 and 25,000 weekly.

Delay Chicago Suit Hearing to April 18

Chicago, March 7—Hearing in the anti-trust action of local independent theatre operators against Balaban & Katz, the distributors, scheduled for today, was postponed 18 by Federal Judge Wilkerson. The postponement was at the request of both parties involved.

Hamilton Dividend

Toronto, March 7—Hamilton United has declared a dividend of $1.50 a share on seven per cent preferred stock on account of accumulations, payable March 31 to holders of record on March 15.

Belmont to Legitimize

Belmont, in Manhattan, former legitimate house until recent years, when films were installed, will return to legitimate fare March 16 with “Please, Mr. Merghahd.”

Para. Will Release 3 Palmer Pictures

London, March 7—Erich Pommer disclosed today that Mayflower Productions, in which he is associated with B. J. Lippert, has completed “St. Martin’s Lane” and “Ja- maica Inn,” and will start “The Ad- ministrator” in June.

All three will be released throughout the world, with the exception of Great Britain, by Paramount, and all will cease for the East Indies under the legacy clauses of the Films Act. With the exception of “St. Martin’s Lane,” Associated British will continue to distribute the Mayflower product in Great Britain.

‘Honest Man’ Smash $13,200 for Buffalo

BUFFALO, March 7—“You Can’t Cheat an Honest Man” earned a smash $13,200 for the Lafayette, “Pygmalion,” at the Hippodrome, ran second at $12,900.

“Jesse James” came back to the Century and grossed $7,700.

Estimated takings for the week ending 
Saturday, April 4:

“Huckleberry Finn” (M-G-M) (5-1/2) (5 cents) 7 days, Gross $11,800, (Average, $1,700)
“Wings of the Navy” (W. J.) (10-25) (50-50) 7 days, Gross $6,400, (Average, $900)
“Pygmalion” (M-G-M) (4-1/2) (5-1/2) 7 days, Gross $13,200, (Average, $1,850)
“Jesse James” (20th-Fox) (5-1/2) (25-25) 7 days, Gross $13,200, (Average, $1,850)
“Jesse James” (20th-Fox) (5-1/2) (25-25) 7 days, Gross $13,200, (Average, $1,850)
“Two Men in a Lobby” (20th-Fox) (7-1/2) (25-25) 7 days, Gross $13,200, (Average, $1,850)

Leaves for Alaska With 130 Characters

SEATTLE, March 7—Harold W. Griffin, operator of the Dillingham at Dillingham, Alaska, has left here with a one-year supply of films (150 full length features).

Dillingham, largest village in the Bristol Bay region, has a nightly show of 1,250 to 1,750 population, and a weekly show for the 200 residents who remain in the village during the winter season. In addition to being the only exhibitor in the region, Griffin trades in general merchandise, funs and licensed liquor.

Movie Quiz Agency Sued for $100,000

Claiming to have conceived the idea of the Movie Quiz, Edward J. Pfeifer yesterday filed a $100,000 damage suit in the Supreme Court against Johnstone & Coe, Inc., company that handled the advertising for the Quiz, and Edward J. Churchill, its president.

Pfeifer & Co. filed a counter complaint, received the idea from the plaintiff in June, 1938, and then disclosed it to several major producers. The plaintiff disclosed the defendant received over $1,000,000 in advertising business.

Branson Off Tomorrow

Walter Branson, captain of RKO’s planes, who left here yesterday to leave tomorrow on his second tour of exchanges in the U. S. and Canada, Harry Michelson will accompany him on the visit to 38 branches.

Omaha Passes ‘Darling’

OMAHA, March 7—A cut version of ‘Yes, My Darling Daughter’ has been approved by the City Welfare Board here after it was banned in its original form last week.

U.M.P.T.O. Survey On Lower Taxes for Philadelphia Houses

PHILADELPHIA, March 7—A survey by the U.M.P.T.O. may bring about reduced real estate assessments on the city’s movie houses. The organiza-

tion also plans to engage publicity men to aid members whose theatres are the subject of promotion or in assisting in putting over product.

The board of managers will hold a luncheon meeting at the Bellevue Hotel today in connection with a discussion of current and future product, sales terms, modification of clearance, and other related matters.

A clarification of Federal and state court decisions as affecting theatres in this territory is being prepared and will be made available to members.

The organization’s program also includes a campaign urging members to name state representatives in the state legislature and Congress on legislation and to become active in the local Chamber of Commerce and other community groups.

U.M.P.T.O. is cooperating in the United Campaign, with members running trailers and making pledges.

Pact to Go in Effect Despite Allied Stand

(Continued from page 1)

the shortening and simplification of their exhibition contracts providing a basis for a general wage increase.

sired changes are found. This work has been assigned to company attorney lawyers who are now engaged in a search for a tentative agreement which has achieved all companies stand ready to approve the shorter forms.

The view of Allied officials that the new agreement will represent the remedy for all exhibitor-distributor problems and the statement of Col. H. C. Proctor, president of his organiza-

To date, 20 changes are found. This work has been assigned to company attorney lawyers who are now engaged in a search for a tentative agreement which has achieved all companies stand ready to approve the shorter forms.

The view of Allied officials that the new agreement will represent the remedy for all exhibitor-distributor problems and the statement of Col. H. C. Proctor, president of his organiza-

ation is “indifferent” whether a program is adopted or not will have no bearing on the distributors’ intention to make the program effective.

When Abram F. Myers, Allied gen-

eral counsel, will meet with the draft-

ers on May 10 to discuss the agreement may not meet with the committee until after the return of W. F. Rodgers, M-G-M general sales manager and chairman of the committee, who is in California.
THREE NEW STARS

EASTMAN'S new motion picture negative films ... general-purpose Plus-X, high-speed Super-XX, ultra-fine-grain Background-X ... add highly dependable performance to extraordinary special abilities. Their instant acceptance and constantly wider use by the industry mark them as today’s outstanding raw-film stars.

Eastman Kodak Company, Rochester, N.Y.
(J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN Plus-X ...
Super-XX ... Background-X
Wednesday, March 8, 1939

Reviewing the Latest in Short Subjects

“A Small Town Idol” (Vitaphone)
Included in this reissued comedy are such old favorites as Ben Turpin, Phyllis Haver, Ramon Novarro, Charlie Murray, Louise Fazenda, Andy Clyde, and the Mace Bennett Beauties. Turpin is the home boy soon to wed the town’s belle. But the villain leads the town’s folk to believe he is to marry a screen star and the victim is vindicated. Turpin finally is vindicated. The short should be appreciated by any audience. Running time, 20 mins. “G.”

“The Champagne Music of Lawrence Welk” (Paramount)
Lawrence Welk makes his screen debut in the latest of the Headliner series. In a night club setting and smartly introduced, the musical features Lois Ernst and Parnell Grina singing popular tunes with Welk playing the accordion. A sequence of “When Pavas Was a ‘Maw” is superior to the usual short musical routine. Running time, 10 mins. “G.”

“Stranger Than Fiction, No. 59” (Universal)
Here is a nicely arranged array of oddities—the subject, which ever, is slightly under par. The reel is comprised of: Wood, lighter than cork; Charlie the Mystic, a strange person with strange ideals; music used to speed peach picking; a miniature playground; a playhouse erected to fulfill a promise made to a decease daughter; a pipe that filters practically all nicotine; and a frame of an old airplane used to stir air for protection of trees. Running time, 9 mins. “G.”

“Porky’s Movie Mystery” (Vitaphone)
After a series of crimes committed in a Hollywood studio by the invisible phantom, Porky, as Mr. Moto, is called in. From a desert island comes the fanged detective and after much ado the villain is captured. The insert of appropriate action sequences from feature pictures adds to the enjoyment. Running time, 7 mins. “G.”

“Mechanix Illustrated, No. 9” (Vitaphone)
This subject reveals the precision necessary in various trades. Subject matter is well chosen and the gun shells—from the raw metal to the finished product, and a group of sharpshooters displaying their skill; making artificial flowers, a tedious occupation; and the process of making gold leaf used for decorating purposes. Director Ira Genet is to be commended for this, a fine contribution to the short subject field. Running time, 10 mins. “G.”

“Bank Notes” (Universal)
Theatre Night in a bank is the theme for this Monte Town musical. Gus Van, head of the bank, acts as master of ceremonies. The revue is comprised of: Minor and Root, dancers; the Barton Harp Quintet, harpists; Bernice Parks, popular singer; Ruth Daye, tap dancer; and the Five American Singers, singing and quipping add zest to the short. Running time, 19 mins. “G.”

“The Sporting Irish” (Paramount)
This newest of the Sportlight series, shows ancient sports and pastimes of Ireland which have aroused the interest of the world towards Irish sports. A rerun of the Harry Harp Quartet, harpists; the Five American Singers, singing and quipping with never a dull moment. Running time, 10 mins. “G.”

“Always Kickin’” (Fleischer-Paramount)
Hunky and Spunky, the donkey team, appear in another color cartoon. Hunky attempts to teach Spunky how to kick with his hind legs. Spunky wards off, however, five freinds make friends with a flock of birds by singing, making a nest and trying to fly. Later, he endeavors himself by kicking a vulture and makes friends with the birds. It is fair. Running time, 7 mins. “G.”

“Snow Falls” (RKO Pathe)
A bucking, a timely subject featured in this Sportsope, is followed from the awkwardness of the novice to the grace of the expert. The spills of the former and the consistency of the latter are amusing and entertaining, respectively. Running time, 10 mins. “G.”

“Circus Coed” (Paramount)
A school for the training of young circus performers is the subject of this Paramount Paraphrase. Methods of teaching and the results obtained by the faculty of the unusual school constitute a good subject. Book Heilick narrated. Running time, 10 mins. “G.”

“Gold” (RKO Pathe)
Mining of the precious metal by the prospector of a century ago is compared with the commercial enterprise which gold mining is today. The Sierra Nevada mountains in the background of each sequence add to the photographic value of the short, filmed in sepia. Running time, 10 mins. “G.”

“Bouw Strings” (RKO Pathe)
In this Sportscpe, champion archers display their skill against a screen; a golfer vs. archer match, a unique sporting venture, in addition to a series of seemingly impossible challenges should be enjoyed. Running time, 10 mins. “G.”

“Stranger Than Fiction, No. 60” (Universal)
A good selection of strange facts is found in this short. Fumie C, can perform a dance routine daily. An architect modeling animals and other statues from cement. A privileged cat has his own walk from house to yard. A man builds a car with a piece of wood gripped between his shoulder blades. Running time, 9 mins. “G.”

“That’s Africa” (Paramount)
A journey across the vast desert areas of Africa, this short is interesting. Margaret and Lawrence Thaw travel across the Sahara and witness the terrier covers a vast part of the native country, including a primitive dance, symbolic of appreciation of the gifts tendered to a tribe by the travelers. Running time, 10 mins. “G.”

“The Magic Bean” (Universal)
Here is a new version of the Jack and the Beanstalk fable which doubtless will please the younger element. Baby mouse plants the bean, climbs the stalk and encounters Giant mouse. The cartoon ends in a motion picture studio where the story is being “shot.” Running time, 7 mins. “G.”

“Russ Morgan and His Orchestra” (Vitaphone)
Russ Morgan’s rendition of popular songs with Gloria Whitney and Caro-lyn Clarke vocalizing are featured. The Paradise Girls dance a specialty number with the maestro at the piano. Morgan’s group includes Whitney and Miss Clarke perform in a likeable manner. Running time, 10 mins. “G.”

“Pilot Boat” (RKO Pathe)
Government boats patrolling New York’s spacious harbor, as pictured in this reel, should hold special interest for the masculine audience. The manner in which huge liners are guided into port makes for interesting material. Running time, 10 mins. “G.”

“Blue Grass” (RKO Pathe)
Thoroughbred racing horses are the keynotes in this special feature. Running time, 10 mins. “G.”

“North Sea” (Longman International)
This subject is something of a novelty in that it shows how gold is found by non-professionals and is a recreation of an actual mishap to a Scotch fishing vessel in the North Sea. Crippled by a storm and with its radio swept away, the vessel was at the mercy of the seas for 48 hours, at the end of which its crew succeeded in completing repairs on its engines and radio at the very moment that it is found by a rescue ship. It is more noteworthy pictorially than for its story. The picture was produced in England by Alberto Cavalcanti. Running time, 24 mins. “G.”

“Going Places, No. 59” (Universal)
The “Tweebs,” classified as one of the world’s most unusual railroads, is featured in this subject. The train’s passenger service will be run on the route. Running time, 9 mins. “G.”

“High Peril” (Vitaphone)
In this, the newest of the “Your True Adventure” series, Floyd Gibbons narrates the tale of a young jewel thief assigned to repair a dapper old undertaker. While on a high scaffold the lad is stricken, causing temporary insanity endangering him self and his fellow workers. The lad is finally overthrown by the within. Suspense is strong throughout the short. It is about average. Running time, 12 mins. “G.”

“Three Riders” (RKO Pathe)
Two of the subjects in this latest release are: “The Irish.”* In this interesting film, the Irishman is portrayed as a hardy, brave man. The other subject is “The French.”*
Gift of Monogram Options Reported


In addition to the options obtained by gift, the report showed, Carr acquired 6,194 by purchase, giving him a total of 22,823, and Dunlap acquired similar number, giving him a total of 22,823. The transaction reported by Rosenblatt wiped out his holdings of options, but he still holds 1,600 shares of Monogram common.

The only other transaction reported for the company was the acquisition of two options by Madeline S. White, New York officer.

The S. E. C. summary also showed acquisition of 300 shares of common stock of National Amusements, Inc., common by Henry R. Winthrop, New York director, and the sale of another 1,000 shares of 20th-Century-Fox common by Percival E. Furrer, New York officer, giving him a total of 1,500 shares, and 500 shares by Leslie E. Thompson, New York director, making his holdings 3,500 shares.

Acquisition of 2,000 shares of Warner Bros. common were reported by Jack L. Warner, who held, at the close of January, 90,060 shares of common, 14,884 shares of preferred and 1,181,000 six per cent debentures.

Theatre Changes

REOPEN IN BRONX
Dale, West 23rd St, Bronx, has been reopened by the Cocalis circuit.

DEMOLISH CIRCLE
Circle, 1825 Broadway, closed for several years, is being demolished.

CONTINENTAL TO OPEN
Continental, 1614 Broadway, is expected to reopen April 8.

REOPEN IN MT. VERNON
A new, planned schedule, the Plaza, Mt. Vernon, N. Y., has reopened.

SET BROOKLYN HOUSE
Randolf Amusement Corp, (Samuel Rinzler & Louis Frisch) will open Cross Theatres Co., Wolfbeath Theatre, when construction is completed.

OPEN IN GOSHEN
Netholdt Bros. have opened a new house, the Goshen, Goshen, N. Y.

NAVAREE TO OPEN
After alterations have been completed, the Navarre, Brooklyn, will reopen.

RENAME ROOSEVELT
Roosevelt, Roosevelt, L. L. has been renamed the Nassau.

HIGHLAND CLOSED
Theatres under the same ownership, High- land, N. J., has been closed.

PURCHASE THEATRE
I. T. Berg and Charles Friedman have purchased the stock of 954 Marcy Corp, operator of the Art, Brooklyn, from Harry Kutinsky and Morris Block.

Buys in Oklahoma
Maysville, Okla., March 7—C. S. Rogers has purchased the name of the La Crosse as a public nuisance.

The action, according to papers signed by Circuit Judge Emery W. Crosby, Nellie B. King, a native of the state of Wisconsin, and gives Judge Crosby authority to start proceedings against the La Crosse Theatre Co., Wolfbeath Theatres, Inc., and "any other corporation or individual operating a lottery, gift enterprise, game or scheme of chance called Bank Night in the city of La Crosse."

The complaint specifically mentions the Rivoli, Riviera, Hollywood and Strand. It is expected that the case will be tried during the regular April term of the circuit court for La Crosse.

Two previous attempts to obtain convictions against the La Crosse Theatres Co. and Welworth Theatres, Inc., were made from the La Crosse court jury returned verdicts of not guilty. Early in January another action was started against the La Crosse company, alleging that Bank Night is a public nuisance. This action was dismissed Jan. 25 by County Judge Roy A. Axtell on motion of Attorney General John E. Martin.

Sunday Film Bill in Delaware Dropped
Dover, Del., March 7—Bill to permit Sunday films in Delaware after 2 P. M. and providing for referenda in cities and towns on the issue, was withdrawn from the Senate, the Delaware legislature today by Representative Henry M. Canby of Wilmington.

a statewide proposal brought more protests than any other bill presented to the 1939 General Assembly. Another bill in the Senate would legalize Sunday films after 2 P. M. in cities and towns over 25,000 population, providing it is ratified by the votes of the municipalities, Wilmington would be the only city affected, under the population provision. With protests also pouring in to members of the Senate and House, this bill many members have expressed the opinion that it will not pass.

Rapf Favors a Little Propaganda for U. S.

New Orleans, March 7—Harry Rapf, M-G-M producer, now here, says that he is in favor of a little patriotic propaganda for motion picture audiences. Asserting that the film business is international, he declared that truthful propaganda is the need in other countries of pictures of the U. S. A. as it is.

‘Honest Man’ With $11,500

San Francisco, March 7—"You Can’t Cheat an Honest Man," paired with "My Son is a Criminal," has set a big boxoffice at the Orpheum. "Topper Takes a Trip" drew $8,100 in the second week at the United Artists. "Pulcinella" played well at $8,500 in the second week at the St. Francis, and "The Great Man Votes," at Golden Gate Theatre.

Estimated take for the week ending Feb. 28-March 3:

"The Great Man Votes" (RKO) GOLDEN GATE—$2,500 (20c-40c-55c) 7 days, St. Francis. Gross: $13,500. (Average, $1,929.)

"Topper Takes a Trip" (U. A.) UNITED ARTISTS—$1,200 (15c-35c-40c) 2nd week. Gross: $8,000. (Average, $4,000.)

"You Can’t Cheat an Honest Man" (Univ.) SANTA CLARA—$1,400 (15c-35c-40c) 5 days, $7,000. (Average, $1,400.)

"My Son is a Criminal" (Coli.) LARKINS—$1,400 (5,000) 1st week. Gross: $0,000. (Average, $0,000.)

"Wings of the Navy" (W. B.) THE ARIA—$1,200 (5,000) 5 days, $6,000. (Average, $1,200.)

"The Beachcomber" (Para.) BOOGIE—$1,200 (3,600) 7 days. Gross: $12,000. (Average, $1,714.)

"The Barnstormers" (M-G-M) TROY—$1,500 (15c-35c-40c-55c) 5 days, $7,500. 2nd week. Gross: $4,500. (Average, $900.)

TAKES GIBBON HOUSE
Gibson, Meh., March 7—C. J. King, Council Bluffs, la., has taken over management of the Gibson. Elva Jackson formerly operated the house.

Buying Pool Formed Of 32 Ohio Theatres

COLUMBUS, March 7—Product buying pool has been started here with the formation of Theatre Service, Inc., by nine exhibitors, operating 32 houses in four Ohio cities, formed the pool. Temporary headquarters are in the Grand Theatre Building, Columbus.

Virgil A. Jackson has been elected president, F. W. Rowlands, vice-president, Max Stearn, secretary-treasurer, W. C. Chesbrough, C. A. MacDonald, Jackson, Rowlands, and Stearn, trustees. The officers and the houses involved are Chesbrough, who operates the Alhambra, Champion, Drexel, Empress, Garden, Grandview, Hudson, Northern, Poinsettia, Princess, and Victor of Columbus, the Classic, Mecca and Salem of Dayton; MacDonald; Jackson, the Palace of Cleveland; Cleve, Southland, Thermia and Westmont of Columbus and the Ada of Ada; Jackson, who operates the Goodale, Wavefield, Capital and Varsity of Columbus, and the Avon of Cincinnati; Rowlands, who operates the Columbus, Main and Parsons of Columbus.

Also included are Stearn, operator of the Southern, Columbus; Frank Ferguson of the Avondale, Columbus; Al Taylor of the Dixie, Columbus; Lee J. Hofheimer of the Indianapolis, Columbus, and W. C. Pullin of the Lincoln, Columbus.

For Distribution“Katia”

Arthur Mayer and Joseph Baryst have acquired American distribution rights to “Katia,” produced by E. A. Algare in France and starring Danielle Darrieux.
Canada Radio Units Fight Beer Ad Ban

MONTREAL, March 7—Radio labor circles have the whip in the air in advance of the April 26 announcement of Private Radio Stations of Quebec has hired its comptroller to Gladstone Murray, general manager of CBC, and Thursday representatives of the Musicians Guild and the American Federation of Musicians of Montreal will go to Ottawa to register their complaints.

The ratification of the ruling banning wine and beer advertising will be fought March 19 when the Board of Governors holds its annual meeting March 19. Such a move will kill about 30 programs involving a quarter million dollars in salaries annually to musicians, artists, script writers and radio engineers. A gathering of such workers here yesterday under AFRA and Musicians Guild sponsorship resulted in drafting of protests which will be presented the Prime Minister and Quebec members of the House.

Philo's Television Sets Demonstrated

Philo's portable television transmitter and new receiving sets for the Lomax-Shepherd, Inc., were demonstrated in New York yesterday at the Savoy-Plaza. The receivers, which will be placed on the New York market early next week, may have a five-inch screen and will sell for between $150 and $175 a set.

At the demonstration today, the transmitter was placed in one room and in an adjacent room the broadcast was viewed on the screens of the receivers. The pictures were perfectly clear. The receiving sets are for television only and are not combined with radio.

The transmitter's small size gives it distinct advantages over other television transmitters according to Philo engineers. It is compact, the size of certain kinds of programs larger sets will have to forego. Engineers said it has already been successfully tested on golf courses, beauty contests and general outdoor events. The entire apparatus is mounted on wheels and is easily moved about.

Report Purchase of "A" Shares in CBS

WASHINGTON, March 7—Acquisition in January of 10 shares of Columbia Broadcasting System Class A stock by Prescott S. Bush, New York, director, has been reported by the Securities and Exchange Commission.

Other transactions in Columbia Broadcasting System shares reported were trading of 700 shares of Class A by Isaac D. Levy, Philadelphia, director, reducing his holdings to 65,990 shares, and disposal of 25 shares by Leon Levy, Philadelphia, director, reducing his holdings to 44,177 shares.

Reports from Columbia Broadcasting System, Inc., showed the acquisition in December of 963 shares of common by Powell Crosley, 3d, his only transaction of the year in Crosley securities, bringing his total holdings to 13,652 shares, and acquisition of 300 shares by Charles R. Dolbe, Cincinnati, director.

Slocum of CBS Press Department To Washington Unit

Bill Slocum of the CBS press department in New York has been transferred to Washington where he will serve as publicity director of the CBS Washington Bureau.

Other staff changes set by Lou Ruppert, news director, include Vancouver's Paul Glenn shifted from general program publicity to that of handling special events press relations; Jim Kane taken over the program news of the Western News Service, and Hal Davis succeeding Kane on the night trip.

Radio Personalities

RION BERCOWICZ, well known entertainment executive, has joined the New York staff of Tom Fischale's publicity office. Jimmy Rich, WNEW copyright editor, has been added to the staff of Ralph E. Smith at Radio City. . . . Clarrie Barton's orchestra booked for the Paramount for the week beginning March 22. . . . Jack Maxey, manager of WRTD, Richmond, in the city for a week on business . . . Joan Bennett will be the guest of 150 Hall for the latter's Wonder show March 10.

Henry Dagward and Irving Stroos have arranged a combination management and publicity service . . . Jimmy Greenman and Ross, "Caravan", from the stage of the Stanley in Pittsburgh March 14 . . . Gene Krupa will be heard from the College Inn by NBC beginning March 11 . . . Claire Heyer, ad manager of KGIR, Butte, in New York for several days of promotion . . . Ed Reiman, manager of business for short stays are Bill Fay of WHAM, Rochester, and Bill Pape of WHAM-AL, Valley City.

Helen Hayes booked for a guest appearance on Sunday's Chase and Sanborn show, the first of the two broadcast casts to come from Manhattan.

NBC Preparing New Television Promotion

First television booklet dealing with the science solely from an advertising viewpoint is now in production at NBC and will be mailed to a week to more than 5,000 agencies and clients. Compiled by E. F. H. James, the network's sales promotion manager, the booklet will be the first NBC of the future and its use as an advertising medium.

The point of interest to advertisers in the booklet are that the cost of production remains the greatest problem to be solved; that NBC, while carrying any immediate sale of television time, is following the policy of creating as much program variety as possible in order to build up a fund of experience of future value to advertisers; that the addition of sight to sound raises the question of the flexibility of present day sound broadcasting for commercial purposes and can be expected to be many times as effective in actual sales appeal.

WHN Also Will Air Dodgers' Ball Games

Play-by-play descriptions of the Dodger baseball games will be carried by WHN, in addition to WOR, as a part of its contract for the event yesterday for the double Manhattan coverage. As in the WOR instance, Studio 23, Manager, Jack Prescot & Gamble will sponsor the games over WHN.

The WHN schedule calls for description of all spring training games, home and road games during the entire regular season, as well as coverage of the Dodgers' night games, the latter over WHN only, and not on WOR.

Close Contracts for 4 New WJZ Shows

Contracts for four new programs over WJZ have been closed. L. Douglas Shoe Co., will sponsor a "man on the street" series Mondays through Fridays from 5:55 to 6 P.M.; for 13 weeks, starting March 27, through N. W. Ayer & Son; Breakstone Bros. has purchased participations in a series of Monogram pictures, series, through McKeen & Albright; Fifth Avenue Coach Co., for five weeks will bring its re-creation of Oklahoma City, economics, Wednesdays, starting next week, through the World Wide Advertising Corp., and Green Watch Co.'s time signals will be continued for another year, through a placement by McCann-Erickson.

Banner Lines

MOTION picture folks who have been worrying about the bogy of television probably will be interested in the answer RCA has just written to the question: "What will television's effect on motion pictures? It appears in a new pamphlet on television which will be issued this week, and it reads:

"Certain types of motion pictures will be better helped by television programs, and this should expand, rather than limit, the film market. Partly because people enjoy the capital stock from $10,000 to $100,000 and partly because the broadcasting of full-length features is limited, television offers little competition to the cinema."

Or in other words, yes, but then again, no.

Listeners have been complaining to NBC, and network engineers have been trying to do something about the interference WAEF is receiving from a station in Havana which, like WAEF, operates at 660 kilocycles.

Hollywood producers may be doing something to curtail radio advertising—but not this Sunday. On CBS alone, eight screen players will parade before the microphone including: Louis Howard, Jimmy Stewart, Edward Everett Horton, Spring Byington, Barbara Stanwyck, George Raft, Bob Benchley.

There's a report that because most of the sustaining budget is being poured into "This Is New York", CBS will scrap the "Saturday Night Swing Session." Just wait till the jitterbugs hear about this, if it be true.

Look for Milton Berle to step into the Pippodent setup as the replacement for Bob Hope. The deal has been closed and merely awaits announcement.

Progressive WOR is essaying something new by featuring what they have called "delayed broadcasting." Because mid-evening commercial commitments make it impossible for New York stations to broadcast the college basketball games in Madison Square Garden, WOR will send Stan Lomax to the games to make recordings of the play, and at midnight will present the platter on the air. If fans sign approval, WOR may broadcast a full schedule.

The C.I.O. has been pamphletting the NBC page and guide staffs.

Jack Banner

Bartley Shepard Aide

Robert T. Bartley of the Securities and Exchange Commission has been named executive secretary to John Shepard, 3rd, president of the Yankee Baseball Club, to handle his new duties at the close of this month. Previously, Bartley was director of telegram division of the F.C.C.

NBC Capital Increased

DOVER, Del., March 7—National Broadcasting Co. has increased its capital stock from 50,000 to 100,000 shares, no par value, the Delaware Secretary of State has reported.

Patt in WKRC Post

CINCINNATI, March 7—James M. Patt, CBS Midwest director of special events, today was named director of special events and public affairs for WKRC by William A. Schult, Jr., general manager of WKRC.

Amos 'n Andy to CBS

Amos 'n Andy will transfer from NBC to CBS in April. Campbell's Soup is sponsor, Ward Wheelock was agent in the deal.

Weekly poll: What will be the biggest hurdle for TV?.
**Film-Radio 'Feud' Is Only Talk, Says Lohr**

Two Run Parallel, He Avers in Coast Talk

Los Angeles, March 8—The "feud" between radio and motion-pictures because of protests of exhibitors over the presence of film stars on programs is "just so much newspaper talk," Major Lohr, president of NBC, declared here today. Lohr is on a transcontinental tour of cities where NBC has stations.

Films and radio are parallel entertainment mediums of mass appeal, he declared, and there probably will never be a war between them. There is much good will and cooperation between the mediums, he said. Talk of a feud, he averred, was caused by "personal irritation."

**Hays Protested Skit**

However, the NBC president did say that radio has agreed not to present the motion picture industry in an unfavorable light and he himself had delegated Don Gillman, NBC west coast head, to watch closely for industry "knocks."

(Will Hays recently protested to Lohr about a bit on a broadcast of Irene Rich that ridiculed Hollywood production methods.)

Commenting on the question of Federal censorship, Lohr said: "The public is utterly behind radio. Radio has kept itself clean and has done great things in the interest of public service. There is no danger of Federal censorship."

The keynote of new programs, Lohr said, might be patriotism and religious tolerance.

NBC has promulgated its own code of adherence to good taste and decency in broadcasts, and has submitted it to clients and agencies, Lohr disclosed. Copies were sent out two weeks ago to agencies and clients.

**New Jersey Censor Measure Introduced**

Trenton, N. J., March 8—Effort to establish a censorship in New Jersey was renewed here by Assemblyman John E. Kerner, who introduced a bill for a three-member board. Under the terms of the bill, the board would have power to ban any exhibition which it ruled was improper.

Kerner stated that his bill was put forward to provide a uniform judgment of fitness for films throughout the state and "would keep the screen clean."

**Ad Brains Set Course of Screen, Declares Einfeld**

By AL FINESTONE

"There is no question but that the advertising brains of the business help set the course of the screen. Hollywood must be encouraged to go into new fields and make pictures with new ideas. Whether these new ideas will succeed depends, of course, upon the box-office. It is the job of the industry's advertising and publicity experts to measure accurately and to obtain the fullest result in box-office reaction."

Thus S. Charles Einfeld, advertising and publicity head of Warners, expounds his creed. "Any picture," he continues, "can be sold with proper exploitation. New ideas are the order of the day, both in production and exploitation."

Warners, he said, have departed from the beaten path by making such pictures as "Pastor!!, "Zola" and "Green Pastures." There are pictures coming such as "Confessions of a Nazi Spy," "Dark Victory" and "Juarez." Einfeld mentioned these as examples of films that require extraordinary exploitation to put over, campaigns tailored to fit. "It is a matter of long-range planning, and it takes smart thinking and (Continued on page 4)
Col. H. A. Cole, Allied president, plans to remain in the east for the hearing of the National division book- ing bill before a subcommittee of the Senate Interstate Commerce Commis- sion, before returning to Dallas. He said that Col. Ray Lymann Wilbur, president of Stanford University and head of the Motion Picture Research Council, has promised to appear for the bill and that other public groups, such as the Parent Teachers Association, which supports the bill, will appear at the hearing. The Allied delegation, which will arrive in Washington two days late, will include Col. Cole in Baltimore today, and will meet with the New Jersey Allied board here on Monday. Col. Cole is expected to return to Boston and on the following day will address the Masse- chusetts Federated Women’s Clubs on block booking and other matters. On March 16 he will confer with the New York Allied board.

Myers Coming for Parley

Abram F. Myers, Allied general counsel, will come to New York for a conference on the distributors’ bill, and will confer with counsel on the proposed trade practice program.

Bowles, Ricketson in On National Meeting

Arch Bowles, National Theatre division booker, and Frank Ricketson, Rocky Mountain division head at Denver, arrived yesterday to attend the National division manag- ers’ meetings. Others are due today. The sessions will start tomor- row.

Lopert Forms Juno Films

J. E. Lopert, president of Pac Films, Inc., and B. Witkin have formed a new company, Juno Films, with Lopert as president and general manager. First picture will be “There Comes a Day,” French film directed by Julien Duvier and starring Louis Jouvet and Michel Simon.

Purely Personal

N. L. Nathanson, Famous Players- 
Lasky-Canadian head, is in New York for a brief visit en route back to Toronto from a Florida vaca-

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There had been some doubt whether he would confer further with the lawyers’ drafting committee, but yes- terday he indicated his willingness to meet with counsel, provided a com- mittee was formed and he was invited to sit in on the committee.

The drafting committee, of which Robert Perkins of Warner’s is chair- man, is still putting the finishing touches to the terminology of the final draft. Press of other work has de- layed commencement.

Howard also will co-direct and star. First will be “The Man Who Lost Himself,” for release late this year. Howard will also start work on the pictures after completing his role in “ Gone With the Wind.”

Hall May Get ‘Spy’

Radio City Music Hall may get Warners’ “Confessions of a Nazi Spy.” Negotiations are under way.

Warner Sales Drive Is Far Ahead of 1938

With two-thirds of Warners 16-week Sears Drive gone company representatives are optimistic about the record set in 1937, in collab- oration, and bilings over the same peri- od last year. Company executives are high hopes of another record for the annual sales convention at the Waldorf-Astoria here Monday.

It is expected that this year’s drive will be even more successful than last year’s, due to the promotion.

David Warner Dies; Producer’s Brother

Boston, March 8—David Warner, brother of Harry M. Warner, presi- dent of Warner Bros. Pictures, died here Tuesday night. He had never been a member of the film board of his brother’s company, but was a member of his brothers’ Warner Memorial Gymnasium presented to the Hebrew Children’s Home in 1929. Others surviving besides Harry M., Jack L., and Albert, brothers, are Mrs. Rodney Upright, a daughter of Cleveland, and three sisters, Mrs. Harry Charms, Mrs. Lewis Halper and Mrs. David Robbins. Burial will be in Youngstown, O.

Hitchcock Arriving From England Today

Alfred Hitchcock, former Gaumont- British director, will arrive from Eng- land today on the Queen Mary en route to Hollywood on an assignment from Selznick-International, for whom he will direct at least one picture. Prior to his departure from London, Hitchcock completed direc- tion of “Jamaica Inn,” starring Charles Laughton, for Erich Pommer’s May- Flower Films. The picture will be dis- tributed here by Paramount. Hitch-cock will go to New Haven for a lec- ture on films at Yale before leaving for the coast.

Other arrivals on the Queen Mary today include William Lawlor, son of director, Marjorie, returning from an extended European tour; T. K. Stev- ens, Erpi president; Mrs. Artur Kelly, representative of the United Artists for- eign sales head, who will be abroad on his current business trip for an- other month; Milton Krims, producer; Sir Harold Wernher, chairman of Asso- ciated Theatre Properties, London, and Ernest Guiness.

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Ticket Broker Trial Is Due to End Today

Trial of the suit of Acme Ticket AGency v. Friendly, the action of the ticket brokers’ code is expected to finish before Referee Morris Cooper, who heard yesterday’s hearing. Frank Gillmore, president of the Asso- ciated Actors & Artists of America, and Paul Dufilz, executive secretary of Actors’ Equity were the principal witnesses. They testified that although a broker’s “buy” of a house might pro- ject its run in particular instances the general effect on the legitimate trade is bad and that actors lost work as a result of the practice.

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'Dodge City'
April 8!
Flynn!
De Havilland!
And 1,000's!
Technicolor!
Terrific!!!
Warners!
Ad Brains Setting Course of Screen, Declares Einfeld

(Continued from page 1)
smart doing to get results," he added. "Your merchandise and audience must be analyzed."

Walters have no fixed budget for advertising and publicity, said Einfeld. Company executives are receptive to ideas, and do not limit the advertising department if an extensive campaign is what the department thinks is needed.

Large Sum on "Dodge City"
The company is spending a large sum on "Dodge City." The campaign was started when a party headed by Lieut. Gov. Carl Friend of Kansas delivered a petition to the studio asking that the picture be held at Dodge City, Kan. the studio "acquiesced."

On March 8, a particular picture of world premiere at the city's four theatres simultaneously. and there will be a big frontier days celebration, with national attention via a radio hookup. The company will transport a party of 100, including players, newspapers and others, from Hollywood on a "Dark Victory" film which will get usual attention. The "underground grapevine" was set in motion to create speculation on the theme of the film and a fan magazine campaign for months in advance stresses Betty Davis' performance, all leading to the preview climax.

"Dark Victory" is another film for the past 12 months because of no money available from British sources. Bridge contended that constructive steps are needed regarding financing and the assurance of good distribution service for British films. Lord Straborgi protested the Mayne Committee recommendation for financial cooperation has been ignored by the Government.

Lord Templemore, Government spokesman, pleaded that the Government cannot dictate to the City, London's financial center. He pointed out the importance of securing American distribution of good British pictures.

Lutsky, Luth Bankrupt
C. Israels Lutsky, radio commentator, known as the Jewish Philosopher, and employed by New York Broadcast service as a brain agent, has filed voluntary petition in bankruptcy in the U. S. District Court. Assets and liabilities of $28,734, and Lutky no assets, and liabilities of $20,545.

Sound Directors Meet
Hollywood, March 8—Major studio sound directors held their regular monthly meeting tonight at the Warner studio.

Allied Lists Names In Patriotic Series
With the first of Allied's series of patriotic trailers featuring President Roosevelt, the organization has tentatively listed for additional subjects: Chief Justice Hughes, Vice-President Garner, Secretary of the Treasury Henry M. Wallace, Speaker of the House, Al. M. Landon, Republican nominee for President, and Mayor of New York, Franklin D. Roosevelt, columnist, Prof. Albert Einstein and Sinclair Lewis.

Majors Win Details Plea in Trust Suit
(Continued from page 1)
completely and 23 party in the U. S. district, and 46 in the Columbia demand.

The order requires a description of the series of harsh, oron, and unglowed practices mentioned in the complaint which allegedly resulted in a monopoly in restraint of trade. It also lists a list of representatives where independent exhibitors had been forced to agree with names, dates and places, and a description of alleged coercive or distress methods used.

Must Define Terms
Generally, the bill must set forth complete definitions of general phrases such as "oe city," "star film," "affiliated theatres" etc. A complete differentiation must be set forth of "feature motion photoplays" and "feature photoplays of better grade and quality."

The order requires a statement whether alleged refusal of first run to be used is the result of any agreement or understanding; a listing of advantages allegedly granted by defendants to each other; whether the alleged theatre monopoly results from direct holdings in affiliated theatres or otherwise; whether the intertation of production with exhibition is the result of agreement or understanding; a listing of all first run houses and all theatres constituting the motion picture market.

Union Pact Approved
Members of Local 54, Building Service Employees Union, have agreed to sign with the management of New York Theatres, providing for closed shop, shorter hours and wage increases. It affects 500 workers.

Altec Closes Contract
Winner & Vincent Corp., has signed with Altec Service Corp., to service the equipment in the circuit houses in New York and Eastern states, Reading, Pa., and Richmond. Bert Sanford negotiated for Altec.

Backs 'Remous' Ban
Albany, March 8—Rejection of the revised version of "Remous" by the Board of Regents was upheld by the Appellate Division. A dissenting opinion by Justice Rhodes held the picture to be unobjectionable.

Production Drops With 38 Shooting
Hollywood, March 8—Thirty-eight pictures were before the cameras this week, as 13 were finished and four started. This represents a total of over 10 percent less than last year. Two plays being prepared and five are being edited.

It was started: "Great Enemy," invention to "Second Shot," RKO, "The Oregon Trail" (serial), Universal, and "Battle of City Hall," Warner.


Fine prints were: "Everything Happens to Amy," Arcadia-Grand National; "The Wizard of Oz," Sony; "Three smart Girls Go Up," "Universal; "Hill's of the West," Warners. M-G-M is shooting one short subject. Two have been finished.

Player Sues S. A. G.
Hollywood, March 8—E. H. Kookasta, atmospher photographer, yesterday filed suit against the Screen Actors Guild for $5,000 damages and reinstatement as a member, charging he was illegally suspended.

Columbians to Meet
A meeting of the Columbian Club, composed of officers of Columbia Pictures, has been tentatively set for March 14 at the home office to clarify the method to be followed in elections scheduled this month.

New Para. Unit Formed
Paramount has eliminated its distributing subsidiary incorporated in New Jersey with headquarters at Jersey City, the Paramount Film Distribution Corp., a newly formed Delaware corporation.

Hacker Will Export
Sam Hacker, formerly with Republic, has opened offices for international film export. He recently resigned as assistant to Morris Goodman, Republic foreign head.

Two Producing Units Organized in Mexico
Mexico City, March 8—Two new motion picture companies have been recently formed. In Tijuana Francisco C. Ibarra heads a unit which has started construction of an American-language film company and to be Spanish language films. Other offices are Silvano Romero, secretary, and Gumer-swind Ibarra, treasurer.

Jose J. Reynoso, Jr. and J. R. Baires have organized a company here which plans to produce five features this year, all in Spanish. The program starts this month.

Projectionist Bill Up
Albany, March 8—A projectionists measure has been introduced in the lower house by Assemblymen Crews of Brooklyn. Applying only to New York employees, it includes licensing of operators, and apprentices and calls for the employment of only licensed operators.

Plan Membership Drive
Chicago, March 8—Allied Theatres of Illinois will start a membership drive in the downtown area tomorrow, according to Jack Kirsch, president.

Associates to Meet
Motion Picture Associates will hold their next luncheon meeting at the Hotel Astor tomorrow. Means for obtaining revenue will be discussed. Harry Brandt, I.T.O.A., will speak.

British Censors Reject 4 in 1933
London, March 8—Only four films were totally rejected by the British Censors last year, Chas. H. Tuck, O. M., one film had an "H" (Horridic) certificate. The important classifications issued by the board follow:

Among features, 429 received "U" (Universal) certificates, and 288 "A" (Adult) certificates. Among shorts, 1,297 received "U" rating and 35 "X" rating.

In 1937 there were nine total rejections, Chas. H. Tuck, O. M., among "U" certificates, and 349 receiving "A" rating. During 1937, 1,533 received "U" classification, and 27 "A" designation.

'Twas That Bad
Hollywood, March 8—Sol M. Wurtzel is telling the story of a picture that was so bad that the projectionist walked out at the end of the third reel.
The greatest test of Adult Appeal a Shirley Temple picture ever faced! A “flu” epidemic sweeping Richmond—with parents keeping children out of school and out of theatres!

Result:

**THE LITTLE PRINCESS**

held over in Richmond after doing all the business in town!

FLASH! “Little Princess” off to smash start in Philadelphia’s Boyd—the town’s prestige, adult theatre!
Excess Power Protested by E. Roosevelt

WASHINGTON, March 8.—Elliott Roosevelt, son of the President and head of the Texas Network, today told the F.C.C. monopoly committee he was opposed to broadcasting power in excess of 50,000 watts, but suggested that stations of that power might be required to have a reserve of 500,000 watts for use by the Government in case of a national emergency. He also suggested that networks are moving to control the transcription business, and expressed the belief that transcription production and artists' contracts should be separated from the broadcasting companies.

CBS, NBC and Mutual each maintains an artists' agency and a transcription bureau. CBS recently started preliminary negotiations for the purchase of the World Broadcasting System.

Roosevelt urged the Government to press Mexico for ratification of the Hay Treaty because he believes it would eliminate interference from high power Mexican stations, which, he said, are definitely lowering American tastes in radio programs. He also expressed approval of establishment in the F.C.C. of a division to keep in touch with technical and sales operations and to advise broadcasters on what would be considered standard practices. He opposed any division to test listener reaction to programs, as proposed in the Wheeler bill for reorganization of the commission.

Roosevelt told the committee that when it completes its monopoly inquiry the commission should make definite recommendations to Congress for immediate revision of the Communications Act with a view to putting broadcasting on a national basis.

'Spider-Man' is the official seal of neighborhood houses here, has contracted with KYA for an hour of transcribed popular music each Sunday afternoon, Stanney told the reevers.

Ruggles to Vacation

Charles Ruggles will leave the cast of the Texaco "Star Theatre" on March 29 to take a three-week vacation in Bermuda. He will return to the series at the end of his sojourn.

Evening Clothes for Talent After 6 P. M.

San Francisco, March 8.—An edict has been issued here by NBC requiring all performers to wear evening clothes for programs after 6 P. M. Uniforms have been ordered for the 120-KGO and KGW radio audience and guest ushers, to make proper impression on visitors here for the exhibition.

Talent on Canadian Brewery Programs Starts Ban Protest

MONTREAL, March 8.—Artists and musicians on brewery-sponsored air shows have started a campaign of publicity protest against the CBC ban on beer advertising. Groups are pressuring all broadcasts with appeals to listeners to voice their opinions on the question. The appeals will continue for a week, it is expected.

Meanwhile, L. W. Brockington, chairman of the board of governors of the AMFA and an ally of representatives of the Musicians Guild and American Federation of Radio Artists' Montreal local at Ottawa on Saturday to discuss the ban. Another meeting may be scheduled for March 18, the day before the ruling is ratified.

Effective April 1, the ban would kill 30 programs which supply $250,000 annual sale for representatives, artists, writers and producers.

'Musical Grab Bag' Is New WHN Show

"Musical Grab Bag," with Bob Carter, is the title of the show signed to by the person who announced the station on WHN. The contract, for a year, for six 15-minute shows weekly, was placed through the Roger Rule Agency.

Other WHN business includes a 13-week contract for participation in the "Golden Bird" stations, a contract with the World Broadcasting Corp., and a contract for spot announcements for Central Laboratories. Former account was placed through Well and Wilkins, the latter directed by Scannell Jongs CBS.

Seannell Jongs CBS

Anatoly Scannell, formerly city editor of the Albany Knickerbocker Press and Evening News, has joined the CBS press department and will serve as assistant to Arthur Perels on the news desk. Jack Heins, formerly on the desk, has been transferred to handle publicity on WABC programs.

'Zaza' on Guild Show

Screen Actors' Guild show for March 19 will be a musical burlesque of the picture "Zaza," with Fannie Carlin, Ethel Guy, George Hope and Martha Raye in the cast. Dave Butler will direct the program.

Srivilliput to WHAS

CINCINNATI, March 8.—Paul Suvilli, for the past four years news commentator on WUL, will join WHAS-CBS outlet in Louisville, Ky., on April 1.

Cartwright to Petry

William H. Cartwright has been appointed manager of the Detroit station of Edward Petry & Co., station representatives.

Radio Personalities

AFRED M. McCOSKER, president of WOR, to Florida for a two-week vacation... Advertising Women of New York have named Hildegarde of the "99 Men and a Girl" program as the year's outstanding glamour girl... Victor Rosin, until recently a guest with Tom Fiddes, has been appointed managing editor of the magazine Key... Julio Martinez Oyanyu, currently heard over NBC in his own series, will give a concert at Town Hall on Sunday... Leonard Kapner, WCAE, Pittsburgh in town on a business visit...

Ken Meeker, a CBS page boy, has been signed by WNEW as a staff announcer, starting this week... Kitty Carlisle, Brumwell Fletcher and Helen Chandler will be guests on "Gotham Nights" over WHN tomorrow night... Sam Davis, the NBC screen commentator, has joined WMCA in the sales department, and will continue broadcasting news over the latter station.

Newfoundland Air System Is Formed

MONTREAL, March 8.—Recently formed Broadcasting Corp. of Newfoundland, a national system fashioned after the Canadian and British Broadcasting companies, has begun as a broadcasting unit March 13 when the new 12,500-watt station atop Mount Pearl, as yet its only outlet, will be officially opened.

The opening ceremonies will be marked by the joining of the island system with the CDC, Canadian Government radio officials have announced that Newfoundland will take all CBC sustaining features, to be supplied free. In addition, all Canadian film producers are to be paid in cash, while much of the music will be supplied by representatives of the B.C.N. which the B.C.N. now derives solely from license fees. Eventually, too, an eastern and western sustaining programs will be planned.

Head of the new corporation is G. R. Williams. Directors are J. S. Currie, who is president, J. C. Currie, who is president, G. D. Frazer and several government representatives.

Radio Rubes to Foy's

The Radio Rubes have been booked into Foy's Theatre, Providence, for the week of March 24. The booking was closed by E. M. Foy with Abe Feinberg on his trip to New York this week.

Barbara Stanwyck on Air

Barbara Stanwyck will appear in "So Big!"—the role which elevated her to stardom in motion pictures—on the radio "Radio Theatre" over CBS, March 13.

Film, Stage Stars At 'Gateway Lunch'

Prominent screen and stage players will attend today's luncheon at the Roosevelt in connection with the New York regulars and prospects in the RKO "Gateway to Hollywood" talent quest, which Jesse L. Lasky is conducting over CBS.

Those receiving an invite include Sam Jaffe, Marceline Day, Huntz Hall, Edward Norris, Jean Parker, Stevenson, Jack Oakie, Fredric March, Florence Eldridge, Raymond Massey and Harold Lloyd. RKO's eastern representative, Mrs. Edward B. William, will be a special guest, and Mrs. Webb Willoughby will address the participants.

CBC Refusal to Show Minutes Is Sustained

OTTAWA, March 8.—Canadian House of Commons, which has voted seven to five against having the minutes of the CBC board of governors' meeting produced for inspection.

L. W. Brockington, chairman of the CBC board of governors, told the committee the CBC had nothing to hide, but that the refusal to show the minutes was a matter of principle. J. E. Pearson, counsel for the corporation, charged the CBC with being a great bureaucracy.

Station Issues Paper

SAN FRANCISCO, March 8.—Weekly radio giveaway paper, called The Mike, is being published by Frank Arthur and Charles Cooper of the Cosmopolitan staff. The sheet carries station logos for all stations, in the Bay area, plus publicity photographs and stories, and a gossip column. Distribution is reported to be 20,000 weekly.

Steuer, Pomerantz Named Stockholder Counsel in RCA Suit

Max D. Steuer was appointed special trial counsel and Abraham L. Pomerantz general counsel for stockholders yesterday by N. Y. Supreme Court Justice Samuel Levey. Levey granted the application of RKO to consolidate five separate suits brought by individual claimants against Radio Corporation of America Electric Co., Westinghouse Electric & Mfg. Co., American Telephone & Telegraph Co. and some 30 directories.

A number of applications to examine RCA, General Electric, Owen D. Young, Allied Stores, General Electric, Texaco, American Telephone & Telegraph, Westinghouse, Paul D. Graebh, Andrew W. Robertson, James G. Hartford, David Sternfeld, Edward W. Horden, Edward J. Nally, Cornelius W. Bliss, Bertram Cutler and DeWitt Mulhausen before trial, was denied, with leave to renew after answers are filed.

Suit charges waste and mismanagement by the transfer of a large block of RCA stock to General Electric and Westinghouse, and the loss of $27,000,000 in underwriting an $11,600,000 RKO bond flotus. Accounting, damages, return of the stock and the appointment of a receiver for RCA are asked.
"Blondie Meets the Boss"

Hollywood, Feb. 27.—ENTERTAINMENT, in capital letters, is the essence of "Blondie Meets the Boss," second of Columbia's features taken from the popular King Features Syndicate comic strip. Seventy-one minutes of unadulterated comedy, the picture at its Hollywood premiere evoked more laughs per 90 feet of film than any picture within recent memory. To say that a continual gale of laughter swept the theatre would be merely reporting a fact.

The characters familiar to hundreds of thousands of newspaper readers—"Blondie," (Penny Singleton), "Dagwood," (Arthur Lake), "Baby Dumpling," (Larry Simms), "Daisy," the dog, "Mr. Dithers," (Jonathan Hale),—romp through the substantial story to fashion an offering palatable to all types of patrons.

In addition to the evident exploitable assets of "Blondie Meets the Boss," there is in the story a topical angle—"Dagwood's" accidentally winning a jitterbug contest. The Kay, Van Riper-Richard Flournoy story was adapted by Flournoy, and directed by Frank R. Strayer. Robert Sparks was associate producer.

"Dagwood," resigning in a huff because the boss would not give him a vacation, is replaced on the job by "Blondie." He becomes involuntarily involved in what appears to "Blondie" as a scandal, and domestic strife ensues. However, all is explained to the satisfaction of all, with "Dagwood" unconsciously winning a jitterbug contest and "Blondie" inadvertently, ruining a business deal, which turned out for the best.

Running time, 71 minutes. "G."*

VANCE KING

BLONDIE MEETS THE BOSS

BASED UPON THE COMIC STRIP CREATED BY CHIC YOUNG
PENNY SINGLETON as BLONDIE • ARTHUR LAKE as DAGWOOD • LARRY SIMMS as BABY DUMPLING
SKINNAY ENNIS and his BAND • Screen play by Richard Flournoy • Directed by Frank R. Strayer • A COLUMBIA PICTURE
Reviews! Applause! Records! Holdovers!

made for each other!

RELEASED THRU UNITED ARTISTS
Trust Action Details Ready In Two Months

Suit May Go to Trial in the Late Fall

Bill of particulars in the Government anti-trust suit will be ready in about two weeks and the two suits for trial in the late fall. Government sources indicated yesterday. An effort will be made to obtain stipulation from the major companies on certain of the facts in order to facilitate the trial and shorten the bill.

Opinion was varied as to who could claim the victory in Federal Judge William Bondy's decisions of Wednesday. Although some of the attorney's counsel felt that the Government would be required to set forth in detail its cause of action and be limited from expanding it in trial, others pointed out that most of the questions could be answered in general terms without going into too great detail.

Attorneys spent the major portion of the day yesterday studying the de-

(Continued on page 4)

British Ticket Plan Urged at Code Trial

Brock Pemberton, legitimate stage producer, advocated the English sys-
tem of ticket brokerage at the final
day of hearing of the injunction suit brought by Acme Ticket Agency against League of N.Y. Theatres and Actors' Equity to restrain enforcement of the ticket code. Lawyers will wait until the stereoscopic record is ready before preparing briefs.

James F. Reilly, executive secretary of the League, testified that Acme had been given an opportunity to sign the code but that the offer had been refused. Pemberton disagreed with the testimony of Equity that brokers hindered the legitimate stage, but he declared that it was necessary to limit the price advance.

Elizabeth Allan Wins Metro British Action

London, March 9—Elizabeth Allan today was awarded damages of $17,500 against M-G-M British. She had claimed breach of contract, contending she had been engaged originally to star in “The Citadel.” The damages were sought for alleged loss of salary and opportunities.

M-G-M British is expected to appeal the verdict. A stay of execution has already been granted the company.

51 ‘Gateway’ Winners Are Guests at Press Luncheon

Fifty-one regional winners in the RKO “Gateway to Hollywood” talent quest, and several score guests, including the press, attended the luncheon at the Roosevelt yesterday tendered in connection with the New York regional eliminations and try-
outs.

At the conclusion of the elimina-
tions the 51 winners had been reduced to two—Dorothy Davis, 17-year-old blonde, and Charles Ruppert, military academy student. At subsequent eliminations the two were invited to compete to find the final boy and girl, who will be given the names of John Archer and Alice Eden and featured in the motion picture “Career,” which RKO will film.

That RKO is satisfied that it is de-

51.5.23 PICTURES

First In Film

News Brief

Accurate

and Impartial

TEN CENTS

NEW YORK, FRIDAY, MARCH 10, 1939

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(Continued on page 4)
ARThUR RUSCICA, 20th Century-Fox manager in Chile, due Monday to confer with Walter J. HutchIson, director of foreign distribution.

STANLEY J. MAYER, manager of the 20th Century-Fox Des Moines exchange, and MRS. MAYER, leave in a few days for a trip to Chicago, Washington and New York.

ALEXANDER WOOLCOTT leaves for Hollywood Sunday, on assignment from the Ladies Home Journal, for a special screening of Samuel Goldwyn’s film, “Wuthering Heights.”

Joris Ivens, who directed “The 400,000,000,” returns to Hollywood tonight to screen the film for the Motion Picture Artists’ Committee there.

WILLIAM A. SCULLY, Universal sales head, and MAX A. COHEN, Cinema Circuit head, return today from Honolulu and the coast.

MATT TAYLOR’s “American Magazine” story, “First Performance,” has been published by Monogram as a vehicle for 12-year-old MARTIN SPELLMAN.

TAY CHERNOV-JAYAL, head of British Acoustic Films, G. B. subsidiary, sails tomorrow on the Queen Mary after several weeks here.

MILTON KREIS, writer for Warner, arrived yesterday on the Queen Mary from a vacation abroad. He left last night for the studio.

MORRIS HELPRIN sails for England on the Queen Mary tomorrow for conferences with ALEXANDER KORDA.

MORT BLUMENSTOCK’s fractured ankle is healing but he is still on crutches, though working.

H. J. YATES and JAMES R. GRAINER, president and vice, are due from the coast March 20.

JAMES ROOSEVELT flies to the coast today.

Stevenson of Erpi Back from London

T. K. Stevenson, president of Erpi, returned yesterday on the Queen Mary from London. This was his first trip abroad since becoming head of the company.

Stevenson conferred with the Cinema-Exhibitors’ Association regarding a reduction in service charges demanded by theatre owners. No decision has been reached.

This week’s guests at the home of Harold Wernher and Lady Zia Wernher. He is chairman of the Associated Theatre Properties of London, a chain of nine legitimate theatres.

Pattinson Knight, London commercial films producer, arrived to make a one-red subject of the World’s Fair, for showing in Great Britain.

Mrs. Arthur Kelly, wife of the foreign head of United Artists, also was on board.

The Newsreal Parade

A. F. of L. and C. I. O. representatives, appearing at Washington in the major current event series, in some issues of the newsreels. The Golden Glove boats in New York and a baseball diamond, featuring are sports subjects included. The reels and their content follow:


AMERICA'S FAVORITE COMIC STRIP IS IN THE MOVIES!

TAILSPIN TOMMY IN MYSTERY PLANE

WITH JOHN TRENT
MARJORIE REYNOLDS • MILBURN STONE
A MONOGRAM PICTURE

"Series takes off and zooms to entertainment levels which score a direct hit for this initialer and presages same for successors. Plenty of punch for adult action fans."
BOX OFFICE.

"Bids fair to create a vogue... concentrates on action and suspense... one of the most novel climaxes seen on the screen in years."
MOTION PICTURE HERALD.

"Gets off to flying start... will please fans of all ages."
FILM DAILY.

"Packs a wallop that will pave smooth path for those to follow... Action and suspense a-plenty, excellent production values."
DAILY VARIETY.

"Should become Monogram's top grossers, as exploitation possibilities are unlimited."
HOLLYWOOD REPORTER.

"Realistic, fast-moving, wholesome picture... a cinch to please thousands of youngsters."
JIMMIE FIDLER.

Produced by PAUL MALVERN
Directed by GEORGE WAGGNER
Screenplay by PAUL SCHOFIELD and JOSEPH WEST
Original story by HAL FORREST
Joe Bernhard, general manager of Warner Theatres, who returned yesterday from a vacation in the British West Indies, accompanied by Miss Silver, Albany zone manager, will preside over the regular quarterly meeting of zone managers and home office executives Monday and Tuesday. Beginning Wednesday, he will attend the Warner sales convention at the Waldorf-Astoria on Monday.

Those attending the zone managers' conventions, who also will be present at the sales convention, include the following zone heads: James Coston, Chicago; Ralph Thomas, Clarksdale; Harry Hoffman, New Haven; Don Jacocks, Newark; Moe Silver, Albany; Ted Schluger, Philadelphia; Harry Kalmine, Pittsburgh; John Payette, Washington; Herbert Copelan, Atlantic City. Home office executives include Charles Roberts, supervisor for Latin America, and S. Kusiel, manager for Mexico.

McConville also will visit the studios of Jose Luis Bueno, who is making three Spanish language productions for Columbia, and those of Jesus Groover, who will make pictures for Columbia. From Mexico, McConville will go to Havana, Puerto Rico and Jamaica, returning to New York in April.

**TV: Page 500,000 Attendance**

"Pymagun" passed the 500,000 mark in attendance at the Astor as it entered its 15th week yesterday. Its 14th week grossed an estimated $1,150. "The Little Princess" will open today at the Roxy and "The Oklahoma Kid" goes into the Strand.

Reports say "Yes, My Darling Daughter" grossed an estimated $31,000 at the Strand. At the Roxy, "Wife, Husband and Friend" attracted an estimated $32,500 in its second week. "I Was a Convict" will be the next attraction at the Criterion, starting Wednesday.

**Hear Bennett Plea Today**

Constance Bennett will ask N. Y. Supreme Court Justice Timothy A. Larey today for an order directing the issuance of commissions in Los Angeles to take the testimony of Countess Dorothy Di Frazio, Testimony of Miss Bennett, who has been on the witness stand in the trial of Miss Bennett that Ben Hecht and Charles MacArthur breached a contract made in December, 1935, to write a scenario for her for $50,000. Suit seeks $2,500 damages against Hecht, MacArthur and Charles Lederer.

**Film Financing of Stage Plays Rejected**

(Continued from page 1)

stated that on the questions of responsibility for the production, on the one hand, and control of production, on the other. However, it was recognized that the guild and the companies might be willing to make concessions on points on which their attorneys were unwilling to yield and it was agreed to put the matter directly up to the membership.

The committee has stressed the informal nature of the discussions, which have continued for the past year. A 15th Amendment, prepared by Feibleman and copies will be sent with notations of provisions upon which there was agreement. Those paragraphs upon which there was a deadlock also will be pointed out and each negotiator will comment on these portions of the organization he represents. The final report will go to the guild Monday.

**Present Agreement**

Under the present basic agreement, film companies have the right to purchase picture material before North American territories are paid on the total gross of the picture. However, no company has taken advantage of this provision, and there is no present intention to accept it.

This provision was used for the first time last week when Katharine Hepburn purchased the film rights to Philip Barry's "Philadelphia Story" in which she is now appearing in Washington. In this latter case, however, no film company has been reported in the deal, and the purchase was made easier because Miss Hepburn has a substantial interest in the show. It has been rumored that Howard Hughes may produce it, but this has not been confirmed.

**Television Seen As Aid to Box-Office**

(Continued from page 1)

 successfully put make-up and costumes together and it is well to deal with political themes considering that world politics today is an issue of great public topical and interest. Hutchinson came over to direct "Rebecca" for Selznick International. He will lecture on film direction at Yale University tomorrow, and will spend a week or so at Palm Beach before going to the coast. He is expected back in New York by May 1st. "Jamaica Inn" for Erich Pommer. He has no further British commitments for the year in America beyond the Selznick film.

Regarding British production, Hitchcock believes the banks will resume their financing before long, but instead of doing so indiscriminately, as before, they will back the production of only selected pictures which stand a chance of return. This will bring about a healthier condition, he believes.

**US Companies Meet British Quota Test**

(Continued from page 1)

fore. The half-dozen big pictures from American and foreign production backing did more to raise the prestige of the British industry, than the previous two years' production.

**Have Met Bargain**

During the discussions prior to enactment of the new quota's, American companies generally declared themselves for reducing footage in favor of a limited number of big pictures which would get revenue in the international market. The legislation was framed accordingly. It is the figures for the quota's first year proves the Americans have kept their part of the bargain.

American companies have probably spent more money on British production and did that industry more good than would be the case were they compelled to make a large number of low-cost inferior films, it is declared.

With the act providing for revision of the quota each year, the arguments for the first year, labor and other interests are again demanding a quota based on the British quota of 1927, and in the meantime, should the quota be reduced on a cost plus quality basis, it is expected.

**S. W. G., Producers in First Pact Sale**

Hollywood, March 8—The first meeting of representatives of the Screen Writers' Guild and producers on resumption of a collective bargaining agreement was held tonight. Charles Brackett, S. W. G. president; Philip Dunne, du Pont, and Leonard Janosky, attorney, represented the guild. An attorneys' committee approved the proposed pact. The next sessions of the meetings of the guild will be held Friday and Monday.

**Harry Weber Dies**

Hollywood, March 8—Harry Weber, 59, father-in-law of Ray Milland, and for many years active in the world-wide circuit, died here yesterday following a heart attack.

**Truck Suit Details Ready In 2 Months**

(Continued from page 1)

cession and were not entirely ready to comment. It also was disclosed that the Government will furnish as general a bill as possible and that a further fight may be expected when the bill is served. Principally, the order requires the company to pay five or four times the rental of a film because of overbuying by others, was granted by Judge Biddle. Also it was a list of independent exhibitors who were "compelled to license" U.S. films on a percentage basis. Names, as well as others listed yesterday, are expected to prove most troublesome to the Government.

**Prepare Bill in Washington**

The Government is expected to rely heavily on Judge Bonda's permission to include details only of information now on hand, and to furnish the remainder as it is gathered up to 30 days. The Government will be prepared in Washington under the supervision of Special Assistant Attorney General Doak.

Defense attorneys pointed to a portion of Judge Bonda's decision which permits them to plead surey if confidential information for which they were unprepared. In his opinion, Judge Bonda stated that the trial will be held without a jury, and if the defense is caught unawares because certain demands for details have been denied, the trial judge can grant a short adjournment.

**Set Policy for CEA Independent Group**

Los Angeles, March 9—Independent groups within the London and Home Counties Branch of the Cinematograph Exhibitors' Association met yesterday and set the policy for the new independent subcommittee of the organization.

The meeting agreed on terms concerning non-collective booking agreements and contracts. The next branch meeting will consider these matters and take up the initial functioning of the new committee.

Many other branches of the C.E.A. are expected to follow the London lead in establishing independent sub-committees.

**Raymond Bill Put Up for RKO Board**

The name of Raymond Bill, publisher, was sent to Federal Judge William Bondy yesterday as a proposed "concurrent" member of the board of directors of the reorganized RKO by Atlas Corp., a member of the reorganization committee.

Indications are that the formal order for confirmation of the RKO organization will be allowed to be considered within the week following the court's approval of the board personnel.

**'Dodge City' April 1**

Hollywood, March 9—Warner Bros. announced April 1 as the date for the world premiere of "Dodge City," at Dodge City, Kansas.
'Wife, Husband' at Strong $11,000 Is Denver's Leader

Denver, March 9—"Wife, Husband and Friends" at the Denver was the best bill here, taking $11,000, closely followed by "Fast and Loose" and "Girls in White," grossing $10,000 at the Orpheum.

Stagecoach" took $4,500, at the Aladdin in the second week, and "The Masker" at the Ott didn't do well. "While New York Sleeps" drew well with $4,000 at the Paramount.

Estimated takings for the week ending March 9:

- "Stagecoach" (U. A.)
  - ALADDIN—(25c-5c-4c), 7 days, $1,200. Gross: $3,600. (Average, $514)
  - PACIFIC LIONS (RKO)
    - DENVER—(25c-35c-6c), 7 days, and stage band. Gross: $1,000. (Average, $143)
  - "Fast and Loose" (M-G-M)
    - "Four Girls in White" (M-G-M)
      - PARAMOUNT—(25c-6c-7c), 7 days. Gross: $1,000. (Average, $143)
  - "While New York Sleeps." (20th-Fox)

Allied Urges Fight on N. Y. Theatre Bills

Harry G. Koch, counsel for N. Y. Allied, has issued a bulletin calling attention to state officials now pending in the New York legislature which affect theatres. Koch urged legislators to write to Senators and Assemblymen to urge opposition to the bills. The proposed laws are a tax on admissions, a franchise tax on outdoor advertising, and men in a booth hill, and a tax on circuits of three or more. Koch also calls attention to proposed requirements for a certified firman and an engineer of the fire commissioner. These proposed laws will result in a reduction of the travel operators and mechanics for air-conditioning plants.

Wins Reward of $500 For Flynn 'Capture'

Errol Flynn, for whom Warners offered a reward of $500 after he had been missing several days was located in Houston, Tex., by a newspaper, Larry Singletary, editor of the Houston Press, got busy as soon as notice of a reward was posted. He got his man landing from an Eastern plane two hours later. Flynn had been on vacation.

'Devil's Island' Film

In French Approved

Back to Devil's Island," French film drama on the French Guiana penal colony and for which the only picture on the subject made by the French, has been approved without delay.

The feature is being released in the United States by Edwin Fadiman's National Pictures Corp., owners of the United American rights.

Palfreyman to Toledo

Dave Palfreyman, in charge of the theatre relations for the Hays office, left yesterday for Toledo. He is expected back Monday.

Hollywood, March 9.—Will Fyffe, Scotch actor and box-office favorite in England, has been signed by Paramount pictures to play Frank Lloyd's "Ruler of the Seas," the story of the Cunard Line. . . . Pauline Goddard, as "Penny," has been cast for "The Cat and the Canary" opposite Bob Hope. . . . Stanley Field has been given a new contract by Warner's. He has signed the title of the Dillinger story as "John Dillinger, Outlaw," in which James Cagney will star. . . . Universal has signed Johnnie Mack Brown to star in seven westerns for the 1939 season. John Lang and Robert Kent drew leads in Universal's "For Love or Money," which Max Golden will produce and Al. Rogell will direct, +

Among vehicles set at Warners for Dorothy Alberte is "Stuff of Heroes," which Ivan Goff and James Seymour are writing . . . RKO has purchased the "Style of Old Man Hid," written originally by George Allen of England and adapted by A. C. Edington . . . Margaret Lindsay draws the feminine lead in "Enemy Agent," at Warners . . . Ida Martin's next picture for Paramount will be "Madame Mystery," originally titled "Tempted." George Stevens will direct.

WARNERS is preparing "Johnny Comes Marching Home," story of a gangster's efforts to rehabilitate himself. For Warners' third mystery, Harry Sherman has purchased "Gun Chasers," from Jack Jungmeyer, Sr., for a Hopalong Cassidy story.

Title Changes—Warners has changed the title of "The Roaring Nineties" to "And It All Came True" . . . "North of Singapore" is now the tentative title for the Paramount picture currently called "The Lost Men" . . . "Almost a Gentleman" is the new title for "Picardy Max," RKO . . . Buck Jones' vehicle at Paramount is now "Unmarried." It was formerly called "Night Spot Hostess" . . . "American Family" at Warners is now "Family Reunion.

Republic to Start Six Before April 1

Hollywood, March 9.—Conferences this week between Herbert Yates and James R. Grainger, Republic president, were followed by an announcement today that the studio will place six new pictures in production before April 1 and start six more during the three weeks following. The studio has 33 writers on the lot engaged in the elaboration of 18 more future productions.

Regular Stage Shows Not Planned in Akron

Akron, March 9.—Despite the substantial gross on four days of "Pollock Berger" at Loew's, the first week of the show that house in three years, a regular stage policy will not be adopted, according to the management.

Loew's and the Palace, at Canton, likewise will not swing into the division stage as reported. Stage shows will come on out at Canton for five years. The first runs play double features.

Fire Damages KC House

Kansas City, March 9.—Fox Isis here was damaged by fire today, with damage estimated at $30,000. The circuit will use the Apollo, one block south, which has been dark, until the Isis is rebuilt.

'Crossroads' to Open

American premiere of "Crossroads," (Tri-National) a French production with English titles, will be held Monday night at the Fillmore, following the Fillmarte, "A Dream of Illusion," which ends a run of 26 weeks.

M-G-M Buys 'Susans'

M-G-M has bought the screen rights to "Susans and God," Broadway stage play by Rachel Crothers. Produced by John Golden, the play ran for a full season.

Prepares Bill for Will Rogers Stamp

Claremore, Okla., March 9.—Congressman Wesley Disney of the First Oklahoma district is preparing a bill for introducing into the world philatelist's convention to be held in Tulsa, May 17 to 21.

Goldman Cuts Prices

Philadelphia, March 9.—William Goldman has reduced matinee prices at his New Theatre to 15 cents in competition with Warner's ' Schwarz.' The latter recently started a first run policy with prices cut to 25 cents at matinees and 42 cents at night. The New, which showed an increase on newsreels, holds to 25 cents at night.

Haller at 'Wind' Camera

Hollywood, March 9.—Ernest Haller today replaced Lee Garson as chief cameraman on Selznick's "Gone With The Wind." Haller's previous familiarity with color process in use is given as the reason for a switch.
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<th>Date</th>
<th>Columbia</th>
<th>M-G-M</th>
<th>Monogram</th>
<th>Parachute</th>
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<th>20th-Fox</th>
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<tr>
<td>Feb. 3</td>
<td>North of Shanghai Betty Furness James Craig</td>
<td>Honolulu (G) (M) Eleanor Powell Robert Young</td>
<td>Navy Secrets (D) Fay Wray Grant Withers</td>
<td>St. Louis Blues (G) (M) Lloyd Nolan Lamarr (3822)</td>
<td>Home on the Prairie (G) (O) Gene Autry</td>
<td>Fisherman's Wharf (G) (D) Bobby Burns Henry Armetta</td>
<td>The Arizona Wildcat (G) (C) Jane Withers Leo Carrillo</td>
<td>Made for Each Other (G) (D) Lombard Stewart</td>
<td>Pirates of the Skies Ken Taylor Rochelle Hudson</td>
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<td>Feb. 10</td>
<td>Texas Stampede Starrett Meredith</td>
<td>Adventures of Huckleberry Finn (G) (C) Rooney Connolly</td>
<td>Sundown on the Prairie (O) Tex Ritter</td>
<td>Persons in Hiding (G) (D) Burrows Wilcox</td>
<td>Boy Slaves (G) (D) Anne Shirley Roger Daniel</td>
<td>Tail Spin (G) (D) Alice Faye Bennett Charles Farrell</td>
<td>The Phantom Stage (O) Bob Baker</td>
<td>The Three Musketeers (C) Don Ameche Ritz Bros. Bobbie Barnes</td>
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<td>Feb. 17</td>
<td>My Son Is a Criminal Alan Baxter Jacqueline Wells</td>
<td>Fast and Loose (G) (C) Montgomery Russell</td>
<td>Little Pal (re-issue) Mickey Rooney Ralph Bellamy</td>
<td>Boy Trouble (G) (D) Ruggles</td>
<td>Forged Passport (G) (D) Paul Kelly June Lang</td>
<td>The Lost Patrol (reissue)</td>
<td>King of the Turf (G) (D) Menjou Dolores Costello</td>
<td>You Can't Cheat an Honest Man (G) (C) W. C. Fields</td>
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<td>Feb. 24</td>
<td>Let Us Live (G) (D) Paula O'Sullivan</td>
<td>Let Freedom Ring (G) (D) Eddy L. Barrymore McLaughlin</td>
<td>Star Reporter Warren Hull Marsha Hunt</td>
<td>One Third of a Nation (A) (D) Sunset Trail (3857) (G)</td>
<td>I Was a Convict (G) (D) MacLane Roberts</td>
<td>Beauty for the Asking (G) (D) Lucille Ball Knowles Donald Woods</td>
<td>Pardon Our Nerve (G) (C) Lynn Bari June Gale (931)</td>
<td>Society Smugglers (G) (D) Preston Foster Irene Hervey Walter W. King</td>
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<td>March 3</td>
<td>Romance of Redwoods (O) Pickford</td>
<td>Pygmalion (C) (G) Leslie Howard Wendy Hiller</td>
<td>Mystery of Mr. Wong (G) (C) Boris Karloff Rollin' Westward</td>
<td>Cafe Society (G) (C) Madeleine Carroll MacMurray</td>
<td>The Beachcomber (A) (C) Laughton Lancaster</td>
<td>Rough Riders Round-Up (O) Roy Rogers MacLane Hart</td>
<td>Twelve Crowded Hours (A) (D) Richard Dix Lucille Ball</td>
<td>Wife. Husband and Child (G) (C) Loretta Young Andy Devine</td>
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<td>March 10</td>
<td>Blondie Meets the Boss (G) (C) Arthur Lake</td>
<td>Ice Follies of 1939 (G) (D) Crawford Stetson Loy Ayres</td>
<td>Mystery Plane (G) (C) John Trent Polly Ann Young</td>
<td>The Saint Strikes Back (G) (O) George Sanders Wendy Barrie</td>
<td>Inside Story (G) (C) Michael Whalen Jean Rogers</td>
<td>Prison Without Bars (A) (D) Corinne Calvet Edna Best Barry Barnes</td>
<td>Stagecoach (G) (O) Claire Trevor John Wayne Andy Devine</td>
<td>Spirit of Culver (G) (D) Jackie Cooper Bartholomew Andy Devine</td>
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<td>March 17</td>
<td>Lone Star Pioneers Bill Elliott Dorothy Gulliver</td>
<td>Sergeant Madden Wallace Beery</td>
<td>Trigger Smith (O) Jack Randall</td>
<td>King of Chitamtown Anna May Wong Tamiroff Naish</td>
<td>My Wife's Relations (G) (C) Lucille, James and Russell Gleason</td>
<td>The Little Princess (G) (D) Shirley Temple Richard Greene Anita Louise</td>
<td>The Mystery of the White Room Bruce Cabot Helen Mack</td>
<td>The Oklahoma Kid Capney Bortap Rosemary Lane</td>
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<td>March 24</td>
<td>Whispering Enemies (G) (D) Jack Holt Dolores Castello</td>
<td>Within the Law Ruth Hussey Rita Johnson</td>
<td>Undercover Agent</td>
<td>Midnight Colbert Aneche Elefther John Barrymore</td>
<td>Flying Irishman (G) (D) Corrigan Trouble in Sundown</td>
<td>Everybody's Baby (A) (C) (Jones Family)</td>
<td>Three Smart Girls Grow Up Donna Durbin Winninger</td>
<td>Adventures of Jane Arden (G) (D) Rosella Towne William Gargan</td>
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<td>March 31</td>
<td>North of the Yukon Starrett Winters</td>
<td>The Kid from Texas O'Keefe Florence Rice</td>
<td>Streets of New York Jackie Cooper</td>
<td>Sudden Money Ruggles Rambeau Silver on the Sage</td>
<td>Mexicali Rose (O) Gene Autry</td>
<td>Almost a Gentleman James Ellison</td>
<td>Hound of the Baskervilles Grene Rathbone</td>
<td>Blackwell's Island (G) (D) Garfield Rosemary Lane</td>
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<td>April 7</td>
<td>The Lady and the Mob (G) (C) Fay Baister Ida Lupino</td>
<td>Broadway Serenade MacDonald Ayres Ian Hunter</td>
<td>Boys' Reformatory Frankie Darro</td>
<td>I'm From Missouri Bob Burns Gladys George Judith Barrett</td>
<td>Love Affair Boyer Irene dunne Lee Bowman</td>
<td>Mr. Moto in Danger Island Lorre Hersholt</td>
<td>Wuthering Heights Oheron Olsen Ninon Flora Robson</td>
<td>East Side of Heaven Bing Crosby Joan Blondie Mischa Auer</td>
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[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]
Out today

MOTION PICTURE HERALD

1939-40 Plans of Ten Companies Call for 489 to 503 Feature Productions
CBS Sets Up New Policy Covering Summer Schedules

CBS yesterday formulated a new policy governing summer radio vacations of evening advertisers. By the terms of the new rules, stations are eligible for the annual discount which advertisers may earn by 52 weeks consecutive broadcasting to 12½ per cent of the gross time being billed, and has reduced the weekly discounts by 2½ per cent.

Thus inducing its advertisers to continue broadcasting the year round, the new policy also provides for hiatus during the summer, for advertisers using evening periods from 7 to 11 P.M., without forfeiture of time. Length of the lapse which will be accorded clients depends upon the size of the network they use.

A network of 40 to 45 stations earns a 2½ per cent reduction; 15 to 29 stations, a 5½ per cent reduction; 5 to 14 stations, an 8½ per cent reduction; 4 to 3 stations, a 12½ per cent reduction. Bonus stations, stations of the Canadian Broadcasting Corp. and other non-affiliated stations are not included in the reduction schedule. The small-station networks are not eligible.

Advertisers desiring time held under the new policy are required to give a 45 days' notice in advance, and at the same time, a firm order for resumption of activity in 13-week cycles with a satisfactory network after the vacation period.

Adoption of the new policy thus ends the practice whereby radio stations closed down for the summer vacation period.

Pick Group to Steer Liquor Ad Ban Bill

WASHINGTON, March 9.—Chairman Wheeler of the Senate Interstate Commerce Committee, a member of the Pick Committee, Senators Andrews, Fla.; Johnson, Colo., and Gurney, S. D., as a sub-committee in charge of the Johnson bill prohibiting radio advertising of liquor.

The subcommittee is expected to hold hearings on the bill in the near future, with officials of the Federal Alcohol Administration, who annually have recommended such legislation, leading the drive for enactment of the measure.

One-Man Station

Des Moines, March 9.—Ray Stauffer, WHO engineer, was the only engineer able to report for duty at 6 A.M. during the recent blizzard and, owing to the fact that Jack Kerrigan, announcer, did not arrive until two hours after the sign-on, Stauffer did a real job between studio and control room.

In addition to his engineering work he announced shows, engineered transcriptions and announced the flood of notices of closed schools, meaning the unusual weather to the like. WHO was the only station performing that service as the others were off the air because of the storm.

Radio Personalities

H. V. KALTENBORN, CBS newsman, has been awarded an honorary degree of doctor of laws by the University of Wisconsin.

But the stations aintimated with Owned. Ernie series part years used a KALTENBORN, the CBC's closed they nervous in.

"The mike personal committee ends 91 work tisers Washington, engineering the same studio, is submitting to a grilling by Sun Taylor on the latter's WHN program.

The Bob Ray Band is booked for a guest shot on the Keith Smith show next Thursdays.

An emergency appendicitis operation can be traced to the error of the producer Tom Lewis to the hospital yesterday (he produces the Screen Actor's Guild show) and Hal Hemenway, of the same agency, and also a production man in the Hollywood studio, has suffered a nervous collapse... In the New York club of Young & Rubickam, Jack Van Nostrand is in charge of production on the Phil Donahue show, while the division has been shifted in charge of production on the Eddie Duchin program.

Cut in WLW Power Brings Rate Change

CINCINNATI, March 9.—Effective with the reduction in power of WLW from 50,000 watts to 25,000 watts, a new scale of rates was put into effect.

The rates are: basic, evening hour, 8:48; half-hour rate, $720; quarter hour rate, $480.

CBS Buys Building Opposite Quarters

CBS has purchased from the Juliano Foundation the seven-story building across the street from the present CBS headquarters, will remain where it is and use the building acquired for the extension of studio facilities.

Price of the purchase is not revealed, but the building is assessed at $380,000 and the land at $250,000.

WKBO Joins NBC

WKBO, Harrisburg, Pa., has joined NBC as an optional station available either to the Blue or Red network. The station is to be operated by WORK, York, and WGAL, Lancaster. Owned by the Keystone Broadcasting Corp., WKBO operates on 1200 meters, 250 watts day power, 100 watts at night.

To Air Mexican Music

MEXICO CITY, March 9.—Radio is to be broadcast from Mexico to make the world acquainted with leading Mexican musical composers.

MCB in Agreement On News Coverage With Canada Press

MONTRÉAL, March 9.—For the last year or more on the radio Canadian Broadcasting Corp. has drawn up a new agreement with the CBC. In many ways the agreement is identical to the one negotiated between Associated Press and CBC and CBS. Keynote of the scheme is the ruling against allowing newscasts to be used as commercial programs.

In the years Canadian Press has supplied the old Radio Commission and its successor, CBC, with a limited bulletin service free. With the new agreement, CP will put all its daily news at CBC's disposal. The latter may do its own selecting and editing, or may use any or all of the wire, but the rate is at a cost estimated at $20,000 a year. CBC, it is expected, will buy this service from CP until it can arrange its own.

CBC is limited to using news on rural broadcasts only (facsimile and television broadcast to go on. News programs also may be supplied by CBC to private stations owned or connected, upon the same terms as Canadian Press "at cost" and with the stipulation that they are for sustaining use only.

Lorillard Signs for Series on NBC-Blue

P. Lorillard Co. for Old Gold Cigarettes, has signed for a series on the NBC network from starting March 21, Tuesdays thereafter from 9 to 9:30 P.M. Old Gold currently is sponsor of "Bob Hope," but will be replaced by a production for NBC network—"

The Tuesday 9 to 9:30 P.M. program on the Blue is currently taken up by MacFadden's "True Story" program, but the latter will drop to 9:30 to 10:30 P.M. period when the Old Gold show moves in.

Ernie Here Dies at 55

Ernie Hare, a radio veteran and partner of Billy Jones, died yesterday in Glens Falls General Hospital of complications arising from pneumonia. He was 55 years old. Known as "The Happiness Boys," Jones and Hare were early network favorites. For the past year their program had appeared on WQMD.

Crash Fatal to Stadler

MONTREAL, March 9.—John Stadler, executive assistant to Allen Frigon, assistant general manager of CBC, was found dead in the wreckage of a car which careen ed over a hill here and Quebec yesterday, Stadler, who was located in Montreal, was vir tually in charge of CBM and CBF here.

Flynn Signed by NBC

JOHN T. Flynn, well known author and newspaperman, has been signed as regular commentator by NBC and will start a weekly series on March 14 from 7:30 to 7:45 P.M., on the Red.

WHO Facsimile Set

Des Moines, March 9.—WHO Radio-Foto News, a facsimile experiment, has started, has gone on a threes times-a-week basis. The broadcast is under the direction of Paul Loyet.

WHN on Air Earlier

WHN will start its daily schedule 15 minutes earlier than usual, starting Monday, the station goes on the air at 6:45 A.M.
WARNERS SET 48 FEATURES NEXT SEASON

1939-1940 Convention Is Under Way Here

J. L. Warner, vice-president in charge of production, will describe the coming season’s plans in detail to the Warner sales convention at the Waldorf-Astoria today. The program calls for 48 feature pictures. Of the 48 pictures planned for 1939-40, 36 are classified as “A” and 12 as “B.”

The full list of pictures announced is as follows:

“The Life of Beethoven,” starring Paul Muni.

“The Sea Hawk,” from the romance by Rafael Sabatini, starring Errol Flynn with Olivia de Havilland.

“The Knight and the Lady,” co-starring Bette Davis and Errol Flynn in a production based on the Broadway play by Maxwell Anderson dealing with the story of Queen Elizabeth.

“All This and Heaven, Too,” from the best-selling novel by Rachel Field, starring Bette Davis with George Brent.

“The Old Maid,” from Edith Wharton’s story, co-starring Bette Davis and Miriam Hopkins, and featuring Humphrey Bogart.


“The Moon and Sixpence,” from W. (Continued on page 7)

ANTI-ASCAP BILL IN ARKANSAS DEFEATED

LITTLE ROCK, March 12—Arkansas’ anti-Ascap law was defeated when it came to a vote in the house here on Friday. The measure, which would have imposed restrictions on the music licensing society which would prevent it from operating within the state, had been passed by the senate.

Decisions of the U. S. Supreme Court on the constitutionality of the Florida and Washington anti-Ascap laws may be handed down today in Washington. If so, they are expected to establish precedent on the constitutionality of other Ascap legislation.
**Purely Personal**

**EARL W. HAMMONS, Educational-Grand National head, has extended his stay on the coast again. Expected back in New York today, Hammons will not be here now before the end of the week.**

**W. J. HEINEMAN, Universal western division sales manager, is making a tour of his territory prior to returning to New York from recent product conferences at the studio.**

**WILLIAM SUSEMAN, eastern division director for 20th Century-Fox, has returned from branch sales meetings in Cincinnati, Cleveland and Pittsburgh.**

**W. J. KUPPER, 20th Century-Fox western division manager, is on a tour of western exchanges. He is due this week from Los Angeles.**

**LAUDY LAWRENCE, M-G-M manager for continental Europe, sailed Saturday on the Paris after several weeks here and is in Hollywood.**

**MURIEL SINNOTT of Paramount’s New York exchange is convalescing in the Brooklyn hospital following an appendicitis operation.**

**NORM TEPPEL, JUNE WALKER, H appeal; and FRED COOTS sailed Saturday on the De Grasse for a West Indies cruise.**

**HARRY M. BESSEY, secretary-treasurer for Altec, has returned to New York from a five-week trip to the coast.**

**TED O’Shea, eastern division manager for M-G-M, is expected back today from a three-week Florida vacation.**

**AL HERNAN, Universal district manager here, is on a West Indies vacation today.**

**SYDNEY SAMSON, Buffalo manager for 20th Century-Fox, has recovered from the flu.**

**ST. SEABLER, M-G-M advertising manager, returns today from the coast.**

**LINDSAY BURROWS of Eastman Kodak is cruising in the Caribbean.**

**VICKI BAUM sailed Saturday for Hollywood.**

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**Eugene Zukor Ready To Start First Film**

Hollywood, March 12—Eugene Zukor has completed his cast for “North of Singapore,” his first venture as a film producer, by signing Ernest Truex. Also featured in the Paramount picture, which stars Anna May Wong, is Eric Blore, who replaced the late Herbert Mundin, killed recently in an auto crash.

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**Purely Personal**

**By SAM SHAIN**

**WE give you Warner Bros. today. Elsewhere in this issue you will find an account of the company’s convention which is now being held here.**

It’s a long haul from the day in 1912 when Harry, Jack, W. A., and Jack Warner founded a little bicycle shop in Youngstown, Ohio, to open a motion picture company. Guiding light in W. B., he hatched his wagon to a dim and nebulous star called talking pictures and succeeded in revamping and revitalizing an industry. Latest reward for his initiative is the special Academy Award in acknowledgment of the outstanding pictures released by the studio with vital episodes in American history, such as “Declaration of Independence,” “Give Me Liberty!”... and the forthcoming “The Power and the Glory” by H. M., and his brothers was filming of Ambassador James W. Gerard’s book, “My Four Years in Germany,” because of its day. Was a tip-off to consistent policy of producing topical, headline entertainment.

When the Warner brothers’ Castle Theatre opened, Jack L. Warner, the youngest, now Warner vice-president and executive in charge of production, told Thalberg Awarding with vital episodes in American history, such as “Declaration of Independence,” “Give Me Liberty!”... and the forthcoming “The Power and the Glory” by H. M., and his brothers was filming of Ambassador James W. Gerard’s book, “My Four Years in Germany,” because of its day. Was a tip-off to consistent policy of producing topical, headline entertainment.

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Bigger than Angels!

Warners can't make all the pictures--so they only make the Best!
**New York Review**

**The Oklahoma Kid**

(Warner)

Swift in action as the stampede of settlers to the Cherokee Strip. Smooth as James Cagney's acting. Suspense that turns the palms of hands moist. Stirring as the incidental music of Max Steiner. That's "The Oklahoma Kid."

Thrill-packed and with Cagney at his best, the picture has box-office and customer appeal of the highest order.

Cutting alliteration and superlatives, three who helped make the picture, along with Cagney of course, are Lloyd Bacon, who did a grand job of direction in keeping the action at top pitch; Humphrey Bogart, who out-villained his best picture since "Kid Galahad" and Edward Crisp.

That scene in which Crisp, as the Oklahoma judge, says when told that Cagney as "The Kid" is out to get his father's killers: "I don't know whether to say go get the 'Kid' or 'Kid, go get the killers,'" is good.

The story, as would be expected, gets away from the plot formula for westerns despite the fact that the picture is a western to the last pistol shot.

Hugh Sothern and his son, Harvey Stephens, are leaders of a band of pioneers on their way to stake claims in the Cherokee Strip, the year being 1893. Bogart and his henchmen get the jump and Sothern is forced to accept a deal in which Bogart gets the gambling concessions in the town to be built.

When Sothern tries to enforce law and order Bogart frames him and he is taken from the jail and hanged by a mob incited by Bogart. News of this reaches "The Kid," Cagney, and he sets out to avenge the lynching of Sothern, who, as it very plausibly turns out, is his father. He does, getting each of the lynching ringleaders in turn.

Love interest is provided, and most satisfactorily, by Rosemary Lane's romance with Cagney.

Drama drips from the Cagney portrayal. There is a good chuckle here and there, and good acting abounds.

Warren Duff, Robert McWearner and Edward E. Paramore did the screenplay from an original story by Paramore and Wally Klein.

Running time, 80 minutes. "G."*°

*°"G" denotes general classification.

**Hollywood Preview**

**Dark Victory**

(Warner)

Hollywood, March 12—Bette Davis' first vehicle to be released since winning the Academy Award for 1938 might well have been made in anticipation of that distinction. It is precisely such a picture as an executive producer like Hal Wallis, himself an Academy Award winner of even date and rightly entitled to his own marque billing, might be expected to furnish exhibitors and customers properly expectant of seeing Miss Davis exercise her histrionic talent to the full. That is to say, the film is designed in every particular, story, direction and enactment, to display the star's twiced-crowned virtuosity. Miss Davis' performance is in it triumphant, declared by many witnessing the Hollywood preview her best work.

The story of "Dark Victory" is an essentially somber recital of a spirited young woman's reactions to the knowledge that she is victim of an incurable affliction and certain to die within a year. She is first rebellious, then consents to an operation which she believes for a time has cured her permanently. She blissfully plans marriage with her doctor, then breaks with him and dissolves recklessly on learning that he knows but has not told her she has only a few months to live. Rebounding from this, she marries him and they live happily together until death, which she meets bravely, comes.

Casse Robinson's screenplay, from the play by George Emerson Brewer, Jr., and Bartram Hodges, and Edmund Goulding's direction are all for Miss Davis' and, thereby, the box-office's benefit. George Brent plays the doctor and husband intelligently. Humphrey Bogart and Geraldine Fitzgerald are the secondary principals. A typically rounded Warner supporting cast assists.

Running time, 105 minutes. "G."°

Roscoe Williams

**Biographical Films To Play a Big Part**


**Economic Unit to Report Next Year**

WASHINGTON, March 12—Temporarily National Economic Committee hopes to make its final report at the next session of Congress, it was said by Chairman O'Malley and Vice-Chairman Sumner. The committee was organized in the White House, where financing of the meager investigation was discussed with President Roosevelt.

Proponents of the committee explained that the resolution under which it operates requires the committee to make its report during and that various executive agencies which are represented on the group have submitted estimates which are now under consideration to carry the work of the committee through until Dec. 31, 1940.

However, it was said, the committee hopes to conclude its investigation by the end of this year, and in the near future bills will be introduced authorizing the expenditure of $2,000,000 in the inquiry, only $600,000 of which will be asked for immediate appropriation, if the committee estimates itself unable to complete the work by Feb. 1, next, the remaining $1,400,000 will be asked.

**Universal Promotes 3 in Branch Offices**

Three promotions in Universal branch offices were made known over the weekend at the home office. Those advanced are C. C. Craddock, former manager of the Portland exchange who has been appointed manager of the Indianapolis exchange, succeeding Floyd Brown, resigned; R. O. Wilson, sales manager in the Portland territory for the past four years, was named manager, succeeding Craddock.

Also, W. M. Richardson, formerly manager of the Charlotte branch and who has been on a special assignment for the past year, will manage Harry D. Graham in Atlanta, was named branch manager at New Orleans.

**Employers Allowed Deduction on Taxes**

CLEVELAND, March 12—Taxes paid by the employer for federal and state unemployment compensation and for federal old age insurance are deductible as expenses from the income tax return, according to the bulletin of the T. O. of the Ohio. Taxes paid by employers for this purpose may not be deducted, however.

**Will Teleview Fight on 2 Parts**

LONDON, March 12—Monseigneur and Marble Arch Theatres have been given permission by the British Broadcasting Corp. to telescan the Gains-Harvey prize fight on March 16, using the Scophony System.

"Juarez" May Be Done in 2 Parts

The double feature practice is bothering Warners, for it seems to be giving the fullest use of the bigness and sweep of "Juarez" in one feature. It may, therefore, be made in two parts.
1,060 ADULTS
133 CHILDREN
WAIT IN LINE FOR DOORS TO OPEN AT
ROXY, NEW YORK
FOR
"THE LITTLE PRINCESS"

What adult appeal!

We told you about Boston, Toronto, San Antonio, Los Angeles, Richmond! Opening-day reports indicate the New York run will be the most sensational of all!
Distributors Will Have Draft of Pact Ended This Week

Distributors’ drafting committee of lawyers expects to have the draft of the trade practice program completed this week. The proposals for arbitration machinery are not finally set and will be subject to further consideration.

A meeting will be held with Abram E. Myers, Allied general counsel, to further discuss arbitration rules and procedure. A date for the conference is not set. When the program will be submitted to exhibitors is also indefinite.

Col. H. A. Cole, Allied president, in a statement issued to trade papers, charges that "casual remarks made in conversations with trade paper representatives have been misrepresented" and it therefore "becomes necessary that a formal statement to clarify my position be made."

Cole’s statement continues: "I certainly have not stated that Allied’s position is one of ‘no further negotiation.’ I did state that, since the distributor representatives had said at various times of late that they could not go farther in the matter of concessions, there was no further need at this time for further conversations between our committee and theirs; also that the authority of our committee lapsed as of March 1 by resolution of our board, and that a change in counsel, Mr. Myers, would not visit New York to confer with the distributors on the worldliness of proposals made, but did state that I knew of no specific date set for such a meeting.

During all these years, Allied’s position on negotiation should be well known. We stand ready at any time to negotiate with those in authority regarding fair trade practices, if and when there is definite reason to believe that substantial results can be obtained by devoting the time and effort expended.”

Three Radio Bills Put Up In Massachusetts

BOSTON, March 12—Three bills for the regulation of radio in Massachusetts have been introduced in the State Legislature. The first, planned to create a three-man commission to license and regulate all stations, by which the board would have the power to fix to the extent of $5,000 for failure to obtain a license, has been withdrawn. The second bill, just introduced, would restrict broadcasting of horse racing notes and results to days when racing is held in the state. This would seriously affect stations here and they have started a concerted campaign, both over the air and otherwise, asking listeners to write their legislators for support.

Still pending is a bill to require stations to submit in advance transcripts of all programs. Stations would be compelled to shut off the air speakers who deviated from their scripts.

Para. Retitles Film

Hollywood, March 12—“Million Dollar Legs” is the final title for Paramount’s picture starring Betty Grable.

Dickinson-Griffith Deal Reported Set

OKLAHOMA CITY, March 12—The deal between Glen Dickinson and R. E. Griffith for joint operation of 30 Dickinson theatres in Kansas and Missouri is reported completed. It is understood the houses will be operated on a 50-50 basis. Although the R. E. Griffith circuit was concentrated in the state, the Griffith Amusement Co. was not, according to its officials here.

Canadian Commons Approves Bill for National Film Board

OTTAWA, March 12.—A bill for the establishment of a national film board, empowered to report on Government film activities and to discharge other duties assigned it has passed the first reading in the House of Commons.

Trade Minister Euler, who presented the resolution for the bill, said the board would not only improve the distribution of Government films but that no one department of the Government could rightly undertake. Euler defended the present Canadian Government film bureau but said the new board would increase the efficiency of the bureau.

H. H. Stevens saw a trend towards an expensive Government commission. “If this goes through I warn you that in five years we will have another radio commission with expensive offices and large staff. A warning that some of the films produced should have bilingual titles was made by William L. Symes and Euler said the board would consider it.

WKAQ, Puerto Rico, Joins CBS Network

WKAQ in Puerto Rico yesterday joined CBS, the 53th station on the network, and the addition was celebrated with a special program which featured talks by Ernest Gruening, director of the Territories and Island Divisions, Department of the Interior, and Governor Blunt, a group of Puerto Rican Republic from Juan.

Two more stations, WRLD in Columbus, Ga., and WWMV, Asheville, N. C., have joined in the CBS chain. The Columbus station joins March 15 and Asheville on April 23.

Colgate Increases Web

Colgate - Palmolive - Peet will increase by 22 stations the CBS network carrying two of its daytime serials, "Myrt and Margo" and "Hilltop House," effective April 15. The addition of the stations gives these programs the largest hookup used by any daytime advertiser on the air and increases the total of stations to 73 stations. Benton & Bowles is the agency handling both programs.

Fred Waring on Tour

His Brusso Seltzer program concluded, Fred Waring and orchestra will make a personal appearance tour of the country, opening in Washington on April 7. An engagement in Pittsburgh follows, then two weeks at the Strand in New York, opening April 28.

National Theatres Plan Sales Drive

National Theatres’ first Spyros Skouros Spring Shows which drive will start April 1 and continue for 13 weeks. Cash prizes aggregating $15,000 will be distributed among district and theatre managers on the basis of the highest business increase during the period.

Plans for the campaign, which is in the nature of a tribute to the operating head of National Theatres, were made at a meeting of division managers at the department head here last week.

Attending the meeting were: Charles Skouros, Fox West Coast; Art Bowles, San Francisco; W. J. FITZGERALD, Milwaukee; Mike Rosenberg, Los Angeles; David Idol, Fox Theatre, Detroit; J. J. Sullivan, F.W.C. film buyer, and others.

Seeks End of $2.50 Radio Fee in Canada

OTTAWA, March 12.—The House of Commons radio committee has been notified by Paul Myers, chairman of the board, that he intends to move for abolition of the $2.50 license fee collected from receiving stations.

Although consideration of the proposal was put off Transport Minister C. D. Howe, who has jurisdiction over radio, rests his move to make a decision before May 25, Martin said that the license fee is prejudicing the interests of the Canadian Broadcasting Corp. Last year, he added, CBS derived $270,000 from the licenses.

Radio Amendment Offered at Albany

ALBANY, March 12.—An amendment to a bill to create a radio board was introduced, Monday, by Assemblyman J. M. Grant who is the sponsor of the bill. The move came in response to a request by the New York City Corporation, which would like to have the board have authority to require a radio license to be obtained when a station is applied for.

Daylight Time Starts In Canada April 30

TORONTO, March 12—Daylight Saving Time throughout eastern Canada will start Sunday, April 30, and continue until Sunday, Sept. 24, on dates the railway timetables are changed on all lines. Compared with last year, there will be one week less of daylight saving time in 1939. Recently the rural municipalities unanimously petitioned the Government to abolish daylight saving entirely.

In Legion Celebration

BOSTON, March 12—Lt. A. V. Macaulay Post of the American Legion, along with the local Police, will join Wednesday in the nationwide celebration of the 20th anniversary of the founding of the Legion. They will meet at the Police Club Wednesday evening to witness a preview and will follow this with social events at the Park Hotel. Senior Vice-Commander William McLaughlin and Junior Vice-Commander Harry Aaroosin are in charge of arrangements.
**WARNERS SET 48 FEATURES AS N. Y. CONVENTION OPENS**

(continued from page 1)

Somerset Maugham’s novel, starring Edward G. Robinson.

"Four Wives," a sequel to the success "Four Daughters," by Tyauk Hiltz, brought back the cast of the latter picture—the Lure Sisters (Priscilla, Rosemary and Lola), Given, Joyce, Lynn, Claire Reins, May Robson, Frank McHugh and Dick Foran.

20,000 Years in Sing Sing, by Warden Artland, starring John Garfield, with Ann Sheridan.

"The Life of Knute Rockne." John Dillinger, Outlaw, the life story of the notorious criminal.

"Battle of City Hall," with the "Dead End" Kids, Bonita Granville, Frankie Thomas, Jane Wyman, Ronald Reagan and Ann Sheridan.

"Episode," a sparkling modern comedy featuring Priscilla Lane and Jeffrey Lynn.

"On Your Toes," adapted from the Rodgers-Hart musical comedy that ran for two years on the Broadway stage. Two stars will head the cast, one of them being Zorina.

"You Can’t Take It With You," from the Cosmopolitan Magazine story by Thelma Strabel.

And It All Came True," by Louis B. Rombold, with James Stewart, Ann Sheridan and Humphrey Bogart.

"Dust Be My Destiny," from the novel by Jerome Odlum, starring John Garfield.

"Disraeli," a remake of the Warner production. Claire Reins will be starred.

"The Desert Song," from the light opera of which the book and lyrics were written by Otto Harbach, Oscar Hammerstein, II, and Frank Loesser, and the music by Richard Rodgers.

"The Story of Dr. Ehrlich," starring Edward G. Robinson as the genius of medicine.


"Eyes of the Army," a picture produced with the cooperation of the War Department.

"We Are Not Alone," from the novel by James Hilton, starring John Garfield.

"Give Me a Child," with background the maternity ward of a metropolitan hospital.

"Forgive Our Trespasses," from the best-seller by Lloyd C. Douglas, with John Garfield as the star.


"The Dam Busters at College.""The Story of John Paul Jones," starring James Cagney.

"Burnt Offerings," from the story by Jack London.


"The Tanks Are Coming" in which the U. S. Cavalry—capitain and mechanized—will be depicted.


"From the field: Ed Schutzer, eastern district manager with headquarters in New York; Branch Managers B. R. Kepner of Allentown, A. R. Ayres, Boston; Charles Rich, Buffalo; John Payne, New Haven; D. H. Rankin, New York; and Harry Hummel, New Jersey.

Robert Smeltzer, central district manager in Washington; Branch Managers V. D. Shumitko, Cincinnati; Herbert Oels, Cleveland; F. E. North, Detroit; W. G. Mansell, Philadelphia; Harry Seed, Pittsburgh; F. W. Beierdorfer, Washington.

**MEN FROM CANADA**

Rud Lohrenz, mid-west district manager with headquarters in Chicago; Branch Managers, T. R. Gil- ligan of Toronto, E. A. Anderson of St. Paul, Mo.; Fred Grenberg, Indianapolis; R. T. Smith, Milwaukee; C. O. Schlesinger, Sid Roso, Omaha; Hall Walsh, St. Louis.

Fred M. Jack, southern district manager with headquarters in Dallas; Branch Managers, R. L. Mott of Shreve- point, John A. Bunch, Charlotte; Doak Roberts, Dallas; William War- ner, Kansas City; O. W. Wilhimmson, New Orleans; Martin Schlesinger, Oklahoma City; W. E. Callaway, west coast district manager with headquarters in Los Angeles; Branch Managers, E. A. Bell, Denver; N. H. Brower, Los Angeles; Vete Stewart, Portland; Lew Umber, Salt Lake; Henry Herbel, San Francisco; William Sharin, Seattle.

Wolfe Cohen, Canadian district manager with headquarters in Toronto; Branch Managers, L. J. Gel- ler, Calgary; M. J. Isman, Montreal; Lew McKenzie, St. John; Joseph Plotz, Toronto; I. Cowen, Vancouver; Gordon Simmons, Winnipeg.

Also attending are Sam Lefkowitz and Joseph Chas, New York, and of the New York exchange; Bill Brodberg, assistant branch manager in Chicago.

**ORDERS DRIVE TO END BINGO IN NEW HAVEN**

NEW HAVEN, March 12.—State’s Attorney Samuel E. Hoyt has ordered State Police to shut down all Bingo and other "charity" games in New Haven County. Games had been flour- ishing despite a State Supreme Court decision last summer declaring them illegal. A bill is before the Legislature attempting to ratonate Bingo for educational and charitable organiza- tions only, but theatres opposed such discrimination at the Hartford hearing recently.

James Cagney in a story by Mark Hellinger.

"Burnt Offerings," as yet untitled, to "Brother Rat," with the same cast as that picture—Wayne Morris, Priscilla Lane, Jane Bryan, Eddie Albert.

"Without a Song," a Warner Picture, carry- ing on the adventures of the girl re- porter.

"Nancy Drew" stories, Bonita Granville and Frankie Thomas, based on the popular "Nancy Drew" books.

"Four Secret Service" pictures, with Ronald Reagan as the hero; produced with the cooperation of W. H. Moran, ex-chief of the U. S. Secret Service.

**WOMEN’S CLUBS PLAN DRIVE AGAINST DUALS**

WASHINGTON, March 12.—General Federation of Women’s Clubs may drive against double fea- tures. Local units of the Federation may contact theatre managers in this regard.

Protests by women’s clubs were partly instrumental in forcing a return to single feature pictures in the Bronxville, N. Y. area, about a year ago.

That community leaders are turning against the double feature practice is evidenced by the opposition of Ray Lumon Wilbur, president of Stan- ford University and head of the Mo- dern Films Research Council, who believes that both films on a double seat will meet very little customer suitability standards.

**FRENCH CORP. HEARING SET**

Federal Judge William Bondy has directed a hearing on March 30 on postwar plans submitted by the French Motion Pic- ture Corp., which filed a petition for reorganization Feb. 19, 1938. The plan provides for payment of priority claims in full, and 15 per cent to gen- eral creditors.

**APPEAL ALLOWED ON FOX THEATRES PLAN**

Appeal from the decision of former Circuit Judge Martin T. Manton which approved Milton C. Weinberg’s plan for liquidation of Fox Theatre Corp., was allowed on Friday by Fed- eral Judge William Bondy to the Trust Co. of Georgia, $400,000 credit- or of Fox Theatres.

The Trust Co. is appealing because, the notice of appeal stated, the plan failed to treat their claims as based on theatre rentals, as a priority.

**TITO GUizar TO STAR**

Hollywood, March 12.—Tito Guizar has been signed to star in "The Double Deyel Deceiver," one of the features to be made by Harry Sherman-Robert Clark Pictures, which is based on the O. Henry story.

**SCOTT TO START PICTURE**

Two Gun Troubadours," latest of a series of six musical westerns starring Fred Scott, will go into production in about two weeks. Picture will be released by Spectrum.

**M. P. T. O. A. Urges Film Improvement**

(Continued from page 1)

The "suspicions now arises," he says, "that it may be too late (for the trade promotions) to do anything to save the situation.” His charge will be entirely out of hand, and that drastic regulations will be imposed upon the industry by the agencies for political action in spite of promises of the producers and distributors to put the modified trade practice proposals to effect some time after next August."

In commenting on the recent U. S. Supreme Court decision on the Dallast Interstate Circuit case, Kuykendall echoes what is now the general industry belief that "this decision will have little or not effect on the businesses,” unless the same circumstances which prevailed in Dallas are proved to exist in other areas. Under such circumstances, he indicates, action may be brought. He points out that even if clearance were to be eliminated, distributors still would enjoy the privilege of selling exclusive runs in every locality or of selling all theatres simultaneously at the same price, neither of which would be any advantage to the average exhibitor, Kuykendall says.

Director of Public Relations Darrell F. Zauck and Nicholas M. Schenck for the recent action of 20th Century-Fox in curtailting radio appearances of their stars.

**Monday, March 13, 1939**
UNITED ARTISTS IS RUSHING YOU THIS BLUEPRINT on how to advertise Hal Roach's provocatively titled comedy-romance, ZENOBIA.

Ask your whole town "Who is Zenobia?" and your whole town will flock to find out!

Lucky you...Zenobia is on her way to you. To know her is to love her...and to love her is to laugh!

HAL ROACH presents ZENOBIA
(ZENOBIA WAS UNTRUE)

with

OLIVER HARDY · HARRY LANGDON
BILLIE BURKE · ALICE BRADY
JAMES ELLISON · JEAN PARKER · JUNE LANG
STEPHEN FETCHIT · HALL JOHNSON CHORUS

Directed by GORDON DOUGLAS · Released thru United Artists

"I've practiced medicine for twenty years but I've never had a patient like Zenobia!"

"Why does Zenobia always get her man...and mine besides?"

"What this world needs is more girls like Zenobia!"

"What's the use of a girl falling in love when Zenobia's around?"

"There ought to be a law against Zenobia. Write to your congressman!"

"There's that Zenobia again! I think I'm going to faint!"

"Our home was so happy...until Zenobia came to town!"
FCC Sets New Allocation to Aid Television

Three Bands Provided for Experimentation

WASHINGTON, March 13.—Television took another step toward fulfillment today when the Federal Communications Commission issued new allocations of frequencies from 30,000 to 300,000 kilocycles, effective April 15, retaining for television the seven bands that are now reserved but providing that three bands may be used also for general research and experimentation which does not result in interference with any television station.

Commission Statement

"The commission believes that in order to permit television to be inaugurated on a nationwide basis, a minimum of 19 channels should be reserved below 300 megacycles," it was explained. "This does not mean that the minimum number of channels allotted by this order will eventually provide channels for a completely competitive national service. Undoubtedly additional channels above 300 megacycles or some rearrangement of the present plan will be necessary at a later date."

Franco-U.S. Pact Held Film Guaranty

Safeguards for the American film industry's operations in France contained in the Franco-American reciprocal trade treaty are regarded by foreign departments of major film distributors here as ample guaranty against any oppressive or discriminatory provisions in the measure proposed by Jean Zay, Minister of Education, for reorganization and protection of the French film industry.

According to reports from Paris, the measure would impose heavy taxes on American and other imported product and would restrict or forbid double feature billing.

BILL GOES IN TODAY

Paris, March 13.—Minister of National Education Jean Zay will present his film bill tomorrow to the French Parliament. The French production chamber stated that the measure is not to be feared as it is contrary to the Franco-American trade agreement.

Midnight

[Paramount]

Hollywood, March 13.—This is Claudette Colbert's best comedy since "It Happened One Night" and as much better than that Academy-immortalized classic as the cinema of 1939 is better than the cinema of 1934. This is, in fact, just about the best light comedy ever caught by a camera, as of the glad evening of March 8, 1939, when a cross-industry turnout enjoyed its preview screening with that wholesome, whole-hearted enthusiasm which, about once a year, erases company boundaries, banishes professional prejudices and makes of a top-flight Hollywood audience a mere theatreful of completely contented film fans for a night. It takes a pretty fine piece of entertainment to do that.

There is much about "Midnight" to gratify not only Miss Colbert and the general public but also Paramount and the general industry. There have been doubts in various quarters during recent years as to whether it is possible for the screen, under modern conditions, to deliver to the whole public a really smart, sophisticated comedy, suitable for family consumption and yet completely satisfying to adult and minor, metro-
Legion of Decency Condemned Five of Year Total of 535

National Legion of Decency reviewed a total of 535 domestic and foreign films during the year ending November 28. Of the Legion condemned five and found 32 objectionable in part. Of the remaining 93 per cent, 332 films were approved for general patronage and 164 for adults. Two, "The Birth of a Baby" and "Blockade" were separately classified.

Among the five condemned films are none from the major companies. There were domestic and two foreign. Of the 32 disapproved in part, 26 were domestic and six foreign. A total of 29 foreign films were reviewed and classified. Expressed in percentages, 62 per cent were approved for general patronage, 31 per cent for adults, six per cent as objectionable in part, and one per cent condemned.

Approves 11 This Week


Dismiss Phelan Suit Against FP Canadian

Toronto, March 13.—Suit of H. W. Phelan for $25,625 damages against Famous Players Canadian Corp. has been dismissed by Justice Urquhart in the Ontario Supreme Court, with costs.

The court declared there were no grounds for a charge of misrepresentation in the 1930 exchange of Famous Players common stock for that of Paramount Publix.

Dave Bader to MCA In Store Department

David A. Bader has closed his store agency, known as "Bader & Co.," Literary Corp. of America, to move over to MCA Artists, Ltd., as executive assistant to David Diamond, head of the MCA store department.

Bader has taken with him to his new post his library and lists of plays which he has represented in the number of American and English writers.

Orders Plant Inspection

N. Y. Supreme Court Justice Aaron J. Levy yesterday directed 20th Century-Fox Film Corp. to open its film storage plant at Little Ferry, N. J., for an inspection by Anna Grees and an agent of the company with a $60,000 damage suit against 20th Century-Fox on a claim that the defendant had negligently caused a fire in the plant on July 9, 1937.

Monogram Plans to Do 'Rip Van Winkle'

Monogram will produce "Rip Van Winkle" for the 1939-40 feature program, according to W. Ray Johnston, president.

The film will be based on the famous story by Washington Irving and is planned by the company as one of its high budget productions on the new season schedule.

Equity Scolds Barton

Actors' Equity yesterday announced that it had delivered a reprimand to James Barton, star of "Toacco Road," for unexcused absence, the use of abusive language while addressing Cynthia Arden and Anna Deren backstage.

Phillips Joins Pic

Hollywood, March 13.—Frank Phillips, formerly assistant to Frank Seltzer, Hal Roach advertising and publicity director, has been appointed western editor of the magazine, "Pic."

Upstate Exhibitors Plan Referendum On Chance Games

Albany, March 13.—A group is working for a referendum on gambling, including bank night, bingo, etc. Many theatre owners feel that most of their patrons approve the idea of "late night" games with minority groups harnessing Bank Night, etc., would prefer to watch a statewide vote.

A referendum, in which the exhibitors can keep hands off and watch for the result, would be a boon to them. It is understood, in that they could accurately chart a future course on bank nights, etc. An unfavorable vote, while effectively removing theatre chance games would also help them, they feel, in eliminating the competition afforded by Church and society totals.

The motion picture industry has a lot at stake in the present legislative economy drive which threatens the safety of the industry and the emergency taxes asked by Gov. Lehman to defray the $415,000,000 1939-40 fiscal year budget. A recent conclusion that theatres will escape the $1 per $1,000 real estate tax on assessed valuation, as the Social Security billion dollars on a statewide assessment basis, but they may be faced by the alternative of a sales or amusement tax.
A

Fair Trade Practice is on the Next Page...
THE ONLY FAIR AL.

1939-40 IS THE REG.

They Made Me A Criminal

Valley of the Giants

Dawn Patrol

Devil's Island

Angels With Dirty Faces

Brother Rat

The Sisters

Four Daughters

They Made Me A Criminal

Valley of the Giants

Dawn Patrol

Devil's Island

Angels With Dirty Faces

Brother Rat

The Sisters

Four Daughters

The Oklahoma Kid

Hero for a Day

Naughty But Nice

Blackwell's Island

War

Against

Blackwell's Island

War

Against
ADVERTISEMENT FOR FORD FOR 1938-39!

- Dodge City
- Wings of the Navy
- You Can't Get Away With Murder
- Confessions of a Nazi Spy
- Juarez
- Each Dawn I Die
- Yes, My Darling Daughter
- Family Reunion
- The Kid From Kokomo
- Dark Victory
- Hell's Kitchen
- The Roaring Crowd
Pace for the 36 CLASS "A" 12 CLASS "B"

Picture Ros. & ures 1939-40

Fair Buying and Fair Selling makes for Fair Sailing
Remember the Record!

24 TOP BRACKET PICTURES
2 Outstanding Attractions Every Month!
WARNER BROS.' PROPOSED PROGRAM OF PRODUCTIONS FOR THE SEASON 1939 AND 1940

"QUALITY IS NOT A PASSING FASHION"

The foremost thought in Warner Bros. minds at all times is to make good pictures, to present these pictures with the strongest showmanship and merchandising possible, and to offer them on a fair "live-and-let-live" basis. This, we believe, is the type of fair practice which has given Warner Bros. their enviable position in the industry today.

The success of Warner Bros. pictures this season, their success in the new season to come—and in the seasons that will come after it—represents a good deal more than is apparent to the appraising eye. The reason for our present position lies deep beneath the surface of an edifice which 29 years of careful construction has at last brought to completion. Development was sure, the goal inevitable, because an unswerving sincerity of purpose was its foundation! That purpose—not merely to make motion pictures but to make motion pictures as fine as they can be made—has now matured to its fulfillment. This we believe is clearly apparent in the productions we have listed as an indication of the material which, allowing for the exigencies of production, we contemplate producing for 1939-40.

Yes, these are great attractions, unquestionably the greatest we have put forth in one season, but to us of Warner Bros. they are the materialization of our company's motivating thought, "Quality Is Not a Passing Fashion." Now that the quality we have built toward and planned for has been attained, it is inevitable that it will continue.

Paul Muni

*THE LIFE OF BEETHOVEN*

A distinguished addition to Paul Muni's memorable characterizations. The genius of the most revered figure in music... his defiance of Napoleon in an age when liberalism was heresy... the women who resented his passionate intensity and eccentric manners... the tragedy of deafness in his later life... and the solace he found in music as immortal as his own soul... A stirring life none but Muni could re-create!

Errol Flynn

*THE SEA HAWK*

with OLIVIA DE HAVILLAND

The author of 'Captain Blood' and its star! Dashing leader of Rafael Sabatini's saga of the Beggars of the Sea. The days when England's only navy was a colorful clan of adventurers who swept the Atlantic. Produced on a scale more spectacular than 'Captain Blood'!
BETTE DAVIS
★ THE OLD MAID ★
WITH MIRIAM HOPKINS
AND HUMPHREY BOGART
The Pulitzer prize-winner and 2-year stage success. To be
directed by Edmund Goulding who directed Bette Davis in
her Academy Award picture, 'Dark Victory'.

JAMES CAGNEY AND GEORGE RAFT
★ INVISIBLE STRIPES ★
Adapted from Warden Lawes' flaming best-seller. The most
powerful theme since 'Angels'! Not a prison story . . . but
the tortured drama of 'after prison' . . . the invisible stripes
a 'timer' wears forever. A tremendous opportunity for this
dynamic new team.

BETTE DAVIS
★ ALL THIS AND HEAVEN TOO ★
Biggest book-scoop in 5 years! Apace with 'Gone with the
Wind' in all quarters! The soul-stirring story of the girl who
became the world's most notorious name, brings another
'Victory' to the screen's greatest actress.

JOHN GARFIELD
★ DUST BE MY DESTINY ★
As timely as it is real. Garfield, sentenced to vagrancy in a
penal workhouse, escapes to marry the girl he loves—and
is forced to live a fugitive life. The amazing manner in
which he wins a new trial and freedom will awaken every
citizen to the needs of victims of narrow-minded 'justice'.

★ JOHN DILLINGER, OUTLAW ★
The newspapers' Dillinger headlines in themselves make as
exciting a story as could be fictionized. But add to this the
human story of an average boy sent to the penitentiary — by
mistake — before he was 20 . . . and the 9-year lesson behind
bars that turned him into a ruthless animal, fascinating to
women but feared by friend and foe until death — and you
have some idea of the impact you can expect in the show.

JAMES CAGNEY
★ THE STORY OF JOHN PAUL JONES ★
The stranger-than-fiction biography of the Scotch pirate who
became the 'Father of the American Navy'! Mighty armadas,
great sea battles, tender romance . . . produced on a scale in
keeping with its spectacular setting. Picture Cagney as that fiery
scourge of the seas whose daring conquest led America through
the stormiest naval encounters of the revolutionary war!

EDWARD G. ROBINSON
★ THE MOON AND SIXPENCE ★
BY W. SOMERSET MAUGHAM
A story with the world for its background and the creator of
'Of Human Bondage' for its author! The most dynamic role
yet brought to the screen by Robinson!

★ THE LIFE OF KNUTE ROCKNE ★
BY QUENTIN REYNOLDS
There are 80,000,000 football tickets bought every year—and
every one is a herald for this show. Based on the autobiog-
raphy of the immortal coach. Screen's first document of this
great American, his background, his work, his rich humor,
the unforgettable heritage he left. To be produced with the
cooperation of Notre Dame University.

★ THE BISHOP WHO WALKED WITH GOD ★
BY QUENTIN REYNOLDS
Based on the life of Martin Niemoeller, the fighting minister
called the greatest enemy of the totalitarian states. Every
newspaper in the country has headlined his great struggle . . .
now Warners will have it screaming on celluloid!

8
ACADEMY AWARDS
WON BY
WARNER BROS.
THIS YEAR

The long list continues on the next page . . .
ERROL FLYNN
☆ THE ADVENTURES OF DON JUAN ☆
The title tells all! Expect more adventure than 'Robin Hood'. The story of the world’s most famous lover will be filmed on a matchless scale by the artisans who have given you such epics as ‘Robin Hood’, ‘Anthony Adverse’ and ‘Juarez’.

☆ BATTLE OF CITY HALL ☆
THE DEAD END KIDS
The ‘Kids’ come off the streets and reform! So picture what goes on when they take over City Hall! Here’s comedy and drama — and a story to top ‘Crime School’ for suspense-filled action!

☆ DISRAELI ☆
CLAUDE RAINS

☆ EPISODE ☆
with
PRISCILLA LANE AND JEFFREY LYNN
The sweethearts of ‘Four Daughters’ and ‘Darling Daughter’ are set for big things this year and this is one of them. Priscilla plays a music student and Jeff just plays — but how!

EDWARD G. ROBINSON
☆ THE STORY OF DR. EHRlich ☆
Another ‘Pasteur’ . . . and another great life that triumphed over ignorance and persecution to give the world the cure for its most dread disease! Another big ‘first’ for Warners and another great biographical drama for the screen.

☆ WE ARE NOT ALONE ☆
Another best-seller scoop from the pen of celebrated James Hilton! We are not alone when we say this is one of the most important stories to be filmed.

☆ CAREER MAN ☆
JEFFREY LYNN AND ANN SHERIDAN
A brand new entertainment angle — the first story of the U. S. Diplomatic Corps! The Spanish revolt, European intrigue, the armament race, international espionage, pack it with 1939’s most original brand of screen dynamite!

JAMES CAGNEY
☆ THE WORLD MOVES ON ☆
From the pen of world-syndicated Mark Hellinger comes this stirring kaleidoscopic view of America’s most dangerous days! The pre-war teens, the lush twenties, the jittery thirties all woven into a thundering cavalcade of adventure!

EDWARD G. ROBINSON
☆ BROTHER ORCHID ☆
The nation’s orchids went to Colliers for this unusual magazine serial. An entirely new and different Robinson portrayal! The hilarious story of a mobster who hides out in a monastery and learns to like it.

JOHN GARFIELD
☆ FORGIVE US OUR TRESPASSES ☆
The success of ‘Magnificent Obsession’ and ‘Green Light’ assures the latest Lloyd C. Douglas novel instantaneous approval! Its heart-gripping theme is timed to perfection to further this great new star’s ever-increasing following.

☆ FOUR WIVES ☆
A SEQUEL TO FOUR DAUGHTERS
with the same cast
The long-awaited follow-up to ‘Four Daughters’ written by the same author, Fannie Hurst, and filmed by the same director with the same lovable stars. The girls have become women but the same rich drama and heart-warming appeal assure it of the same universal acceptance!

☆ GIVE ME A CHILD ☆
We earnestly believe this to be one of the most human themes that it has been our privilege to offer. Two prominent stars now being selected will portray the stirring leading roles.

☆ EYES OF THE ARMY ☆
Each year Warner Bros. dedicates part of its program to America’s great Services and Military Institutions. ‘Eyes of the Army’ takes its important place besides ‘Wings of the Navy’, ‘Submarine D-1’, ‘Devil Dogs’ and the others.

☆ THE TANKS ARE COMING ☆
First and only film of Uncle Sam’s mechanized cavalry! In keeping with Warners’ authentic ‘service’ policy, it will be produced on the actual scenes of operations with the full cooperation of the United States Army.
☆ A SEQUEL TO BROTHER RAT ☆

Same stars, same author, same setting, same director collaborate to bring in another lightning-paced picture big enough to top its predecessor!

☆ BURNING DAYLIGHT ☆
**BY JACK LONDON**

Unquestionably London's most gripping adventure story... with all the roaring action of America's fiercest era! Mighty days of the Klondike, wicked nights of the Barbary Coast live again in a magnificent red-blooded romance.

FRED MacMURRAY and PAT O'BRIEN
☆ THREE CHEERS FOR THE IRISH ☆
with ANN SHERIDAN, RONALD REAGAN, FRANK McHUGH and ALLEN JENKINS

You can't beat the Irish and you can't beat the heart appeal Warners have put into this one! Get set for a new high in hilarity when these harps start swinging!

☆ ON YOUR TOES ☆
**WITH ZORINA AND AN IMPORTANT MALE STAR**

Rodgers and Hart wrote it—N. Y. held it for 2 years—now it zings to the screen with the most sensationaly publicized dancing star in years—the talk of the country, star of the legit season's musical hit, 'I Married an Angel'.

☆ THE DESERT SONG ☆

A mass smash on two continents, it boasts Sigmund Romberg's world-remembered music, an action-crammed story, hundreds of daredevil horsemen, the most spectacular desert scenes ever filmed! To be produced in Technicolor with a great singing star.

BETTE DAVIS AND ERROL FLYNN
☆ THE KNIGHT AND THE LADY ☆

Maxwell Anderson's memorable Theatre Guild production brings Bette Davis to the screen in the famous love story, with Errol Flynn as the hero who defied the world for a queen's love!

---

Warner Bros. Pictures
Are "Bench-Made"

Because It's Fair to You!

There is no "Assembly Line" at Warner Bros.

No properties this important can be "rushed through" to meet release dates. Only because we are prepared as is no other company—with our background of high-quality production, and the vast resources of our studios, the world's largest, is this policy possible. Our current program definitely demonstrates that this exclusive method—and this method solely—assures the consistent delivery of successful motion pictures for the future, as in the past.

The list goes on...
☆ AND IT ALL CAME TRUE ☆
with
JAMES STEWART, ANN SHERIDAN and HUMPHREY BOGART

The prize-winning novel by Louis Bromfield becomes a major addition to the record number of prize novels on the Warner story list!

☆ DEAD END KIDS AT COLLEGE ☆

From ‘Crime School’ to college and are they a pain in the seat of higher education! Fans called their basketball game in ‘Angels’ one of the year’s funniest episodes—so you know what to expect when they take up football . . . and everything else in sight.

☆ YOU CAN’T ESCAPE FOREVER ☆

BY THELMA STRABEL

One of the most important Cosmopolitan Magazine stories of the past 3 years. Played against a background of Paris, Cannes, Switzerland and the U. S., this is one of the most extraordinary romantic dramas on our program.

JOHN GARFIELD AND ANN SHERIDAN

☆ TWENTY THOUSAND YEARS IN SING SING ☆

‘Twenty Thousand Years in Sing Sing’ and twenty thousand thrills on the screen! From the pen of Warden Lewis E. Lawes! A behind-the-scenes story mighty with the clash of men, to be advertised and publicized as sensationally as it will be filmed!

☆ 4 SECRET SERVICE STORIES ☆

BY W. H. MORAN, EX-CHIEF U. S. SECRET SERVICE, WITH RONALD REAGAN

This series is building every second. Headline scoops and straight-from-the-files stories of espionage will inspire four more action-packed shows for the coming season!

☆ 4 NANCY DREW STORIES ☆

BONITA GRANVILLE—FRANKIE THOMAS

The first releases of this swell series met with such instantaneous approval that Warners will follow it with four more in 1939 . . . all with new action, new adventures, new laughs.

☆ 4 TORCHY BLANE ADVENTURES ☆

More and merrier stories for this popular series about the smartest female newspaper man that ever scooped to conquer!
PAUL MUNI ★ BETTE DAVIS
ERROL FLYNN ★ JAMES CAGNEY
EDW.G. ROBINSON ★ JOHN GARFIELD
PRISCILLA LANE ★ JEFFREY LYNN
OLIVIA De HAVILLAND
‘Dead End’ KIDS ★ HUMPHREY BOGART

JAMES STEWART ★ FRED MacMURRAY
JEAN ARTHUR ★ VERA ZORINA

PAT O’BRIEN ★ GEORGE BRENT ★ ANN SHERIDAN
Geraldine Fitzgerald ★ Wayne Morris ★ Miriam Hopkins
Claude Rains ★ Rosemary Lane ★ John Payne ★ Gale Page

Fay Bainter ★ Eddie Albert ★ Jane Bryan ★ Donald Crisp ★ Margaret Lindsay
Frank McHugh ★ Allen Jenkins ★ May Robson ★ Bonita Granville
Jane Wyman ★ John Litel ★ Ronald Reagan ★ Johnnie Davis

JACK L. WARNER, Vice-President in Charge of Production
HAL B. WALLIS, Associate Executive in Charge of Production

ASSOCIATE PRODUCERS
Bryan Foy ★ Henry Blanke ★ Robert Lord ★ Sam Bischoff ★ Lou Edelman
David Lewis ★ Max Siegel ★ Mark Hellinger

DIRECTORS
Lloyd Bacon ★ Edmund Goulding ★ Michael Curtiz ★ William Dieterle ★ William Keighley
Anatole Litvak ★ Ray Enright ★ Lewis Seiler ★ William Clemens ★ Terry Morse
William McGann ★ Noel Smith ★ Crane Wilbur
Warner Bros.

...the company that believes in Fair Practice!
Warner Says Duals Force ‘B’ Pictures

(Continued from page 1)

ut will be even more greatly improved, because the company favors quality above quantity and the firm probably will spend as much and maybe more on the 48 films it contains.

Nerves making us as it might have spent on the project or even possibly the 70 pictures it used to make in the old days.

"They seem to point with satisfaction," Warner said, in speaking of bygone days of the trade and bygone showsmen, "that pictures were pointing to the average age of about 14 years. "I am afraid some of our present producers may still be pointing that way and those who are behind the times in an era of "Pasteur," "Zola," "Dark Victory" and "Junocteur." There's no chance of the company's program in full.

A telegram from Harry M. Warner, president, who was unable to present the program, read and in which he praised Sears for "doing a magnificent job" and commended the entire Warner organization for its work in the past year.

"We can take pride in the motion picture business today as never before, for it has become an international power," Warner's message said. Others who spoke at the morning session were Sam E. Morris, vice-president in charge of foreign activities; Joseph Bernhard, general manager of theatres; Carl Leserman, assistant general sales manager; S. Charles Einfeld, advertising and publicity head; Joseph Himmelfarb, foreign sales manager.

The morning session will be taken up by a discussion of advertising plans by S. Charles Einfeld, Theatre publicity man, and in the afternoon Norman Moray, short subjects head, will outline his product for the division.

The general convention will wind up tonight. Tomorrow and Thursday will be devoted to meetings conducted by Roy Haines and Ben Kalmenson for branch managers in their divisions.

AFA, Ringling Feud Ends; New Pact Set

American Federation of Actors and Ringling Bros. have settled the feud which closed the circus last spring in the midst of its tour. Contracts have been drawn and will be presented to the board of directors of Ringling for final action at the next few days. Ralph Whitehead, executive secretary of the A.F.A., has called in two of the union's organizers from the Midwest to assist in enrolling performers and routemasters. The circus is expected to start on schedule this spring.

IATSE Takes Over Studio Unit Control

(Continued from page 1)
limited expense account, and Ed. Hein, financial secretary.

Late today A. Brigham Rose, acting for Carpenter and other executives of Local 37, organized a federal court restraining order prohibiting Browne and his aides from seizing records, cash and premises of the organization.

Hollywood Preview

Midnight

(Continued from page 1)

politician and agrarian in content, execution, in individual detail and total result. Paramount has persisted in the theory that is can be done, despite certain disappointing efforts to do it, and Pascuamont herewith not only proves its theory triumphantly but supplies the industry a fine working model for guidance in achieving this difficult but delightful end.

Miss Colbert's performance is unquestionably her splendid best, but this is no one-performance picture. She has as companions in comedy John Barrymore to fine a fertile, dash and Don Ameche in a role fitting his chaste phase perfectly, Francis Lederer and Mary Astor with precisely appropriate assignments, Hedda Hopper, Elaine Barrie and ex-O'Malley in superbly handled secondary parts which add roundness and reality to the swiftly spun narrative. There isn't a dull instant.

The screenplay by Charles Brackett and Billy Wilder, an expert script packed with brilliant dialogue, is from a story by Edwin Justus Mayer and Franz Schulz. It starts with arrival of Miss Colbert in a rainy Paris in evening dress without hat, wrap, baggage or money, and proceeds from laundress to design to intrigue and amusing for concluded synopsis. It is fast but not headlong, so funny in spots that whole minutes of dialogue are lost in audience laughter and so steadily humorous as to make its 90 minutes seem as 30. It never gets out of hand nor out of line.

Arthur Hornblow, producer, and Mitchell Leisen, director, have many a fine picture behind them. They may have many more before them. This one is fine enough to carry their names on into tomorrow's lists of great artists if they never do another.

Running time, 90 minutes. "G."* 

*K denotes general classification.

Kinsler Is Warners' Cincinnati Manager

Ralph Kinsler has been appointed branch manager for Warners in Cincinnati, succeeding Al Shulteign, who goes to San Francisco, Gradwell L. Sears, general sales manager, disclosed at the conference here yesterday.

Henry Herbel, San Francisco manager, will be transferred to Chicago as district manager, succeeding Rud Lohrman, who will be in charge of a new district with headquarters at Kansas City.

Kinsler, who has been in the industry since 1915, resigned as district manager for Grand National in Cincinnati to go with Warners.

Lubitsch, UA Deal Set for This Week

(Continued from page 1)
production schedule and annual sales meeting. Lynn Farnol, United Artists' advertising and publicity director, is expected here at the end of this week to confer on campaign plans for "Wutherring Heights," "Man in the Iron Mask" and "Captain Fury."

Application is expected to be made by United Artists' attorneys this week for the transfer of Samuel Goldwyn's contract action from the State Supreme Court in New York to the Federal District Court. If the application be granted, the goldwyn complaint will not be filed in the Federal court before April.

Fairbanks, Jr., Romantic

Douglas Fairbanks, Jr., was voted the outstanding romantic character star of 1938 by New York University's class on the motion picture.

W. B. Sets May 1 as New Debenture Date

Warners have set May 1 as the new date for depositing six per cent convertible debentures, maturing Sept. 1, this year, for debentures due in 1948. The previous deadline was March 15.

Further extensions may be made at the discretion of the directors.

At the close of business yesterday debentures filed for exchange totalled $19,331,000. It is outstanding an aggregate of $25,827,000 of certificates of deposit and debentures.

Notes on Warner Convention

Johnny Favone, or "Old Ironhead" as he is lovingly called by his colleagues, dropped into the home office for a fast game of pool last week. He took the Forty-fourth Street sharks by storm, and is currently looking for new Warner men to conquer.

Known as the "Man with the Hornburg" is Bill Mansell of Philadelphia. He's the lad whom they say introduced that particular style of headgear to Anthony Eden.

Harry Seed of Pittsburgh is commonly called the "Bill Robinson" of the branch managers. The diminutive chap used to be a boxer, and is a walking reminder that vaudeville is not yet dead.

Harry Decker, of the New York exchange dealers, is the glass of fashion and the mould of form among the branch managers.

New members of the branch manager family appointed last week are Bill Shartan of Minneapolis and Sid Rose of Omaha. You can find them listening with open ears to the chatter of the veterans.

Gordon Simmons keeps telling everybody that he is currently taking his southern vacation. He's had 38 degrees below up in Winnipeg this winter.

The boys from Canada can talk of nothing else but welcoming the King and Queen this summer. Maybe they're figuring on a couple of lengthights.

AT THE WARNER CONVENTION

A moment off for study at the Warner sales meeting at the Waldorf-Astoria yesterday. Left to right are: Roy Haines, eastern and Canadian sales manager; Gradwell L. Sears, general sales manager; Carl Leserman, assistant to Sears; Ben Kalmenson, southern and western sales manager.
Columbia 6-Month Profit Is $34,596

Columbia reported a net profit of $34,596 for the first six months of its current fiscal year ended Dec. 31, last. The result includes a profit of $268,209 for the first quarter and compares with a net profit of $451,001 for the corresponding six months of the preceding fiscal year. Results are after all charges except provision for tax on undistributed profit.

Columbia's gross income for the half-year amounted to $10,379,858. Current assets of $12,650,989 and current liabilities of $1,610,133 are shown. Working capital amounted to approximately $11,000,000 at the end of the period.

**Economic Group to Report License Bill**

WASHINGTON, March 13.—Approval of a licensing bill providing for individual treatment of industries in their regulation by the Federal Government is expected to be featured in a preliminary report which the Temporary National Economic Committee has scheduled for the end of this month.

However, it was said, these recommendations for enactment of the O'Mahoney-Borah or similar bill will not be unanimous in committee; and most of support will come from Chairman O'Mahoney and representatives of the Department of Justice and the Securities and Exchange Commission.

Application of Federal regulation specifically to particular industries is widely favored in the Administration particularly by Assistant Attorney General Thurman Arnold.

**Profit of 'U' for Quarter $157,990**

Net profit of $157,990 after all charges but before provision for Federal employment taxes was reported by Universal yesterday for the first quarter of the company's current fiscal year, ending Dec. 31, last. Result is the quarter compares with a net loss of $388,797 for the corresponding quarter a year ago, and completes six consecutive months of profitable operations for the company. (Operations for the final quarter of the last fiscal year resulted in a profit of $75,666.) Universal's new season production schedule is definitely set at 43 features, 14 westerns, 60 short subjects and 104 issues of the newreel, William A. Seely, general sales manager, said yesterday. The company's own producers will contribute 40 features and Harry Edington will deliver three for Universal distribution. The short subject schedule will consist of 52 single-reel films, 13 two-reelers and three-three-reel patriotic subject titled "March of Freedom." The negotiations of meetings will be held toward the end of April, Seely said. One will be held in an as yet undesignated eastern city, Chicago we have one and San Francisco the third.

**Women's Club Head Attacks Dual Bills**

St. Louis, March 13.—Mrs. A. F. Burt, head of the Missouri Federation of Women's Clubs of America, is opposed to double features. She said: "The double feature spoils the family program. Always, on double features, one is an advertisement for children. Two pictures make a long program, with too much strain on children and crowd out the short educational films that we want our children to see. Last, but by no means least, the demands of the double feature cause the making of too many worthless pictures, which are a waste of time for children or adults."

**100 Reporters to See 'Dodge City' Opening**

Approximately 100 newspapermen from city papers are attending Warner's "Dodge City" premiere at Dodge City, Kan., April 1.

Arrangements include a broadcast over NBC network of the last night of the premiere. Former Governor Alf M. Landon and Governor Payne H. Ratner will head Kansas dignitaries participating. It is possible that Secretary of War Harry Woodring, who is a Kansan, will attend. A race will be held between the Between Glen Cunningham and the Santa Fe special carrying the film to the party over the last mile of the trip.

Hal Wallis, production executive, will have charge of proceedings.

About 50 players will make the trip, including Errol Flynn, Olivia de Havilland, Bruce Cabot, Ann Sheridan, Frank McHugh, Victor Jory, Guinn Williams, all of the picture; and a dozen others, including Marlene Dietrich.

There also will be a party of 48 from New York, 24 from Chicago and vicinity, 24 from elsewhere in the U.S., and a dozen others. One car will be transformed into a beauty salon and Perce Westmore will give free demonstrations at Dodge City.

**Open Canadian House**

Toronto, March 13.—Centre Theatre, Peterboro, Ont., rebuilt from the old Royal of silent film days at a cost of $30,000, has been opened. Sydney Goldstone of Toronto is owner of the Centre with Sam Ulster of Toronto as manager. Aaron Wolfe of the Duchess succeeding him at the Rex.

**Powell BBC Chairman**

Loxox, March 13.—Sir Allan Powell has been made chairman of the British Broadcasting Corp. He is at present the Mayor of Kensington and a member of the Import Duties Advisory Committee.

**Kansas Passes 'Darling'**

KANSAS CITY, March 13.—The Kansas board of review last Saturday passed Warners' "Yes, My Darling Daughter" with only four minor eliminations.
Many theater patrons prefer the back seats. They enjoy the added eye comfort which distance gives when viewing rapid action on the screen. However, they desire sufficient screen illumination for easy vision. They are critical but, for this very reason, are likely to become regular patrons of the theater that provides the type of projection they enjoy.

With old style, low intensity projection there is often insufficient screen light for ease of vision much beyond the center of the auditorium. Patrons in the rear find vision an effort, and may seek their screen entertainment elsewhere in the future. Simplified High Intensity projection provides screen illumination that insures comfortable vision to every patron in the house.

Ask your dealer’s salesman to show you how little it costs to satisfy the “back seat patrons.”

\[\text{SIMPLIFIED}\]
\[\text{High Intensity}\]
\[\text{PROJECTION}\]
\[\text{WITH NATIONAL “SUPREX” CARBONS}\]

\[\text{ECONOMICAL AND MODERN}\]

\text{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.
Radio Personalities

Islam Jones' orchestra this week signed a five-year management contract with Consolidated Radio Artists... "The one's a jive by J. Rickaby, now of the board. 1939 directors lease. The one's a jive by J. Rickaby, now of the board. 1939 directors lease.

FCC Plans Study of Multiple Ownership

WASHINGTON, March 13—Hearings relating to ultimate and multiple ownership of radio stations will be held by the newly appointed committee of the FCC during the week of March 28. Under ultimate ownership the committee will seek evidence regarding ownership of stations which has been convicted of financial or other violations. The committee's study is concerned with the ownership of two or more stations by the same corporation.

The committee has gathered much information on the subject from various parties, including a number of brokers who hold stock in the broadcast field as nominees for other parties and as nominees for other brokers. During the week of April 4, the transcription phase of the industry will be investigated. Among those scheduled to appear are NBC, CBS, Associated Press, and the National Telecasting Association, Inc., and the American Broadcasting Company.

Two New WABC Shows


Thompson Wine Agency

SAN FRANCISCO, March 13—West Coast office of J. Walter Thompson, has been named as advertising counsel for the Wine Industry Board, representing the entire wine industry of California. Anderson F. Hewitt of the San Francisco office is account executive.

Production Drops With 53 Shooting

Hollywood, March 13—Production of 53 pictures has been cut this week. Hollywood, March 13—Production of 53 pictures this week, has been cut down to 13 finished and eight started. Twenty-six are being prepared, and 39 are being edited.


Columbia and M-G-M each is shooting one short subject. Nine are being prepared, and 12 are being edited.

Net of $17,339,408 For Eastman in 38

Net profit of $17,339,408, after deductions for dividends on preferred stock, is reported by Eastman Kodak for 1938, compared with $22,347,345 in 1937. The total is a reduction of $4,987,857 from the peak year of 1937. Business during the early months of 1939 has shown an increase over corresponding months in 1938.

The company has informed holders of common by letter of its intention to offer 225,000 authorized but unissued shares of common stock for the purchase of one share for each 10 held. Morgan Stanley & Co., Inc., will underwrite the issue insofar as it is not subscribed for by stockholders. If realized the sale will be used for expansion purposes.

Carolina Exhibitors Will Meet June 4-6

CHARLOTTE, N. C., March 13—Theatre Owners of North and South Carolina will hold their annual convention at Ocean Park Hotel, Myrtle Beach, S. C., June 4, 5 and 6, according to Mrs. Walter Griffin, secretary of the organization. Convention dates are set by the directors at a meeting held in Charlotte.

Gov. James Takes Neutral Stand on New Theatre Levy

HARRISBURG, Pa., March 13—Governor Arthur H. James, who previously had intimated no new tax legislation would be enacted in the present session, was asked today what his attitude is toward the bill before the lower house which would place a tax on new theatres and other amusements, including motion picture theatres. The rate would be one per cent on every 25 cents of admission or 25 cents, whichever is greater.

"I have expressed no opinion on tax measures," he said, "except in my budget speech when I said the emergency relief taxes should be reenacted. "You don't know what taxes may be needed. It depends upon the relief situation and on the revival of industries. Some form of new taxation may be needed later.

Decision Rescinded
On RKO Directors

Decision on approval of the entire proposed slate of directors of RKO, now complete with the addition of the nominations of the thirteenth director, was rescinded by Federal Judge William Bondy yesterday at the RKO hearing.

At the suggestion of Col. Hamilton C. Rickaby, attorney for the Atlantic Corp., Judge Bondy adjourned hearings to April 11, and announced that he would formally confirm the plan of reorganization simultaneously with approval of the board of directors. When the name of Raymond Bill as a substitute for Ferdinand Eberstadt, a representative of stockholders, was put forward at the hearing, no objections were raised by any of the attorneys present.

Col. Rickaby announced that immediately upon confirmation he will prepare a formal report to that effect and ask that hearings be held from time to time so that he might present amount of stock lost by the corporation and stock certificates of the new company for judicial approval.

Kill Iowa Measure To Ban Bank Night

DES MOINES, March 13—A bill introduced by J. S. Heffner in the House of the Iowa legislature a few weeks ago, which would have outlawed Bank Night and other games of chance, has been virtually killed by the House Police Regulations Committee which has given an "unfavorable" report.

Operator Union Fined

Empire State M. P. Operators’ Union was fined $712 by N. Y. Supreme Court Justice Aaron J. Levy. The fine was assessed to reflect the conduct of state Joseph Kimmel, a former member. The fine represented the alleged wages lost by slimming, Mrs. Kimmet through loss of his union status. Nathan H. Elman represented Kimmel.
Since the introduction of sound in motion pictures, ERPI and Bell Telephone Laboratories—which developed the first practical apparatus—have pioneered in sound recording and reproduction research.

These developments have been made available to the industry in Western Electric Sound Systems—used by leading producers and thousands of theatres throughout the world.

In introducing sound pictures, ERPI accepted a definite responsibility to the industry. Now, ERPI reaffirms its acceptance of that responsibility.

Conscious that the future progress and prosperity of the industry depend upon continued improvement of sound pictures through research, ERPI—backed by Bell Telephone Laboratories—will continue to devote its efforts to meeting the problems of today and anticipating and solving those of tomorrow.

Electrical Research Products Inc.
A SUBSIDIARY OF
Western Electric
GETTING BIGGER
ALL THE TIME

Hollywood Reporter was first to
say it “clicks as thriller and heart-
tugger”. "Small maintains his
strong batting average", raves
Showmen's Trade Review,
linking the shrewd story choice
with “Monte Cristo” and “Last of the
Mohicans”... plus the news that
his next great script selections are
"The Man in the Iron Mask" and
the big best-seller, "My Son, My Son".

KING OF THE TURF is now in its second
week at the Orpheum, Montreal.
Watch its openings at Majestic, Bridge-
port – the Broad, Columbus
– the Paramount, Oklahoma City
– Keith’s, Cincinnati – and its
extended run engagement at
the Aldine, Philadelphia!

EDWARD SMALL presents ADOLPHE MENJOU in
KING OF THE TURF

with DOLORES COSTELLO · ROGER DANIEL · ALAN DINEHART · WALTER ABEL · HAROLD HUBER · WILLIAM DEMAREST

Screen Play by GEORGE BRUCE · Directed by ALFRED E. GREEN · Produced by Edward Small Productions, Inc.
Released thru UNITED ARTISTS
Walkout Authorized By Operators Local

Operators' Local 306 has authorized its officers to put into effect a strike vote aimed at exchanges, distributors and projection rooms not completely manned by members of the local.

The action is in line with a resolution said to have been adopted by the I.A.T.S.E., executive board at its recent annual meeting in Miami. The resolution provided that all film produced or processed by I.A.T.S.E. members must be handled by I.A.T.S.E. projectionists.

The strike vote was authorized by about 1,800 of the local's 2,100 members at a meeting early yesterday morning at the Brooklyn Opera House. Joseph D. Basson, president of the local, who attended the executive board session, presided.

The authorization is general, and before a strike can be called it must be sanctioned by a vote of all members. Also, strikes must have the sanction of the I.A.T.S.E., which may prohibit members from handling any work for the affected company. This would apply to studios, theaters, laboratories and others.

US Drops Chicago

Clearance Claims

Chicago, March 14—Apparently the Government has abandoned the claim that there is a uniform clearance schedule in force in Chicago. Instead, the Government, in its content action against Balaban & Katz circuit and major companies, is indicating that clearance is arranged by contract between distributors and exhibitors.

This has been discovered by perusal of the bill of particulars filed by the Government in the suit this afternoon.

Defense has 20 days in which to answer.

The Government calls it coercion for R. & K. to offer greater rentals for first run showings than exhibitors elsewhere might pay.
**Insiders’ Outlook**

BY SAM SHAIN

**EQUITY currently criticizes producers and playwrights for being too prone to cut short the life of a play, once the film rights can be sold. In the official organ of Actors’ Equity, which is out today, there is an editorial titled “The Theatre Needn’t Help Destroy Itself,” in which Equity takes these producers and playwrights to task. Equity makes this point: “If a short life results in large immediate profits, however large they may be.”

We understand that Equity officials have considered from time to time the establishment of rules to abolish the practice, but nothing has been executed in this regard, and at present there is no definite prohibition under discussion.

At the Hays office, they are studying the newly hired trust case publicists in trade practice problems and trade practice negotiations.

We are told that it is the opinion of Stephen P. Ladas, copyright expert, that the recent U.S. Supreme Court decision, in the Interstate (Hobizalite - O’Donnell) case, does not affect the right of distributors to continue clearance provisions.

**Two SMPE Sections Elect New Officers**

Society of Motion Picture Engineers has elected officers for the Midwest and Pacific Coast sections, as follows:

**Midwest:**
- S. A. Lukes, chairman;
- C. H. Stone, past-chairman;
- G. W. Richey, treasurer.

**Pacific Coast:**
- L. Ryder, chairman;
- J. O. Alberg, past-chairman;
- A. F. Edmore, executive secretary.

**Richey Will Address New York Allied Meeting**

H. M. Richey, director of theatre relations for RKO, will address a meeting of New York Allied’s unit at Seven on March 23.

On March 29 there will be a luncheon meeting of the organization at the Hotel Astor, with its Board of Directors and directors are scheduled to attend.

The organization is working on a group buying plan for members whereby economies may be effected in buying insurance and supplies.

**Republic to Hold 4 Regional Meetings**

Republic will hold four regional sales meetings, as follows: Houston, April 7 and 8; Chicago, April 11 and 12; New York, April 18 and 19; and San Francisco, April 25 and 26.

The southern sales organization will arrive in Houston April 6 to attend the world premiere of “Man of Conquest” at the Majestic.

James R. Grainger, president, left Hollywood last night for New York by Pan Am to make arrangements for the meetings.

The company will have 50 pictures for next season, including 26 features under the March 3, 1939, deal at a budget understood to be considerably in excess of 1938-39.

**BUTTERFIELD TO REPUBLIC**

Hollywood, March 14—Allyn C. Butterfield, formerly managing editor of the New York Sun, prior to that of Universal News, has been signed as a producer by Republic.

Charles Ford, former editor of Universal News, who now has a production assignment at Republic some time ago, has rejoined the company and has been assigned to trailer production.

M. J. Siegel, head of Republic studio, disclosed today a deal being consummated for purchase of the lot now occupied by the organization.

**'U' Stockholders to Hold Meeting Today**

J. Cheever Cowdin, Universal board chairman; Nate J. Blumberg, president; and Milton Antell, general counsel, and Peyton Gibson, secretary, will go to Wilmington, Del., today to attend the annual meeting of stockholders of Universal Pictures.

A new director will be elected to the board to fill the vacancy created by the recent withdrawal of Charles R. Rogers.
Warners to Make 86 Shorts in Year

(Continued from page 1)

The studio will not be closed but will be available to outside producers. The studio employs its first showmen since 1928.

Sam Sax, production chief of Vitaphone shorts and in charge of the studio’s entry for the British production at Teddington studios, Jerome Jackson, who has headed production there for the past year, is negotiating a settlement of his contract at plans to sail Saturday for London on the Ile de France.

Whether Norman M. Moray, Vitaphone sales manager, will move his base of operations to the coast is as yet undetermined.

Many Shorts in Color

Moray and Sax outlined the new shorts project at a luncheon yesterday. More than half will be in color. There will be 18 “Broadway Brevities,” two reels; 20 “Merrie Melodies,” 20 “Melody Master” bands, 6 “Vitaphone Varieties,” 10 “Color Parades,” the Broadway Brevities, a puppet series divided into “Cavalcade of America,” four “All-Star Musicals,” and “All Star Comedies.” The Cavalcade of America” is a pastiche of cartoons of which are “Nathan Hale,” “The Father of His Country,” “The Monroe Doctrine” and “Freedom of the Press.”

Of the “All-Star Musicals,” Charles Foy and Fritz Feld will make two. There will be six two-reel musicals, including the “Ice Games,” “Minstrel Show,” “Hollywood Doubles.” One of these will star Hal LeRoy.

Other speakers yesterday were S. Charles Einfeld, who discussed advertising and publicity plans, Gradwell L. Sears, general sales manager, who outlined the plans for the Warner-Lasky-Loew, general counsel, who discussed policies in the light of contractual provisions and practices as affected by the proposed merger.

Big Advertising Budget

Einfeld disclosed that the company probably would spend more in advertising in the coming season than previously. Of this amount, 98 per cent will go to newspapers and magazines.

Einfeld paid tribute to the American press and said that it has aided the advancement of the screen.

“I believe that these two mediums,” he said, “the greatest for entertainment and the greatest for information, have mutually influenced each other and much more than is generally realized.

The coming season will be notable for promotional campaigns by the company, Einfeld declared, adding that the significant one to be noted on the screen lend themselves to energetic handling.

In addition to the “Dodge City” premire to be held April 1 at Dodge City, Kan., Einfeld disclosed that “Juarez” will be given its premiere in Mexico City with big bookings in which Hollywood celebrities will participate. Also, “The Kid from Kokomo” was shown first shown in the Indian-iana city from the film which the screen.

Sears saluted the keynote of his company’s coming season when he stated, “Action is the secret of successful motion picture making, for the simple reason that motion pictures should move.

“The tendency in recent years has been too much toward passivity on the screen,” Sears said. “Last year Warner Bros. declared they were going to give the public action. We made that our slogan and we know we are on the right track.

“By action we don’t mean necessarily gunfire, battle murder and sudden death. Emotionally we don’t mean the old-fashioned chase. But we mean fight, excitement, action and the beauty, which is the essence of life itself. Too perfect an equilibrium means a dead motion picture—as it means a dead horse that is no more the same by any means the same thing. Passion and artistic quality are by no means the same in the same directors and actors have been shipwrecked on that misunderstanding.

At Warner Bros. we intend to go on giving the public action, in motion pictures that move.”

Notes on Warner Sales Meeting

William (Wild Bill) Warner, branch manager in Kansas City, and Fred Greenberg, head of the Indianapolis exchange, are holding a reunion. Greenberg at one time was a salesman under Warner.

Bill Borden of Chicago is very unhappy because he forgot to bring his candid camera.

Jimmy Coston, Chicago theatre zone manager, has challenged Grad Sears to a skee shooting contest. Warner says this is more bravo because not even Donh Roberts of Dallas can beat Sears at the sport.

Lou Geller of Calgary is honeymooning here. He was married a week ago, and arranged the wedding date so his bride could accompany him to the convention.

Another celebrant is Lew McKenzie, who was given a week’s vacation for the same period a week ago Sunday. This date was not prorogued, however.

Jack L. Warner, Jr., is attending his first sales convention, as part of his course of training.

‘Chinatown’ Opening At Paramount Today

“King of Chinatown” opens today at the Paramount, with Chick Webb and his orchestra held over. “Never Say Die” grossed an estimated $32,000 in its week there. “Blackboard’s Island” drew an estimated $12,000 in its second week at the Globe and will probably be held for four weeks. “The Other Kid,” which is doing big business at the Strand, will be held for a second week starting Friday. At the Criterion, opening of “I Was a Convict,” which was set for today, has been delayed one week because “Fast and Loose” is being held. “Concentration Camp” starts its second week at the Cameo today. Saturday, “Concentration Camp” (Aminko) opens at the Waldorf.

Pettijohn Local Boy Who Has Made Good

(Continued from page 1)

legislature. The legislators were in a reorganizing mood. They had passed a law for equal representation and another giving women the right to vote. A bill had been introduced for film censorship. If the legislature was organized, the censorship bill had been defeated and Indiana had legalized Sunday film shows after 1 P.M., the first state in the Union so to do.

News of Pettijohn’s accomplishments spread to New York, and in the fall of 1915 he was invited by William A. Brady, head of the National Association of the Motion Picture Industry, to be the association’s guest in New York. He then became general attorney for the Independents’ American Exhibitors Association, then switched to the Independent Producers’ Association, which wanted distribution. When that job was accomplished, Pettijohn went into distribution, performing a legal service for Mutual Film Corp. Mutual was sold to Robertson Cole, which became P. O. B., and Pettijohn was appointed general counsel for the Mutual Associated corps. He remained with Selznick until 1922.

Invited to Lunch

A week before Postmaster General Will H. Hays took over his job as head of the P.P.D.A., he and Pettijohn to lunch. Hays asked him if he would like to be general counsel for the organization. A later Hays opened his office and Pettijohn moved in. This was 17 years ago.

By coincidence, Pettijohn was state secretary of the Democratic Organization in Indiana, and a protege of Tom Taggart, at the time Hays was state chairman of the Republican committee. They were friends, but political enemies.

Pettijohn seldom talks for publication, however, and is often expansive when asked his impressions on his 25th anniversary.

“This is still the greatest business in America,” he said. “But it has faced as critical situation in its history as it does today, with people in the business fighting each other. We need to stand and contend with, Pettijohn declared, are television, which is on its way, and the studios furnishing our best product to radio as competition to theatres, and a desire on the part of some foolish people to get Government control of the business, which would machine-made product.

“The industry,” he believes, “will never be hurt from the outside. It has been able to withstand all attacks from without and when it is ever destroyed, it will be from within.

No Need for Games

“Twenty-five years’ experience in the business,” he went on, “leads me to believe that we can run theatres without giving away dishes or baby pictures without gaines of chance or five-hour programs.

“We’ll get back to show business. Let’s make good pictures and intelligently and honestly.”

“The savages in the industry ought to lay off their attacks. We need more loyalty to the industry as a whole. We need more courage, more guts. We need more

Equity Will Study Sunday Shows Plea

Sunday shows on Broadway’s legitimate stage once more loomed as a possibility yesterday when the council of Actors’ Equity appointed a special negotiating committee to confer with the League of Theatrical Owners. The League requested that Equity waive its rule during the World’s Fair requiring double pay for Sunday performances and to give the extent of appointing a committee to discuss the matter.

Further efforts along similar lines have received scant consideration from the council.

New York legitimate producers, however, feel that the World’s Fair presents a special situation and are hopeful of working out an agreement. The Equity committee consists of Edward Fielding, chairman, Franklyn Fox and Reud Brown. It was instructed to report back next Tuesdays.

Yesterday’s meeting also laid a basis for negotiations with the Fair. Robert Sherrill and Katherine Cornell won approval of their plea to permit Robert Fleming, an alien actor, to appear in the forthcoming production of O. Behrman’s “No Time for Comedy.”

No Lab Deal Reached

Further conferences between consolidated Film Industries and M. P. Laboratory Technicians’ Union, Local 202, were held yesterday but no agreement was reached. No date for a continuation of negotiations was set.

Von Ripper Amusa Guest

Baron Carl Von Ripper will be guest speaker at the Amusa meeting tomorrow at the Hotel Astor, at which the drawing in the Motion Picture Art Fund campaign will be held.

F.P. Canadian Dividend

TORONTO, March 14.—Famous Players Canadian Corp. has declared a dividend of 25 cents per share on the common stock for the first quarter of 1939, payable March 31 to stockholders of record March 21.

Plans ‘Ecstasy’ Sequel

HOLLYWOOD, March 14.—Gustav Machaty left the M-G-M lot today announcing he will make “Girl of ‘Ecstasy’” independently as a sequel to “Ecstasy” in which he directed Hedy LaMarr.

W.E. Sets Dividend

Directors of Western Electric yesterday declared a dividend of 25 cents per share on the common stock, payable March 15 to stockholders of record March 24.

The whiners ought to get off their toes and the defeatists off their knees. The industry has been good to its people. It is the industry that the busi- ness who are attacking it and making a good living out of it who could not and are not surviving at anything else in the world.

“I can think of no other business I’d like to see my two boys grow up in, and that’s why I am worried about the future of this industry.”
EVERYBODY’S ENTITLED TO BLOW HIS OWN HORN!
And Everybody’s Doing It!
(But listen carefully for the sour notes!)
"PICTURES TALK LOUDER THAN WORDS!"

M-G-M is the Bread and Butter of the Film Industry!

This season as in every past season M-G-M has delivered the back-bone product of motion picture business! For instance:

"BOYS TOWN", Spencer Tracy, Mickey Rooney.
"THREE LOVES HAS NANCY", Robert Montgomery, Janet Gaynor, Franchot Tone.
"TOO HOT TO HANDLE", Clark Gable, Myrna Loy.
"STABLEMATES", Wallace Beery, Mickey Rooney.
"YOUNG DR. KILDARE", Lew Ayres, Lionel Barrymore.
"THE GREAT WALTZ", Luise Rainer, Fernand Gravet, Miliza Korjus.
"THE SHINING HOUR", Joan Crawford, Margaret Sullavan, Robert Young, Melvyn Douglas.
"OUT WEST WITH THE HARDYS", Mickey Rooney, Lewis Stone.
"SWEETHEARTS", Jeanette MacDonald, Nelson Eddy.
"STAND UP AND FIGHT", Wallace Beery, Robert Taylor.
"IDIOT'S DELIGHT", Norma Shearer, Clark Gable.
"FOUR GIRLS IN WHITE", Alan Marshal, Florence Rice.
"HONOLULU", Eleanor Powell, Robert Young, George Burns, Gracie Allen.
"PYGMALION", Leslie Howard, Wendy Hiller.
"THE ICE FOLLIES OF 1939", Joan Crawford, James Stewart, Ice Follies Troupe.
"SERGEANT MADDEN", Wallace Beery.
"BROADWAY SERENADE", Jeanette MacDonald, Lew Ayres.

—And watch for these:
System Restored
Day After Flood
Hits N. E. Theatre

PROVIDENCE, R. I.—“When the flood and tidal wave of last September hit Providence, doing untold damage to theatres here in Providence, our Fays Theatre was flooded to an average of twelve feet in the auditorium,” declared Edward M. Fay, prominent owner-exhibitor.

“I notified A. W. Hyde, our local Altec service inspector, that some DC power would be available. Although the flood was still raging, Altec rushed equipment by truck from Boston and from New York by plane, and the very next day, Altec had set up temporary apparatus and notified me that the system was ready to operate.”

Since the flood, other services that Altec has performed have paid for my service agreements for some time to come.

Let the Altec service inspector tell you, without obligation to yourself, what Altec service means in greater protection to your equipment, greater freedom from worry for yourself. Write to

EDWARD M. FAY,
Owner,
Fays-Majestic-Carlos Theatre,
Providence, R. I.

Kuykendall, Cole
Brand to Address
M-G-M Convention

Hinge Is Elected
President of CEA
At Annual Meeting

Admission Taxes
Will Be Extended,
States Bankhead

WASHINGTON, March 14.—Extension of admission and other nuisance taxes was today expected to be enacted during the current session of Congress, Speaker of the House John W. McCormack said today.

Discussing the tax situation, the Speaker forecast there would be no general revision of tax laws this year and that the increased revenue under the present state tax laws would not be appealed in favor of a flat rate for corporations, saying that the latter was more burdensome on small corporations than is the present levy.

Bankhead emphasized that he was giving his own views only.

Atlantic Doubling
Baseball Schedule

Atlantic Refining Company’s 1939 program of play-by-play baseball broadcasting is the largest ever undertaken, with 1,842 games scheduled to date by the network stations from New Hampshire to Georgia. This year’s campaign practically doubles the company’s baseball activities of last year.

The Philadelphia Athletics and Phillies, the Boston Red Sox and Sox owners and the Pittsburgh Pirates head the list of major league teams whose games will be broadcast by Atlantic. Some cities in the Atlantic schedule are Syracuse, Rochester, Baltimore, Williamsport, Binghamton, Scranton, Elmira, Wilkes Barre, Altoona, and Augusta, Richmond, Charlotte, Newark.

Asks Easing of FCC
Transcription Rules

WASHINGTON, March 14.—Easing of Federal Communications Commission rules in the transcriptions field was urged today at the monopoly committee hearing.

Gerald King, head of the transcription producers of Hollywood, made the plea and also recommended stiffer regulation on standards for wire lines and reproducing equipment. King said that CBS was planning to parallel the NBC service to meet competition of RCA.

Trial of $250,000
Time Suit Begins

Trial of a $250,000 damage suit brought by Lou Goldberg, general manager of Major Bowes amateur units, against Time, Inc., started yesterday in the District Court before Justice Ferdinand Pecora. Goldberg claims to have been injured in January 1933, when the idea of Roy F. Larsen of transporting the “March of Time” radio program to the screen, in 1934, Goldberg said. Time used his idea in starting their series, but has not paid him for the plan.

Radio Bill in Albany

ALBANY, March 14.—A companion measure to that in the lower house providing libel and slander suit exemption for broadcasters has been introduced in the senate.

Out Hollywood Way

Hollywood, March 14.—“Man of Conquest,” Republic’s high-budget film, is about finished, following a 10-day delay caused by the broken hand suffered by Richard Arlen while filming a battle shooting of an Indian sequence...

The same company’s second serial, “Daredevils of the Red Circle,” will go into work March 22, under the direction of Jack English and William Whitaker. Bert Gorbil will direct those parts, and Dave Howard will direct “Timber Stampede,” starring George O’Brien, at RKO.

Paramount will start shooting “Disputed Passage,” Lloyd C. Douglas novel, on April 15. In leading roles will be Dorothy Lamour, Arkin Tamiroff and Robert Preston, with Harlan Thompson producing...

Paramount has started shooting “Mr. and Mrs. Bulldog Drummond,” eighth of the series. John Howard and Heather Angel are in the leads, supported by H. B. Warner, Reginald Owen, E. E. Clive, Elizabeth Patterson, with James Hogan directing and the other original writers.

The completion of “Rose of Washington Square” at 20th Century-Fox is to be handled by Alfred A. Kahn, with Alice Faye and Al Jolson, both at home with severe colds.

George cukor will direct Norman Shurer in the M-G-M film, “The Women.”... George Toddy, who appears on the stage in “You Can’t Take It With You,” has been signed to a long term contract by M-G-M.

The same company will film Rodgers—& Hammerstein’s “Music Is My Faith.” autobiography of David Manners. George Small has four productions planned, “My Son, My Son,” “Man in the Iron Mask,” “Kit Carson,” “Avenger,” “Pogo, Pogo.”

London, March 14.—Edward J. Hinge, who controls one of the largest bottling syndicates in the world, has been chairman of the Southern Branch of the Cinematograph Exhibitors Association, as well as a member of the C.E.A. General Council, was elected president of the exhibitor organization at the annual meeting today. H. P. Mears and J. R. Povener were still in a tie for the vice-presidency after four recounts, and a new election will be necessary.

The meeting was devoid of excitement. There were many references to the widening breach between the circuits and independents and appeals for the former to be more cooperative. Opposition to an increased quota was voiced and allusions were made tactfully to the service charge problem. Tributes were paid to Ken Nyman, retiring president of the C.E.A.

Nearly 1,000 attended the annual banquet of the organization tonight at the Grosvenor House.

John Anderson, chief banquet speaker, warned of the need for wholehearted cooperation in the event of war, and against large assemblies and brilliant signs, Hinge promised the cooperation of the organization.

NEW CBS Rate Card
To Be Issued Today

CBS today will issue its new rate card, No. 25, the term effect on April 1. It includes the seven new stations added by CBS, bringing the total to 115. No little interest noted on the card are in Cleveland, Tulsa and Yankton, where there are power in the broadcast and other improvements in coverage. The stations are WGAR, KTUL, WNAX. The seven new CBS stations appearing on the card are: KCGM, Asheville, WJNC, Asheville; W R B L, Columbus; WBYR, New Haven-Waterbury; KOIL, Omaha; WGAN, Portland, and WKQA, San Jose, Porto Rico.
“Zenobia” (U. A.-Roach)

Hollywood, March 14.—Straightway marquee billing of this as the first Oliver Hardy picture since the Stan Laurel divorsement, and his first with Harry Langdon alongside is, in view of the wide publicity attendant upon the separation, plainly indicated procedure. It may be followed by exhibitors in full confidence that experienced Hal Roach has taken no chances on letting them down. He has taken two important precautions against that. “Zenobia,” although a comedy and slapstick in part, is not a comedy in the old-Laurel-Hardy pattern, hence cannot be compared directly with previous works. Further, the producer has enriched the cast by adding such personalities as Billie Burke, Alice Brady, Jean Parker, June Lang, and Ellard MacDonald, Hattie MacDaniel and Step’n Fetchit, a tidy bundle of exploitation names.

The South of 1870 is the setting of Corey Ford’s screenplay, derived from an H. C. Bunner short story, and Hardy plays a small town doctor whose daughter’s engagement to the local social leader’s son inspires that lady and her suitor to take a determined and realistic view of the nation’s problems. Chicken and Langdon together only intermittently but makes of their principal session an extremely hilarious success. Miss Burke as the doctor’s wife and Miss Brady as the social leader have assignments cut to their measure. A. Edward Sutherland’s production is competent and satisfying.

Running time, 73 minutes. “G.”

ROSCOE WILLIAMS

“Love Affair” (RKO)

Hollywood, March 14.—Perhaps only McCarey, producer, director and co-author with Mildred Cram, could combine so many dissimilar types of entertainment within one production and have them add up to an artistic whole. The brilliant performances of Irene Dunne and Charles Boyer, supported by those of Mary Ouspenskaya, Lee Bowman and minor players, contribute mightily to the success of the enterprise, a tribute likewise to the writing dexterity of Delmar Davis and Donald Ogden Stewart, responsible for the script and dialogue as effective in brilliant banter as in dramatic understatement. The picture moves so cunningly wrought item of unquestionably saleable box-office merchandise, a film in the varied manner but shot through with plain situations, tempered with popular music and brought close to the common people periodically by old-fashioned use of child interest.

The picture opens with Miss Dunne and Boyer as glamorous young woman and sophisticated young man, both well supplied with funds from vaguely suggested sources, who work their way down through several stages of artfully phrased romantic fencing to a common understanding that their mutual interest is sincere. A visit to the Madeira home of Boyer’s grandmother and a chapel interlude convinces them they are really in love at last and when the boat docks in New York they plan themselves to meet six months later and marry if each has managed to get rid of entangling alliances and still feels the same way about the other by then. An accident with possibly permanently crippling result prevents the girl from keeping her appointment and the man gives up his work and goes to be a doctor together in the end.

The production is most powerful in individual sequences and in numerous sparkling bits of acting. It contains several striking displays of the McCarey technical skill and the final sequence is a triumph of acting, direction and writing. Emphasis is upon the new and clean romance of the couple throughout, with the exact nature of their respective parts ever so delicately registered for the information of the adult observer. Running time, 90 minutes. “G.”

ROSCOE WILLIAMS

*G* denotes general audience classification.

‘Freedom’ Is
Frisco Best; Hits $15,800

San Francisco, March 14.—“Let Freedom Ring,” paired with “Curse of the Werg” in Western release at $15,800 at Fox, highest gross of a poor business week. Exposition competition and bad weather were responsible for the low grosses.

Estimated takings for the week ending March 7–10:

“The Saint in San Francisco” (RKO) GOLDEN GATE—(8-15) (5x.35c-40c-55c) 7 days. Gross: $1,150. (Average, $164.)

“Topper Takes a Trip” (U. A.) UNITED ARTISTS—(4-10) (15c-35c-40c-55c-60c) 7 days. Gross: $3,400. (Average, $486.)

“Trouble With a Knock” (M-G-M) GOLDEN GATE—(15c-35c-40c-55c-60c) 7 days. Gross: $1,800. (Average, $257.)

“Let Freedom Ring” (M-G-M) PARAMOUNT—(15c-35c-40c-55c-60c-75c) 7 days. Gross: $4,200. (Average, $600.)

“Peyammon” (M-G-M) PARAMOUNT—(25c-35c-40c-55c-60c-75c) 7 days. Gross: $1,600. (Average, $228.)

“Mr. Deeds,” So Far

New Defendants List
Is Set in Trust Suit

(Continued from page 1)

will be excused as a United Artists defendant but will be substituted for the pair do Spitz, all succeeded as RKO president. In addition, the 13 newly designated directors of reorganized 13th Television,_paramount, have been appointed for the former directors of the old company, who will be excused, Among the latter group are George N. Armat- ton, Edward W. Hardy, DeWitt Millhauer, Frederick Strauss, Court- land Hall and M. H. Aylesworth. Universal defendants who probably will be excused are Charles R. Rogers, former production head and board member, and James P. Norman, former studio executive. Charles Prutz- man, general counsel, probably will be substituted for Rogers.

Schieller May Be Excused

Edward A. Schiller may be excused as a Loew president because of his nonresident status. Also, William A. Phil- lips who was succeeded on the board by Henry A. Winthrop, may be excused as a defendant, and the latter substituted.

The Government yesterday sub- mitted an order to Federal Judge William Bailey for permission to examine Edward C. Raittely, United Artists secretary, and Harry J. Muller, treasurer, on March 21, before W. G. Briggs, rotary public.
“Hey, mummy, if all those nice exhibitors liked our first picture so much, wait 'til they see you, pop, me and Daisy in our second!”

**Blondie Meets the Boss**

Based upon the comic strip created by Chic Young

PENNY SINGLETON ★ ARTHUR LAKE ★ LARRY SIMMS

as Blondie as Dagwood as Baby Dumpling

AND SKINNAY ENNIS AND HIS BAND

A COLUMBIA PICTURE

SCREEN PLAY BY RICHARD FLOURNOY
DIRECTED BY FRANK R. STRAYER
FCC Censors By Back Door', Baldwin Says

Urges Lifting of Bars At Committee Hearing

WASHINGTON, March 15.—Roger N. Baldwin of the American Civil Liberties Union was the chief witness today before the monopoly committee of the Federal Communications Commission.

Charging the F. C. C. with exercising "back door" censorship Baldwin urged the lifting of all program restrictions on radio stations in the interests of free speech.

Cites McNinch's Statement

The commission, Baldwin said, is "trying to do by the back door what Congress has said should not be done through the front." He cited Chairman McNinch's statement after the Mac West complaint to the effect that programs would be considered when the NBC license came up for renewal.

Block Booking Hit

By Cole in Boston

Boston, March 15.—Col. H. A. Cole, Allied president, today reiterated his proposals for abolition of block booking and all clearance between prior and subsequent runs, at the first motion picture conference of the Massachusetts State Federation of Women's Clubs here.

Col. Cole also made the prediction that the Neely bill will pass before the adjournment of the present Congress.

In his talk before the conference Col. Cole said:

"Because of block booking the exhibitor must buy or rather leave blindly one company's whole output usually without knowing what he is getting. There is a cancellation clause in most of these contracts, but it does not amount to a row of pins."

Asher Heading Own Producing Division

London, March 15.—Irving Asher, presently associate producer with London Films, Ltd., has made his own producing division, under the same financial sponsorship but associated directly with the studio company (Denham-Pinewood). Asher's division, now in process of being organized, will produce separately pictures for release by Columbia as well as other outside firms.

Exhibitors Called M-G-M Partners

By Howard Dietz

"M-G-M regards exhibitors as its partners and we want the advice of their leaders to help us formulate our policy for next year," yesterday declared Howard Dietz, advertising and publicity director for the company.

That, said Dietz, is the reason for the invitation extended by William F. Rodgers, M-G-M general sales manager, to heads of three exhibitor organizations to address the company's sales convention in Chicago. Col. H. A. Cole of Allied, Ed Kuk Kendall of the M. P. T. O. A. and Harry Brandt of the New York L. T. O. A. are scheduled to discuss trade problems at the meeting on Monday or Tuesday.

Believed Precedent

The attendance of exhibitor organization leaders at a major company's sales convention is believed to be without precedent.

The move is merely a gesture of goodwill," said Dietz. "This is a

(Continued on page 19)

Weekly Screen Attendance

Estimated at 85,000,000

Attendance at film theaters in the United States during 1938 was about 85,000,000 weekly and in the rest of the world 150,000,000. Theaters in the United States grossed an estimated one billion dollars during the year. Taxes paid by the industry to the Federal Government annually are estimated at $100,000,000.

These statistics are contained in an annual compilation of general information on the industry issued by the Mayes office. The book covers the entire field, presenting a mass of information on exhibition, distribution and production.

The statistical section also includes such data as that the industry represents a capital investment of $2,000,000,000 in the United States, with $1,800,000,000 in theaters, $100,000,000 in studios and $28,000,000 in distribution; 282,000 persons estimated to be regularly employed in the industry, and that annual payrolls total about $368,500,000.

It is also shown that the Production Code Administration in 1938 approved 491 features made in the United States and 54 foreign films, and that American distributors reissued 49 features during the year.

Prutzman Is Elected Board Member of 'U'

WILMINGTON, March 15.—Charles D. Prutzman, special counsel for Universal for the past year, was elected to the board of Universal Pictures at the annual meeting of stockholders here today and will be named vice-president and general counsel of the company at the meeting to be held in New York on Monday.

In the board of directors vacancy created by the recent withdrawal of Charles R. Rogers, former production head of the company. Universal has had no general counsel since the resignation of Willard S. McKay about a year ago. Prutzman spent about half his time in London last year. He will resign now from the New York law firm of

(Continued on page 19)

 Philippine Allied Set to Urge Doubles Ban

Philadelphia, March 15. — Local Allied unit is expected to urge exhibitors to cease double feature productions at a meeting at the Broadwood Hotel next Tuesday. All exhibitors in the territory have been asked to attend the meeting, called solely to discuss duals.

U.S. Loses Market In Czecho-Slovakia

Whatever market for American films that persisted in Czecho-Slovakia since the Sudeten settlement of last fall will be completely lost as the result of current developments there, in the opinion of home office foreign departments.

Overthrow of the Czech Government nullifies the reciprocal trade treaty between that country and the United States and with it, of course, the companion agreement covering motion pictures which was negotiated separately in Prague. Foreign departmental experts believe that American films will be banned officially or unofficially at once and German films distributed in their place.

For the Czecho-Slovak market, however, has been greatly restricted since the occurrences of last fall.
Budd Rogers Reports British Film Dearth

British exhibitors are complaining because the lack of native product makes it difficult for them to fulfill Government requirements for screen time for English made films. The "quickie" industry has been virtually eliminated from the English production scene by the quota laws. Budd Rogers, U. S. general manager for Mayflower Productions and vice-president of Alliance Films, returned from a six-week trip to London and Paris on the Ile de France yesterday, with these observations.

However, he declared that business in England is slightly ahead of 1938. He brought with him A Copy of "St. Martin's Lane," which Paramount will release in this country. The release date will be set after conferences next week.

Notices of Objection
On RKO Not Needed

Federal Judge William Boody has ruled that Irving Trust Co., as trustee of RKO, would not be compelled to forward notices to creditors and stockholders of RKO of objections to the approval of the plan of reorganization made by Ernest W. Seltzer, holder of Class A stock. Judge Bondy stated that these objections have "already been considered and overruled" a number of times, and that the rules of the court have been complied with. He directed notice of the objections to be sent only to RCA, Lehman Bros. and Lehman Corp., since they recently were permitted to file claims.

Call Mass Meeting
In I. A. T. S. E. Row

Hollywood, March 15.—Suspended officers of Studio Technicians Local 321 have today set up headquarters to those seized by international representatives and called a mass meeting of the membership Friday night. Hearing of charges brought against the local's suspended officers slated for last night, was postponed until after arguments of the restraining orders issued by the federal courts.

Report Favorably on Projection Measure

ALBANY, March 15.—Projectors' bill, introduced by Assemblyman Arthur Crews, affecting New York City, has been favorably reported out of committee. It is the first time a projection bill, customarily introduced by Crews, has been in line for a vote by the Assembly.

Cot. to Ask Dismissal

Columbia Pictures Corp. has filed notice of its intention to dismiss Judge Samuel Mandelbaum March 24 for an order dismissing the complaint of a $500,000 plagiarism suit brought by Gerald K. Rudolph. Action charges piracy of plaintiff's play, "Expose," in the picture of the same title.

To Close Casa Manana

Billy Rose's Casa Manana will close Saturday for three weeks.

Purely Personal

LYNN FARNOL, United Artists advertising and publicity director, had a birthday yesterday. He leaves for the coast by plane today and plans to be back early next week.

ROBERT GILILAM, Paramount advertising and publicity director in Kansas City on business, will return to the studio from there.

JOHN BALABAN leaves tomorrow from Chicago for the coast for several weeks of conferences with Paramount officials at the studio.

FRANK P. DONOVAN has left for Hollywood to complete "Moonlight and Moonshine," first of six planned for Imperial release.

EDMIE CARRIEF, M-G-M exploitation representative, left for Chicago yesterday in advance of the company's convention.

WILLIAM K. HOLLANDER, advertising and publicity director in Chicago, has returned from a Miami vacation.

EDWIN ALBERT will return to Hollywood shortly to appear in Warner film version of the musical, "On Your Toes."

WINGFIELD SKEWES, formerly in the film business here, is in Nicholas Senn Hospital, Omaha, with a fractured arm.

BRO WILLEY has left after conferences with BARNEY BALABAN at the Paramount home office.

HERMAN ROBINS, president of National Screen Service, has returned from a Florida vacation.

EMIL FELDBERG has been named Connecticut representative for National Screen Service.

GEORGE DAVID, film editor of the Rochester Democrat-Chronicle, has been visiting here.

D. A. ROSS, general manager of Ross Federal, is back from Florida.

ED HATRICK is back from the coast.

FRANK C. WALKER, head of the Comerford Circuit, is on an extended trip through the west and to the coast on business outside the industry.

JAMES CORNER, of the Broadway stage, has left New York to continue his manager's film version of "What a Life."

Mr. and Mrs. Harland Rankin are the parents of a son, Robert Kerr, Rankin owns the Plaza, Tibur, Ontario.

GEORGE OPPENHEIMER'S "A Yank at Eton" has been purchased by M-G-M for next season's production.

VINCENT THOMPSON, booker at M-G-M's New York exchange, is in Chicago on a special assignment.

AL HERMAN, Universal district manager, returns today from a brief visit to Washington.

LESLIE JEFFRIES is the new treasurer and assistant manager at Loew's State, Providence.

JAMES FAY, brother of Ed Fay of Providence, is recovering after a recent illness.

GLORIA SWANSON and J. J. SHUBBERT are on the Ile de France yesterday.

HERBERT A. STARKIE, with RKO on the coast, has arrived by boat on a vacation.

NAT LEVY, RKO district manager at Detroit, is conferring at the home office.

DR. HERBERT T. KALMUS has arrived on the coast from New York.

AL ROSEN, manager of Loew's State, has recovered from the flu.

ATTORNEY BILL JAFFE has celebrated another birthday.

H. J. YATES is expected back from the coast on Monday.

I. J. LONDON of the Beacon, Detroit, is in town.

Author Sues 20th-Fox

Suit charging plagiarism against 20th-Century-Fox was filed yesterday in N. Y. Supreme Court by Stephen Tamas, who asked an injunction, accounting of profits and judgment for damages. Tamas claims to have written a scenario, "Stowaway," for Shirley Temple on March 24, 1936, at the defendant's request, which, the complaint said, was used in a film of the same name that credited authorship to Samuel Engel.

Ross Promotes Kraker

J. A. KRAKER, Ross Federal branch manager in Philadelphia the last five years, has been appointed district manager for Baltimore, Washington and Philadelphia. Previously he was branch head in Milwaukee, Kansas City and Oklahoma City.

Sunday Show Meet Set

Meeting between committees from Actors' Equity and League of N. Y. Theatres to discuss a basis for Sunday legitimate shows during the World's Fair will be held at the league's offices tomorrow.

Smallest House in New England Opens

Boston, March 15.—Telepix Cinema, the smallest theatre in New England, seating 250, has opened in the Arcade of the Park Square, an office building.

Policy will be to show short subjects and newsreels. J. Sturman, president of the Telepix Corp., also Irving A. Isaacs of Boston, treasurer.

John Aalberg Here
On Inspection Trip

John O. Aalberg, director of RKO's sound department, is here from the coast on a tour of inspection in which he is checking on sound in RKO theatres in connection with new improvements.

Yesterday he visited the International Projector Corp., plant and conferred with Herbert Griffin, vice-president. He also inspected the RCA Laboratories here. He stopped off in Chicago en route.

S. H. Eller of H. E. R. Laboratories Is Dead

Stephen H. Eller, executive of H. E. R. Laboratories, Inc., died yesterday morning. Eller was one of the founders of the corporation, established 15 years ago. Surviving are his wife and one brother and one sister.

Doob Transfers Men

Oscar A. Doob, Loew's circuit advertising and publicity head, has made the following shifts: George Sharp, neighborhood publicity man, will assist Paul Lauter on New York newspaper contacts; Jerry Sager shifted from Brooklyn to midtown district; J. Levian, assistant, is at assistant to Sam Cocid in East Bronx, replacing Sager.

Associates Seek Funds

Jack Ellis, president of the Motion Picture Associates, has appointed a committee to seek financial aid from the Will Rogers Memorial Fund.
POLICY... Twenty years ago, an idea was born. Because they believed that quality entertainment could be achieved only when the producers were permitted to make pictures the way they wanted to make them, Mary Pickford, Charles Chaplin, Douglas Fairbanks and D.W. Griffith formed United Artists Corporation....
The soundness of their belief attracted Samuel Goldwyn, Alexander Korda, David O. Selznick, Walter Wanger, Edward Small and Hal Roach in the years that followed. Great pictures emerged, year in and year out, setting a high standard for the industry ... splendid achievements that represented a steadfast purpose ... welcomed by the exhibitors of the world.

Now, we are about to celebrate twenty years of those achievements ... twenty years of service ... twenty years of a standard faithfully maintained ... twenty years in which our success has been linked with the success of the exhibitor in the kind of showmanship which today brings him $10,000,000 worth of outstanding entertainment when he needs it most.
Made for Each Other

Produced by DAVID O. SELZNICK
Directed by John Cromwell - Screen play by Jo Swerling
Presented by Selznick International

Smash hold-over at Radio City Music Hall. Record shatterer at Aldine, Philadelphia. Top grosser at every subsequent opening. Life Magazine says: “Evokes such thrilling drama that it may well point the way to a saner, more human kind of Hollywood art.”

P.S. 4th WEEK SEATTLE
EDWARD SMALL presents

ADOLPHE MENJOU in

KING OF THE TURF

with

DOLORES COSTELLO • ROGER DANIEL • ALAN DINEHART
WALTER ABEL • HAROLD HUBER • WILLIAM DEMAREST

Screen play by GEORGE BRUCE • Directed by ALFRED E. GREEN
Produced by Edward Small Productions, Inc.

☆

“One of the year’s important films.”
—Joseph Vogel, Loew Theatres

“A powerful answer to the prayer of exhibitors.”
—W.G. Van Schmus, Radio City Music Hall

“Outstanding picture of its type in many years.”
—Vincent McFaul, Publix-Shea Theatres

“Should run until the horses die of old-age and all four wheels fall off the coach!”
—J.J. O’Connor, RKO Theatres

WALTER WANGER presents

STAGECOACH

DIRECTED BY
JOHN FORD

with CLAIRE TREVOR • JOHN WAYNE
ANDY DEVINE • JOHN CARRADINE • THOMAS MITCHELL • LOUISE PLATT
GEORGE BANCROFT • DONALD MECK • BERTON CHURCHILL • TIM HOLT

READY FROM
WALTER WANGER * * * CURRENT
Violent, startling, bringing to your marquee The Dead End Girls, a great ticket-selling angle. Four blazing performances from new Korda discoveries, headed by Corinne Luchaire who's blonde dynamite!

Alexander Korda presents
CORINNE LUCHAIRE
PRISON without BARS

with
EDNA BEST • BARRY BARNES
Mary Morris • Lorraine Clewes • Sally Wisher
Directed by BRIAN HURST • IRVING ASHER

READY FROM ALEXANDER KORDA *** CURRENT
I am Heathcliff... I married a woman I loathe... to spite the one woman I love!

SAMUEL GOLDWYN presents:

WUTHERING HEIGHTS

co-starring

MERLE OBERON • LAURENCE OLIVIER • DAVID NIVEN

with FLORA ROBSON • DONALD CRISP • GERALDINE FITZGERALD

Screenplay by BEN HECHT and CHARLES MacARTHUR • Directed by WM. WYLER

From the great novel by Emily Bronte

Lavishly endowed with all that makes a Samuel Goldwyn picture great. Vigorously pre-sold to lead the Easter Parade thru full page color-ads to the 23,000,000 circulation of American Weekly, Ladies' Home Journal, Saturday Evening Post, McCall's, Collier's, Life and Cosmopolitan.
HATS OFF TO ZENOBLA!
Who is Zenobia? A deep, hilarious mystery on which to build your most intriguing exploitation campaign. The crowds’ curiosity will be answered by a happy comedy played by a cast of Hollywood’s most irresistible merry-makers!
The reckless exploits, the romantic love-making of Australia's famous Robin Hood... who led a daring revolt to bring peace to a savage continent!

HAL ROACH presents
BRENN AHERNE  VICTOR MCLAGLEN
JUNE LANG in
CAPTAIN FURY
with Paul LUKAS  John CARRADINE  Virginia FIELD  Douglas DUMBRILLE

Personally Directed by
HAL ROACH

READY FROM HAL ROACH * MAY 7
Eye-filling spectacle, swashbuckling action in the swift box-office pace of "The Count of Monte Cristo". One of the world's truly immortal stories... played by a new romantic star combination!
Never such a picture! Every thrill the screen can hold crowded into 7,200 seconds of flesh-and-blood excitement. Breathless adventure in authentic locales...all in vibrantly living Technicolor!

Directed by ZOLTAN KORDA
with
RALPH RICHARDSON • C. AUBREY SMITH
JOHN CLEMENTS • JUNE DUPREZ
Adapted by R. C. Sherriff from the novel by A. E. W. Mason
United Artists' policy will continue to afford opportunities to independent producers of merit on the basis of merit. Announcement will be made shortly of the 1939-40 schedule of productions, the culmination of twenty years of proud achievement.

Murray Silenstone

for UNITED ARTISTS CORPORATION
**‘Pygmalion’ Hits $8,300, Minneapolis**

Minneapolis, March 15.—“Pygmalion” grossed $8,300 at the Orpheum. Other theatres failed to live up to the outstanding records with the exception of “A Man to Remember,” which did $1,450 in its eighth week at the World and is continuing for the third.

In St. Paul “Three Musketeers” and a Major Bowes unit led the field with $5,500 at the Orpheum. Estimated takings for the week ending March 9:

**Minneapolis:**

“Charlie Chan in Honolulu” (20th-Fox) AVERAGE 7 days. Gross: $3,200. (Average, $457.)

“Pygmalion” (M-G-M) CENTURY-1,000 (25c-35c), 7 days. Gross: $4,300. (Average, $615.)

“The Great Man Votes” (RKO) BLACKETT-300 (35c), 4 days. Gross: $1,300. (Average, $325.)

“Blonde Meets the Boss” (Col.) GUMBER-400 (50c), 4 days. Gross: $1,200. (Average, $300.)

“Tail Spin” (20th-Fox) ORPHEUM-250 (25c), 7 days. Gross: $3,000. (Average, $429.)

“Made for Each Other” (U. A.) STATE-300 (35c), 4 days. Gross: $1,100. (Average, $275.)

“A Man to Remember” (RKO) WORLD-300 (35c), 8th week. Gross: $1,300. (Average, $163.)

“Three Musketeers” (RKO) ORPHEUM-100 (25c), 7 days with Major Bowes Unit. Gross: $1,200. (Average, $171.)

“For Each Other” (U. A.) PARAMOUNT-100 (25c), 6 days. Gross: $1,100. (Average, $183.)

“Mr. Moto’s Last Warning” (20th-Fox) TOWER-400 (25c), 5 days. Gross: $900. (Average, $180.)

“Smiling Along” (20th-Fox) RIYER-300 (25c), 7 days. Gross: $1,200. (Average, $171.)

“Okay America” (M-G-M) WELLS-500 (35c), 7 days. Gross: $1,100. (Average, $157.)

**St. Paul:**

“Three Musketeers” (RKO) ORPHEUM-500 (25c), 7 days with Major Bowes Unit. Gross: $1,200. (Average, $171.)

“Pygmalion” (M-G-M) CENTURY-1,000 (25c-35c), 7 days. Gross: $4,300. (Average, $615.)

“Made for Each Other” (U. A.) ORPHEUM-250 (35c), 7 days. Gross: $1,300. (Average, $186.)

“A Man to Remember” (RKO) ORPHEUM-250 (35c), 7 days, 8th week. Gross: $1,300. (Average, $186.)

**Barber and “Duke” $18,400 in Omaha**

OMAHA, March 15.—Jan Barber and his orchestra headlined the Orpheum stage show to a smash $18,400, “The Duke of West Point” was the film. The trade, “Trade Winds,” dealt with “The Girl Downstairs” at the Orpheum reported a good $7,200, “Blonde Meets the Boss” made $3,200, and “Atchison” led early releases at the Brandeis, took a good $3,500. Estimated takings for the week ending March 9:

“Blonde Meets the Boss” (Col.) ORPHEUM-200 (25c) 7 days. Gross: $1,800. (Average, $257.)

“Let Us Live” (Col.) DIMANCY-200 (25c) 5 days. Gross: $1,800. (Average, $360.)

“The Great Man Votes” (M-G-M) TAMPA-300 (25c) 5 days. Gross: $1,800. (Average, $360.)

“The Dark Horse” (Col.) ORPHEUM-400 (25c) 5 days. Stage: Jan. 22. Gross: $1,800. (Average, $360.)

**Install Club Officers**

OKLAHOMA CITY, March 15.—Paramount Club of the local Paramount Exchange has installed new officers. They include Francis Thompson, president; Reggie Pappas, vice-president; Sylvia Mays, secretary.

**“Huckleberry” Chicago High With $16,500**

CHICAGO, March 15.—Business took an upward turn in the Loop, with “While New York Sleeps” at the State-Lake, plus Mirza Green on the stage, doing a good $14,400. The Oriental with “There’s That Woman Again” and “The Man I Married” plus vaudeville did $14,000. “Huckleberry Finn” at the United Artists with the film playing without stage support. The weather was fair most of the week and this helped. Estimated takings for the week ending March 8:

“Pygmalion” (M-G-M) AVERAGE 7 days. Gross: $1,450. (Average, $207.)

“Cafe Society” (Para.) ORIOLE-1,500 (25c), 7 days. Gross: $1,100. (Average, $157.)

“Three Musketeers” (RKO) AVENUE-(2,500) (25c-35c-40c), 7 days. Gross: $7,300. (Average, $1,043.)

“Blonde Meets the Boss” (Col.) ORPHEUM-400 (50c), 4 days. Gross: $1,000. (Average, $250.)

**“St. Louis Blues”**

HOLLYWOOD, March 15.—Seven years ago this William Anthony McGuire story was “Okay America,” today it is “Risky Business.” Transforming the lead character from a newspaper columnist to a radio commentator is the major change. Only slight alterations have been made in the plot development.


A law and order crusader when he is not discussing Hollywood pictures and personalities, Murphy cracks a kidnapping case. However, upon delivering the ransom, he not only fails to rescue the victim, but finds that he has been double-crossed by master-criminal Ciannelli. Nevertheless, Ciannelli will manage to bundled his scheme, if the commentator will interfere with the governor in his behalf. Fighting fire, Murphy double-crosses the gangster, kills him when his own life is nencased. But as he is broadcasting his sensational story, he is mortally wounded by the dead gangster’s henchman.

While there are occasional topical touches and humorous interludes, “Risky Business” develops its story in strictly melodramatic fashion. Running time, 70 minutes. "G.**

**“The Mystery of Mr. Wong”**

HOLLYWOOD, March 15.—An excitingly told melodrama, whose plot is complicated enough to suit the most critical followers of crime stories is “The Mystery of Mr. Wong.” Boris Karloff again has the role of the famed Chinese criminologist created by Hugh Wiley.

With Karloff are Dorothy Tree, Grant Withers, Lotus Long, Morgan Wallace, Holmes Herbert, Craig Reynolds, Ivan Ledebert, Hooper Atchley, Lee Tong Foo and Chester Gan, all of whom collaborated in the fashioning, with director William Nigh and screenplay writer Scott Darling, of an intensely gripping crime study.

Exhibitors playing the previous “Mr. Wong” pictures made by Mono- gram may gauge in advance their audiences’ reaction to “The Mystery of Mr. Wong.” This picture is more facile, yet more conflicting than its predecessors.

Darling, a veteran of this field, wrote the screenplay from the widely read class magazine stories by Hugh Wiley. William Nigh directed the picture with dexterity.

“Wong,” finding his friend, a collector of Chinese curios, murdered at a charade party, solves the mystery following an attempt on his life, another murder, and the machinations of a group of persons seeking to return to China a lost and highly valued jewel. Running time, 70 minutes. "G."*
We're proud to work for
PARAMOUNT

FRANCIS LедерER
CLAUDETTE Colbert
DON AMECEHE
ELAINE BARRIE
JOHN BARRYMORE
MARY AS
HOLLYWOOD, March 13.—This is Claudette Colbert's best comedy since "It Happened One Night" and as much better than that Academy-immortalized classic as the cinema of 1939 is better than the cinema of 1934. This is, in fact, just about the best light comedy ever caught by a camera, as of the glad evening of March 8, 1939, when a cross-industry turnout enjoyed its preview screening with that wholesome, whole-hearted enthusiasm which, about once a year, erases company boundaries, banishes professional prejudices and makes of a top-flight Hollywood audience a mere theatrical of completely contented film fans for a night. It takes a pretty fine piece of entertainment to do that.

There is much about "Midnight" to gratify not only Miss Colbert and the general public but also Paramount and the general industry. There have been doubts in various quarters during recent years as to whether it is possible for the screen, under modern conditions, to deliver to the whole public a really smart, sophisticated comedy, suitable for family consumption and yet completely satisfying to adult and minor, metropolitan and agrarian, in content, execution, in individual detail and total result. Paramount has persisted in the theory that it can be done, despite certain disappointing efforts to do it, and Paramount herewith not only proves its theory triumphantly but supplies the industry a fine working model for guidance in achieving this difficult but delightful end.

Miss Colbert's performance is unquestionably her splendid best, but this is no one-performance picture. She has as companions in comedy the matured John Barrymore in fine fettle, dashing Don Ameche in a role fitting his ebullient phase perfectly, Francis Lederer and Mary Astor with precisely appropriate assignments, Hedda Hopper, Elaine Barrie and Rex O'Malley in superbly handled secondary parts which add roundness and reality to the swiftly spun narrative. There isn't a dull instant.

The screenplay by Charles Brackett and Billy Wilder, an expert script packed with brilliant dialogue, is from a story by Edwin Justus Mayer and Franz Schulz. It starts with arrival of Miss Colbert in a rainy Paris in evening dress without hat, wrap, baggage or money, and proceeds from there by a design too intricate and amusing for condensed synopsis. It is fast but not headlong, so funny in spots that whole minutes of dialogue are lost in audience laughter and so steadily humorous as to make its 90 minutes seem as 30. It never gets out of hand nor out of line.

Arthur Hornblow, producer, and Mitchell Leisen, director, have many a fine picture behind them. They may have many more before them. This is one fine enough to carry their names on into tomorrow's lists of great artists if they never do another.

Running time, 90 minutes. "G"*

*Roscoe Williams

* "G" denotes general classification
Jackson Quit W.B. Due to Policy Split

Resignation of Jerome Jackson as head of production for Warners in England was due to differences over policy. Warners have maintained a schedule of small-budget films at the Teddington Studios in London, but Jackson favored the production of a number of double or triple quota films. Sam Sax, head of Vitaphone shorts production at the Brooklyn studio, will be empowered to set policy when he takes over at Teddington, subject to approval of executives. Greater supervision from the United States is indicated.

Erpi Reduction in England Forecast

London, March 15—Following a conference today between representatives of the Cinematograph Exhibitors’ Association and Western Electric, it was decided unofficially but authoritatively that the company would make concessions in the service charge rates, as demanded by the exhibitor organization.

It is believed probable that reductions will be agreed upon in the present service rates varying from five shillings to one shilling per week. The basis for an agreement was arranged during the recent discussion here with the late T. Kennedy Steverson, president of Erpi, before he returned to the United States.

Providence Theatre Union Negotiating

PROVIDENCE, March 15—Managers and front-house employees, organized under Providence Local B-129, affiliate of the L.A.T.S.E., are conferring on union demands covering wages, hours and recognition. The local district embraces all Providence, Pawtucket, East Providence and Cranston. H. M. Addision, Locals New England district manager, is in town to participate in the conferences.

ITO Ball Saturday

About 700 are expected to attend the sixth annual “Movie Ball” of the I.T.O.A. Saturday night at the Astor. A large roster of entertainers is being lined up for the program. The committee members are: W.接待 Weinstock, chairman; Charles Goldreyer, Harry Brundt and Lionel Toll.

Carl Scheidel Dies

CINCINNATI, March 15—Carl E. Scheidel, 50, manager of the Royal, downtown subsequent run unit of Associated Theatres, died at his home here after an illness of several months. He had been associated with the theatre industry for 30 years.

MOTION PICTURE DAILY

Thursday, March 16, 1939

New York Review

“The 400,000,000” (History Today-Garrison Films)

A frank propaganda film, “The 400,000,000” pleads the cause of the Chinese Republic. Documented in treatment, it tells the story of the Japanese invasion, the suffering which followed, and ends with the courageous efforts of the Chinese to defend their homeland. This is no picture for audiences seeking entertainment. Women weeping over the bodies of their husbands, children orphaned by the war, bombs, homes wrecked—all these are the subjects the film portrays. Before the end, there is created in the audience a passionate resentment against the invader. Although the film ends on a note of optimism for victory in the coming struggle, the battle followed by the inevitable trek back of the wounded are a moving indictment of all war.

Joris Ivens and John Ferno, who wrote the script, and Helen Van Dongen, who edited, deserve credit for piecing together fragmentary shots into the present documentary form. They were aided materially by Dudley Nichols, who wrote the commentary, and Fredric March, who spoke it. Exhibitors who cater to audiences whose anti-Japanese sentiments are strong may find it profitable to give over their screens to this forcible propaganda appeal, but its value to the average commercial exhibitor is limited.

Listed on the credit sheet as sponsors of the film are Luise Rainer, Dorothy Parker, Lilian Hellman, Ernest Hemingway, Archibald MacLeish, Herman Shumlin, W. Osgood Field and Nichols.

Running time, 60 minutes. “G.”

Ed Greif

“Beachcomber” Does $11,500, Cincinnati

CINCINNATI, March 15 — “The Beachcomber,” with $11,500 at the RKO Shubert, did the best comparative business in a rather quiet week.

“The Little Princess” pulled $11,300, at the RKO Palace, and “Made for Each Other” did well with $8,000 on a moveover week at the RKO Capitol.

Estimated takings for the week ending March 8-10:

“Little Princess” (20th-Fox)...
“Tall Story” (20th-Fox)...
“Shubert” (20th-Fox)...
“Persons in Hiding” (Para.)...
“LYRIC” (Lucy)...
“OFFICE:” (Para.)...
“Duke’s”...
“Dusty Miller” (Col.)...

Physician: The head and the heart.

“Shelley” (RKO)...
“Honeymooning” (RKO)...
“Parachute Pilots” (Fox)...
“Saratoga” (U.A.)...

Come to the A.M.P.A. Luncheon

for the awarding of
180 PRIZES OF ART WORK
by the MOTION PICTURE ART FUND
for GERMAN REFUGEES
 NON-SECTARIAN

You bought tickets ... contributed your money, time and effort to this worthy cause ... Now join with fellow associates of the MOTION PICTURE INDUSTRY in a gala conclusion to this successful drive for REFUGEE FUNDS ... See who the winners are ... Listen to Baron Carl Von Ripper, Austrian nobleman who spent three and a half months as a prisoner in a Nazi concentration camp, and who will draw the first ticket ... A distinguished audience will be present ...

A.M.P.A. Today – Thursday March 16
HOTEL ASTOR • 12:45 p.m.
Gordon, Goetz Deal With RKO Closed

Deal by which Max Gordon and Harry M. Goetz will produce a minimum of two pictures annually for the next two years for RKO release was closed yesterday.

Under the agreement, the four major productions will be financed jointly by RKO and Max Gordon Plays and Pictures Corp. While some of the pictures may be produced by the addition of pictures not in excess of four, and RKO to distribute them, financing of the additional pictures would be entirely by the Goetz-Gordon company. Production services of the two are included in the agreement.

While "Abe Lincoln in Illinois" and "The American Way" are expected to be the first two productions under the deal, final arrangements for them have not been made until pictures are to be made at the RKO studio, with the first to start this summer, Samuel S. Goldwyn, president, Goetz, represented them in the deal and George J. Schaeffer, RKO president, acted for the company.

Exhibitors Termed M-G-M Partners

(Continued from page 1)

factual demonstration of our policy to be "a friendly company," he added. "We believe that our policy is good for our customers and that our policy is fair. "We want the exhibitors to feel that they have a stake in the conduct of our company and that they can contribute to formulating our policies."

Trade Pact Is Factor

The trade practice negotiations in which three trade organizations-Radio, Records and Home Owners-have been active are also a factor in having the exhibitor leaders address the convention.

A. Lichtman, vice-president, Fred Quimby, head of shorts, and Rodgers are due in Chicago tomorrow from the coast. The home office contingent will leave New York tomorrow. A Sunday dinner, arriving in the convention city Sunday, when the convention opens.

William R. Ferguson, exploitation manager, and J. S. MacLeod, manager of exchange maintenance, left yesterday to prepare for the four-day meeting. Ferguson will be host today to Chicago speakers and others at a luncheon at the Palmer House, where the convention will be held.

Mrs. Roosevelt to See Preview of 'Heights'

Hollywood, March 15.—Mrs. Franklin Delano Roosevelt will attend the preview of "Wuthering Heights" at Warner's Hollywood theatre March 24 as the guest of Samuel Goldwyn, producer of the picture, according to a press release. Mrs. Roosevelt is a director of Samuel Goldwyn Inc. Mrs. Roosevelt will give a lecture in Los Angeles on March 22 under the auspices of the Modern Forum, visiting San Diego on the 23rd and returning to Hollywood for the preview.

Hats Off!

Mexico City, March 15.—New custom here of keeping hats on everywhere, except in church, has prompted a municipal law requiring the removal of hats at theaters and other places of public diversion. The statute was enacted after complaints of annoyance caused by patrons keeping their hats on at performances. Women's organizations are protesting the law, contending that it is women's prerogative to keep her hat on no matter where she goes.

Baldwin Calls FCC 'Back Door' Censor

(Continued from page 1)

proval. Such statements, he asserted, exert duress on broadcasters. Investigation by the union, he declared, indicated a trend toward monopoly. He cited the refusal of oil companies to sell time to the discussion of controversial issues and contracts which restrict programs. Exclusive contracts, he added, suppress competition.

S. Howard Evans, secretary of the National Committee for Education by Radio, criticized the commission for neglecting the educational side of radio and concentrating on the technical aspects of broadcasting. He declared that no provision has been made for educational stations.

Cinecolor Previews New $250,000 Plant

Hollywood, March 15.—Cinecolor, Inc., last night held a preview of its $250,000 plant in Burbank which gives the laboratory a capacity of 1,400,000 feet weekly.

A. L. McCormick, president, was host to the press and industry figures. The reception included a tour of the plant and a dinner. In talk at the dinner McCormick said that a deal for a feature is pending with a major studio.

The plant covers 45,000 square feet. One of the features of the process equipment is a vat 185 feet long through which 10 strands of film can pass, coming out ready for the projection machine.

Olivier Given Party

Cocktail party was given for Laurence Olivier, who appears in "Wuthering Heights," at the Music Hall yesterday afternoon by W. G. Van Schmus, managing director. Present were Helen Hayes, Charlie McCarthy, Lynn Farrel, Miriam Howard and critics from all the newspapers.

Reteile 'Penthouse'

M-G-M has changed the title of "Penthouse" to "Society Lawyer" and will release the film March 31.
“Put this one down right now among the contenders for the Academy Awards of 1939.” — Associated Press

“A great piece of entertainment and a box-office smash!” — Hollywood Variety

“A really memorable screen experience.” — Film Daily

“Gilt-edge entertainment that will pay heavy dividends at the box office.” — Red Kann, in Box Office

OPENING THIS WEEK...
RADIO CITY MUSIC HALL
AND OTHER KEY RUNS
THROUGHOUT THE COUNTRY!
They set up an approved technique for investigation of rural radio listening habits.* We followed the experts in every detail of their technique, including their choice of typical rural counties. These counties were selected, of course, without reference to the rural coverage delivered by any one network. We were glad to use them—for sake of conservatism—because, as it happens, the CBS clear-channel stations were farther from these counties than those of other networks!

On the facing page are some of the things we did, the facts we found:

*The technique for studying rural radio America was developed by the Technical Committee of the Joint Committee on Radio Research for the 1938 rural study, jointly financed by CBS and NBC.
We used the same definition of rural America used the same personal-interview technique employed the same expert research investigators went into the same counties opened the same farm doors

as did the Joint Committee

They found that 87% of all rural families interviewed listen regularly in the evening to CBS — and that 72% of all rural families interviewed listen regularly in the daytime to CBS

They found a larger regular audience, day and night, listening to CBS than any other network!

CBS PROGRAMS PENETRATE RURAL AMERICA

80.9% of all rural families interviewed

listen to Major Bowes

71.8% of all rural families interviewed

listen to Eddie Cantor

57.8% of all rural families interviewed

listen to Kate Smith

The investigators found that each of the above programs has a bigger audience in the upper third income group than in either middle or lower thirds.

Rich farmers listen more!

Columbia Broadcasting System

THE WORLD'S LARGEST RADIO NETWORK

This latest addition to the shelf of Columbia basic radio studies is available upon request at 485 Madison Avenue.
Radio Personalities

RICHARD J. COMPTON, president of the Compton agency, left for a three-week vacation in Bermuda. . . . Radio executives who have accepted invitations to serve on the advisory council of the National Association of Better Business Bureaus include Lenox Lohr of NBC, Neville Miller, president of the X. A. ETW, and John Shepherd, 3rd president of the Yankee and Colonial networks.

Amie Henneycott, former assistant program director at CBS, has directed the program department of WOR. . . . Gloria Sileo, daughter of photographer Jimmy Sileo, will appear on "This Is Your Life." . . . The "Grand Central series. . . . Ed Wolfe, NBC director, is resigning to free lance. . . . Felix Knight left last week for Adelphi. . . . Lywood. . . . Lew Danis of the Ivory soap program is looking to buy his own television station.

Clem McCarthy will do a week's vaudeville at Loew's Capitol in Washington, starting tomorrow.

New Philip Morris Show Set on Mutual

New Philip Morris show on Mutual replacing "What's My Name" has been set. An audience participation program, it will be known as "Where Are They?" and the cast will include Bud Hulich, Charlie Cantor and Nydia Westman, and Johnny Green's orchestra. New program moves in March 24.

Renewed on Mutual for another 13 weeks is the comedy concert band program, "Show of the Week," which is broadcast Sundays from 8:30 to 9:30. Ben Reno produces, and Redfield-Johnstone is the agency.

Contracts Signed for New WHN Shows

Several large contracts were placed at WHN yesterday for sponsorship of live and spot programs. Eastern Wine Co., and Barney's Clothes joint, have entered into 32-week contract calling for 18 quarter hours a week plus 57 participating announce weekly, starting today. Sponent also, consist of 250 days, "Early Bird" programs plus United News broadcasts. Austin & Spектор placed the business. Additionally, Madison Finance Co., has contracted for 18 hours per week of sponsorship of the Zeke Mannerson program. Kling Broadcasting Agency directs the account.

Yankee Post to Bartley

Boston, March 15—John Shepherd, 3rd, head of the Yankee Network here, has named Robert T. Bartley as his executive secretary. Bartley, formerly director of the telegraph division of the Federal Communications Commission, begins work March 27.

Mexican Station Defies Authority

Mexico City, March 15—XEF0, operated by the Party of the Mexican Revolution, Mexico's strongest political organization, won't obey the law, the Ministry of Communications and Public Works told the station yesterday.

The station recently was fined $200 because it broadcast high-frequency advertise-ments. It has not paid.

The ministry asserts XEFO refused to render a monthly financial report, violate the law by broadcasting liquor advertising and other objectionable material.

FCC Calendar

WASHINGTON, March 15.—Federal Communications Commission has announced that hearings on broadcasting will begin at 10 A.M. in the Federal Building.

March 16: Application of the Colonial Broadcasting Corp., for a 1,370-kilocycle station at Norfolk, Va., with 100 watts power, 250 watts day, 250 watts night.

March 22: Applications of Copper Country Broadcasting, for a 1,370-kilocycle station at Hancock, Mich., with 100 watts power, 250 watts day, 250 watts night, extension of time from specified hours to unlimited.

April 17: Application of WSUI, Iowa City, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

March 25: Application of Mutual Broadcasting Co., for an 880-kilocycle, 100 watt day station at Brown City, Mich.

May 23: Applications of WCSS, Charleston, S. C., for increase of night power from 500 to 1,000 watts, and to allow Lawrence, Ky., to altera-a small station at Danville, Ky., to move studio to Kansas City, Mo., and to transmit to Kansas City, Mo.

The commission also ordered hearings to be held at dates to be set later on the following applications:

Oregon Broadcasting System, Inc., for a new 1,370-kilocycle station at Grants Pass, Oregon, with 100 watts night, 250 watts day; WBRE, Wilkes-Barre, Pa., for increase of night power from 500 to 1,000 watts, 250 watts day, 1,000 watts night; WGBF, Evansville, Ind., for change of frequency from 630 to 1,250 kilocycles, of time from sharing to unlimited, and KXOR, St. Louis, for change of frequency from 1,250 to 630 kilocycles and increase of day power from 1,000 to 5,000 watts.

NEXT the kidnapping of Charlie McCarthy by Frank Farrell of the World-Telegram, the stunt has backfired all along the line, with the Republican leaders not too hot about it, Bergen burned up, and several employees at the Waldorf-Astoria fired. Wraithful, too, is the insurance company which has a $2,500 policy on the little wooden fellow.

However, Farrell has persuaded the Waldorf-Astoria management to take a new approach.

Cal Swanson of the Thompson agency, who was with Bergen and Ameche at the Steeck Club when Far-rell arrived with the dummy, says now that he noted a "sly Irish look" about Farrell, but other than that paid him no attention. Ed Martin of NBC, who saw Farrell at the Glass Hat the evening of the snatch, also thought there was something peculiar about Far-rell's bearing, but naturally he sus-pected nothing amiss.

As to us, a messenger delivered a "try again" letter about 3 A.M. from a friend in the newspaper business. The telegram read "Charley carried off the dummy. This is no kidding." We rubbed our eyes, grinned something about friends who drink, and went back to bed.

The pruning season is fast app- roaching. It is customary at this time of year for sponsors to de- mand their radio policy for the summer months. It appears that the popular "Second Husband," which stars Helen Menken, might be super- vised by another distributor -- probably for budget reasons only.

Even three-year-olds succumb to the insidious influences of radio. Leslie ley, pride of our household, over- heard the doctor prescribe nestle for her cold, and pelately she de- clared she didn't want any "silly sil-ver."

Harry Kerr, publicity director of the J. Walter Thompson agency, capable and well liked, long ago earned the break he has just re- ceived. He's on his way to Holly- wood, where he will supervise the press work of his agency's west coast programs, and will handle as well the publicity for the motion picture accounts serviced by Thompson.

Roxy Theatre shows henceforth will be plugged via paid commercials over WHN. What makes this an item for the column, of course, is the fact that Loew's, which owns the State on Broadway, also owns WHN.

Dorothy Parker's amusing column on "Wisdom" was dropped from her column in the April 5 issue of "Time" under "Information Please."
Dakota Anti-Ascap Measure Is Signed

Fargo, March 16.—North Dakota's anti-Ascap bill was signed by Governor John Moses today.

It is believed that Ascap will sue to enjoin the state from enforcing the law on the grounds that it is unconstitutional. The Governor, before signing the bill, asserted that no state money would be spent in its defense.

The measure, which would become effective July 1, levies a three per cent tax against Ascap's revenue in the state and requires the organization to file a list of its copyrights in Bismarck.

F. P. Canadian Profit Is $974,788 for 1938

Toronto, March 16.—Famous Players Canadian Corp. showed a net profit of $974,788 in 1938 equal to $2.38 per share. This compares with $865,731 in 1937 equal to $2.12 per share. Dividends paid in 1938 totaled $236,819 compared with $245,114 in 1937.

250 to Attend M-G-M Sales Meet Sunday

Season Campaign Centers About Anniversary

M-G-M 1939-40 sales campaign will revolve around the company's 15th anniversary, signaling the formation in 1924 of Metro-Goldwyn-Mayer. Details will be given to about 250 delegates at the four-day convention starting Sunday at the Palmer House in Chicago.

Edward M. Saunders, western division manager, left last night for Chicago, and T. J. Comers, eastern division head, A. F. Cummings, exchange operations manager, and W. E. Aaron, assistant to William F. Rodgers, general sales manager, will leave tonight.

Rodgers in Chicago Today

Rodgers arrives in Chicago today from the coast with Al Lichtman, vice-president, and Fred Quinby, in charge of shorts. The executive sales heads will go over new season plans in advance of the general sessions.

In addition to home office delegates, leaving from New York tomorrow will be representatives from New York, New Jersey, Philadelphia, Washington and New Haven. (Continued on page 3)

S. W. G. to Present Terms Next Week

Hollywood, March 16.—A bargaining committee of the Screen Writers Guild will submit terms of a proposed contract with major studios to the membership at a special meeting March 22 and ask instruction by vote whether to accept in principle. The vote will determine whether the N.L.R.B. hearing of the case will be resumed next Monday as tentatively scheduled when recessed to permit the S.W.G. and producer committees to negotiate.

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Charles Koerner To Replace Gross On Coast for RKO

Although reluctant to have him leave Boston, RKO theatre chieftains finally have decided after prolonged deliberations to transfer Charles Koerner, RKO's Boston division manager, to take charge of the circuit's theatres on the West Coast. Koerner will succeed Jack Gross who leaves RKO to join Universal where he will serve under Cliff Work, Jr.'s studio business chieftain. Work also came from RKO. The Koerner shift will take place the first week in April.

Insofar as known, RKO people have not yet decided upon a successor to Koerner in New England.

On the Coast, Koerner will have charge of RKO's houses in Los Angeles, Hollywood, Denver and (Continued on page 4)

Commercial Attache Confirms Losing of Czech Film Market

Washington, March 16.—Situation resulting from Germany's coup d'etat in Czechoslovakia is so confused as to make impossible any immediate analysis, it was declared today by Edward Lawson, commercial attache at Prague.

In an interview with a representative of MORRISON PICTURE DAILY, Lawson, who arrived in Washington yesterday, explained that when he left Prague there was no hint of the dismemberment of Czechoslovakia which was accomplished this week.

Approximately two-thirds of the 1,300 Czech film theatres are in that area which has already been absorbed by Germany, he said, and it is likely that in assuming control of that territory, Germany will extend to it quota and other regulations, as it did in the case of Austria and the Sudetenland.

Will Wipe Out Industry

In informed quarters it was said that as a result of Germany's seizure, the motion picture industry in Czechoslovakia will be wiped out and all benefits of the agreement which supplemented the reciprocal trade treaty, will be lost.

It was pointed out that all important industrial centers are located in the area taken over by Germany and that the areas so far, Slovakia and Ruthenia, are largely agricultural, with few towns, and of comparatively little importance as markets for motion pictures.

Korda Forns Own Company in England

London, March 16.—Alexander Korda Prod., Ltd., has been formed here as the new producing company of the United Artists producer.

The new company will produce both here and in Hollywood. Four productions with executive producer John Thornton this year, all for United Artists release, and two or more will be made in Hollywood. Korda will cease production activity for London Films with completion of organization of his new company and with the delivery of "Four Feathers," his final London Films production.

Will Be U. A. Unit

The new Korda company also will replace London Films as a United Artists associate.

A majority of the financing for the new company has been set. Prudential Assurance will be identified with Korda's new company as it was with the old.

Conference on Coast

Hollywood, March 16.—Continuation of Selznick-International's releasing deal with United Artists will be discussed during the current visit of Maurice Silverstone, United Artists' executive vice-president, and John W. Selznick International chairman, who leave New York tomorrow and, with David O. Selznick, is scheduled to (Continued on page 3)

Mexico's Production Is Found in Critical State

By JAMES LOCKHART

MEXICO CITY, March 15.—Competition from Hollywood in the form of high grade pictures in Spanish and the attraction of many of the best Mexican players, too many mediocre productions and the tax situation, have placed the Mexican production industry in a position that is described in some quarters as from bad to critical.

The producers do not blame the players for flocking to Hollywood, for there they obtain much more money than is possible for them, at present, in Mexico. Mediocre pictures are attributed to the industry's total. It is suggested that the Federal Government subsidize the industry in some form, as is done in some other countries, for a better picture industry would mean more revenue for the administration.

Taxes are obviously burdening the industry. It is contended that if the government, in these times of acute economic depression, cannot subsidize the industry it could at least make things easier for it by lifting some of the impeding taxes. President Lazaro Cardenas has been asked to use his influence to aid the industry. The President has turned the pleas over to a special government committee for examination and report.

U. A. to Have 9,000 Accounts April 17

United Artists will have 9,000 theatre accounts throughout the world by April 17, the 20th anniversary of its founding. It was estimated yesterday by company officials. The number will be the greatest in the company's history and was approximated only once—during the company's George Schaefer sales drive last year. It will have available on its anniversary such product as "Wuthering Heights," "Prison Without Bars," "Made for Each Other," "Stagecoach," "King of the Turf" and "Zenobia."
NY Allied to Meet Here May 24 to 26

Allied of New York will hold its next annual convention at the Hotel Astor May 24 to 26, it was decided by the directors yesterday. Allied States' national convention is scheduled for the same time in Minneapolis about the middle of June.

Col. H. A. Cole, national president, conferred with local officials and directors here yesterday. The meeting was held in the office of Max A. Cohen, president, who is head of the Cohen Corporation. The national activities and Cohen had a report on state progress. E. Thornton Kelly, executive secretary, told of progress up to date. Harry G. Kosch, general counsel, also spoke.

Others attending the conference were Charles Rosenzweig, Irving Landin and Charles Steiner of New York; Max Cohen, Abe Levy and Louis Gold of Brooklyn; Mitchell Cooper, Ray Steele, Dave Steele, Alban; John Gardner, Schenectady; Charles Rosen, Troy; Thomas Di Lorenzo, New Palatine A. Sham; the Star Daily; Ray Pashley, Interlaken.

Rodner to Coast on Rogers' Fund Drive

Harold Rodner of Worriers, administrator of the Will Rogers Memorial Hospital, is en route to Hollywood to discuss with the west coast committee on matters concerning that institution. While there, he will also study the preparations for the coming all-star short subject to be produced in conjunction with the Will Rogers Memorial Theatre Week, which begins April 20.

Support of the National Theatre Week was urged on members of the M. P. T. O. A. by Ed Kapkekind, president. In an organization bulletin he stressed the necessity by cooperation of theatres throughout the country.

"M. P. T. O. A. strongly endorses the campaign and urges that every theatre in every district of the state and of the other two plans offered by the committee," he said.

A committee will be named to screen the all-star short and take up a voluntary collection during its showing. Smaller houses may contribute $10 to participate.

ITOA Ball Tickets

Sold Out in Advance

Tickets for the I.T.O.A. annual "movie ball" tomorrow night at the Astor were sold out yesterday, three days in advance. An attendance of about 800 is expected at the Lasky from previous years, which started late in the evening, dinner will be served early. The ball will be held at 8:30 P.M.

Mae West and Bill Robinson are on the program. Others will be Sophie Tucker, Ole Olsen, Kitty Carlisle, Sheila Barrows, and Edgar Bergen with "Charlie McCarthy."

Standard Sues Du-Art

Standard Pictures Productions, Inc., has filed a $50,000 damage suit in the U. S. District Court against Du-Art Film Laboratories, Inc., for alleged "wrongful detention" of the negative, work print and accessories of its film, "The Headless at Home."

MONROE GREENTHAL, HARRY GOLD, HARRY BUCKLEY, PAUL LAZARUS, Max Lieb 800 (Harry) GORZ, SAM SPRING, HARRY KOSNER, OSCAR DOOR, IRVING HOEFFMAN, HERMAN BERNSTEIN, BUDD ROGERS, Joe MORGAN, Sam Stern, Bill H. Davis, at the Tavern for lunch yesterday.

Frederic March was presented with an antique Chinese scroll last night as a token of appreciation for his work in "The $80,000,000 Chinese Documentary Film which he narrated.

JOHN W. HICKS, Paramount foreign manager, left England on the Queen Mary tomorrow en route to New York, was called to Paris and has postponed his return for a week or two.

Jack O'Connell, Columbus vice-president, is vacationing in Florida. Nate Springgold returned from there a few days ago and Abe Schneider is expected back Sunday or Monday.

Harry Hunter, Paramount's Australian manager, is scheduled to arrive Monday in Los Angeles. He will spend some time at the studio and come on to New York.

Col. Robert Gerard, French Foreign Legion officer advising on Paramount's "Beau Geste," arrived in Chicago yesterday to star on the NBC show, "Inside Story."

ARTHUR KELLY, United Artists foreign manager, sails from England tomorrow on the Queen Mary, returning to New York after several months abroad.

VAUGHN GLASER will leave Sunday for the Paramount studio to play in the film version of "What a Life," in which he appeared on the Broadway stage.

T. K. STRYVENSON, president, and T. B. BROUCHE PRICE, general counsel of Erpi, are today for a brief business trip to Hollywood.

Dreyfuss Shooting Here

Arthur Dreyfus, producer, who came east to produce and direct a series of 17 one-reel musical subjects for Columbia, will shoot the entire series at Eastern Studio. The first subject, featuring Vince Barnett and Nick Lucas, is scheduled to go before the cameras in a few days.

The Newsread Parade

German refugees in China, fail of Czechoslovakia and the Yankee Clipper flying over New York are the major news on new issues of the newpaper. The reels and their contents below:

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Trade Pact Group
Meets with Myers

Six attorneys for the major distributors discussed the proposed trade agreement Monday with P. F. Myers, general counsel of Allied, at an all-day meeting yesterday at the University Club.

Myers said the main point in the case today was for further discussions. Arrangements for the conference were handled by the attorneys' representative, Justin C. Behrens, Warner counsel and chairman of the lawyers' drafting committee, and representatives of other companies were present.

Philadelphia, March 16—Allied today sent a letter to the Warner exchange protesting because it is the only exchange not allowing deductions on percentage pictures in independent houses where premiums are used. It alleged that Warners offer such concessions to other houses and also give deductions to vaudeville houses.

Allied stated that a copy of the protest would be forwarded to the Department of Justice as evidence of discrimination against independents.

Korda Forms Own
Company in Britain

(Continued from page 1)

The conference at the old Silvertone was during the next few days. Whether Silverstone will discuss with Samuel Goldwyn, the studio owner, is not known. Charles Schwartz, of counsel to United Artists, who accompanied Silverstone to the conference, was said to be available for such discussions should the occasion arise.

Silverstone and Schwartz will confer with several producers who may be added to the United Artists fold in the near future. Ernst Lubitsch is one of those whom the plan calls to return to New York in about a week.

David S. Selznick today named "Success" to be the second of three pictures for direction by Alfred Hitchcock under the new long-term contract which the British producer will enter following his present holiday stay in Florida. "Rebecca" will be Hitchcock's first Selznick assignment with "Titanic" scheduled as the third.

Leon Schlesinger has slidetraced a number of other studio activity for concentration on the production of "Ol' Glory" as a patriotic color cartoon for Decoration Day of July 4th release in line with the declaraion of war with Germany.

The Goldwyn staff is rushing preparations on "The Real Glory" which will star Gary Cooper and Andrea Leeds and the untitled Jascha Heifetz picture for which Gene Reynolds was borrowed from M-G-M to play the conductor. "Seventh Cavally," to star Cooper; "Stranger at Home," the story of Hans Christian Andersen by John M. Sloman, star David Niven; "Col. Rowan of Scotland Yard," and "Black Gold."
Montreal, March 16.—A measure requiring motion picture exchanges and theatre operators to pay for admission fees on a per-ticket basis was adopted by the legislative assembly last night. The bill which Premier Duplessis explained would bring the province "just reimbursement for the work of assuring Quebec people of films in conformity with our traditions' mental and morality" carried on a 43 to eight division.

Opposition members charged that it permitted the government to "make political appointments to offices it does not support."

Another grief for the local industry came when Duplessis announced no amendments would be made this year to Quebec's law barring children under sixteen from theatres. The maintenance of the law was recommended by both Catholic and Protestant authorities.

Games Continuing in Legislative Spotlight

Chance games continue in the legislative spotlight in several states.

In Wisconsin, a bill to outlaw games would make violations punishable by a minimum penalty of six months in jail or $500 fine or both. The present anti-lottery law is regarded as having legal defects in general, and the new legislation is intended to put "teeth" into the law.

In Iowa legislature's Ways and Means Committee has recommended passage of a bill to license games, while another committee has killed a measure to make games illegal by reducing the lottery laws.

The first move against games in Montana was made by a circuit court complaint filed against the Fox Missoula Theatre Corp of Missoula. The prosecuting attorney seeks an injunction against the theatre.

Authorities in Indianapolis, Passaic County, N. J., and Connecticut are taking steps to halt Bingo.

Feiher & Sheila Hold Regional Conference


Projectionist Bill Is Advanced at Albany

Albany, March 16.—The crews New York City projectionists' bill was advanced to the Taxation Committee today. It will be voted on in the Assembly next week. The Bennett bill to tax the projectionists is expected to be passed by the Taxation Committee. The Oster tag employment agency bill was the only measure to escape legislative death.

"Pygmalion" with $25,000 Is Strong Washington Lead

WASHINGTON, March 16.—"Pygmalion" with Margaret Sullavan and Rex Harrison in the leading roles was the town's standout attraction at Loew's Palace.

"Yes, My Darling Daughter" is at Washington Theatre. Charles Winninger played the role of Earl and carried a splendid $19,300, and "Huckleberry Finn," at Loew's Capitol, gave that theatre a big jump.

Estimated takings for the week ending March 9:

"Huckleberry Finn" (M-G-M) AT CAPITOL—9 days 25¢-50c $27,000 Gross $16,600

"Ida's Delight" (M-G-M) LOEWS'S COLLEGIUM—1 (25c-50c) 7 days 2nd run Gross $4,000 (Average $595)

"Duck Soup" (M-G-M) LOEWS'S PALACE—2 (35c-55c) 8 days Gross $25,000 (Average $2000, days)

"Spirit of Culver" (Univ.) WARNER'S EASTERN—25c-50c 7 days Gross $4,000 (Average, $600)

"You Can't Do That to Me" (W. B.) WARNER'S HARMONY—(25c-50c) 7 days Stage: Daisy Dale, Jana Williams, 1st run Gross $1,800

"You Can't Take It With You" (Col.) WARNER'S METROPOLITAN—(1-90c) 7 days Gross $22,000 (Average $2500)

Two Race Groups Oppose Bank Night

RACINE, Wis, March 15.—Better Films, Inc., and the Motion Picture Federation here have presented to the district attorney petitions carrying more than 1,000 signatures of persons opposed to Bank Night.

The council represents 25 organizations and the Motion Picture Federation is composed of 25 separate groups in protestant churches.

District Attorney Richard G. Hubbard has been unable to obtain a count of all the judges, but Judge Cowie, La Crosse, who has instituted action against the La Crosse Theatre Co. and the Wellwood Theatres, Inc., in connection with Bank Night, to attend when the case reaches the Supreme Court to present argument on the question of legality.

Penn. Censor Board Quits Functioning

PHILADELPHIA, March 16.—The Pennsylvania censor board ceased functioning today with no new appointments to take its place. Terms expired last night. According to Gov. James' request, Mrs. A. Mitchell, the widow of the late Governor, and the other members, Patrick Duffy and Mrs. Hester M. Fye, were dismissed. Complaint was made that board used payroll money for equipment, and exhibitors fear a jam-up in film product unless the new board is named.

Miss Bennett Wins Point

Contest Dorothy Di Frasso has been ordered by N. Y. Supreme Court Justice Timothy A. Leary, to appear for the radiograms. The case is application of Constance Bennett, with reference to a suit brought by Miss Bennett against Ben Hecht, Charles MacArthur and Charles Lederer for $62,500, charging breach of a contract to write a scenario for the plaintiff.

Ziegfeld Books "Paris"

"Heart of Paris," French film distributed by Tri-National, has been booked for Loew's Ziegfeld, March 28 and 29.

Loew Suit Findings Approved by Valente

Formal findings of fact covering the decision of the court against Loew's rendered last January were signed yesterday by N. Y. Supreme Court Justice Louis A. Valente. Findings are against R. H. Thalberg, M. Schenck, David Bernstein, Louis B. Mayer, J. Robert Rubin, Arthur M. Loew and Loew Theatres, Inc. and Thalberg to repay a total of $54,283 to the company, and dismissed all other charges.

Up to the publication of the findings, the company will have judgment against Schenck for $90,447; Bernstein for $41,668; Mayer for $167,195; Rubin for $112,505; estate of Thalberg for $136,985, and Loew for $14,754. These sums will be debited against the profit-sharing accounts held by the defendants with Loew's.

In addition, attorneys and accountants for the stockholders will be allowed "reasonable" fees for their services. Proposed findings were submitted by both sides to the court and the greater number of those submitted for the defendants were approved by Justice Valente, including finding that the defendants were "reckless in their business charges on waste and neglect.

Repayments ordered are based on rulings that overpayments were made because of erroneous computations in determining net profits of the company.

Eleven consolidated stockholders' suits in all were on trial the greater part of December. Emil K. Ellis, attorney for the stockholders, yesterday stated that he would not appeal the decision. Several other stockholder attorneys, however, are considering appeals.

Files New Loew Action

William F. Del., March 16 Arnold Herrnstein, Loew stockholder, who recently filed a suit against the company's officers and directors in the Supreme Court, for alleged fraud and conspiracy in the formation of 20th Century Pictures, filed a similar suit in the U. S. District Court here today.

S. M. P. E. Sets Plans For Spring Meeting

Program arrangements are rapidly being completed here for the spring convention of the Society of M. P. Engineers, to be held April 17 to 21 at the Roosevelt Hotel, Chicago.

A highlight of the program will be a television symposium with some of the country's leading authorities participating. Emphasis will be placed on the relation of the new science to the film. Managers of the most recent motion picture adventures are being arranged, as well, and many important technical papers will be presented.

The general program is in charge of Major Nathan Levinson, executive director of the society. Homer G. Tasker is chairman of the local arrangements committee; L. A. Archbold is chairman of the Pacific Coast committee; Orson Welles and Henry Fonda is the Eastern; and Charles Kunzman, convention vice-president, is general overseer of arrangements; Julius Hahlberg, in charge of publicity; Walter Greene, in charge of the west coast office, and Sylvan Harris, chairman of the papers committee.
NOW IS THE SILLY SEASON WHEN YOU MUST KEEP YOUR WEATHER-EYE PEELED!
Those annual sales conventions are on. The boys are getting pepped up. The announcement books are being gilded.

Take my advice:

Demand

1–That the company delivered its past promises.

2–That the salesman’s statements have a basis in fact, not merely in enthusiasm.

3–That the company is helping you making money.

4–That its stars and pictures mean something—Summer, Winter, Spring and Fall—and Summer again.
AND KEEP YOUR EAR CLOSE TO THE GROUND!

Remember: Most companies can only shout before they deliver. The sale is one thing to them, the product another.

THE OLD RELIABLE IS

(There's no suspense in this gag. You know the answer.)
M-G-M
35-36-37-38-39-40 and till eternity

The Friendly Company

THE ONLY “A” PRODUCT ON THE MARKET—that’s a fact!

STARS—STARS—HITS—HITS—RECORDS BROKEN—BIG THEMES—ACTION DRAMAS—BEST SELLING BOOKS AND PLAYS—GREAT PRODUCERS, DIRECTORS, AUTHORS—SUPERB TECHNICAL STUDIOS, GREAT PRINTS—DYNAMIC ADVERTISING AND PUBLICITY—NOTHING SMALL TIME—Absolutely

ON THE LEVEL!
**Hollywood Previews**

**Within the Law**

Hollywood, March 16—This edition of Bayard Veiller's play, "Within the Law," sticks closely to the melodramatic spirit of the original. Hardly any changes have been made in characterizations, situations or dialogue. Screenplay writers Charles Lederer and Edith Fitzgerald, however, did write in a couple of topical scenes to bring the story up to date. Nevertheless, the story will be new only to those who have become theatergoers since the piece was last made as "Paid" in 1920.

Playing the role of "Mary Turner," Ruth Hussey, convicted of the theft on circumstantial evidence, is railroaded to jail. A victim of persecution, she lives only to revenge herself on Samuel S. Hinds. Studying law while in jail, she learns all its tricks and, upon release, guides Paul Kelly's criminal gang to wealth by planning crimes within the law. Climaxing her burning desire for revenge by marrying Hinds, Tom Neal, she finds, when confronted with a new crisis, that life means something more than living for revenge. Frustrating a crime plotted by Kelly, in which Paul Cavanaugh is killed, she implicates herself and Neal. But when Kelly confesses and Hinds relents, Miss Hussey sees a new happiness.

With such models as Norma Talmadge and Joan Crawford, the "Marys" of earlier productions, Miss Hussey turns in a good acting job. Adequate support is contributed by Neal, Hinds, Kelly, William Gargan, Rita Johnson, Cavanaugh, and Sidney Blackmer in the principal supporting roles. Gustav Machaty directs.

Running time, 65 minutes. "G." +

G. McC.

**Danger Island**

(20th Century-Fox)

Hollywood, March 16—A sound story, a strong cast, all the melodramatic mystery anyone wants, plenty of comedy, a little love interest and high class production support combine to make "Danger Island" the best "Mr. Moto" picture to date. The island of Puerto Rico is the locale; the time, the present. Diamond smuggling endangers the legitimate gem market. Dealers' associations, in alliance with the government, lure "Mr. Moto," Peter Lorre, to break up the racket.

To the tune of a comic wrestling match, which sets Warner Hymer as an important figure, the show starts off in a gale of fun. Hymer and his comedy continue, but once Lorre lands on the island, melodrama takes over. It's by clues that point to any number of suspects, and forced to contend with native superstition, Lorre is up against a stone wall. Not until he makes all with whom he comes in contact believe that he is a super-crook does he get the leads that point to the smugger leader. This character is cleverly concealed until the last minute.

This is a good job, but Hymer comes pretty close to stealing the show. Amanda Duff and Robert Lowery share the slight romantic interest. Able character actors Jean Hersholt, Richard Lane, Leon Ames, Charles D. Brown, Douglas Dumbrille, Paul Harvey, Eddie Marr and Harry Woods contribute smooth support. A novel story idea, a super-crook and J. P. Marquand's "Moto" character are the basis of the story. In directing, Herbert I. Leeds wrapped all his story, production and personnel material up tightly together to make an entertaining show.

Running time, 65 minutes. "G." +

G. McC.

"Jubilesta in June"

KANSAS CITY, March 16.—The Jubilesta, Kansas City's big Municipal Auditorium show, will be held early in June this year instead of early in the fall as in the three previous years, and will be cut from eight days to five. E. C. Rhoden of Fox Midwest Theaters is a member of the Jubilesta family.

Etta Segall Quits GN

Etta Segall has resigned as office manager and head booker at the Grand National exchange, and on Monday will join Harry Thomas' distributing organization in the same capacity.

**Raise Cincinnati Scale**

CINCINNATI, March 16—RKO Family, which recently switched from three changes a week to a double feature policy with two weekly changes, will be cut from its advanced rate to 20 and 30 cents for afternoon and evening, respectively. Previous rates were 15 and 25 cents.

**Drop Vaude in Montreal**

MONTREAL, March 16—Loew's, one of Consolidated Theatres' first run houses here, will drop vaudeville. For years the theatre has been one of Montreal's two vaudeville centers, the stage show usually being supported by two films.

**Topper** Big $36,700 for Los Angeles

LOS ANGELES, March 16—"Topper Takes a Trip" was the outstanding entry here, with $36,700 at two houses—$18,500 at the Warner Hollywood and $18,200 at the Warner Downtown. "Pygmalion" came through with an eleven week gross of $4,500 at the 4 Star.

Estimated takings for the week ending March 9:

- **Stagecoach** (U. A.)
- **Inside Story** (20th-Fox)
- **Topper Takes a Trip** (U. A.)
- **Secret Service of the Air** (W. B.)
- **Topper Takes a Trip** (U. A.)
- **Secret Service of the Air** (W. B.)
- **Stage** (Paramount)
- **Dole's State** (Para.)
- **Topper Takes a Trip** (U. A.)
- **Secret Service of the Air** (W. B.)

**Stand Up** Draws $7,000, Montreal

MONTREAL, March 16—"Stand Up and Fight," on a double bill at the Palace, was the Princess Grant's "Gunga Din" which accounted for $7,500 in its second week at the Palace, while the second week of "King of the Turf" brought $2,500 to the Orpheum. "They Made Me a Criminal" and "Comet Over Broadway" earned $7,000 at the Capitol.

Estimated takings for the week ending March 11:

- **They Made Me a Criminal** (W. B.)
- **Comet Over Broadway** (W. B.)
- **Capitol** (W. B.)
- **Hard to Get** (W. B.)
- **Loew's** (W. B.)
- **Stand Up and Fight** (M-G-M)

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**Darling' at $29,000 High, Philadelphia**

PHILADELPHIA, March 16—"Yes, My Darling Daughter" at the Fox, with Ted Weens on the stage drew $29,000. The Palace took $5,000 for "Four Girls in White" in the second week. "Let Freedom Ring" at the Stanley played 10 weeks, and "Husband and Friend" did $11,000. Estimated takings for the week ending March 9:

- **Stage** (U. A.)
- **Alzine** (20th-Fox)
- **Husband and Friend** (20th-Fox)
- **Fisherman's Wharf** (RKO)
- **Paramount** (RKO)
- **Let Freedom Ring** (M-G-M)
- **Karlton** (20th-Fox)
- **Three Musketeers** (20th-Fox)
- **Back to the Front** (Para.)
- **Let Us Live** (Col.)
- **Saratoga** (Para.)

**Freedom Ring Is Milwaukee's Best Grossing $6,000**

MILWAUKEE, March 16—"Let Freedom Ring" led at Fox's Wisconsin proved the week's winner with $6,000. It was the only program to exceed average.

Estimated takings for the week ending March 11:

- **Yes, My Darling Daughter** (W. B.)
- **You Can't Cheat an Honest Man** (Warners)
- **LITTLE THEATRE** (Para.)
- **Hospedaje** (Col.)
- **Mr. Moto's Last Warning** (20th-Fox)

**Halt Portable Showings**

TORONTO, March 16—Standard rental agreement of the Film Boards of Trade in Canada has stopped the further use of film, pictures in halls by prohibiting the booking of standard films except for theatres having permanently installed projection machines and sound systems. This means the termination of standard film exhibition with portable projection equipment.
<table>
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<tr>
<th>Date</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
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<td>Feb. 10</td>
<td>Texas Stampede</td>
<td>Starrett Meredith</td>
<td>Adventures of Huckleberry Finn</td>
<td>Greene (G)</td>
<td>Rooney Connolly</td>
<td>Sundown on the Prairie (O)</td>
<td>Tex Ritter (3823)</td>
<td>Boy Slaves (G)</td>
<td>Woman Doctor (D)</td>
</tr>
<tr>
<td>Feb. 17</td>
<td>My Son Is a Criminal</td>
<td>Elan Xavier</td>
<td>Montgomery Russell</td>
<td>Little Pal (G)</td>
<td>Montgomery Bellamy</td>
<td>Forged Passport (G)</td>
<td>Ruggles (D)</td>
<td>Gunga Din McLaglen</td>
<td>Of Hiding (G)</td>
</tr>
<tr>
<td>Feb. 24</td>
<td>Let Us Live</td>
<td>O'Sullivan</td>
<td>L. Barrymore McLaglen</td>
<td>Star Reporter</td>
<td>Warren Hull Marsha Hunt</td>
<td>One Third of a Nation (A)</td>
<td>Sunset Trail (3857)</td>
<td>I Was a Convict (G)</td>
<td>MacLane Roberts</td>
</tr>
<tr>
<td>March 3</td>
<td>Romance of Redwoods</td>
<td>Bickford</td>
<td>Mystery of Mr. Wong</td>
<td>Mystery Plane</td>
<td>John Trent Polly Ann Young</td>
<td>Cafe Society (G)</td>
<td>Carroll MacMurray (3826)</td>
<td>Twelve Crowded Hours (A)</td>
<td>Richard Dix Lucille Ball</td>
</tr>
</tbody>
</table>
| March 10 | Blondie Meets the Boss | Arthur Lake | Pygmalion | The Beachcomber (A) | Laughter Lancaster 1936 | Rough Riders Round-Up (O) | Roy Rogers Mary Hart | The Saint Strikes Back (G) | George Sanders Wendy Barrie | Prison Without Bars (A) | Loretta Young Jack Buet 
| March 17 | Lone Star Pioneers | Bill Elliott | Sergeant Madden | Undercover Agent | Russell Gleason | King of Chinatown Ann May Wong Tamiroff (3827) | My Wife's Relatives (G) | Lucille, James and Russell Gleason | The Little Princess (G) | Shirley Temple \ Richard Greene \ Anna Maria \ Anita Louise |
| March 24 | Whispering Enemies | Jack Holt | Within the Law | Midnight Colbert | Amoske \ Grade (G) \ C) \ 3828 | Trouble in Sundown (G) | O'Brien | Almost a Gentleman | James Ellison | Wuthering Heights (G) | Greer Garson \ \ 3829 |
| March 31 | North of the Yukon | Starrett Winters | The Kid from Texas | Sudden Money | Ruggles | Mexicali Rose (O) | Gene Autry | Hound of the Baskervilles | Greer Garson \ \ 3830 |
| April 7 | The Lady and the Mop | Fay Bainter | Broadway Serenade | Love Affair (G) | Bob Burns | Back Door to Heaven | Walsh Ford McMahan | Mr. Moto in Danger Island (G) | Lorre Hersholt | East Side of Heaven (G) \ \ 3831 |
| April 14 | First Offenders | Walter Abel | Calling Dr. Kildare | They Made Her a Spy | Larry Dars \ \ 3832 |

**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

**ED.-G. N.:**
- Renfew Saves a Lady (Feb. 10)
- Wings of the Navy (G) | John Payne de Havilland George Brent
- You Can't Cheat an Honest Man (D) | Texas | Nancy Drew, Reporter (D) | George Grenville
- Secret Service of the Air (G) | Ronald Reagan | Joan Litzel Ila Rhodes
- The Oklahoma Kid (D) | George Murphy | Dorotha Kent
- Spirit of Culver (G) | Jackie Cooper | Baratholomew Andy Devine
- The White Room (G) | Bruce Cabot | Helen Mack
- Blackwell's Island (G) | Garfield | Rosemary Lane
- On Trial (G) | John Litzel Margaret Lindsay
- Women in the Wind (G) | Kay Francis | William Gargan Victor Jory
Freak Television Reception Studied

Montreal, March 16.—In an attempt to test what was believed to be a "freak transmission" from a London television broadcasting, authorities of British Broadcasting Corp. have asked the Federal Broadcasting Corp. to install a test receiving set in Western Canada. The set would be located in the presence of the signal sent by the Great Britain station, which engineers from Canada, the United States, and Great Britain claim to be one of the best in the world for receiving purposes. The suggestion was made to Leonard W. Brockington, chairman of the board of governors of the corporation, after a BBC telecast was picked up clearly at Long Island by NBC.

Not a bad day’s work accomplished by Jack Blum of the Blow agency, considering it was a Sunday. Blum is transcribing the Back Royals sales clerk, saving the client, and last Sunday Johnstone wrote an installment, cast, directed, and announced, acted a part in, and handled the sound effects of the episode.

Advertisers have been complaining about the small rate reduction on WLW set this season. The reduction, from $1,200 to $1,080, amounts to but 10 per cent. However, Jimmy James of NBC has figured a way to combat that complaint by comparing the 1939 rate of $1,200 to WLW’s last rate at 50,000 watts, in 1934, which was $3,000. Over the five years is nine per cent, whereas the increase for the same number of stations is 40. A typical list of other 50,000-watt stations amounts to more than 40 per cent. James concludes that WLW, instead of being criticized for not reducing its rates enough when it dropped back to 50,000 watts, should be commended for not raising its rate enough when they went to 500,000 watts.

New program ratings show slight changes in the relative ranking of the leading programs, other than that Eddie Cantor’s show is now among the leading 10 and that Bud Valle’s program is out of that charmed circle. That gives CBS a better standing than it has been for a long time, with the count now six for NBC, five for CBS. The 10 leaders, in order, are Chas. G. Dashefsky, Jack Benny, “Lux Television,” Bing Crosby, Fred Allen, Major Bowes, M-G-M “Good News,” Kate Smith, Kay Kyser, Ed Robinson’s “Big Town,” and Eddie Cantor.

Those tremendous bellows of laughter coming from the aisle waist, center row of the theatre where “Kiss the Boys Goodbye” is playing, needed no identification, despite the darkness, the other program and the audience recognized the explosions as Edward Arnold’s. The show is a travesty on Hollywood producers, and Arnold not a tremendous walloper every time Claire Brokaw Luce’s needed dialogue made a thrust.

—Jack Banner

BANNER LINES

Women’s Groups Waging Fight on Juvenile Programs

A number of leading women’s organizations, headed by the General and State Federation of Women’s Clubs, National P.T.A., the American Legion Auxiliary, and several other groups, are waging a spread fight against “blood and thunder” children’s programs, and have been meeting for the past several weeks with network executives on plans to stop that type of broadcast.

The clubwomen are offering to set up shows that will serve as alternatives to juvenile programs, and leading the proposed shows are stock radio theatres.

Under terms of the Perry bill “possession for the purpose of sale” of unlicensed broadcasting records would be illegal. In effect, any judge could be suitably for the destruction of such records. The bill has been referred to the Commerce and an Assembly sponsor undoubtedly will be sought for the bill.

Mexico Is Featuring U. S. Neighbor Hour

MEXICO CITY, March 16.—“Good Neighbor Hour,” featuring a program designed to increase good relations between Mexico and the United States, is being presented every Thursday from 8 to 9 p.m. The aim of the broadcast is to serve as a forum for the Government’s publicity department, XEDP and XEPA here and XENT at Nuevo Laredo, opposite Laredo, Tex. The department expects the program will attract many American tourists.

Air “Lux” in Australia

Hollywood, March 16.—Cecil B. DeMille last night launched the Australian edition of the “Lux Radio Theatre,” the radio telephone hookup. Speaking from his office at the Paramount Studios, DeMille raised the curtain on the first of a series to be broadcast from Sydney under the Lux sponsorship. The play was “Interference.” Also recorded were high-fidelity highlights from the DeMille film, “Union Pacific.”

WHA Raises Rates

WHN’s rate card, issued today, and effective March 31, raises the basic hour rate from $400 to $450. In the main, however, the new rate schedule attempts at a pricier a rate, which rate... Otherwise, the card contains no changes from the previous schedule.

Order 4,000 Recordings

WOR’s Transcription Bureau has just received its largest order—4,000 recordings of “The Shadow,” which it will transcribe for the B. F. Goodrich Co. and Radio Co. and Ryan City place the business. The disc will be aired over approximately 150 stations.

FCC Calendar

WASHINGTON, March 16.—Application for a construction permit for a new 1,500-kilicycle station with 100 watts power night, 250 watts day, has been filed with the Federal Communications Commission by the Neptune Broadcasting Corp., Atlantic City, N.J.

Also filed with the commission were applications of WELI, New Haven, for change of frequency from 900 to 930 kilocycles; application of WHAM, New York, for increase of night power from 1,000 to 250 watts; WWKE, at Westport, Conn., for change of frequency from 1,090 to 1,130 kilocycles.

The rate was filed by the chain that hearings will be held May 8 on the application of WIGA, Ashland, O., for increase of power from 250 to 1,000 watts; May 24 on the application of the Patrick Henry Broadcasting Co., for a 1,420-kilicycle station at Martinsville, Va., for 100 watts night, 250 watts day, and on May 25 on the application of WKB, at Medley for a 1,370-kilocycle station at Cookeville, Tenn., with 100 watts night, 250 watts day.

Tentative Dates Set

The commission has set tentative dates for hearings on broadcasting applications, as follows:

April 10: Applications of M. C. Reese for a new, 1,200-kilocycle station at Ariz., with 100 watts power, night, 250 watts day, and KRBA, Lufkin, Tex., for increase of power from 1,000 watts.

May 9: Applications of KERN, Bakersfield, Cal., for change of frequency from 1,570 to 1,388 kilocycles; application of WJAM, for power from 1,000 watts; and KJMI, Fresno, Cal., for increase of day power from 1,000 watts.

May 10: Application of KORH, Reno, Nev., for change of frequency from 1,380 to 630 kilocycles and increase of power from 500 to 1,000 watts.

May 12: Application of KORY, SACRAMENTO, for extension of time from day to unlimited.

May 26: Application of John F. Arrington, Jr., for a 1,250-kilocycle, 250 watt station at Valdosta, Ga.

Theatre Television Approved by BBC

London, March 16.—British Broadcasting Corp. has indicated that it has no objection to the telecasting in film theatres of national events and commercial programs sponsored by the British Broadcasting Co. Co rests, and agreements are concluded between the promoters and exhibitors. Despite the guarded and defensive wording of the statement, it is seen in many quarters as indicating a significant policy change on the part of B.B.C., which is expected to influence the development of television theatre.

Broadcast Cancelled From Czechoslovakia

Czechoslovakia, March 16.—First trans-Atlantic broadcast speech of Dr. Emil Hacha as president of Czechoslovakia, scheduled for tomorrow, was cancelled by Czecho-Slovak Broadcasting Corp. In charge of the broadcast, for

Rise in CBC Charges Seen by Brockington

OTTAWA, March 16.—L. W. Brockington, general manager of the Canadian Broadcasting Corp., told the radio committee of Commons that fixed charges for the coming year would be $1,425,000, an increase of $400,000 over the current year. He gave figures for the year just past as $1,045,000, or nearly $900,000 against receipts of $2,700,000. He declared that “advertising revenue alone would be sufficient for the national coast-to-coast system.”

Wheeling Executives Due

Three executives of the Wheeling Steel Corp., W. W. Holloway, president; John F. Neuendorf, executive vice-president, and John Grimes, general advertising manager, will arrive in New York March 22 to discuss future plans for their Mutual radio network program, “Musical Steelmakers,” which features employees of the company. They will attend the party to the press that evening at the Barclay Hotel.

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Mexico Gets 25th Station

MEXICO CITY, March 16.—The number of active radio stations here has been increased to 25 with the inauguration of XEQ. It operates on 1,470 kilocycles. Angel H. Ferreiro is general manager.
THE NEW UNIVERSAL presents

Deanna DURBIN

with

Nan GREY • PARRISH

in

"3 SMART GIRLS GROW UP"

with

Robert CUMMINGS

Charles WINNINGER

William LUNDIGAN

Original screenplay by Bruce Manning and Felix Jackson
Produced by JOE PASTERNAK
A HENRY KOSTER production
Directed by Henry Koster

Pre-release MARCH 24
Regular Release APRIL 7

Deanna sings your favorites!

*...AND BY FAR THE GREATEST!
Bank Night Is Ruled Illegal In Delaware

"Cold Blooded Device" Is Court Description

WILMINGTON, March 19.—Bank Night has been declared illegal in Delaware by the Delaware Supreme Court en banc, and in an opinion by Chief Justice Daniel J. Layton was termed a lottery whereby "the theatre proceeds and greed, envy and other evils, inherent in lotteries, are encouraged.

The opinion was in the suit of Affiliated Enterprises, Inc., against Roland H. Waller, operating the New Waller at Laurel, Del. The scathing opinion characterized Bank Night as "cold blooded business device." Judges Charles S. Richards, Frank L. Speakman and Richard S. Rodney concurred in the opinion.

The action was brought to recover damages for an alleged breach of a license agreement whereby Affiliated Enterprises, Inc., was entitled to use Bank Night and receive a percentage of the receipts. The court declared the contract, made in 1938, is illegal.

The contract is held to be illegal, in the enforcement of which the court will not assist, according to the opinion, which said further, "in holding out offers for an award of the kind, and in the manner disclosed by the contract, (the theatre) are not moved by a spirit of brotherly love, sympathy for the poor to the end that they may enjoy a more abundant life, or warmth of heart in any degree."

The case was certified to the court en banc by the Superior Court of Kent County.

I.T.A.S.E. Enjoins Union's Radio Talk

Hollywood, March 19.—International union officers of the I.T.A.S.E. on Friday obtained a Superior Court injunction in the fight for control of Studio Talk's "Supreme Court 37" to prevent the radio talk Saturday and the meeting Monday from being recognized as official action of Local 37.

A. Brigham Rose and Joseph Carpenter, local president suspended by international officers, were restrained in the order of Judge Emmet Wilson from "calling, arranging or holding any meeting . . . of members of Local 37 for the purpose of conducting . . . business or affairs of the local, or for the purpose of collecting dues or contributions from members."

The injunction further restrained the officers from holding any meeting of members through a radio broadcast or public address.

Para. Earnings Up; Will Retire Bonds

Paramount's earnings for the first quarter, this year, are expected to run well over $1,000,000, despite losses on certain high cost pictures.

By arrangement with subsidiaries in Florida, Minnesota, New England and banks, Paramount has authorized the redemption of another $2,750,000 of its outstanding 6 per cent debentures, due in 1955. They are being called at par plus accrued interest on April 17. On Feb. 20, $5,000,000 of the debentures were redeemed by arrangement with B. & K. and Chicago banks and also use of company cash reserves.

Balance of Paramount's outstanding six per cent debentures after the April redemption will amount to $1,750,000. Indications are that retirement of the balance will be authorized in the near future. Redemptions already authorized this year represent annual interest savings to the company of approximately $250,000.

London Confirms New Film Plans by Korda

London, March 19.—A public announcement by London Films over the week-end confirmed that Alexander Korda Productions, Ltd., has been formed to produce for United Artists, as published in Metro's Picture Daily on Friday.

The new company has a loan and share capital of $2,600,000. Korda continues as chairman and managing director of London Films, Stars associated with Korda Productions will include Laurence Olivier, Vivian Leigh, Sabu, and Ralph Richardson.

Practice Pact Unchanged by Myers Parley

Both Sides May Make New Suggestions

Industry trade practice program remains unchanged following the two days of conferences, Thursday and Friday, between company lawyers and Abram F. Myers, claims general counsel of Allied States, on the latter's proposals for amendment of the program.

It is understood that both sides may make new suggestions at a later date in an effort to improve the effectiveness of the program's provision for arbitration, or other treatment of trade disputes, and to insure it against possible objections from the Department of Justice. Nothing definite is proposed along these lines, new meetings will be scheduled.

Plan, Attitude Unchanged

At present, however, both the status of the plan and the attitude of Allied toward acceptance or rejection of the program remain exactly as they were prior to the meeting of the lawyers. Nor did the discussions develop anything in the way of a solution of some

(Continued on page 9)

W.B. Advances 'Spy' Bookings in Crisis

Because of events abroad which tend to make "Confessions of a Nazi Spy" an extremely timely film, Warners have advanced the premiere of this film in New York, scheduling it for screening at the Strand on Broadway, April 7, directly after "Dodge City.

This is the earliest date available for the film at the Strand. The congestion in Warner booking caused by the "Spy" picture will be partly relieved by "Dark Victory" going into the Radio City Music Hall, April 28.

In the meantime, Warners will reopen the Hollywood, on Broadway as a roadshow house for "Journeys," on May 28.

Warners will thus be able to shift their releasing schedules and make available for immediate general release such films as "Kid from Kentucky" and "Roaring Road."

(Continued on page 10)

Insiders' Outlook

By SAM SHAIN

INDICATIONS of startling trade developments appear to be just around the corner.

Out of the study and discussion of trade practice procedure which have been occupying executive attention for some time, it is now beginning to appear that plans have been formulated which are likely to receive public expression in the near future.

These plans center about arrangements that would mean a radical departure in sales and selling. As nearly as can be learned now, decided preference is being given to that oft-time advocated scheme under which pictures would be completed and ready for screening before being offered for sale.

A distributor was ready to institute such a scheme months ago. The company delayed action because it did not wish to disrupt the trade practice discussions which were being held and in which it joined.

Now the matter has been revived.

Certain distributors with expensive pictures have considered a plan patterned after the British system. These companies have been holding off action because they do not want to jeopardize smaller companies which are not

(Continued on page 2)
Insiders’ Outlook

By SAM SHAIN

(Continued from page 1)

sufficiently strong financially to carry out a similar plan. The British system is not a self-regulation system.

Under the British law the distributor must trade-show finished pictures before selling. Block booking is not possible in Britain. Blind selling is illegal. Pictures must be shown before they are booked, and they are shown individually. Shorts and newreels weeklies come within the letter of the law.

Dispatches from Melbourne report a speech by H. G. Mienzes, who has just resigned as Commonwealth Attorney General, wherein he declares U. S. films tend to give Australians a wrong impression of America. Australians are portrayed in U. S. films as either dreadfully poor and living in slums, or in a state of splendid immorality, with entrance halls full of yards long and bathing girls on every terrace. It is little wonder, he concludes, that Australians fail to understand that the majority of Americans are honest, hardworking people like themselves.

We give you H. A. Cole, president of Allied States Association of Motion Picture Exhibitors. He writes as follows:

"I don’t know how it happens, but I have been rather consistently misquoted in the press-public files for the past week or so, and I notice particularly in your Thursday issue, March 16, statement is made that in a speech before the Finer Women’s Clubs of Boston I reiterated my proposal for abolition of block booking and all clearance between prior and subsequent runs."

"The facts of the matter are that, while the first statement as to block booking is entirely correct, there was not even a mention made in my talk before the ladies as to clearance. This is perfectly obvious to anyone who thinks of that matter, as to discuss such trade practices in any detail before a gathering of this sort would be positively silly."

"For some reason or other you have understood it, I think, to be making a great issue of a casual and perhaps fantastic idea, which I threw out for the matter of discussion, and that is that one of no clearance."

The clearance situation practically everywhere throughout the States is a mess, and for the purpose of discussion and with the idea that some constructive new features might be brought forward, I threw this on the table with the expectation that it might bring strong thought. I have not ever laid this down as a cure-all or as a definite and final conclusion."

To commemorate the 70th anniversary of the completion of the first transcontinental railroad, Cecil B. DeMille, who recorded this event in his forthcoming picture, "Union Pacific," is distributing polished gold spikes mounted on a walnut base, which may be used as paper weights. This is expected to stimulate the famous spike drive at Promontory Point, Utah, when the Union Pacific met the Central Pacific.

Visitors to the Fair and residents also should know that it makes a difference in the fare, whether the driver’s clock is only partly down or all the way.

After two days spent at the M. P. D. A. headquarters the publicists hired to serve the defendants in the pending antitrust suit, we understand, are now fully equipped to inform the public about the business.

Exhibitors around the country are receiving copies of Howard Spring’s book, "My Son, My Son," through an arrangement. Lynn Farnol has made with the Viking Press, publishers.

Just for the record: Pando Berman’s contract with RKO has 13 months to go. There has been no revision of the terms.

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New License Bill Offered at Albany

ALBANY, March 19.—Senator Cout-
edy, New York City, has introduced legislation concerning the Business Law in relation to the sale of theatre admission tickets. The Coutedy measure sets up license commissioners in cities for the trade of motion picture dealers and o. Secretary of State. The commission- ers would be empowered to question theatre managers and employers about business matters.

The Webb bill calling for a referendum by villages on Sunday motion picture shows has been read to a third reading and is scheduled for vote in the Assembly next week.

Boules Is Named as Skouaras Drive Head

Arch M. Boules, National Theatres division manager at San Francisco, has been put in field control of the circuit’s Spyros Skouaras Showmanship Drive, which starts April 1 for 13 weeks.

More than 15,000 in cash prizes will be awarded to winners in the field. The campaign is patterned after the Hollywood Theresa Drive, and Boules will head a “flying squadron” which will hold divisional meetings during the campaign.

Rules and regulations were set up by a committee including W. T. Povers, J. S. Sullivan, Harry C. Cox, Sumner Grammes, Ed Zakel and Milt Hossfield. This committee will continue to serve in an advisory capacity.

Top o’ the Mornin’ To You—From ‘U’

W. A. Scully, Universal general sales manager; F. J. McCarthy, All-Time sales manager; and Bernard ("Killarney") Kreisler, Washington branch manager, were responsible for the all-time low cost of a green that colored the town last Friday.

Cards accompanying the green carnations the trio distributed throughout the country were stamped as a “Com- mercial.” The cards read: "Top o’ the mornin’ to you! Begorra, You Can’t Chase Williams, manager of Three Smart Girls’ ‘East Side of Heaven’!"

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Indictment Refused

In Bingo at Jewel

N. Y. County Grand Jury refused Friday to return an indictment against changes in the management of the Jewel, Manhattan, in connection with a Bingo game given by N. Y. Allied and Harry G. Kosch, its counsel, fought the ease.

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Mexico Stage Seeks Government Subsidy

Mexico City, March 19.—So hard the local theatre by the screen and radio that a group of stage players have asked the federal government to provide a subsidy to assure that the theatre in Mexico, particularly in its lighter phases, shall not pass out of vogue.

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MOTION PICTURE DAILIES

Monday, March 20, 1939

New License Bill Offered at Albany...

Boules Is Named as Skouaras Drive Head...

Top o’ the Mornin’ To You—From ‘U’....

Indictment Refused

In Bingo at Jewel...

Mexico Stage Seeks Government Subsidy...
Nothing Can Stop Us!

No One Can Top Us!

Coming right up!

John (The Great) GARFIELD in Blackwell's Island

Business going on as usual!

Fourth week now of special demand engagement at Globe, N.Y.! And there's a big fifth coming up as national release starts this week!

WARNERS for Action!
WARNERS for the Hits!
WARNERS for Fairness!

with

ROSEMARY LANE • STANLEY FIELDS
Directed by WILLIAM McGANN • Screen Play by Crane Wilbur • Original Story by Crane Wilbur and Lee Katz • A First National Picture
MGM Convention
Hears Dietz Talk
On New Ad Plans

(Continued from page 1)

convention marks Metro's 15th anniversary.

It has been revealed that on Wednesday, which will be the closing day of the convention, Metro will give about 500 exhibitors of the Chicago exchange area at a luncheon party, celebrating the company's new plans.

Dietz declared the company has set the largest appropriation for advertising in the history of the company. More than $2,500,000 will be spent, the expenditure going into every sizable city in the country.

**Inaugurated Surveys**

Newspapers will receive even greater emphasis than last year, Dietz said, when over $1,000,000 was spent in that medium. There will also be campaigns in magazines, direct-mail, billboards and trade papers. A total of 30,000 copies of a special publication will be distributed through theatres directly

"We have inaugurated a series of cross-question surveys to determine the proper appeals based on public sentiment," Dietz said. "While we do not pretend to have found absolute scientific basis for these surveys, due to the variability of interest depending on styles of releases, we have found that M-G-M has just the first 50 stars with drawing power. We also learned that 98 people out of 100 know that the appearance of the lion signifies an M-G-M picture and also that they like the lion. We like it too."

Dietz declared that the day of wildcat publicity ballyhoo is over, and nothing designed to cheapen films or vulgarize aspects of American life should be encouraged. "Selling entertainment is a matter of providing a good information service to satisfy the already existing appetite for motion picture news."

**Deeclis Novelty Stunts**

The executive decreed novelty stunts to exploit pictures today which, he said, passed out when the films emerged from the mere novelty stage. Now they are adult and worthy of serious discussion in all critical circles. "This doesn't mean that there is room for amusing innovation or imaginative publicity."

Other members of the M-G-M promotional staff who addressed the convention today were Silas F. Seidler, William Ferguson, Herbert Morgan, of the booking; Howard Strickling, Frank Whitebeck and Barrett Kiesling of the studio. Strickling arrived by plane today from San Francisco. Rodgers will announce the company's scheduled product for 1939-40 tomorrow.

**Irish Imports Gain**

London, March 19.—A total of 676,188 feet of film were imported into Eire in January, 1939. This compares with a January, 1938, total of 637,088 feet.

**Executives at M-G-M Sales Meeting**

\[ Image of executives portraits. \]

**Wobber Is on Coast For Product Parley**

Hollywood, March 19.—Herman Wobber, 20th Century-Fox general sales manager, is scheduled to return here from San Francisco on Monday for final conferences on the 1939-40 program.

Darryl F. Zanuck plans to attend the premiere of "The Story of Alexander Graham Bell" in San Francisco March 29. He plans to fly from there to Chicago to attend the company's sales convention opening March 30. Joseph M. Schenck, chairman of the board, also plans to attend the convention and then continue to New York.

**Grainger Sets Four "Conquest" Openings**

James R. Grainger, Republic president, has set four Texas premieres of "Man of Conquest" to take place within three days. He arrives today from a coast conference and a field trip. H. J. Yates arrived yesterday from the studio by plane.

The Texas openings will be at the Majestic, Houston, April 6; Atec, San Antonio, April 7, and Majestic, Dallas, and Worth, Ft. Worth, April 8. Total of 30 key dates on "Man of Conquest" were set by Grainger during his trip.

**Jersey May Show Way To Film Goes Heaven**

Film houses will be soothing and restful Valhallas if Dr. William Lewis, chairman of the English department at Queensville High School, Newark, N. J., has his way. Dr. Lewis, who is a member of the Finer Films Federation of New Jersey, and who teaches play-pay appreciation in his high school classes, recently introduced a resolution before the Federation calling for a campaign to teach audience behavior in schools and colleges. The resolution was adopted unanimously.

Apropos of that, Dr. Lewis received this gem from one of the students in his photoplay-appreciation classes: "The day of bloodless proscription is here for him who does not follow these commandments of audience behavior: (1) He who cheers and jeers shall not be (2) He who masticates his candy or gum aloud shall chew no more (3) He who foetor the coming events shall be muzzled (4) He who disturbs his neighbor unduly by walking in and out shall walk his last mile (5) He who squirms in his seat shall squirm no longer (6) He who gossip shall be silent forever (7) He who rattles candy paper shall be anathetized (8) He who bares exces plumage shall be decapitated (9) She who brings her whitening child to the movies shall know there is no place like home (10) They who exhibit their affections publicly shall find a more suitable place."

**Offer Compromise On Sunday Stage Shows During Fair**

Legitimate stage producers have promised a committee from Actors' Equity that there would be no advance in prices for Sunday shows during the World's Fair if Equity waived its requirement for double pay. League of N. Y. Theatres requested the union to permit Sunday shows during the Fair because of the unusual situation presented when millions of visitors are expected in New York.

Other assurances given were that shows would play only six days, with one weeknight off, and that some of the major hits might not take advantage of the waiver. It was pointed out that since hit shows are selling out during the weekdays, there would be no advantage in Sunday performances.

Sentiment in Equity has always been against Sunday shows on the ground that surveys proved that there was no demand for them. The League is arguing that the Fair presents a special set up and that a test should be made. Producers present at the meeting commented that Equity committee members had indicated more interest in the proposal than it has evoked since the law permitting such shows had been passed. It was pointed out, however, that the meeting was informal and that nothing definite could be heard until Equity's council passes on the report tomorrow. Final action must wait until the quarterly meeting at the Hotel Astor Friday.

**DAILY**

Monday, March 20, 1939
A FRIENDLY GREETING to the entire motion picture industry! May success come to all of us!

TO OUR CUSTOMERS whose faith has enabled us to go ever forward we pledge another year of great M-G-M attractions and of sincere effort to be worthy of our name, THE FRIENDLY COMPANY!

Now in Convention at Chicago on the 15th Anniversary of Metro-Goldwyn-Mayer

(SEE NEXT PAGE)
THAT CHICAGO BLAZE WAS JUST A BONFIRE COMPARED TO THE FIREWORKS GOING ON NOW!
WAIT TILL YOU READ THAT 1939-40 LINE-UP TOMORROW!

Each year of M-G-M has been greater than the previous one. Now comes our 15th Anniversary Year. It will even surpass the current crop of box-office record-breakers!

$MONEY $MONEY $MONEY

"Boys, you did okay with these but you ain't seen nothin' yet!"

"BOYS TOWN", Spencer Tracy, Mickey Rooney.
"THREE LOVES HAS NANCY", Robert Montgomery, Janet Gaynor, Franchot Tone.
"TOO HOT TO HANDLE", Clark Gable, Myrna Loy.
"STABLEMATES", Wallace Beery, Mickey Rooney.
"YOUNG DR. KILDARE", Lew Ayres, Lionel Barrymore.
"THE GREAT WALTZ", Luise Rainer, Fernand Gravet, Miliza Korjus.
"THE SHINING HOUR", Joan Crawford, Margaret Sullavan, Robert Young, Melvyn Douglas.
"OUT WEST WITH THE HARDYS", Mickey Rooney, Lewis Stone.
"SWEETHEARTS", Jeanette MacDonald, Nelson Eddy.
"STAND UP AND FIGHT", Wallace Beery, Robert Taylor.
"IDIOT'S DELIGHT", Norma Shearer, Clark Gable.
"FOUR GIRLS IN WHITE", Alan Marshal, Florence Rice.
"HONOLULU", Eleanor Powell, Robert Young, George Burns, Gracie Allen.
"PYGMALION", Leslie Howard, Wendy Hiller.
"THE ICE FOLLIES OF 1939", Joan Crawford, James Stewart, Ice Follies Troupe.
"SERGEANT MADDEN", Wallace Beery.
"BROADWAY SERENADE", Jeanette MacDonald, Lew Ayres, Ian Hunter, Frank Morgan.

—And watch for these:

THE FRIENDLY COMPANY
Substitute Trust Suit Defendants

Department of Justice has served motion papers for the substitution of James Roosevelt and other active industry officials in the government's anti-trust suit. Hearing will be held before Federal Judge William Bondy Friday but no opposition has been filed as the substitute suit has been agreed upon. Action was reported in Motion Picture Daily on March 15.

Involves Approval

This circumstance will involve, first, the approval of the new RKO directors, Judge William Bondy, who has jurisdiction over the RKO reorganization, and later approval of the Government's motion to substitute those directors for the former ones, as Judge Bondy also is conducting hearings on the anti-trust suit. The substitution being made by motion of the Government, probably today, eliminate James M. McVey, Douglas Fairbanks, Mark Pickford, Chaplin, Samuel Goldwyn, D. A. H. Giannini, Charles Schaefer and Lloyd Wright. In addition to Roosevelt, Charles Schwartz, Emanuel Silverstone and Theodore Caruso are substituted as United Artists directors. Roosevelt replaced McVey on the United Artists board as Goldwyn's representative; Schwartz, an attorney for United Artists, is Chaplin's representative on the board; Silverstone is Korda's representative and Caruso is Miss Pickford's board representative.

Changes in the old RKO defense will be Edward L. Weil, attorney and board member, for Charles A. McCulloch, former director, and George L. Bagall for Henry Herzbrun. In addition, defendants H. A. Fortington and Harry O. King, former directors, are dismissed. Henry K. Winthrop will be substituted for William A. Phillips, whom he succeeded recently on the Loew's board of directors.

Reason for the substitutions is that either injunction or consent decree, if won by the Government, would be drawn to restrain active company officers from practices complained of in the anti-trust suit.

Bondy Signs U. A. Order

Federal Judge William Bondy signed a formal order Friday permitting the Government to examine the United Artists group of defendants before trial. He struck out provisions for the immediate examination of Harry P. Muller, treasurer; and Edward Ward, executive secretary, and directed the Government to issue separate five-day notices for each defendant it seeks to examine.

New York Review

"Three Smart Girls Grow Up" (Universal)

Seventeen is an age at which anything might happen, as Booth Tarkington proved, and in "Three Smart Girls Grow Up" it does. Deanna Durbin seems to that amid hilarity, heart tags and homespun philosophy thinly disguised as semi-sophistication which ought to bring happy box-office results.

Deanna Durbin fulfills the promise of having a real voice. Charles Winninger fulfills the threat of being a real father, despite an absent-mindedness that would put any professor to shame. Bruce Manning and Felix Jackson, two of the original screenplay, prove that sequels may carry on entertainingly and in some respects outpace the original.

In addition there is Robert Cummings, tall, dark and handsome, of whose aplomb is pleasingly colossal and whose acting in several trying but exceedingly funny scenes is fine. William Lundigan has the necessary looks and personality.

Nan Grey and Helen Parrish are all to be desired as later editions of the other two smart girls. Nella Walker is just as satisfying as the mother grown a bit older and Ernest Cassett as the butler, with a little less to do, does that quite handsomely. The plot is an ingenious variation of the original. In this case Deanna as Penny Craig saves her sister Joan (Nan Grey) from marrying the wrong man. With one hand she throws Joan into the arms of the man she was meant for while with the other she tosses sister Kay (Helen Parrish) smack into the arms of the man from whom she had snatched Joan.

It is all done with a charmingly hilarious ease, thanks to the direction of Henry Koster. Deanna, Nella and John Lit人寿 are the highlights of which is "The Lost Rose of Summer," sung to her father at bedtime in a splendid scene. Winninger deserves more than passing mention. His father is one that will make all film fathers step fast to even approach him in sincerity and humor.

Running time, 90 minutes. "G."+*G* denotes general classification.

Branch Managers of Col. Meet This Week

A meeting of Columbia branch managers will be held in Chicago next Thursday and Friday. Abe Schwartz, general sales manager, and Rube Jackler, assistant sales manager, leave New York tomorrow to attend the meeting in Chicago.

Others at the session will be Sam Moscov, southern district manager; Walter Anderson, Atlanta branch manager; Bob Ingram, Charlotte; Jack Underwood, Dallas; James Rogers, Memphis; Charles Gibbs, Oklahoma City, and Houston Duvall, New Orleans.

Reconsider "Scipio"

MEXICO CITY, March 19.—Confederation of Mexican Workers has consented to reconsider all Mexico exhibition ban it placed several months ago on "Scipio Africans," the Italian-made picture, which it considered to be Fascist propaganda.

Report American Killed

BUDAPEST, March 19.—Peter Lissiuk, who went to Husti, capital of Carpatho-Ukraine, will be called Lissiuk, head of Difino Film Co. of New York, was reported killed in street fighting there. They had gone to take films of new Ukraina for distribution in the United States.

Difino Films produce films for U. S. Ukrainian houses. Mrs. Zina Lissiuk, mother of the boy, stated over the weekend that report of his death had not yet been confirmed.

Universal to Elect All Officers Today

All officers of Universal Pictures will be reelected at the meeting of the company's board of directors here today. J. Cheever Cowdin, board chairman, will leave for the coast tomorrow for a visit of several days at the studio prior to starting a vacation of several weeks, which he will spend in the west.

Officers slated for reelection are, in addition to Cowdin, N. J. Blum-berg, president; W. A. Scully, Cliff Work, Matthew J. Fox, Charles D. Prutzman and J. H. Seedman, vice presidents; Samuel Machovitch, treasurer, and Peyton Gibson, secretary.

‘Lunatic Fringe’ Is Made Basis of Suit

Suit for $5,000,000 damages for libel and violation of the N. Y. Civil Rights law was filed on Friday by Gerald L. K. Smith, generally regarded as the successor to Hurey P. Long, against March of Time, Inc., RKO Radio Pictures, Inc., RKO Film Booking Corp., RKO Film Theatres, Inc., New Yorker Theatre, Inc., Rockefeller Center Inc., the Warner Bros., Inc., and the other. Smith claims to have been libeled in a March of Time film called "The Lunatic Fringe," in which he was ridiculed, depicted as an American Hitler and described as the leader of Fascist and anti-Semitic forces.

MAN OF CONQUEST

RICHARD DIX • Gail Patrick • Joan Fontaine
Edward Ellis • Cast of thousands! • A Republic Picture

AMERICA - FIRST, LAST - ALWAYS!
**Hollywood Preview**

**"I'm from Missouri" (Paramount)**

**Hollywood, March 19.—** Constructed in such a manner as to keep Bob Burns steadily before the lens and uttering, somewhat more swiftly than is his habit, in which he specializes, "I'm from Missouri" is dependent in unusual degree upon the personal popularity of the principal character. In areas where Bing Crosby's radio use of the comedian has built for him a wide following, showmen would appear justified in expecting exploitation focused upon his voice to bring in the type of audience which the picture best. It is more expensively mounted but less rounded offering than "The Arkansas Traveler."

"I'm from Missouri" is derived from stories by Homer Croy and Julian Street. The screenplay by John C. Moffit and Duke Atterbery is episodic. The result of their collaboration reminds, at different times, of two stories used with great success by the late Will Rogers, "State Fair," and "A Connecticut Yankee at King Arthur's Court." Mr. Burns' performance is a deal more hurried than were those of the beloved homespun humorist or his own previous screen portrayals. Paul Jones is down as a potentially valuable musical guest.

Glady George plays the wife of the leading character satisfactorily. E. E. Clive, Melville Cooper and Gene Lockhart do well in comedy assignments sharply subordinated to that of the star comedian. The plot involves a?lso to Miss Burns, who goes to London to sell Missouri corn to the British Government and succeeds, after complications ranging from the realistic to the ridiculous, in doing so.

Running time, 77 minutes. "G."†

†"G" denotes general classification.

**Trade Practice Plan Unchanged by Myers**

(Continued from page 1)

of the problems which distribution Which it is in the Department of Justice to decide the impact of the regulations, so the Commissioner will have the same due process as before and he will have no idea what little value he will place on the rule, so that is the decision of the Commissioner. The problem of the practices and the problem of the regulations is on the table. As soon as he has a rule, he can come to the Attorney General and they can submit their differences to arbitration and that is conceivable that in a large number of instances one or both parties will refuse to arbitrate.

**Legality in Doubt**

Also, as indicated recently by Sidnev R. Kent, distributors have no assurance that the application of a regulatory program would not be a violation of the anti-trust laws and will have no such assurance unless the Commissioner of Justice is willing to answer them on the opinion.

Indications are, however, that with the return to New York of Kent and William E. Rodgers, heads of the distributors' negotiating committee, efforts to solve these problems will be renewed.

**To Appoint New Pa. Censor Board Today**

HARRISBURG, March 19.—Governor James has announced that he will appoint a new board of motion picture censors tomorrow. The three retiring members, Mrs. A. Mitchell Palmer, Mrs. Hester M. Fry and Patrick A. Duffey are Democrats and may be replaced by Republicans.

**Bank Night Bill In Wisconsin Fought**

MADISON, March 19.— Protest against the bill to ban chink dances was lodged before the Senate Judiciary Committee, E. C. McCarthy, representing the Bank Night Association, and Charles F. Puls, Jr., Stan-


**‘Pygmalion’ Boston Lead With $35,500**

BOSTON, March 19.— "Pygmalion" on a dual with "Let Us Live" at the two Loew houses, Orpheum and State, took a neat $35,500 total for the week, $19,000 and $16,500 in that order.

"You Can't Cheat an Honest Man" and "Beauty for the Asking" took second money, $16,500 at Keith Memorial.

Estimated takings for the week ending March 15:

"Navy Secrets" (Para.)
"Kumgo" (Fox) (3 days)
"King Kong" (Fox) (3 days)
"Wife, Husband and Friend" (20th-Fox) (7 days)
"The King of the Underworld" (W.B.) (7 days)
"The Little Realms of the Underworld" (W.B.) (7 days)
"That's My Man" (20th-Fox) (6 days)
"Panzer" (RKO) (6 days)
"Peggy" (M-G-M) (4 days)
"Let's Go" (20th-Fox) (4 days)
"The Woman's Secret" (RKO) (4 days)
"Here's your War" (Para.) (4 days)
"The Little Realms of the Underworld" (W.B.) (4 days)
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**‘Society’ $11,000**

CINCINNATI, March 19.— "Cafe Society" took $11,000 at the RKO Albee in a dull week, with rain and cold temperatures, few attendances. "Let Freedom Ring" drew $9,000 at the RKO Palace, and "The Beachcomber" took $5,000 on its second week at the RKO Shubert.

Estimated takings for the week ending March 16:

"Cafe Society" (Fox) (3 days)
"Let Freedom Ring" (20th-Fox) (3 days)
"The Little Realms of the Underworld" (W.B.) (3 days)
"Wings of the Navy" (W.B.) (3 days)

**‘Czech Manager for 20th-Fox Now Here’**

L. Brandfield, branch manager for 20th Century-Fox at Prague, head office of which was Czechoslovakia, has been in New York for the past week. He arrived here to confer with Walter J. Hutchinson, headon, on problems created by Nazi annexation of the Sudetenland. With complete dismem-berment of the country, Brandfield will be given a new assignment and plans are being made to bring his family here.

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**Bank Night Bill In Wisconsin Fought**

Ottawa Committee Asks CBC to Defer Radio Beer Ad Ban

OTTAWA, March 19.—The Radio Committee of the House of Commons has suggested to the Canadian Broadcasting Corporation that a broadcast on its radio advertising ban.

In the original motion CBC was “instructed” to defer action. The word “instructed” was changed to “urged” by Committee member Vincent Dupuis warned CBC that the issue might “explode” at the spring meeting of the broadcasters and that forced CBC would continue advertising from American stations causing Canadian broadcasters to lose money.

Arthur Slaght, another member of the committee, supported Dupuis. He declared that interference with property and civil rights was beyond Parliament’s power.

Labor groups in Montreal and Quebec have announced they will begin advertising on the ban.

The issue will be thrashed out tomorrow at a conference between CBC officials and representatives of the protesting groups.

Second Lasky Series Seeks Singing Talent

LOS ANGELES, March 19.—Jesse Lasky has announced that the second 13-week stretch of the “Gateway to Hollywood” program, which is conducting on CBS for the RKO Studios and Wrigley Gum Co., will seek juvenile and singing talent for the RKO lists. The statement substantiates the statement which appeared in MOTION PICTURE DAILY recently in the effect that the second cycle of programs would seek singing and musical talent, rather than dramatic play, for the new faces.

Lasky has increased the number of talent hunting units from two to three to cover more territory for new faces.

WCOA to Join NBC Network on April 30

WCOA, Pensacola, Fla., will join NBC on April 30 as a supplementary station available to advertisers using the Red and Blue networks and only in combination with WALA, Mobile, Ala. Also on the same date, WALA will cease to be available in the area.

WCOA is owned by the Pensacola Broadcasting Co., and operates on 1,340 kilocycles, 1,000 watts day, 500 watts night.

Renew Energine Show

Energine Spelling Bee, conducted by Paul Wing and heard on the Red Network Sundays from 5:30 to 6 P.M., has been renewed for another 13 weeks, according to Dick Porton of the Stack-Goble agency. Cummer Products Co. is the sponsor.

Delay Power Change

CINCINNATI, March 19.—WCKV’s change in power from 10,000 to 50,000 watts will not take place for approximately 60 days, pending completion of new transmitting equipment.

Radio Personalities

TOMMY DORSEY and band will talk in Florida for one week, from March 30 to April 5. Gene Krupa’s band will substitute for Dorsey’s orchestra on the latter’s air show March 20. Warren Jennings has joined the New York sales staff of Transcontinental Broadcasting & Television... Lewis Allen Weiss, general manager of Don Lee network in California, is in town for several days... Frank Scherker, Mutual’s Chicago publicity man, arrives today... Ed Dukoff has added the Moth-Proof Corp. to his list of clients and will leave for Hollywood in a few days on business for the new client.

FCC Calendar

WASHINGTON, March 19.—Broadcasting applications pending before the Federal Communications Commission were today assigned for hearings, as follows:

March 21: Application of Southern Oregon Broadcasting Co. for a new 1,310-kilocycle, 100-watt station at Grants Pass, Oreg.

March 22: Applications of Copper Country Broadcasting Co. for a new 1,370-kilocycle station at Hancock, Mich., with 100 watts night, 250 watts day, requesting facilities of WHDF in part, and WHDF, Calumet, Mich., for extension of time from specified hours to unlimited.

April 17: Application of WSUI, Iowa City, Ia., for increase of power from 50,000 to 100,000 watts day, 1,000 watts night, 5,000 watts day.

April 24: Application of WQDM, St. Albans, W. Va., for extension of time from March 11 to April 18, for change of frequency from 1,130 to 1,120 kilocycles.

May 10: Applications of KOH, Reno, Nev., for change of frequency from 1,050 to 1,060 kilocycles; and for increase of power from 500 to 1,000 watts, and KBYO, Phoenix, Ariz., for change of frequency from 1,300 to 550 kilocycles.

Hearings Ordered

Application for a change of frequency from 1,500 to 570 kilocycles and increase of power from 100 to 1,000 watts has been filed by KUTA, Salt Lake City.

The commission announced that hearings had been ordered on the applications of the Brown County Broadcasting Co. for a 990-kilocycle, 1,000-watt daytime station at Brownsville, Tex., and WNBC, New Britain, Conn., for increase of night power from 250 to 1,000 watts.

Hearings will also be ordered on the applications of WCBA and WSAN, Allentown, Pa., for voluntary assignment of licenses to the Lehigh Valley Broadcasting Co., and WJNP, West Allis, Wis., for extension of time to determine whether granting of the applications to consolidate the stations would result in additional touches of broadcasting in Allentown. Hearings are to be held in the Pennsylvania city, if the commission’s budget permits.

CBS Closes Deals For 2 New Series

A number of renewals and contracts for two new series were closed at CBS over the weekend.

Household Finance Co., sponsoring Edgar Guest’s series, “It Can’t Be Done,” has been renewed for one year. Series is broadcast over a web of 30 stations on Wednesdays from 10:30 to 11:30 P.M. The effective date is April 30. Batten, Barton, Durstine & Osborn handles the account.

“Grand Central Sketches,” broadcast over a 50 station hookup on Fridays from 10 to 10:30 P.M., and sponsored by the Lambert Co., has been extended for another year, effective April 28. Lambert & Feasley placed the extension.

Program plans for the forthcoming new series for the George Hornell Co. have been completed. Show will be titled “Musical Romance, with Eddie Foy, Jr., and starting April 3, the series will be broadcast three times weekly, Mondays, Wednesdays and Fridays from 11 to 11:15 A.M. over a 22-station hookup. Program will originate in the studios of KNX, Hollywood. The contract, for one year, was placed by Batten, Barton, Durstine & Osborn.

Brown & Williamson Tobacco Co. has ordered a new series which will be heard over a seven-station hookup on the CBS Pacific network. The series will be a news and sports commentary series, with John Hughes officiating. Russel M. Seeds & Co. is the agency.

Juilliard Transfer To CBS Studios Set

CBS has completed plans for the transformation into radio studios of the Juilliard Musical Foundation Building, recently acquired by the network and located across the street from the network headquarters at 485 Madison Ave.

Present plans contemplate two studios which will seat more than 300 persons in a single session. The building will have dressing rooms, lounges and similar facilities.

Bill in Mo. Relieves Station of Liability

JEFFERSON CITY, Mo., March 19.—A bill in the Senate here would relieve the owner of a broadcasting station of liability for defamatory statements made by political candidates. The bill was referred to the Judiciary Committee.

New Dance Show on CBS

A gala dance band program, yet until, will succeed “This Is New York,” which is vacating the 8 to 9 P.M. slot on Saturdays. The new show will feature dance bands which record for the American Record Corp., the CBS affiliate. CBS is now in the process of negotiating a band for the programs of March 26, April 2, 9 and 16.

Wood Is Signed

Barry Wood has been re-signed to one year contracts by the CBS artists’ bureau and by the Brunswick Recording Co.
**New York Previews**

**"Rough Riders Round-Up" (Republic)**

"Rough Riders Round-Up" is a well-balanced roundup of hard riding, gun fights and laughs. Mary Hart adds a delightful feminine touch as the pert, spoiled daughter of a mine owner. It is a western with plenty of pace and should please any film action audience.

After the Spanish-American war, a troop of Rough Riders headed by Roy Rogers and Raymond Hatton decide to join the Border Patrol in Arizona. Their efforts to capture Arizona Jack (William Pawley) are thwarted by border regulations which prevent the pursuit from pursuing their quarry into Mexico. However, Rogers and Hatton are suspended from duty after a melee and they are free to cross the border.

Mary is captured during a holdup by Arizona Jack, and Roy, who sets out to rescue her, is also trapped by the bandits. When the former Rough Riders learn of the danger, they disregard orders and cross the border to make the capture.

The film is enlivened by several stirring ballads, one of which takes place over a box of dynamite.

Rogers contributes several songs and Hatton provides some comedy on a fast stepping mule. Associate producer Joseph Kane directed.

Running time, 58 minutes. "G."  

*"G" denotes general classification.

**The Puritan**

(Loewer International)

The sordidness and incident detailed exposition of the commission of a crime make this French production of the Liam O’Flaherty story unsuitable for general exhibition. A very limited number of theatres specializing in foreign film bookings and having a strictly adult patronage might, with discreet advertising, present this picture without doing serious harm either to themselves or to the industry as a whole.

However, it requires no great imagination to foresee what encouragement of censorship would follow any widespread exhibition of this picture.

The story centers about a murder committed by a zealot in the belief that his crime was necessary to the salvation of certain individuals. The fanatic’s reactions and the detection of the crime by the authorities complace the greater part of the story and picture.

The camera follows the half-crazed, then drunken fugitive, from street walker to street walker and brothel to brothel for what must be half the length of the film. It is psychopathic rather than psychological drama and has about the same elements of entertainment as may be found through a visit to a Criminal Courts building.

Action, direction, photography and English subtitles are all commendable. Jean-Louis Barrault, as the fanatic, and Pierre Fresnay as the police inspector, give particularly fine characterizations.

Incidental photographs are handled, although the French dialogue and the distinct French mannerisms of the cast are a little confusing in characters bearing such names as "Kelly," "O’Leary," "Burke" and so on.

Running time, 85 minutes. "A."  

*"A" denotes adult classification.

**Pygmalion’s Denver’s Best With 11,000**

DENVER, March 19 — "Pygmalion" and "The Sorcerer" at the Orpheum led the parade here, with a gross of $11,000. "A Reese, "The Eagle and the Hawk," was strong at the Denver, with $8,400. "They Made Me a Criminal" and "Nancy Drew," at the Paramount, took $4,000.

Estimated takings for the week ending March 15:

- "Wife, Husband and Friend" (20th-Fox):
  - ALADDIN—($4,000) (25c-40c), 7 days, 2nd week. Gross: $3,000. (Average: $1,500)
- Loss and Least" (M-G-M):
  - BROADWAY—($1,000) (25c-40c), 7 days, 2nd week. Gross: $2,000. (Average: $500)

- "The Eagle and the Hawk" (Paterson):
  - DENHAM: $6,000. Gross: $4,000. (Average: $1,333)

- "Wings of the Navy" (M-G-M):
  - DENVER—(25c) (25c-35c-50c), 7 days, Gross: $4,000. (Average: $666)

- "Pygmalion" (M-G-M):
  - BROADWAY—($2,600) (25c-35c-40c), 4 days, Gross: $1,500. (Average: $1,000)

- "Metos’s Last Warning" (20th-Fox):
  - LOEW’S—(750) (25c-35c-40c), 7 days, Gross: $4,000. (Average: $1,000)

**Duchin Band and “Votes” $19,500 Cleveland Draw**

CLEVELAND, March 19—Eddie Duchin, the popular leader of the RKO Palace, where "The Great Man Votes" was on the screen, taking $19,500.

"Stagecoach" made a good showing at Loew’s in Cleveland, the picture moves over to Loew’s Stickman for a continued run. "Fast and Loose" at Loew’s took $4,000. "Wings of the Navy" at Loew’s Stickman with $11,000 at Warmer’s Hippodrome. Estimated takings for the week ending March 15:

- "Gunna Din" (RKO):
  - ALLEN—($0,000) (25c-35c-40c), 7 days, 3rd week. Gross: $3,000. (Average: $500)
- "Wings of the Navy" (W. B.):
  - WARNER’S HIPPODROME—($3,000) (25c-35c40c), 7 days, Gross: $11,000. (Average: $216)

**Killed in Plane Crash**

OCELA, Fla., March 19—E. F. Thomson, manager of the San Marco Theatre, in Jacksonville, was killed in an airplane crash here.

**Bill in Rhode Island Amends Sunday Law**

PROVIDENCE, March 19 — On the last day for the introduction of new bills in the Rhode Island General Assembly, Senator Henry R. DiMascio, introduced a bill amending the Sunday law, changing the opening hour from 2 P. M. to 1 P. M.

**Has New Sound Channel**

ERPI, in collaboration with the sound department of M-G-M, has designed a new portable sound recording channel for location work which is claimed to weigh 84 per cent less than equipment now in use.

**Mexican Extras Organize**

MEXICO CITY, March 19—Mexican extras working on the film "Amarillo 3,480," have organized their first national union. These players average a $40 to $80 salary, and they have formed a club for the support of the union.

**Club Dance March 25**

OMAHA, March 19—Annual spring dinner-dance of Variety Club of Omaha, Tent No. 16, will be held March 25, at Hotel Fontenelle.

**Study Milwaukee’s Theatre Clock Bill**

MILWAUKEE, March 19—Common Council Judiciary Committee has referred to the special citizens’ committee a bill making it necessary to install illuminated clocks.

R. A. Tesch, business manager for the Independent Theatres Protective Association of Wisconsin, appeared against the proposal, maintaining it would be an expense to exhibitors to install the clocks and that they would distract attention from the screen. Alderman Kaluga’s reason for introducing the ordinance was the contention that children remain too long in theatres because they do not know what time it is.
This unique advertising medium stands alone in many ways . . .

*It can be heard as well as seen . . .
It entertains while it’s selling . . .
It appeals to a hundred percent audience, reaching every person it is aimed at . . .*

And it is the only medium of advertising that you can absolutely control so that it reaches your prospects when you have them all together—in a buying mood.

A rare investment . . . a unique investment which sells seats at lowest cost per seat sold of any medium in the field.

*Prize Baby of the Industry!*
M-G-M Plans 52 Features For 1939-40

Rodgers Gives Program at Chicago Convention

CHICAGO, March 20—William F. Rodgers, M-G-M general sales manager, today, the second day of the company's annual sales convention at the Palmer House, announces that the company will have 52 features for 1939-40. Titles of 36 of the 52 were disclosed.

There also will be three films each in the "Judge Hardy Family" and "Dr. Kildare" series, and the remaining 10 will be chosen from a list of 19 properties which were also announced.

General convention sessions started today and will end tomorrow. A high-

James Names Only Single Pa. Censor

HARRISBURG, Pa., March 20—Mrs. Edna R. Carroll, vice-chairman of the Republican City Committee, Philadelphia, has been appointed chairman of the state censor board by Gov. Arthur H. James. The state had been without a censor board for about a week. The chairman's salary is $4,800 annually.

Governor James said the other members will be named later, one about May 1 and the third about June 1. In explanation, he said the retiring board left a financial deficiency, and there is not sufficient money to name all three at once.

"Dodge City" on NBC

Hollywood, March 20—Warner today made a deal with NBC for coverage of the opening of "Dodge City" at Dodge City, Kans., on April 1. Ninety stations will carry the program.

Dismiss 'Time' Suit

Justice Ferdinand Pecora in Supreme Court Friday dismissed the $50,000 suit filed by Leo Goldberg against Time, Inc. Goldberg claimed he had originated the idea for the screen March of Time.

"U" Signs Yohalem

Hollywood, March 20—Universal today signed George Yohalem as associate producer on a term contract. Yohalem had been assistant to William Anthony Maguire at M-G-M.

Like Father—

Hollywood, March 20—Years ago, Jesse Lasky, Samuel Goldwyn and C. B. DeMille were partners in the film business. Some time ago, Lasky's son, Jesse, Jr., joined DeMille's writing staff.

Today, his other boy, Bill, joined Goldwyn Productions as office boy for Sherman Todd, head cutter.

Silverstone Nearly Ready With U. A. 1939-'40 Program

Hollywood, March 20—Arrangements for the 1939-40 product announce ment of United Artists are nearing completion, according to Murray Silverstone, company head. Silverstone will leave for New York over the weekend. Attorney Charles Schwartz, who accompanied Silverstone there, leaves for the east tomorrow.

United Artists receives an extension of time to April 21 in which to file an answer to Samuel Goldwyn's action to have a non-exclusive releasing contract with the company substituted for his present exclusive agreement as a result of the transfer of the suit from the State Supreme Court to the Federal District Court. Order authorizing the transfer was signed by Justice Charles B. McFadden.

New NBC Program Policies Aims to Protect Children

Copies of the new NBC program policies—the first to be issued since the winter of 1934—have been mailed to a select list of agency and broadcasting executives, network clients, and members of Government bodies dealing with broadcasting, for private inspection and comment. Opinions expressed by these groups will be collated, and following revisions, the new policies will be issued publicly, possibly by early summer.

The document comprises 50 mimeographed pages, and is basically the same as the previous code of standards, excepting in the children's program division which, it is known, will be more stringently supervised than in the past. Other divisions covered include station and public relations, the various types of program permitted on the air, general program standards, the do's and don'ts for advertising agencies, etc.

Scripts on Child Programs

Children's programs, under the new provisions, will be presented in a manner consistent with respect for law and order and adult authority, and themes, by network cooperation, will stress good morals and clean living, fair play and honorable behavior. Other taboos in children's programs include no references to torture, horror, use of the supernatural, kidnapping, vulgarity. Most important provision, however, is the elimination of "cliff hanger"
Purely
Personal

NORMAN H. MORAY, head of Warners shorts sales, left New York Saturday for the coast. He will take part in conferences on the proposed shift of shorts production from New York to the coast.

J. CHEEVER COWIN, Universal board chairman, leaves for the coast by plane today. He has arranged a look for 10 studio apartments at the studio, then begin a vacation of indefinite duration in the west.

HARRY HUNTER, Paramount manager for Australia, did not arrive on the Monterey, which docked at San Pedro yesterday, as originally scheduled, but is coming by the next boat.

KATHLEEN MUNGER, Quigley Publishing Co. receptionist, has become engaged to WILLIAM O'CONNELL, employed in the New York City Park Department.

CHARLES L. CASANAVE, vice-president and general manager of National Screen Accessories, is in Chicago to address the M-G-M sales convention on advertising.

A. E. MEYER, general sales manager of International Projector, is visiting branches in the south and southwest. He will be gone about two weeks.

FRED BERTSON, executive vice-president of the Association of Motion Picture Producers, has returned to Hollywood from a month's vacation.

HARRY BURZBAUM, Jr., son of the 20th Century-Fox New York branch manager, has flown to the coast from Miami to look over production.

DOROTHY LAMOUR and EDGAR BERGEN left for Hollywood yesterday by train. Don AMECHIE flew back after his broadcast Sunday night.

F. J. A. McCARTHY, Universal eastern sales manager, is on a West Indies cruise from which he will return early in April.

ROBERT GILLHAM, Paramount advertising and publicity director, is expected back in New York in the next week or two.

PANDRO BERNON, RKO studio head, postponed his departure for the coast last weekend but leaves today by train.

MILT HOWE of 20th Century-Fox coast publicity department has returned to the studio from New York.

JOE PINEUS, 20th Century-Fox talent finder, is on a Hawaiian vacation following a trip to the studio.

C. E. K. MEES, vice-president of Eastman Kodak, has been named a fellow of the British Royal Society.

WARD MOREHOUSE, theatrical columnist for the Cincinnati Times & Star, is in Georgia today for his father who died in Georgia Sunday.

NICHOLAS M. SCHNECK, president of Loew's, is due this afternoon from Florida.

<INSIDERS' OUTLOOK>

By SAM SHAIN

PERHAPS you might be interested to know what some of the lads around the country are doing in the way of exploiting new picture stories. We looked over the rims of our tortoise shells, the other day, and caught a bird's eye view of some of the things being done.

In Minneapolis, for instance, we found the boys extending themselves in many ways. At the State, to boost "Cafe Society," the management distributed 1,000 smashproofs on cards in connection with the St. Patrick's Day opening of the picture. There were 25 4×6 sheets spotlighted around the town and broadcasts were arranged over WGN.

At the Century in promoting "The Beachcomber," there was a contest to select "doubles" for Charles Laughton and Elsa Lanternier. This was in cooperation with The Masquers, University of Minnesota drama organization. There were cash prizes and a few tickets given away. Additionally, the boys were kept busy stamping ads on the picture on the backs of checks in about 40 restaurants. Charles Zina, the manager, wrote letters to around 500 clubs, a picture, and restaurants and soda fountains around the city were persuaded to feature "Beachcomber" sundae and sandwiches.

To exploit "The Duke of West Point" at the Gopher, ads were put in high school publications and also in the Minnesota Daily at the University of Minnesota. The Minneapolis hockey team, the University of Minnesota hockey team, high school hockey coaches and members of the park board who handle the public skating rinks were invited to a preview. There were about 40 posters put up at the University of Minnesota. Employees of the theatre sent out several hundred letters to friends and there were tugs with Western Union and several jewelry stores on Bulova watches.

In connection with "Trade Winds" at the Orpheum, the boys went after business by ties up with beauty parlor and planted a pictorial comparison in the Minneapolis Star between Hedy LaMar and Joan Bennett.

In Washington: Last week at the Palace, a contest with the slogan "For Each Other" was built around the mother-in-law angle and a contest tieup was made with three papers for the best letter describing a mother-in-law. There were three prizes distributed.

Otherwise things were slow in Washington.

In Cleveland: Warners' Hipodrome had spot radio announcements over WGAR in connection with "The Oklahoma Kid," besides one-column three-inch teaser advertising for two days in advance of the opening in all the local newspapers, window cards and street car hangers.

Nat Holt at the RKO Palace for "Wife, Husband and Friend" also used spot radio announcements.

At Loew's State, Milton Harris, Everett Steinbeck and Hub. Harry E. Long gave away a pair of silver skates autographed by Joan Crawford as one of the prizes in the local skating carnival at the Arena, in connection with the showing of "Ice Follies of 1939.

Loew's Stillman Jack Lykes had a little colored boy in costume wearing advertising bands, parading the downtown streets in connection with "The Seven Seas Blues," while in the St. Patrick's Day parade there was a little white boy with a banner advertising the picture.

In Providence: "Prison Without Bars" opened with a heavy advance campaign. Harry McDonald had local educational, social welfare, religious and civic leaders in to see the photoplay at a special midnight preview. Additionally there was some local press, and there was heavy poster distribution and foreign language paper tugs.

They pulled a special reserved seat preview performance in connection with "Pygmalion" at Loew's State where Eddie McBride operates, the first time that reserved seats had been sold locally for a motion picture, and it helped spread the news about the film.

In Pittsburgh: Department stores and radio were the chief aids to newspaper space for current pictures.

In connection with "The Little Princess" at the Fulton, there were 25,000 heralds distributed by Kaufman store, with statements advertising Shirley Temple apparel.

At the Stanley for "The Oklahoma Kid" there was a window tieup in the 5 and 10c stores on Westmore makeup, besides a couple of radio plugs daily and about 35 billboards.

At Loew's Penn, Charles Konitz held a preview for betrothed couples in connection with "Made for Each Other."
CUT YOURSELF A PIECE OF CAKE!

Read product announcement in the papers!

FIFTEENTH ANNIVERSARY
1939-40 PRODUCTIONS
METRO-GOLDWYN-MAYER

The Friendly Company
THE LADY
FAY Bainter
LEE BOWMAN - HENRY
SCREEN PLAY BY RICHARD MAIBAUM AND GERTRUDE PURCELL
DIRECTED BY BEN STOLOFF

A LAUGH SHOW THAT LIVES UP TO A SOCK BOX-OFFICE TITLE!
A society matron muscles in on the underworld — just to clean it up! Showmanship brings it to you when audiences want something different!
THE MOB
AND IDA LUPINO
RMETTA - WARREN HYMER
A COLUMBIA PICTURE
MINNEAPOLIS, March 20.—Outstanding business getter was “They Made Me a Criminal” at the Orpheum, in conjunction with the Jan Garber Orchestra, getting $15,000. In St. Paul business was about average, with “Ice Follies” doing best on the Paramount with a take of $4,500.

Estimated takings for the week ending March 16, 1939

**Minneapolis:**

- "Say Hunt" (Col.)
- "Smiling Alone" (20th-Fox)
- "Buy Slaves" (RKO)
- "Pardon Our nerve" (20th-Fox)
- "The Big Bad" (25c-40c) dual bills.
  
  Gross: $1,603. (Average, $1,500)

- "Pygmalion" (M-G-M)
  
  CENTURY—$1,000. (25c-70c) 7 days, 2nd week. Gross: $4,500. (Average, $4,000)

- "Bend of the River" (Col.)

  GOFHER—$900. (25c) 7 days. Gross: $3,200. (Average, $4,000)

- "They Made a Criminal" (W. B.)

  ORPHEUM—$3,000. (25c-35c) 7 days, Jan Garber’s Orchestra. Gross: $12,000. (Average, $4,000)

- "Ice Follies of 1929" (M-G-M)

  STATE—$3,000. (25c-40c) 7 days. Gross: $6,000. (Average, $4,000)

- "A Man without a Woman" (RKO)

  WORLD—$400. (25c-55c) 7 days, 6th week. Gross: $1,350. (Average, $4,000)

**St. Paul:**

- "The Young in Heart" (U. A.)

  ORPHEUM—$2,000. (25c-35c) 7 days, Jan Garber’s Orchestra. Gross: $7,400. (Average, $4,000)

- "Ice Follies of 1929" (M-G-M)

  PARAGON—$2,000. (25c-40c) 7 days, 7th week. Gross: $4,500. (Average, $4,000)

- "The Duke of West Point" (U. A.)

  RIVERA—$1,000. (25c) 7 days. Gross: $1,800. (Average, $1,300)

- "Burn Em Up O’Connor" (M-G-M)

  TOWER—$350. (25c) 7 days. Gross: $1,600. (Average, $2,130)

- "A Man without a Woman" (RKO)

  WORLD—$400. (25c-55c) 7 days. Gross: $2,200. (Average, $3,000)

**‘Huckleberry’ in Kansas City Hits Excellent $13,300**

KANSAS CITY, March 20.—“Huckleberry Finn” topped the town with $13,300, with "Whispering Enemies," at Loew’s Midland, “The Little Princess" did a combined business at the Fox Tower and Uptown of $7,500, and was held at the Uptown. Weather was normal.

Estimated takings for the week ending March 15-16:

- "Devil’s Island" (RKO)
  
  "Off the Record" (W. B.)
  
  "Down in Arkansas" (Rep.)
  
  "Dick Tracy" (M-G-M)
  
  "Huckleberry Finn" (M-G-M)
  
  "Whispering Enemies" (Col.)
  
  "The Little Princess" (20th-Fox)
  
  "Fighting Thoroughbreds" (Rep.)
  
  "FOX TOWER—$2,000. (25c-40c) 7 days. Gross: $4,500. (Average, $5,000)

**©**"Denotes general classification.

**Goodman with ‘Fast’ $20,000 In Pittsburgh**

**Washington Gross**

WASHINGTON, March 20.—“You Can’t Cheat an Honest Man” put RKO-Keith’s in the top spot with $7,000.

At Loew’s Captain “Fast and Loose,” with the help of John Boles, grossed $18,500. The Earle with “The Oklahoma Kid” and “Jimmy Barton” hit $16,000.

Estimated takings for the week ending March 16:

- "Fast and Loose" (M-G-M)

  LOEW’S—$2,000. (25c-35c) 7 days.
  
  Gross: $16,000. (Average, $2,130)

- "The Oklahoma Kid" (U. A.)

  LOEW’S—$2,000. (25c-35c) 7 days.
  
  Gross: $2,000. (Average, $2,130)

- "You Can’t Cheat an Honest Man" (Univ.)

  WARNERS—$2,000. (25c-35c) 7 days.
  
  Gross: $6,000. (Average, $800)

**Hollywood Previews**

**Almost a Gentleman**

**Hollywood, March 20.—**The world’s people are of two kinds with reference to dogs. Some like them and some don’t. Like all dog pictures, is for those who do. Those who don’t can help liking Ace, the German Shepherd, or, if you prefer, police dog, responsible for the story of the entertainment. It is, if your reporter may speak for those of the world’s people who like dogs, a fine specimen of canine intelligence.

James Ellison, Helen Wood, Robert Kent, June Clayworth, Robert Warwick, Leonard Penn and several other two-legged actors appear in this picture. He is, his report, a splendid dog. Running time, 64 minutes. "G" Roscoe Williams

**Heritage of the Desert**

**Hollywood, March 20.—**The appeal of the great outdoors, plus action and romance, are the essentials of “Heritage of the Desert,” produced by Harry Sherman for Paramount release. The Zane Grey story has been altered considerably, but the primary factors which made it one of the highest grossers in Hollywood.

The Sherman version of “Heritage of the Desert” is pictorially beautiful, a tribute to the production mounting of Associate Producer J. D. Trop. A fast moving screenplay and tasteful direction by Lesley Selander, a veteran of the field, contribute much to the entertainment offered. The cast is above average, and has marquee value. Principal roles are played by Donald Woods, Evelyn Venable, and Russell Hayden, with Robert Barrat, Sidney Toler, C. Henry Gordon, Willard Robertson, Paul Guilfoyle, Paul Fix, John “Skinny” Miller and Reginald Barlow in supporting roles. Norman Houston wrote the screenplay, and Harrison Jacobs contributed additional dialogue.

The story concerns a cattle rancher with water rights near the oasis ranch of Miss Venable and her father. Woods, a young geologist, arrives at the town to find out why his returns from an inherited cattle business has fallen off. Wounded by the defalcating manager’s henchman, Woods is nursed back to health by Miss Venable. He uncovers the plot, and dying his fortune a lucky girl.

Running time, 75 minutes. "G" VANCE KING

**King of Chinatown**

**Paramount, March 20.—**The meaning read into the title establishes the character of “King of Chinatown.” It is melodrama with all the trappings in plot amplification, characterization, dialogue, situations and action. Comedy, romantic love interest and regeneration that give the theme a human interest quality are other elements.

Based on a colorful story by Herbert Biberman and a screenplay by Lillie Hayward and Irving Reis, the picture, picturesquely produced by Stuart Walker, features Anna May Wong, Albin Timiroff, Sidney Toler, J. Carroll Naish, Philip Ahn, Anthony Quinn and Roscoe Karns. Nick Grinde directed his story material and players in such manner and made such use of production detail that action and suspense dominate.

Gangsterism versus Chinese honesty, patience and charity is the basis of the story. Suan, ruthless racketeer Timiroff, having been wounded, is being cared for by Miss Wong, who believes her merchant father, Toler, did Timiroff in. Timiroff endeavors to suppress his hoodoo, but underlings Naish and Quinn force them to continue criminal activity. Meanwhile Timiroff, wishing to make amends for his depredations, finances a Chinese ambulance unit for service in the overseas war-torn country. But before Timiroff dies, Naish is proved to be his assassin and the rebellious gang is brought to justice. Then Miss Wong, reconciled with her father, leaves for China with the ambulance unit.

Running time, 75 minutes. "G" G. McC.
52 for Metro Next Season,
Rodgers Tells Convention

M-G-M Is Scheduling
Two from England
M-G-M is scheduling at least two films from England for world release. These are "Beau Brummel" and "Journey's End," both starring Robert Donat. In addition, the British studio may make "Yank at Eton," a sequel to "Yank at Oxford," and "Mickey Mouse" may go over for the picture.

Clare Booth, starring Norma Shearer, directed by George Cukor.
"Return of the Thin Man," by Dashiel Hammett, starring William Powell and Myrna Loy, directed by W. S. Van Dyke, from screenplay by Frances Goodrich and Albert Hackett.
"Lovely Charlie," from the Sigmund Romberg operetta, co-starring Jeanette MacDonald and Nelson Eddy.
"Ninotchka," by Melchior Lengyel, starring Grete Garbo, directed by Ernst Lubitsch.

Plan "Ziegfeld Follies"
"The Ziegfeld Follies," to be produced on a scale comparable to "The Great Ziegfeld.
"The Great Canadian," original story by Robert Hopkins and Vicki Baum, co-starring Clark Gable and Myrna Loy.
"A Day at the Circus," starring the Marx Brothers.
"Lady of the Tropics," starring Robert Taylor and Hedy Lamarr.
"House of Glass," by Max Marcin, starring Joan Crawford.
"Yank at Eton," by George Oppenheimer and Thomas Phipps, starring Mickey Rooney.
"Tom Edison," based on story by Dore Schary and Hugo Butler, starring Spencer Tracy.
"Madame Curie," by Eve Curie, starring Greta Garbo.
"Sea of Grass," from novel by Conrad Richter, starring Spencer Tracy.
"Balaikina," from play with music by Eric Maschwitz, starring Nelson Eddy and Massey, directed by Reinhold Schunzel.
"Hands Across the Border," from story by Dashiell Hammett, co-directed by Graham Baker, starring Robert Taylor.
"A Lady Comes to Town," by Clements Ripley, starring Joan Crawford.
"Wings on His Back," by Myles Connolly, starring James Stewart.

Caught by the camera at the Metro sales meeting at the Palmer House yesterday, left to right: Mort Spring, assistant to Arthur Loew; William F. Rodgers, general sales manager; A. Lichtenman, foreign head; A. Lichtenman, vice-president; Sam Eckman, managing director in England.

(Continued from page 1)

light of tomorrow's program is a light which addresses will be made by Ed Kukendall, M.P.T.O.A. president; Col. H. A. Cole, Allied head, and Harry Brandt, president of the New York I.T.O.A., to a total of 85 selected to speak also for the unaffected exhibitor groups.

Wednesday will be devoted to conferences conducted by Division Managers T. J. Connors and E. M. Saunders, at the conclusion of which the 250 delegates are scheduled to leave.

Rodgers said the company will make large-scale pictures and that the production budget will be increased. Metro now has 11,000 accounts, he disclosed.

"It Can't Happen Here," from the Sinclair Lewis novel, is scheduled as one of the company's leading films for the coming year. Other big films planned are "The Wizard of Oz," in color, which is being completed; "Northwest Passage," which will star Wallace Beery, Spencer Tracy and Robert Taylor; "Quo Vadis," the Henry Stenocan film, planned on the basis of the novel, "Ben Hur," and Selznick International's "Gone With the Wind," which is planned for completion around October.

To Revise Shorts Program

There will be a revision in the shorts program, with emphasis on patriotic and documentary films. Established series will be continued featuring Pete Smith, Robert Benchley, Carey Wilson, "Our Gang," John Neshbitt, "Passing Parade," "Crime Doesn't Pay," FitzPatrick Traveltalks in color, and color cartoons, as well as the "Metroscope," similar to the Audubon series and the News of the Day newscast.

Metro will continue emphasis on stars in its features, listing 24 stars and 62 featured players, a total of 86 under contract. There are also 24 directors and 83 or more writers under contract. This is said to be the largest talent roster in Metro's history.

Kukendall Speaks Today

Better relations between exhibitors and field sales forces will be urged by Ed Kukendall, M.P.T.O.A. president, in addressing the meeting today.

Kukendall recalls that distributor representatives were welcomed at meetings of the Tri-States M.P.T.O., which he formerly headed, and urges that the practice be continued and extended for the good of the industry. He points out that an important part of whatever success the proposed industry trade practice program meets with will depend upon the film salesman.

"Without your sympathetic understanding, you can't bring the spirit of it further than the written instructions," he will tell the M-G-M men, "it will fail of its purpose."

Titles Announced

The M.P.T.O.A. president pays tribute to William F. Rodgers, M-G-M general sales manager; to the company and its management in his address.

The 36 titles definitely announced are:

"It Can't Happen Here," by Sinclair Lewis; story of political disturbance in the United States.
"Northwest Passage," from novel by Kenneth Roberts, starring Wallace Beery, Spencer Tracy, Robert Taylor.
"Quo Vadis," sequel to "Ben Hur." "Gone With the Wind," by Margaret Mitchell, Selznick International production, starring Clark Gable.
"The Women," from the play by Peter Viertel.

(Continued on page 10)
It's a real LOVE AFFAIR

IRENE DUNNE-BOYER

CHARLES DUNNE

Produced and Directed by LEO McCAREY

with MARIA OUSPENSKAYA, LEE BOWMAN, ASTRID ALWYN, MAURICE MOSCOVICH

SCREEN PLAY BY DILLEN, DAVES AND DONALD OGGER STEWART
Love at first sight in every key opening... warmer and warmer through big week-ends... to HOLDOVERS
RADIO CITY MUSIC HALL AND EVERYWHERE
Patrons Welcome Tenn. Sunday Law
Louisville, March 29—Theatre men throughout Tennessee report crowded houses on Sunday, following the passage of the state law permitting Sunday shows under a local option procedure, by vote of a majority of any city council.

French Bill Would Halve U. S. Imports
(Continued from page 1)
films by 50 per cent and result in the loss of tens of millions of francs. They charge also that it would violate the Franco-American reciprocal trade treaty which stipulates that the French Government will enact no measures which could place American films in a position less favorable than they now enjoy.

American trade representatives also point out that the measure would make Zay a real "ezar" of the French industry.

There are two provisions of Zay's bill which would affect American films directly. One is a provision for the eventual institution of a duty to tax foreign pictures to be imported, if possible, within the limits of existing international trade agreements. The other is a provision which would limit to 3,200, or 10,000 feet, the length of film programs exclusive of documentaries, newsreels and cartoons.

The latter provision would end double feature programs, of which American films contribute half. At present, France uses annually about 380 features, of which 140 are French language films and 188 are foreign dubblings, among them 130 American films. With the limitation of programs to a single feature France would need only 200 films annually, it is estimated, and the market for American films would be halved.

The bill has nine main provisions, with many others regulating the regulations and working conditions in production, distribution and exhibition. The bill would also establish a production register for the recording of all operations of French film production and of security measures for film financing. The bill stipulates that all of its measures are made to cleanse the French film business and to aid "serious" producers to obtain easier financing.

M-G-M Convention Heats Rodgers Talk
(Continued from page 7)
Sherriff, starring Robert Donat, to be made in England.
"Ziegfeld Girl," by William Anthony McGuire, with all-star cast.
"Go West," Bert Kalmar and Harry Ruby, starring the Marx Brothers.
"On Borrowed Time," from play by Laguo, directed by Edward Watkins, with Frank Morgan and Sir Cedric Hardwicke.
"Babes in Arms," by Rodgers and Hart, starring Mickey Rooney, Judy Garland, directed by George Arliss, by Paul Whiteman, directed by Busby Berkeley.
"Thunder Afloat," by Ralph Wheelwright and Commander Harvey Hart, to be directed by Wells Root, starring Wallace Beery.
"Witch in the Wilderness," from novel by Desmond Holdridge, directed by Frank B. Seder.
Arthur M. Loew, vice-president in charge of foreign activities, speaking on the international situation, said new markets are now being overcome in countries in which distribution has been curtailed. At Lichtman, vice-president and representative of the company, told of studio activity and outlined product to come. Joseph R. Vogel, Loew's circuit executive, spoke on the theatre situation.

Sales Stars Awarded
Rodgers awarded honors to outstanding salesman in the form of stars. There are three two-man, star. Phil Bobys, Washington, Clarence Fippin, and David R. Mcllhinny, Salt Lake City. Stars were also given Rudolph Berger, John J. Hennes, and Herbert Stone. A Jack Shumow, Jerome Adams, John S. Allen, Robert A. Cain, Samuel J. Gardner, Jacob Goldberg, Charles D. Lynd, and Harry Watson. The awards were presented to branches in New York, Des Moines, Cincinnatti, Los Angeles, Detroit, Richmond, Maloney and Harris P. Wolfberg district managers.

Quimby on Shorts
The afternoon session opened with Fred Quimby outlining the short subjects department, after which he introduced James Fitzpatrick, who outlined his program of Traveltalks. Sam Echman, Jr., spoke of the British situation.

Other persons introduced were Morton Spring, Frank Whittbeck and Pete Smith. Charles Casanove, Tom Connors and Edward Saunders also spoke.

Rodgers closed the afternoon session with a summary of the day's activities and an outline of tomorrow's meeting. He said the sessions and a summary of entire convention would be given at the session tomorrow afternoon.

Freeman to Be Host To Rydye on Coast
Hollywood, March 29.—Y. Frank Freeman will host a luncheon Thursday morning honoring Norman Beded Rydye, Australian theatre man. Guests will include Capt. Harold Auten, Rydye's American representative; George L. Bagnall, A. M. Bostford, W. B. Cole, Luigi Lurashci and Stewart Schellhorn.

New U.A. Program Is Nearly Complete
(Continued from page 1)
Laughlin over the weekend on the ground of non-cooperation, and the parties to the action. The company was given 35 days in which to transfer the record to the Federal court and prepare an answer to the complaint.

Government has served upon O'Brien, Driscoll & Raftery, attorneys for the Artists Corp, defendants in the antitrust suit against the eight majors, notice that it will examine Harold J. M. Wells, Raftery, and Edward C. Raftery, as secretary, of United Artists on March 27 at the Federal Court House before W. J. Briggs, notary, of the Department of Justice revealed yesterday. The examinations will be the first to be held under Judge William Bondy's order empowering the Government to examine all United Artists defendants on his court.

At the same time it was revealed that United Artists has submitted to Judge Bondy a formal order incorporating all the details of the agreements of majors for bills of particulars from the government. The order, which the government will not oppose, provides for service of a bill within 60 days, and the filing of answers by United Artists defendants 20 days thereafter. James Malvey, eastern representative for Samuel Goldwyn, was called to the coast to participate in company conferences which have been under way there for the past week. Malvey left New York Friday.

Lynn Farnol, United Artists director of advertising and publicity, also was on the coast plane yesterday. He will sit in at conferences on new production plans of all United Artists producers. The conferences were begun last week after a last week of Maurice Silverstone, United Artists chief executive; Charles Schwarz, assistant treasurer, and board member, and James Roosevelt, Goldwyn vice-president and board representative.

Republic Revises Its Sales Meeting Dates
Republic has revised dates of three of its four regional sales meetings to be held next month. The Houston session will be held April 7 and 8 as scheduled, but the New York date has been changed to April 12 and 13 and the Chicago meeting has been held April 20 and 21. The San Francisco meeting has been advanced to April 25 and 26.

James R. Grainger, Republic president, who will preside at the gatherings, returned yesterday after an absence of a month on a field trip and a visit to the studios arrived from the coast over the weekend.

Wanger Suit Off As Para. Buys Interest
Hollywood, March 20.—Paramount has purchased all interest of Walter Wanger in Walter Productions in "The Trail of the Lonesome Pine" and other pictures made by them for Paramount. The pictures were made under an agreement which gave Wanger an interest in the profits. A suit brought by Wanger has been dropped.
Feb. Tax Revenue Off to $1,503,127

WASHINGTON, March 20.—A sharp drop in admission tax collections in February was reported tonight by the Internal Revenue Bureau in a report showed.

Total collections for the month were $1,503,127, compared with $3,564,134 in January and $1,659,640 in February of last year.

Receipts from admissions in Febru-
ary were the lowest for any month since July, 1936. In August, admissions were above both the preceding month, when they totaled $474,840, and Feb-
uary, 1938, when $560,240 was col-
clected.

Box-office collections showed a sharp increase, totaling $346,355, com-
pared with $361,464 the preceding month and $417,665 a year ago.

Collections on permanent use or lease of boxes and seats also in-
creased, from $43 in January and $46 in February. Other classes declined, receipts from free or reduced rate ad-
missions dropping from $8,820 to $6,097; tickets sold by brokers from $20,909 to $13,786; tickets sold by proprietors in excess of established prices from $640 to $19, and ad-
misions to roof gardens and cabarets from $38,139 to $47,677.

Reconsidering Bingo Bill in Connecticut

HARTFORD, March 20.—Senator Cole’s Bingo bill, the only one re-
mainiing at the end of the session of the state Legislature, was re-
called by the Judiciary Committee for re-
consideration. The bill came out of committee with an unfavorable re-
port, but Cole had apparently rallied enough support in the Senate to over-
ride the decision.

The two men-in-a-boat bill has been rejected by the Senate and House.

Set Drive for Mayer DES MONES, March 20.—Local 20th Century-Fox branch will celebrate the 25th anniversary of the busi-
ess of Stanley Mayer, branch man-
ger, with a drive honoring him. The campaign will start April 30 and end June 10. Territorial exhibitors are planning a banquet. Mr. and Mrs. Mayer are in Washington on a two-
week vacation.

Dickinson’s Son Killed LAWRENCE, Kan., March 20—Carleton Dickinson, 20-year-old son of Glen W. Dickinson, head of the Dickinson Staff, was killed in an automobile ac-
cident here on Saturday. Two other students, Glen L. Truesdell and Robert Smo-
as, also in the car, were killed in-
stantly, while three others escaped in-
jury.

Pass Token Abolition TOPEKA, Kan., March 20.—Kansas Senate has approved the bill abolishing the small sales tax tokens which have appeared at many drive-in theaters, exhibitors and retailers to handle. The bill al-
ready has been passed by the House.
Brandt to Release Foreign Films Here

New organization for distribution of foreign films in the United States has been formed by Harry Brandt, head of Trans-Lux Theatres, with Nat Warchawski, French distributor and exhibitor. The new company, Trans-Lux Theatres, is a subsidiary of Trans-Lux Theatres Inc., of New York State, Inc., has temporary offices in the RKO Building.

First three films said to have been acquired are "Queen of Brumes" and "Le Roi" which are French productions, and "The Challenge" which is English-produced by R. Warchawski and scheduled to sail from France on the Normandie March 25.

Kentucky Bill Hits All Traveling Shows

LOUISVILLE, March 20.—Ordinance requiring a $300 per day license fee for traveling shows just introduced here with the backing of exhibitors, local merchants and labor groups that fear to avoid anything to event traveling amusements like roller skate derbies, six-day bicycle races and similar events, but sports such as baseball, boxing and football are exempt.

Alderman W. N. Cox, chairman of the ordinance committee, is now handing the bill. Action on the measure is expected March 28. In support of the bill, theatre interests point out that they paid $282,000 in taxes to city and county last year and employed more than 1,000 persons.

Stirn Seeks 50 Days More on RKO Appeal

John Stirn, attorney for Ernest W. Stirn, holder of 1,234 shares of Class A stock of RKO, will request an additional 50 days to file his record on appeal from the order of Judge William B. Walker, who virtually reorganized of RKO, he stated yesterday.

Under the ruling of the Federal Court, if Stirn's request is granted, he will have a total of 90 days to complete his appeal. The three appeals from the Circuit Court of Appeals, in New York, are consolidated and heard together by the Circuit Court of Appeals, probably in May.

Orders Assets Divided

Federal Judge Vincent L. Leibell yesterday approved a report of Referee John E. Joyce and ordered assets of the company in voluntary bankruptcy, totaling $2,447, to be distributed to general creditors whose claims aggregate $46,062. In addition $1,018 in fees will be paid.

Radio Personalities

IT'S Norm Kaplum of the WHN publicity staff who is the official M-G-M photographer at the sales convention in Chicago . . . Roy, of the piano lesson via radio, with the father of a girl born Saturday . . . Herbert Kline, director of the film "Crisis," which is now at the RKO, will be interviewed on "We, the People" tonight over CBS . . . Because of picture work, Joan Blondell has called off her trip to New York, and consequently her scheduled appearance in the Orson Welles dramatizations has been cancelled. Bob Stanley will be musical director of a new series over Mutual, starting Friday.

Dunhill to Start New Mutual Quiz Series

Dunhill Cigarette Co. will sponsor a new quiz series over a limited Mutual network, starting April 10. Series is known as the "Three-Weeks Quiz" and it will have Bob Hawx as the master of ceremonies. The latter is currently appearing in the "People's" program on the American Broadcasting Company. The Mutual radio agency handles the Dunhill account.

Stations for the new program comprehensive will include WHIL and WEAN. Time schedule is Mondays from 8 to 8:30 P. M.

Derr Not Renewing Monogram Contract

HOLLYWOOD, March 20.—E. B. Derr, head of Crescent Pictures, re-leasing from Monogram, disclosed that the 90-day contract with the latter will not be renewed. Derr will produce the last two of the eight schedule productions, Monogram has on its roster,"Year Born" and "The Girl from Rio," a musical.

Derr declared he will concentrate on the production of the ice vice Smith" stories, for which no re-leasing deal has been concluded as yet.

Sunday Closing Enforced

CHARLOTTE, N. C., March 20.—Police entered the Imperial theatre here at 12:06 o'clock Sunday morning, found the motion picture still being shown, gave the manager, Neil McGill a summons a charge of violating the closed Sunday ordinance. The show ended at 12:15.

Will Air "Madden"

Special feature on the M-G-M "Good News" show on Thursday night will be a preview of the new Jack Benny program to be broadcast via Wallace Beery reenacting the lead role from the pictures.

Set Film on Television

HOLLYWOOD, March 20.—First picture of its kind scheduled, Republic has announced plans for "Tidal Wave," the principal character of which will be a television sport-news reporter.

FCC to Study 2 Television Pleas

WASHINGTON, March 20.—Applications of the Crosley Corp. and the Don Lee Broadcasting System for construction permits for a general television service to the public were today denied by the Federal Communications Commission to its Telecommunication Bureau officers. Both applications contemplated use of one kilowatt power for aural-visual broadcasting.

study of the applications was ordered, the commission explained, because all applications heretofore granted have been experimental development of technical systems, whereas the Crosley and Don Lee applications are concerned with the public, with experimentation secondary.

The Telecommunication Committee is composed of Commissioner T. A. M. Craven as chairman, and Commissioners Thad. H. Brown and Norman S. Case.

CBS Retains British Expert on Television

Donald Hunter Munro, television production director of the British Broadcasting Corp., has been signed by CMG World, Inc., to serve as television consultant to Gilbert Seidles, director of television for CBS. Munro will serve here for a minimum period of one month, possibly for a much longer period. He will arrive here in April. Installation of the CBS transmitter in the tower of the Chrysler Building is already complete, and it is expected that the network will begin its experimental television broadcasts immediately. Munro Latter has been BBC's television program director since 1929.

Solotorfsky Starts Suit on WBXN Show

Isidor Solotorfsky, Jewish playwright, has filed suit in the U. S. District Court for an injunction against Donkey Kenner, Jack W. Cope and the Columbia Broadcasting System and "The Living Orphan" and "Alimony," in broadcasts over WBXN from December, 1938, to February, 1939. If a series of programs called "Shall a Woman Forgive?" Plagiarism was charged against the other defendants in a play of the same title produced in the McKinley Theatre.

Disc Series to Canada

Transcription series, "Secret Agent," of the Mutual Broadcasting System, has been released for Canada. Conception and recording in association with Hefelfinger Radio Features, has been announced. Three programs Broadcasting at Montreal, for their clients, B. Hode Co. The program is scheduled for broadcast on 12 or more stations throughout the Dominion.

Wurlitzer on WOR

Wurlitzer Co., through Schmimmer & Scott, has started a new series of actually transcribed programs over WOR.

Burns & Allen Due East

Burns and Allen will definitely come east in May by the booking committee. Their sponsor wants them to be on hand for the World's Fair, while Paramount wants to present them in New York premiere of Gracie's new picture, "The Gracie Allen Murder Case."
Neely Moves To Give Senate Booking Bill
Will Ask Its Discharge from Committee

WASHINGTON, March 21.—In a move to bring his anti-block booking bill directly to the floor of the Senate, Senator Neely will ask tomorrow that the Senate Interstate Commerce Committee be relieved of further consideration of the measure.

Formal notice was given yesterday by Senator Neely that he would ask for discharge of the bill as a means of bringing up the matter today but was prevented by long debate on the reorganization bill.

If the Neely motion passes, the bill would go on to the Senate calendar and could be the subject of a further motion to make it an unfinished business. This would pave the way for a vote.

Senator Neely contends that his measure was buried when it was turned over to a subcommittee headed by Senators Smith and Barkley. Smith is interested primarily in cotton legislation and Barkley is majority leader.

20th-Fox Program Ready on March 31

HOLLYWOOD, March 21.—Top executives of 20th-Fox today concluded their conference with the N.A.B. in preparation for the Chicago sale the following week and declared the complete program would be told to the N.A.B. March 31, second day of session. In attendance here were Sidney Kent, Herman Wosser, Joseph M. Schenck, Darryl F. Zanuck and William Goetz.

Sherwood to Defend Play Sale to Films

Robert Sherwood, president of the Dramatists’ Guild and author of “Abe Lincoln in Illinois,” has been invited at his own request to appear before the council of Actors’ Equity next Tuesday because the Guild, who sold the film rights to his play and announced that its run would be cut short, expressed a desire to discuss the recent Equity editorial which denounced their practice. It will be a closed meeting.

Such Is Fame

Frank Shields, tennis star, the other night went to the Art Theatre, Bronx, to see Monogram’s “Hoosier Schoolboy,” in which he appeared with Mickey Rooney a couple of years ago. He participated in the Serenego game and won a $1 prize. He was called on the stage to receive the prize, and, although the film had just been run off, no one in the audience recognized him.

NAB Brands Ascap’s Deal As Inequitable

Copyright Committee of the National Association of Broadcasters, concluding a two-day meeting here yesterday, branded its present agreement with Ascap as inequitable because it compelled broadcasters to pay fees on programs not using Ascap music, and passed a resolution to enter negotiations with Ascap predicated on the principle of paying royalties only on revenue from the sale of time for programs involving the use of the Ascap catalogues.

N.A.B.’s present agreement with Ascap expires at the close of 1940. Ascap officials were not available for official comment on the new N.A.B. move, but it is considered unlikely that it will treat it with favor, in view (Continued on page 4)

Equity Meeting to Decide On Sunday Shows for Fair

Question of Sunday shows on New York’s legitimate stages during the World’s Fair will be determined at the quarterly meeting of Actors’ Equity Friday, the Equity council decided yesterday. The council declined to offer any recommendation and left it to the meeting to decide whether or not a referendum of the union’s membership should be taken.

Attendance of 500-800 members is expected at the Hotel Astor Friday, representing 10 to 15 per cent of the rolls. A previous referendum overwhelmingly voted down a proposition for Sunday shows but there has been some change in sentiment since.

A joint committee of the League of N.Y. Theatres and Equity to study the ticket code situation and recommended changes was named yesterday. For the producers are Brock Pemberton, Herman Shumlin, Sam H. Grisman, Lee Shubert, Martin Beck, Lawrence Langner, Marcus Hasman, Warren P. Munsell, Morris Jacobson, James F. Reilly and Milton R. Weinberger. For Equity, Winifred Leinman, E. J. Blunkall, Philip Loeb, Edward Fields, Alfred Kaplan, Blanche Yurka, Walter Greaza and Franklin Fox.

The council decreed that there shall be no seven-day week for Equity members working at the Fair. A resolution was passed calling for additional appropriations for the W.P.A. so that the Federal Theatre Project could continue its activities to the end of the fiscal year.

M-G-M Lists 79 Shorts on New Schedule

CHICAGO, March 21—Metro will have a schedule of 79 short subjects for 1939-40, 14 fewer than the current season. Only six will be two reels, the balance all one reel. This was announced by Fred C. Quinby, short subjects manager, today, on the third day of the company’s 15th anniversary convention at the Palmer House here.

The shorts will total 85 reels, in addition to twice-weekly issues of News of the Day. This season the company is releasing 104 reels. The series of two-reel musicals, six of which are being released currently, will be dropped. The Benchleys and "Our Gang" series are reduced by four each from the present seasons, while the cartoons are increased by three.


(Continued on page 4)

Union Demands No Film Delivery to Theatres Not In IATSE

Distributors, today, face a strike call from the IATSE and Local 306, in the New York area, affecting exchanges and possibly theatres, too. The companies will decide today whether to submit to demands of the unions and forbid the N.Y. exchanges from delivering films to theatres which do not employ IATSE affiliates. Independent theatres are particularly affected. The deadline which yesterday has been pushed forward until today. A peaceful solution is sought. The result will not be known until late today whether the industry can prevent a walkout.

Lawyers Meet Today

Company lawyers are meeting today with George Z. Medalie, counsel for the union. The lawyers are weighing the legality of the question which confronts the picture companies in this situation. Meetings with the union representatives have been in progress.

Projectionists in the exchange and screen shipping clerks or back-room help might be called out under the strike threat. Of course, it could spread to screeners, too.

This is the most serious union threat to the industry in years. What ever action is taken here by the union will affect the situation in the other states and might have its affect elsewhere in the industry. The present situation appears, however, to be the first step in the IATSE intention to unionize the entire industry along its lines.

Local 306 is the IATSE’s strongest unit, here.

The action appears to be pursuant to a resolution adopted at the L.A.T.

(Continued on page 5)

Providence Theatre Union Confers Here

PROVIDENCE, March 21—Three representatives of Frommer’s employees’ Local B129, an affiliate of the L.A.T.S.E., go to New York tomorrow for weekend hours and union recognition conferences with Loew’s, Inc., and R-K-O officials.

The group, appointed as a contract committee at a recent meeting of the local, consists of President Albert Byrnes, Business Agent James Tartaglione and Executive Committee member Dominick Pardo.
**Purely Personal**

S TANTON GRIFFIS, chairman of the Paramount executive committee, will return to New York from Florida early next week.

ARTHUR S. DICKINSON, director of the conservation department of the M.P.A.D.A., left yesterday to attend a meeting of the Truck Transportation Committee of the National Fire Protection Association today in Washington.

CATHERINE DOUGEL, ETHYL REMY and EFFIE APTT sail tonight on the Washington to take roles in the London production of "The Women." Also sailing are REESE MAISON and ALEXANDER KIPIN, opera stars.

MILTON HARRIS, director of publicity for Loew's Theatres in Cleveland, was guest of honor at a luncheon at the Statler there, on his fifth year in the post.

MARIA RAY leaves Hollywood tonight for a personal appearance tour starting Friday at Salt Lake City, with the opening of her latest picture, "Never Say Die." 1

MR. AND MRS. GEORGE JESSEL arrived yesterday from Florida and are stopping at the Sherry-Netherland.

MISCHA AUKER was guest of honor at a cocktail party at the Astor given by Universal yesterday afternoon.

WILL H. HAYS and MRS. HAYS returned to New York yesterday from a West Indies cruise.

LEON NETTER of Paramount is expected back from Bermuda this weekend.

HARRY GOLDBERG, Warner circuit publicity head, is due back tomorrow or Friday from Cleveland.

HARRY RAPP, M-G-M producer, is in town for a week.

OTTO E. KOESEL has returned from the coast.

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**YOU CAN BE IN LOS ANGELES TOMORROW MORNING VIA FLAT mascot***

Fly the only Southern Sunshine Route—favored by nature. No change of planes. Delicious, complimentary meals. Fares: $189.95; 10% saving on round trips.

**The Mercury**

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**For Reservations**

Call your nearest American Airlines office:

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**AMERICAN AIRLINES**

THE AMERICAN STANDARD OF SERVICE

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**Insiders' Outlook**

By SAM SHAIN

HAVE you heard that Frank Lloyd may produce for United Artists? Advertising of Lloyd would greatly strengthen the United Artists lineup, which probably will include for the new seasons such producers as Ernst Laemmle, judging by those who are already on the company roster.

So less is on the business end of the Laibsch deal, and somewhere behind the scenes with less you might find Charles Chaplin.

Spring is with us. Perhaps a little windy, but the wind seems to be blowing some. For the case of "Three Smart Girls Grow Up," the Deanna Durbin picture, produced by that most consistently successful pair in the motion picture industry, Joseph Pasternak and Henry Koster. In this picture Miss Durbin has her first adult role, and apparently as a grown-up young lady she is destined to bring the ever greater glory to the box-office and to Universal than she has done as an adolescent.

The picture is a real tribute to the intelligent work of Nate Blumberg and his associates in handling Universal.

Harry Van Leer in the U.S. military ranks, and has already started in the motion picture industry, in the U.S. Van Leer is one of the best known publicists we have had in the business.

Seeing Emil Borco in "The Lady Vanishes" reminded us of his later appearance in "The Great Gatsby," as show business counsellor. We

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**Buller Bill to Senate**

ALBANY, March 21 — The Buller bill on admission of children to the theatres passed the Assembly today without debate. It now goes to the Senate for action.

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**Visual Session June 19**

CHICAGO, March 21 — The National Conference on Visual Education will be held here June 19 to 23, Herman A. DeVry is sponsoring the session.

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**The Newsreel Parade**

First pictures of the coronation of Pope Pius XII are shown in the newsreels. The reels and their content follow:

**MOVETONE NEWS, No. 55—Coronation of D'Agostino.** Brussels, Belgium. D'Agostino, mayor of Brussels, is in Paris, where he was received by the Pope on the occasion of the papal visit.

**NEWS OF THE DAY, No. 253—New Pope in Crowned.** Strasbourg, France. The new Pope, Pius X, is crowned in the Cathedral of Strasbourg. Pope Pius X is succeeded by his brother, Pope Pius XI.

**PARAMOUNT NEWS, No. 65—Coronation Ceremonies.** Cairo, Egypt. The coronation of the new Pope, Pius XI, is held in St. Peter's Basilica, Rome. The ceremony is attended by representatives from all parts of the world.

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**20th-Fox Sets Two Previews of 'Bell'**

Simultaneous previews in Federal Hall in the San Francisco World's Fair and in Constitution Hall in Washington have been arranged for March 29 by 20th Century-Fox for the film, "The Graham Bell." A special train will carry a party of celebrities and press representatives to San Francisco and to Washington. Each day has been designated "20th Century-Fox Day" at the Fair. Civic officials, headed by seven governors including Mayor Angelo Rossi, will be present.

Elsa Maxwell will preside at the festivities, and Don Ameche will fly to San Francisco and return to New York on the return of the plane as expected to make the trip to the Fair are Joseph S. Klein, Mr. & Mrs. Darryl F. Zanuck, Mr. & Mrs. Charles W. Goetz, Mr. & Mrs. Douglas Fairbanks, Hedy Lamarr, Gene Markel, Sol M. Wurtzel, Mr. & Mrs. William Koenig, Mr. & Mrs. Kenneth Macgowan, Mr. & Mrs. Irving Cummings, Mr. & Mrs. Gregory Ratoff, Sid Grauman, Mr. & Mrs. Sidney Toler, Power, Sojda Heni, Annabella, Riva, Greiner, Nancy Kelly, Arleen Wadlan, Lyn Loring, Marie Carlisle, Aline Louise and Ella Williams.

**Form British Reel Unit**

LONDON, March 21 — A body bearing the title of the National News Reel Unit of Great Britain and Ireland has been registered in this country. Its object is to further matters relating to the development of news theatres.

**Everett Athey Dies**

CINCINNATI, March 21 — Everett Athey, 49, for 10 years manager of the Fairmount, neighborhood house, died at Good Samaritan Hospital following an abdominal operation. He was a former director and a projectionist. His widow survives.

**Raise Chicago Prices**

CHICAGO, March 21 — State-Lake is using more elaborate stage shows, and result is Saturday night. Sunday price will be 55 cents top instead of the regular 40 cents admission. The differential has adopted the same policy.
ON EVERY FILM ROW!
THE HIGH SIGN OF THE
FRIENDLY COMPANY

M-G-M's 1939-1940 PRODUCT ANNOUNCEMENT BURNED UP THE WIRES!

Even the linesmen listened in as the greatest array of stars and productions in film history was flashed to beaming box-offices the world over! The sales representatives of M-G-M are on their way home from their 15th Anniversary Convention. They bring you M-G-M's assurance of the biggest year in all your showmanship career!
Additional Metro Properties Listed

CHICAGO, March 21.—In addition to the 36 feature titles announced to the M-G-M sales convention yesterday, the company will select the rest of its program for 1939-40 from among the following story properties:

"Susan and God," by the Rachel Crothers' publishing company and the Waite, by Dorothy Milhan; "War Eagles," by James A. Cred-

kins; "These Glamour Girls," by Jane Hall and Marion Parsons, with all star cast; "Escape to Prison," from novel by Walter E. Burns; "N'Nicks, Show," by Vera Caspary; "Ruined City," by Nevil Shute, based on the novel "Walking;" "The Rosary," by Edward Rosnock, Wirlie Wren, from novel by Fannie Hurst.

Stars on Roster

Scheduled for starring roles are Norman Shearer, Clark Gable, Robert Taylor, Greta Garbo, Spencer Tracy, Joan Crawford, Myrna Loy, Nelson Edely, William Powell, Jeanette Mac-
Donald, Margaret Sullivan, Mark Broth- ers, Hedy Lamarr, Robert Don-

Mickey Rooney will continue in the "Andy Hardy" series and Lew Ayres in the "Dr. Kildare" films.

Sparks Ends Screeno In Florida Theatres

MIAMI, March 21.—E. J. Sparks, president of the Sparks circuit, has discontinued Screeno in homes oper-
ated by the organization throughout the state.

Since a recent State Supreme Court decision holding Bank Night illegal, Sparks said, "There has been some doubt in our minds whether Screeno is in keeping with the law. We don't know whether it is illegal," he added, "but simply as good citizens we are discontinuing it."

Orders Games Stopped

OCALA, Fla., March 21.—State's Attorney J. W. Hunter has directed the sheriffs in the counties of the Fifth Florida Circuit to inform the managers of all games that games of chance must not be conducted in their homes.

Judge Gordon Moorhead of Marion County made public the letter he received from the state's attorney, which indicated the official's intention to prosecute in the event of the use of games.

M-G-M Lists 79 Shorts On 1939-'40 Schedule

Photographed at the M-G-M sales meeting in Chicago yesterday, seated, left to right are: W. E. Banford, Chicago branch manager; Tom Conners, Rogers, group manager to science; John Flynn, Midwest district manager; Edward Aaron, assistant to Rodgers; Ed Saunders, western sales manager. Standing is Alan F. Cummings, auditor.

Col. H. A. Cole, Allied president, conferred with Myers before the latter presented the distributor's counsel on the proposed trade practice program.

PhiladelphiA, March 21.—Sug-

gestions that exhibitors should con-
fine doubling to weaker films were made at the Allied meeting today. This along with advice that members should use good business practices that would obviate the need for doubles was the only statement made on definite move toward the elimination of both.

Selznick Will Move

Selznick International Pictures, Inc., has leased space for its New York headquarters on the 34th floor of the International Building in Rockefeller Center. Plans have been started for a large replica of "Leo the Lion." He will be displayed at the National Hospital's new England Dom-

Odeon Aids Hospital

LONDON, March 21.—A completely equipped bio-chemical laboratory has been presented to the National Hospi-

city director, at the morning session outlined the company's advertising plans for the new season. There will be a $10,000 contest for exhibitors starting Sept. 1. Si Seadler, adver-

tising manager, gave additional de-

tails and discussed the company's plans to aid exhibitors on individual campaigns. William R. Ferguson, ex-
ploration manager, spoke through a large replica of "Leo the Lion." He illustrated the uses of M-G-M's exploitation staff offers ex-
hibitors.

Also at the morning session, Bar-

rett C. Kiesling of the studio outlined the work done on his goodwill trips around the country. Frank Whitbeck of the studio's publicity staff spoke of the studio's "Goodwill" activities. Pete Smith stressed the importance of shorts in helping to eliminate double features, and Herb Morgan, short subject department manager, outlined his plans for making the public "short con-
scious."

The screening of M-G-M's "ambassador of goodwill," starts another tour of the country at the close of the convention. He plans to visit 80 cities, contacting exhibitors and newspapers, between now and Aug. 22.
Companies in NY Are Facing Walkout Call

(Continued from page 1)

The convention in Kansas City in 1936, calling for union handling of film produced in union studios. Thereupon followed the organization of the new exchange employs by the I.A.T.S.E., and the signing of a contract several months ago.

The information is that any link in the production-exchange-theater chain is not affiliated with the I.A.T.S.E., the union may call a general strike to enforce unionization. This may extend to studios. The I.A.T.S.E. has twice rescinded such tactics in recent years due to the outbreak of the controversies resulting.

The I.A.T.S.E. executive board at its recent annual meeting in Miami reaffirmed its resolution for complete unionization. Last week Local 306 members voted for a strike call if the unionization order were not enforced.

Coast Local Obtains Restraining Order

Hollywood, March 21.—The battle between officers of I.A.T.S.E., international and suspended leaders of Studio Technicians Local 37 over control of the organization today took on the aspect of a war of injunctions.

A. B. Stickling, attorney for Joseph Carpenter, president of the local and other officers suspended over a week ago by international representatives Frank Stewart and John Gilding, of the General Electric Company, obtained late today a restraining order prohibiting the international from acting for the local, from calling a meeting of members from representing the local in business matters and from ousted officials.

Meanwhile Superior Judge Emmett Wilson, who issued today's injunction, set tomorrow morning as a hearing date for the contested of court charges brought by Stickling and Gilding against the suspended local officers because of their alleged violation of an order restraining them from calling mass meeting of members Sunday at which many fights broke out. Hearing on today's injunction was set for March 29.

NAB Brands Ascap Deal as Inequitable

(Continued from page 1)
of the recent declaration of E. C. Mills, chairman of the Administrative Committee of Ascap. Mills openly declared that the anti-Ascap legislation passed by the House was "an assault upon the rights of all the states' most recently North Dakota and New Mexico—was inspired by lobbying tactics of the NAB, that same organization, Mills said, unless the N.A.B. ceased its "campaign of vilification and attack on Ascap," which 1940 arrives "the song writers of America will refuse to license the use of their works by any broadcasting station."

Hollywood Previews

"Sergeant Madden" (M-G-M)

Hollywood, March 21.—Big Wallace Beery as the honest copper and lean, tense Alan Curtis as his quick-triggered son work together in admirable suspense audience so the outcome of this story of New York's finest. It is from "A Gun in His Hand," by William A. Ulan, Jr., and the screenplay by Lewis R. Foster is devoted to appeal to the broad middle class. Production by J. Walter Ruben and direction by Joseph von Sternberg are in the same pitch.

Beery's performance is his usual sound character portrayal, a little more serious than most of his assignments but moderately humorous. The story is that this young man has what it takes. Laraine Day, a newcomer, displays personality and ability, while Tom Brown and Fay Holden satisfy in minor roles.

The plot centers about Beery's ambition, as the police officer of the title, to make of his own and an adopted son honorable and courageous members of the New York police force. Ambition leads his son into trouble, finally into lawlessness, whereupon the father, blaming himself for having put a gun in the boy's hand, quits the force and determines to bring his son to justice. The boy, ultimately seeing the error of his ways, permits himself to be killed by police bullets so that his father's wife and infant son may be spared further disgrace.

Although the scene is New York, the film is suitable for exhibition in cities of any size and is a tribute to police methods, codes and principles generally.

Running time, 80 minutes. "G."

Roces E. Williams

"They Made Her a Spy" (RKO)

Hollywood, March 21.—"They Made Her a Spy" deals with spying and counterespionage, a subject to which picture production has devoted much attention lately. The locale is Washington, D. C., and the time is that which may coincide with any fast breaking news story.

The heroine is a girl secret in the employ of the Army Intelligence Department: the hero is a reporter covering down a story and the villain, a man of the spooks whose insidious operations menace national security. Sally Elters, Allan Lane and Fritz Leiber interpret these roles.

Competent themselves, they are ably supported by Frank M. Thomas, Theodore von Eltz, Addison Richards, Larry Blake, Pierre Watkin, Spencer Charters and Leonore Roberts.

To avenge her brother's death and to do her country a service, Miss Elters becomes attached to the Intelligence Department. Immediately she insinuates her way into Leiber's confidence. Simultaneously she becomes romantically attached to Lane, who seems to be a suspect. Varying melodrama and romance, the picture culminates when, after Miss Elters, Fritz Leiber uncovers a trail that leads directly into the Intelligence Department's inner office, misunderstandings are cleared up.

Entertaining, yet educational, as such pictures are in so far as they reveal spy workings and the methods used in countering them, the picture has topical significance which gives it unique exploitation value. Based on a story by George Bricker, which was adapted by MacNeil Kanin and Jo Pagano, the film is Jack Hively's first directing effort. He demonstrates an impressive understanding of theatrical and commercial values.

Running time, 67 minutes. "G."

G. McC.

Detroit Receives "Daughter With Handsome $15,000"

Detroit, March 21—Michigan took Applications for "Sally, Darling Daughter" and "Let Us Live." The Fox, with "Wife, Husband and Friend," plus a stage show, did $12,000. RKO, with "Torchy Blane in Chinatown," did $9,000. Estimated takings for the week ending March 16:

"Charlie Chan in Honolulu" (20th-Fox)

The "Arizona Wildcat" (20th-Fox)

ABAMS-(4,000) (5,000-6,000) days. Gross: $5,000. (Average, $5,000)

"Wife, Husband and Friend" (20th-Fox)

FOX-(5,000) (3,000-6,000) days. Stage: Patricia Bowman, Cass Daley, Nicholas Bros., 3 Reddington, 16 Donnusettes. Gross: $3,000. (Average, $2,000)

"Yes, My Darling Daughter" (W.B.)

MICHIGAN-(4,000) (3,000-6,000) days. Gross: $15,000. (Average, $10,000)

"Stagecoach" (U.A.)

"Torchy Blane in Chinatown" (W.B.)

PALM-(2,000) (2,500-6,000) days. Stage: Madeleine Carroll, Sally Eilers, Ben Lyons, United Artists. Gross: $9,000. (Average, $5,000)

"Let Freedom Ring" (20th-Fox)

UNITED ARTISTS-(2,000) (3,000-6,000) days. Gross: $4,000. (Average, $10,000)

"Stagecoach" Does $4,500, Montreal

Montreal, March 21.—"Stagecoach" drew $4,500 as the single feature at the Orpheum; Third week of "Gunga Din" at the Palace collected $6,000.

"Storm over Bengal" and strong vaudeville brought $7,000 to Loew's. "Honolulu" and "Strange Case of Dr. Menge" grossed $7,000 at the Capitol. Estimated takings for the week ending March 16:

"Honolulu" (M-G-M)

"The Strange Case of Dr. Menge" (Col.)

CAPITOL-(6,200) (4,500-6,500) days. Gross: $3,000. (Average, $4,900)

"Storm Over Bengal" (Rep.)

LOEWS-(2,400) (3,000-6,000) days. Stage: Fredric March. Gross: $2,000. (Average, $7,000)

"Gunga Din" (RKO)

ORPHEUM-(3,000) (2,500-6,000) days. Stage: Madeleine Carroll, Sally Eilers, Ben Lyons. Gross: $4,000. (Average, $7,000)

"Gunga Din" (RKO)

PALACE-(2,000) (3,000-6,000) days. Stage: Madeleine Carroll, Sally Eilers, Ben Lyons. Gross: $6,000. 3rd week. (Average, $10,000)

"Torchy Blane in Chinatown" (W. B.)

PRINCESS-(2,000) (2,500-6,000) days. Gross: $1,500. (Average, $6,000)

Toronto Is Fighting Restoration of Tax

Toronto, March 21.—Toronto Board of Control has refused to support the recommendation of the City Council of the province of the Ontario legislature to request to restore the amusement tax in the province, with the net revenue to be turned back to the municipalities on a basis of local collections. The Toronto civic fathers expect that the Provincial Government will increase the gasoline tax from six cents to eight cents per gallon and divide the extra revenue from this source with cities and towns.

Drops Sunday Show Bill

Albany, March 21—Assemblyman William Webb has withdrawn his measure calling for a referendum on Sunday shows. The measure provided for a referendum by villagers on a petition by 20 per cent of voters.
Clear the Tracks

They’re Heading

DODGE CITY

Most Spectacular Ballyhoo Ever Put B

Train leaves Hollywood on March 30 with the most celebrated cargo of all time! Over 50 stars! Favorite Hollywood commentators and columnists! A complete broadcasting studio and newsroom! Two newsreel crews! To be covered by 3 radio networks, 185 newspaper critics from Minneapolis, Memphis, St. Louis, New York, Chicago, Dallas, and other key points!
for ACTION!
for Warner Bros.

ROUND-UP

find an Attraction -- March 31-April 1

It's all happening because of the simultaneous premieres in every theatre in Dodge City of

ERROL FLYNN in "DODGE CITY"
IN TECHNICOLOR, with
OLIVIA DeHAVILLAND
ANN SHERIDAN
BRUCE CABOT - FRANK MCHugh - ALAN HALE
John Litel - Henry Travers - Victor Jory - Wm. Lundigan
Directed by MICHAEL CURTIZ

The kind of sensational sendoff only Warners can give — for the kind of box-office sensation only Warners deliver!

WE'RE ALL GOING TO DODGE CITY!

ERROL FLYNN
OLIVIA DeHAVILLAND
JEAN PARKER
ALLAN JONES
PRISCILLA LANE
JANE BRYAN
ANN SHERIDAN

BRUCE CABOT
ANITA LOUISE
GEORGE RAFT
JOHN PAYNE
VICTOR JORY
PAT O'BRIEN
JANE WYMAN

GEORGE BRENT
IRENE HERVEY
ROSEMARY LANE
GALE PAGE
WILLIAM S. MART
GLENDA FARRELL
BUDDY ROGERS

HUGH HERBERT
RICHARD DIX
MARGARET LINDSAY
'BIG BOY' WILLIAMS
LEO CARRILLO
GEORGE BANCROFT
CLAIRE WINDSOR
DOROTHY MACKAILL
NBC Previewing Television Shows Before Broadcasts

NBC yesterday began a preview of the television programs which will be offered to the public in the New York area when the nation's first broadcast from the 1933-34 World's Fair. The previews, which will not be broadcast, are scheduled for two days next week.

Meanwhile, CBS also is unlimbering its television facilities, and this afternoon will give newsmen a tour of inspection of its television transmitter in the Chrysler Building, which is intended to go into experimental operation in a few months.

Purpose of NBC's television dress rehearsals is to familiarize the production staff with the new technical improvements made in the NBC-RCA facilities. In the past few months NBC has added 17 new men to its television staff.

Calls Improvement Great

According to O. B. Hanson, NBC chief engineer, who has watched the first test transmissions under the new improvements in his home in Connecticut, NBC has made such a marked improvement that the picture resolution is nearly 50 per cent.

Principal changes in the NBC television transmission are the installation of a new wideband antenna system and the addition of a sideband filter. To gain finer picture definition and more power, the modulator unit of the video transmitter also has been improved to accommodate higher frequencies. The studios used in the NBC television shows have been entirely rebuilt and a new system of studio lighting installed.

The program schedule for the regular television service has not yet been completely set, although it is definite that two of the daily features, the live dramatization and live special events pickups, a good deal of film will be employed. In addition, short subject features, for which negotiations are under way.

Silvey Honored by CBS at Lunch Here

R. J. E. Silvey, research director of the British Broadcasting Corp., recently arrived here, was guest of honor at a luncheon tendered him by CBS yesterday at the New Weston Hotel.

In attendance were Felix Greene, North American representative of BBC; Dr. George Galbraith, American Institute of Public Opinion; C. E. Hooper, C. E. Hooper, Inc.; Arch M. Crossley, Crossley, Inc.; Percival White, Market Research Corp.; Arnold Johnson, J. Walter Thompson research director; Almon Taranto, William Esty agency; Ford Sammis, assistant to the president of Lord & Thomas; J. Brooks Emory, research director of Benton & Bowles; Robert M. Scott, market research director of Whit- ten, Barton, Durstine & Osborn; Hugh M. Bevil, chief statistician of NBC; and/or representatives of NBC adventurers— NBC vice president, research director of CBS.

American Chicle Renews

American Chicle Co., sponsoring Adrian Rollini's trio and singers on WJZ, has renewed the series for 13 weeks, effective April 20. Badger Browning, Inc., placed the renewal.

Radio Personalities

By WILIAM A. SCHUCHT, general manager of WRC, is in New York, as is Cecil Car- michael, WILV-WSAI press relations chief. James Herring has recently resigned as program director of WILV, is on his way to New York to fill a similar post at ABC. Charles Pettit, former director of public relations at KDKA, Pittsburgh, has arrived here to start his new duties as representative of the News- tions of NBC. Howard Harris has just had his option renewed for 13 more weeks as writer on the Phil Baker show.

Contest CBC Right To Ban Beer Shows

MONTEL, March 11.—The right of Ontario to enforce its pro- grams advertising beer has been challenged and the broadcasting company may seek an opinion from the Federal Communications Commission. CBC officials are meeting here with representa- tives of the artists, musicians and performers, who are protesting the ban, scheduled to become effective April 1.

Gladstone Murray, general manager of CBC, and several of the company's broadcasting managers are attending. St. Laurent for the artists and B. Panet- raymond for the brewers. Representa- tives of the Quebec Temper- ance League, Salvation Army and several Catholic organizations have been heard in support of the ban.

It is believed the broadcasters may offer CBC a limitation of the number of programs and a reduction in advertising as a concession toward an amicable settlement of the contro- versy.

Crews Bill Amended

ALBANY, March 21.—Following widespread protest, the Crews motion picture bill was amended dur- ing debate to exempt amateur movie projection machines in private dwellings from a provision which would have required licensed operators to run them.

Para, Signs Borzage

Hollywood, March 21.—Paramount today signed Frank Borzage to di- rect "Disputed Passage," Lloyd C. Douglas story featuring Dorothy Lamour, Akin Tamiroff and Robert Preston.

Film English Football

London, March 21.—British news- paper companies hope London's participa- tion to film the Football Association Cup Final at Wembley this year, but the permission for television has yet been given.

Chicago Passes "Camp"

CHICAGO, March 21.—"Concentration Camp," Ambien release, has been given a censor permit here, after having been banned originally.

Networks Broadcast US Protest to Reich

All network programs, on CBS, NBC and Mutual, were interrupted at 12:34 P. M. yesterday to broadcast the full text of the U. S. State Department's pro- test to Germany over the treatment of Czechoslovak. NBC and CBS also short- waved the text of the protest around the world.

US Films Dominate Market in Finland

WASHINGTON, March 21.—Of the total of 578 features reviewed by the censor board of Finland in 1938, 201 were American, according to a report to the U. S. Department of Commerce from the American Consulate in Helsinki. In 1937, 175 American films were ac- counted for 180 of a total of 330. For the fourth quarter of 1938, 115 films were reviewed, of which 55 were from the United States.

In the 1938 listing, Germany was second as a source, with 56, France third with 38, and Sweden, 24. In 1937, Finland produced 19 features. Only 10 features were rejected in 1938, eight by the American and two French. Theaters in Finland have a steady rise, with 243 in 1936, 269 in 1937 and 337 last year. The seating capacity of the 337 houses is given at 43,000.

Television Leading Topic for S.M.P.E.

All leading television units will contribute reports to the television symposium which will be a feature of the Spring meeting of the Society of M. P. Engineers at Holly- wood, April 17 to 21. Those who will speak will represent NBC, RCA, NBC, CBS, DuMont and Don Lee Broadcasting. Dr. A. N. Gold- smith, chairman of the S.M.P.E. television committee, also will report to the meeting.

Visits to the Paramount and Warner studios are being arranged for the engineers by Gene L. Ryder and Major Nathan Levinson.

Disclose Briggs Buy Of Monogram Option

WASHINGTON, March 21.—Acquisi- tion of 1,594 options for Monogram Pictures common stock by O. Henry Briggs, New York, director, in Janu- ary, has been reported by the Securi- ties Exchange. The sum of $8,000.

The semi-monthly summary of the S.E.C. showed also that in December, Robert Cort, New York, disposed of 51 shares of Trans-Lux common, leaving him with 2,500 shares.

Circuit Nets $6,035

London, March 21.—The worst trading conditions in the company's history are blamed by the directors of Express Newspapers, Ltd., for the 1938 profit, after paying vari- ous charges, of $6,035.

Kaliski to GN Post in Hub

Joseph Kaliski has been appointed as manager of the Boston exchange of Grand National Pictures. He re- places Sig Witsman.

Universal Corp. Sets '38 Loss at $713,783

Universal Corp. and domestic sub- sidaries report net loss for the fiscal year ended Oct. 29, 1938, of $713,783, against a profit of $15,651 for the year ended Oct. 31, 1937. Because of a number of foreign subsidiaries and after a $141,552 provision for cumulative dividends, the loss for the year on the 8 per cent preferred stock amounted to $72,906. There was a loss of $287,398 for the year of the subsidiaries, and the cash carried to deficit.

Kaliski is holding company for a number of the Universal operating subsidiaries.

Clearance a Topic At Allied Meeting

Max A. Cohen, president of New York Allied, and E. Thornton Kelly, executive secretary, leave today for Syracuse to attend a meeting of independent exhibitors sponsored by the organization, at the Syracuse Hotel Thursday.

The meeting will start at 11 o'clock and continue during the day. Allied will have a five-minute relief for the exhibition relief directors for independents, and this session will be discussed by Cohen, who will preside. An outline of pending legislation will also be given by H. M. Riches, director of theatre re- views for RKO, will be a guest speaker.

Heads of all regional Allied units as well as national leaders will be in attendance, to the New York Allied, to "World's Fair" convention here May 23 to 25.

B. & K. Plans Drive For Second Quarter

CHICAGO, March 21.—A drive among managers for increased busi- ness was planned by Balaban and Katz from March 31 to June 30, the sec- ond quarter, in honor of John Balaban, head of the circuit.

The campaign will include cash prizes totaling $2,500. The theaters in the circuit have been divided into12 parts, with the divisional house, "A" houses, "B" houses, "C" houses and general release houses. In each division first prize will be $30, and a week's extra advance with pay; second will be $150 and third $100, except in the Loop group, where no third prize is offered. An additional $100 "surprise award" will be given. Managers head details of the drive at a meeting at the Cong- ress Hotel yesterday.

British Union Drops Sunday Shows Fight

LONDON, March 21.—Following publication and discussion of the three-weeks' plan by Balaban and Katz, Theatrical and Kind Employees to op- pose Sunday opening in disapproved districts, the association unanimously voted to discontinue the plan.

It was decided that the motion of- fered a threat contrary to the spirit of co-operation existing between the N.A.T.K.E., and the Cinematograph Exhibitors' Association.

To Make "I" Westerns

Hollywood, March 21.—Albert Ray has been signed by Universal to produce seven Johny Mack Brown westerns for the new season.
Metro Sales Will Be Along Lines of Pact

Rodgers at Chicago Meet Reveals Concessions

CHICAGO, March 22.—William F. Rodgers, general sales manager of M-G-M, today announced the adoption of four provisions of the proposed trade practice program as sales policy for the company beginning with 1939-1940 deals. They are:
1. Abolition of the score charge.
2. No coercion of exhibitors by threats to build or rearrange theaters in opposition.
3. Elimination of preferred playing time on days calling for guarantee against percentage.
4. Shorts, newsreels and trailers will be sold separately from features.

Other provisions of the proposed program will be incorporated in connection retroactively if it is adopted nationally.

"Desire Arbitration"

Clearance problems and disputes involving overbuying will be dealt with through arbitration, when the industry sets up the machinery. “We desire (Continued on page 3)

Must Stop Duals, Lichtman Declares

Chicago, March 22.—“Double and triple features will ruin the industry if they are not stopped soon,” said Al Lichtman, M-G-M vice-president, at the company’s luncheon for exhibitors at the Palmer House here today.

Lichtman declared that both exhibitors and distributors must cooperate to rid the industry of multiple features. He said all companies must be encouraged to make superior product if business is to improve. More big pictures of high quality are needed from all companies, he said.

92 Films Registered Under Quota in Year

London, March 22.—Oliver Stanley, president of the British Board of Trade, reported in the House of Commons today that 92 features were registered under the quota provisions of the Films Act between April 1, 1938, and March 15, 1939. He put the average cost of the films at about $15 per foot, and declared himself satisfied that there has been an improvement in film quality.

Canada Film Board Measure Opposed

OTTAWA, March 22.—After speedily passing three readings in the House of Commons the act to create a National Film Board, a Cabinet leader, believed the Government should have its film work done by commercial companies instead of appointing “unco-ordinated and another batch of civil service.” Senator Raoul Daurand, Government Leader, defended the bill as a progressive measure in the direction of economy.

As the bill now reads there would be but one salaried official in the cabinet board, others being given expenses when traveling on business and allowance being made for temporary employees when films are in production.

Mills Says Ascap Will Consider Any Proposals of NAB

TOPICA, Kan., March 22.—E. C. Mills, chairman of the administrative committee of Ascap, today told Motion Picture Daily that Ascap will gladly consider any proposal that the National Association of Broadcasters have to make. Mills’ statement was in answer to a query seeking comment on the N.A.B.’s recent action in branding its present deal with Ascap as inequitable.

“But we can make no definite comment until Ascap’s board of directors has before it full details of the broadcasters’ proposals,” he added.

The present for licensing stations was in all respects approved by the N.A.B. at the time it was effected. Ascap is entirely receptive to any sincere proposal made by any group authorized to speak for the broadcasters.”

Mills is in Topeka to appear tomorrow before the House Judiciary Committee on the Nickell anti-Ascap bill.

Arthur Kelly Is Due From Abroad Today

Arthur W. Kelly, vice-president in charge of foreign distribution for United Artists, arrives today on the Queen Mary after several months abroad. He visited South Africa and surveyed the European situation.

Other passengers are Sir Gordon Craig, general manager of British Movietone News, and R. Sutton Dawes, British sales manager for 20th Century-Fox; Sir William Wiseman of Kuhn, Loeb & Co., former Paramount director; Mr. Leslie Howard, wife of the film player, and their daughter, Leslie, and Terry Kilburn, young film player.

Would Drop All Missouri Anti-Show Business Bills

JEFFERSON CITY, Mo., March 22.—Included in the 212 bills which a revision committee of the legislature has recommended be dropped from consideration are the theatre divestiture measure sponsored by Representatives Turner and Smart; Representative Hayden’s bill creating a state censor board with sweeping powers; the two House chain store tax bills which had been combined, and the two anti-Ascap bills introduced last week.

It is considered unlikely that any of these bills, which make up all of the important legislation affecting the motion picture business, will be revived, although the revision committee’s disapproval is not a final purge of the bills it named.

The anti-Ascap measure introduced by Representatives Turner and Hamilton, had the support of the Kansas-Missouri Theatres Association. The bill of Representatives Asoteky and Gill of Kansas City was an identical measure except for three sections dealing with enforcement, and both were based on the Washington state law.

Browne Here For Parleys On IA Strike

Deadline Lifted as Talks Continue

George Browne, president of the I.A.T.S.E., is here to take personal charge of action by his union in its demands that distributors refuse to provide films to theatres affiliated with the I.A.T.S.E. organization.

Deadline for the strike call of I.A.T.S.E. and Projectionists’ Local 396 over the demands was lifted yesterday to permit industry attorneys further opportunity to arrive at a settlement without the union.

Meeting of industry attorneys yesterday with George Z. Medalie, representing the union, was inconclusive and resulted in decision to hold further meetings at a later date.

Two-Hour Meeting

Yesterday’s meeting of attorneys lasted about two hours and was concerned mainly with the legal angles involved in the unions’ demand. The attorneys discussed the legality of doing what the union demands.

Meanwhile, no strike date has been set by the labor organization but action can be taken by the unions at any time, as the membership authorized a strike contract retroactively.

The union hopes of achieving an amicable settlement of what is potentially one of the most serious union situations to come.

SWG Turns Down Producers’ Terms

Hollywood, March 23.—Members of the Screen Writers Guild, at a meeting last night in the Roosevelt Hotel, unanimously voted to instruct their executive board to continue with the NLRB hearing which resumes today before Special Examiner James C. Batten.

There is an impasse on three points between the SWG and the producers: (1) length of contract; (2) extent of Guild shop; (3) right of writers to write and own material during layoff periods.

The SWG members also authorized appointment of a committee to investigate possibilities of labor affiliation.
Theatre Building Declines in East

Theatre building in the 37 states east of the Rocky Mountains during January and February dropped from the contract valuation established in the corresponding months last year, according to Dodge Reports, news division of E. W. Dodge Corp.

For New England, the contracts for new houses and major alterations in the 37-state area totalled $1,965,000 during the two months. Total of 96 projects, with $254,000 square feet of floor area, were involved.

Last year in the corresponding months in the country were valued at $3,556,000, involving 110 projects with 408,000 square feet.

January contracts totalled $111,000, as compared with $1,187,000 in 1938 and $1,416,000 in 1937. In February the total was $1,154,000, as compared with $2,949,000 in 1938 and $1,977,000 in 1937.

Wilmington House Asks Picketing Ban

Wilmington, March 22—A persistent injunction was asked in a suit to end picketing of the New Wilmington Theatre in Chancery Court today. The bill was filed by owners against Projectors Local No. 423, L.A.T.S.E, and others. The projectors went out on strike six weeks ago to force a new contract. Defendants must show cause before March 30.

Delay Para. Board Meet

Monthly meeting of the Paramount board of directors, which will be held today, has been postponed to March 30 because of the absence from the city of several board members. Plans for retirement of the final $1,750,000 of the company's outstanding six per cent debentures, due in 1958, are scheduled to be discussed at the meeting.

Altec in Circuit Deal

L. W. Crosw, president of Altec, disclosed today that a three-week trip to the Midwest and south that a deal has been closed for servicing Minnesota Amusement Co. the states in Minnesota, North Dakota and Wisconsin. Deals have been closed in the past month to service more than 250 theatres, he said.

Merivales at Newport

Newport, R. L. March 22—Philip Merivale and his wife, Gladys Cooper, will co-star in "Spring Meeting," the week of July 25 to inaugurate the six-week season of the Casino under Actor-Managers, Inc., who are producers. Helen Arlen returns to the summer playhouse for the fifth season as executive director.

'Ball' at Roxy March 31

"The Alexander of Graham Bell" will open at the Roxy here March 31. National release will be April 14.

For Lunch, Dinner or Supper

Lahiff's Tavern

The Industry

METEING AND EATING PLACE

156 W. 48th St. Tel. Chickerion 4-2020

Howard Dietz, St. Skraber, Joseph K. Vogel and Pete Smith arrived from the West Coast last night from the Metro convention in Chicago. Others are due today.

Merle Oberon, who has just finished work in Samuel Goldwyn's "Whirlwind Heights," leaves the coast today for New York by the Saturday night train, and will sail for England on the Norwegian-vice next Wednesday.

Earl G. Hines, Walter E. Green and M. V. Carroll, executives, have returned to New York after attending a series of district meetings of National Theatre Supply branch managers throughout the country.

Cresson E. Smith, western and southern sales manager for RKO, will leave New York Sunday on a tour of Midwest district exchanges.

Roy Rowland has completed the second of three M-G-M Robert Berchley shorts at the Eastern Serial Studios. Berchley will return to the coast the first week in April.

Lennor Lewis, 10-year-old of the Broadway stage, has been signed by Joseph Ormato for a comedy shorts series for Century Television Pictures, Inc.

Mr. and Mrs. Armand Denis, who produced "Dark Rapture" will leave their Putnam Co., home April 15, to film Tibetan customs in the Far East.

A-Mike Vogel, chairman and Editor of Managers' Romote Table of Motion Picture Herald, celebrates his birthday today.

Bernard Krantz, manager of RKO's Albany exchange, has returned to his office after a vacation in Florida.

Bob Wolfe, RKO branch manager, returns Monday from a three-week Florida vacation.

Sam and J. A. Roth and Walter Hoffman, New Jersey exhibitors, will return from Florida April 1.

Clifford Smith, film buyer for the Comerford theatres in New Jersey, has returned from Florida and is now visiting in Chicago.

Herman Silverman, RKO booker, is the father of Inge Bergman.

Helen Matthews, owner of the Star in Jamestown, N. J., is back from Florida.

Harry David is here from Salt Lake City for conferences at the Paramount home office.

James Pollack of the west coast studio of Columbia is in town with Mrs. Pollack for a brief visit.

Mor Kruehl, operator of the Colonial and Palace in East Orange, N. J., has returned from a seven-week Florida vacation.

Mrs. Emanuel Silverstone, wife of Alexander Korda's American representative, gave birth to a daughter at Lenox Hill Hospital yesterday.

Harry Brandt, president of the I.T.O.A., returns from Chicago today.

James Finney of the Walt Disney eastern office is recovering at Beth Israel Hospital from a recent operation. He is expected to be discharged from the hospital in about two weeks.

George Emmott of the Newbury branch of RKO, has returned from Florida. Lee Newbury, head of the circuit, is expected back shortly from a Cuba vacation.

Burlah Livingstone, formerly with Universal, has been named publicity director of Film Alliance of the U. S., Inc., Harry Brandt's new company.

Jack Burke, RKO Seattle salesman, recovering from injuries sustained in an automobile collision.

Lester Thompson, head of the Advertising Advisory Council, has returned home with an ear infection.

Charlo, Argentine singer, was honored at a cocktail party given by Ramsi Corian at the Edison.

H. M. Richley, director of exhibitor relations for RKO flies to Syracuse this morning to address an Allied meeting this afternoon.

Dave Lewis, M-G-M managing director in Argentina, is mourning the death of his father in Buenos Aires.

Frank Phelps, Walter labor contact, is vacationing in Miami for two weeks.

W. H. Gruben has joined Monogram's Dallas office, covering the east Texas zone.

Ike Libson, Cincinnati exhibitor, and his brother Abe, have returned home after several weeks in Florida.

Joseph H. Seidellman, Universal foreign manager, returns to New York next Tuesday from a month's trip to South America.

Anthony Petti, secretary to J. M. Cowan, is at the Universal studio for a brief visit.

Charles D. Prattman, Universal general counsel, returns Monday from a southern trip.

Mr. and Mrs. William Dietecke are in town from Hollywood, stopping at the Waldorf-Astoria.

Michael Ruden of Rapl, Ruden and Lederer will return April 1 from a Florida vacation.

Bill Levine of the William Brandt office is vacationing in Lakewood, N. J.

Major L. E. Thompson of RKO is in Florida.

About 400 attended funeral services in Temple Emannu-El yesterday for Maurice Goodman, counsel for Trans- Lux Corporation and former general counsel for RKO. Burial was at Cypress Hills Cemetery, Brooklyn.

Among the executives and those attending the services were the following: Ned E. Dejan, vice-president and general sales manager; Nate Blumberg, president of Universal; John J. Murdock, Martin King, Mark Hyman, Milton Marsh, Louis Goldberg, William Kerman, Lawrence Green, Walter Reade, Ben Moss, Roy Byrons, Phil Oshner, Henry Walters, Ed Bloomberg, Thomas Lamb, Martin Beck, John Maloney and John Maloney, Jr.

ROSS FEDERAL HOLDS DISTRICT MEET HERE

Ross Federal Service district managers are meeting here with home office officials in preparation for a trip across the country yesterday. Attending are Harold Land, district manager at Pittsburgh; Louis Silver, Kansas City; Walter Anderson, Charlotte, and J. A. Kraker, Philadelphia.

Harry A. Ross, president, is conducting the conferences. Executive office members attending are F. X. Miske, E. W., and D. D. Ross, C. B. Ross and E. E. Ross.

NAT WOLF'S MOTHER DIES

Cleveland, March 22—Esther Fanny Wolf, mother of Nat Wolf, Warner zone manager here, died yesterday at the home of a daughter, Mrs. Charles Albert, in San Antonio, it was learned here. The funeral will be held in Houston tomorrow, for which city Mr. and Mrs. Wolf left by plane today.

JERSEY ALLIED TO MEET

Allied of New Jersey will hold a state meeting at Newark next Saturday, in the middle of April. The tentative date is April 13. State legislation will be a topic.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)
Metro Sales to Be Along Trade Pact Line—Rodgers

**Favor R. I. Bill for Sunday Stage Plays**

Providence, March 22—State Senate Judicary Committee has reported out with recommendation for passage of the bill introduced by Mascolo and sponsored by Rhode Island’s Sunday entertainment law by authorizing payments of legitimate attractions.

**Plans Nick Carter Series**

Hollywood, March 22—M-G-M has acquired screen rights to the Nick Carter stories, which appear to be the basis of a new series for the 1939-40 season. The studio has signed Jack Powell to a new long-term contract, Norman McLoud to a new long-term directing contract, Irving S. Brecher, writer, and Sam Meisen- heimer in the music department.

**Hicks Sails Saturday For Home Office Talk**

John Hicks, vice-president and foreign head for Paramount, will leave England for New York on the Normandie on Saturday for a series of home office conferences. After about a month here he will make a tour including Australia and South America before returning to exchange with heads and executives.

**Lee Joins Paramount**

Gainesville, Fla., March 22—Claude F. Lee, sparkles circuit executive, has been assigned the assignment with Paramount Pictures, Inc., to make a study of theatre public relations from a national standpoint.

Paramount home office officials were unable to explain the nature of the assignment referred to, asserting that they had no knowledge that such an assignment had been made.

**Shift Policy in K. C.**

Kansas City, March 22—Fox Es- quire, downtown first run door to the Fox Tower, has inaugurated a new policy of showing first run pictures on holdover in Fox first run others than those in the Fox group. The new policy will be carried out whenever possible.

**Sues on Parking Space**

Oklahoma, March 22—Sued for $200, 200 damages has been filed by Mrs. Rose I. Robinson against the R. D. Goldsberg Theatres Corp. It is alleged that the defendant company opened a parking space next to the plaintiff’s property, causing depreciation.

**Moss Planning New Chinese Games Test**

Talked by the grand jury’s refusal to indict in the lottery case against the Jewel Theatre in Harken, License Commissioner Moss now plans other court action as a legal test of chance games in New York City. The Commissioner will attack the problem with a complaint in the justice of the peace court. He plans to bring the management of a theatre to court on charges of operating a lottery.

They said the Jewel case tried in Special Sessions by three judges and opposed transfer of the case to General Sessions for grand jury action and a subsequent jury trial. He had pinned his hopes for elimination of games on the Jewel case and had declared that conviction would result in suspension of the theatre’s license.

**Anti-Block Booking Measure in Illinois**

Chicago, March 22—Representative Brandt today introduced into the Illinois legislature seeking to prohibit blind selling and compulsory block booking. The bill is before the House Judiciary Committee where Representa- tive Schnackenburg proposed it be rewritten to ban double features.

**RKO Gets Cronin Nobel**

Hollywood, March 22—Purchase of Dr. A. J. Cronin’s novel “Vigil in the Night” by RKO was disclosed in a wire from Pundro S. Borenszweig in Chicago to the studio. Carole Lom- bard will be starred in the picture un- der the direction of George Stevens.

**Freed of Game Charge**

Decatur, Ind., March 22—A jury has acquitted Roy and Isadore Kel- ters, theatre operators here, of charges of operating a lottery and acting as agents of a lottery for holding Bank Night in their house. The case was one of the 32 known, all in Indiana of theatre chance games.

**Test Film Cabinet**

N. D. Golden, head of the motion picture division of the U. S. Depart- ment of Commerce, was present at a fire test yesterday by Neumade Prod- ucts of a new type of film cabinet. Films were placed in a cabinet and a fire set around it. The films were taken out undamaged.

**Selznick Purchases Play**

Hollywood, March 22—David O. Selznick has purchased film rights to “Citizenship”, which he plans to produce under the title “The Winning Streak”, which will be directed by Alfred Hitchcock under his contract with Selznick International.

**Indicted on Copyright**

Fort Worth, March 22—Howard Goldin has been indicted by a Federal Grand Jury on an infringement of copyright infringement of the picture “Film of the Penitentes.”

**Garrett to Monogram**

Charles Garrett has been named manager of foreign exchange opera- tions for Monogram, by Norton V. Ritchey, foreign manager.
"Thru-Tickets" For

- The Sisters
- Four Daughters
- Brother Rat
- Angels with Dirty Faces
- Devils Island
- Blackwells Island
- Dawn Patrol
- You Can't Get Away with Murder
- I Am Not Afraid
- Oklahoma Kid
- Family Reunion
- Naughty But Nice
- Each Dawn I Die
- Yes My Darling Daughter
- Dodge City
Successful Year!

Fair Admission:
We admit we can’t make all the pictures—so we only make the best.

Warner Bros.
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<tbody>
<tr>
<td>Feb. 24</td>
<td>Let Us Live</td>
<td>Ring (G) (D)</td>
<td>Let Freedom</td>
<td>Star Reporter</td>
<td>One Third of a Nation</td>
<td>Star of Midnight</td>
<td>The Girl of the Turf</td>
<td>Society Smugglers</td>
<td>Nancy Drew, Reporter</td>
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<td>March 3</td>
<td>Romance of Redwoods (O)</td>
<td>(G) (C)</td>
<td>Mystery of Mr. Wong</td>
<td>(G) (D)</td>
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<td>Yosemite</td>
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<td>March 10</td>
<td>Blondie Meets the Boss</td>
<td>Arthur Lake</td>
<td>Ice Follies of 1930</td>
<td>(G) (D)</td>
<td>Mystery Plane</td>
<td>The Beachcomber</td>
<td>The Saint Strikes Back</td>
<td>(G) (D)</td>
<td>Secret Service of the Air</td>
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<td>March 17</td>
<td>Lone Star Pioneers</td>
<td>(G) (D)</td>
<td>Within the Law</td>
<td>(G) (D)</td>
<td>Undercover Agent</td>
<td>King of Chinatown</td>
<td>My Wife's Relatives</td>
<td>(G) (D)</td>
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<td>March 24</td>
<td>Whispering Enemies</td>
<td>Jack Holt</td>
<td>Sergeant Madden</td>
<td>Wallace Beery</td>
<td>Midnight Colbert</td>
<td>Almost a Gentleman</td>
<td>Trouble in Sundown</td>
<td>(G) (D)</td>
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<td>March 31</td>
<td>North of the Yukon</td>
<td>Starrett Winters</td>
<td>Society Lawyer</td>
<td>(D)</td>
<td>Streets of New York</td>
<td>Sudden Money</td>
<td>Hound of the Baskervilles</td>
<td>Everybody's Baby</td>
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<td>April 7</td>
<td>The Lady and the Mob</td>
<td>(G) (C)</td>
<td>Broadway Serenade</td>
<td>MacDonald Ayres</td>
<td>Boys' Reformatory</td>
<td>Mexicali Rose</td>
<td>Mr. Moto in Danger Island</td>
<td>(G) (D)</td>
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<td>April 14</td>
<td>First Offenders</td>
<td>Walter Abel</td>
<td>Calling Dr. Kildare</td>
<td>Lionel</td>
<td>(G) (C)</td>
<td>Almost a Gentleman</td>
<td>Story of Alexander</td>
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<td>April 21</td>
<td>Lucky Night</td>
<td>Beverly Roberts</td>
<td>Back Door to Heaven</td>
<td>(G) (D)</td>
<td>Bulldog Drummond's Secret Police</td>
<td>They Made Her a Spy</td>
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<td>(G) (C)</td>
<td>Robert Abel</td>
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<td>Myrna Loy</td>
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[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]
This picture is going to make more money for you than any other we have ever produced. Magazines and newspapers the country over are going to call it the "Picture of the Year." Critics will drum their desks trying to beat out new adjectives of super-delight. Theatre operators will call each other up and cry with envy or chirp with joy (depending whether they have it coming or not). People will talk about it—especially women, who will double-talk, in their enthusiasm. It will definitely be held over indefinitely—and give you the most prolonged date with profit you have ever had!
The New Universal Presents
Deanna
DURBIN
with
Nan
GREY
Helen
PARRISH
in
"3 SMART GIRLS"
and
Robert
CUMMINGS
Charles
WINNINGER
William
LUNDIGAN
Original Screenplay by Bruce Manning
and Felix Jackson
PRODUCED BY JOE PASTERNAK
A HENRY KOSTER PRODUCTION
Directed by Henry Koster
GNITUDE...
"PERSON-TO-PERSON" PICTURE!

She sings your favorites!

It's SPECIAL ACADEMY AWARD
Deanna now!

GROW UP"

Pre-release
MARCH 24
Regular Release
APRIL 7
Made by Koster, who refuses to let a screen-second slip by without twisting unique entertainment from it ... and Pasternak, whose sense of what does, and what doesn’t deserve presentation, contributes a note of genius rare in screendom
Grand National Will Release Five More Films This Season

Grand National will limit its current season selling to five new features which are ready for release, Earl W. Hammons, president, said yesterday on his return to New York from Hollywood. New season production plans depend upon completion of new financing arrangements which are now in an advanced stage and may be concluded within the next two or three weeks.

Jeffrey Bernard and Maurice Wilson, Educational-Grand National British sales representatives, are due in New York on the Queen Mary April 6, to confer with Hammons and, it is reported, completion of the company’s new financing arrangement may depend on those conferences Hammons, however, declined to comment on this.

Hammons Optimistic

Meanwhile, long range planning for the company’s operations is in evidence and Hammons is definitely optimistic about Grand National being able to pull out of its present difficulties, which resulted from the company’s producers’ walkout.

Declaring that he did “not wish to mislead anyone” on Grand National’s chances of continuing in business, Hammons told a large group of trade paper reporters that “as of this date there is no new financing for the company’s new season activities and that more than $200,000 in company commitments will be due early next fall.

Current Coast Debts Paid

On the other hand, he reported that release of five new features for the current season is assured, that all current debts of the producing company in California have been paid, including an advance credit of $25,000 to Eugene Frenke for release of the Anna Sten picture, “Exile Express.” The latter debt does not come due until April 8.

In addition, Hammons said a new contract with a further reduction of company personnel were required for economy purposes; that a new sales manager of Grand National would be appointed soon to fill the post vacated by Edward L. Alpersson; that an annual sales meeting was planned for the near future, and that negotiations were nearly concluded for the services of a well-known Hollywood producer whose commitments include theatrical, but who, in addition, would be prepared to make any pictures not delivered by Fine Arts, failure to deliver.

Liquidation Progressing

He said that no short subjects would be produced by Educational this season but that a minimum of 18 two-reelers and 25 one-reelers were planned by the company for next season. Hammons said that liquidation of Educational’s old contracts by the 20th Century-Fox and Warner was surprisingly “remarkably well” and that the company stood to realize several hundred thousand dollars from this source.

Hammons said that Grand National’s cost creditor situation had been made particularly serious by efforts of small creditors to attach valuable studio property, as permitted under California law.

Princeps’ $6,500 Indianapolis Lead

INDIANAPOLIS, March 22—The Little Princeps did $8,500 at the Indianapolis Tipple and was moved to the Apollo for a second week. “Everybody’s Darling” took the bill with it.

“Make Love or Take Us Live” also showed strength at Loew’s, where $8,500 was the take. “Yes, My Darling Daughter” was good in $9,200 at the Lyric.

Estimated takings for the week ending March 17:

- Fisherman’s Wharf (RKO)
- Everybody’s Baby (20th-Fox)
- Everybody’s Baby (Circle)
- Yes, My Darling Daughter (W.B.)

Lewis Band, “Wife,” $19,500 in Buffalo

BUFFALO, March 22—Tiel Lewis and his band, with “Wife, Husband and Friend” at the Buffalo was a standout, drawing $19,500.

Stagecoach” took a neat $8,900 at the Great Lakes and “Flight to Fame” garnered $6,500 for the Lafayette.

Estimated takings for the week ending March 18:

- Wife, Husband and Friend (20th-Fox)
- The Three Musketeers (20th-Fox)
- The Girl Downstairs (20th-Fox)
- The Three Musketeers (20th-Fox)

Moffatt Back in K. C.

KANSAS CITY, March 22—John C. Moffatt, Paramount screen writer, has returned here after three years in Hollywood to resume the post of film editor of the Kansas City Star which he held before joining Paramount. Variety Club will honor him at a dinner next Monday.

Love Affair” Denver’s Best With $10,000

DENVER, March 22—“Love Affair” and “12 Crowded Hours” scored here, with $10,000 at the Orpheum. Also recording strong grosses were “Topper Takes a Trip,” with $5,100 at the Denver, and “Midnight,” with $8,000 at the Denver. “Pygmalion” took $3,500 in its second week at the Broadway.

Estimated takings for the week ending March 22:

- Wings of the Navy (W.B.)
- Aladdin (20th-Fox)
- Midnight (25c)
- Let Us Live (25c)
- Love Affair” (RKO)

French ‘Snow White’ Set

French version of “Snow White and the Seven Dwarfs,” known as “Blanche-Neige et les Sept Nains,” will have its New York opening at the Waldorf on April 5. Following the indefinite run here, the film will play other principal cities.

Blystone, $6,700 in New Haven

NEW HAVEN, March 20—Blystone and “Adventures of James Ardon” took $6,700 at the Roger Sherman. The Loew-Poli, with “Taz and the Three Musketeers,” did $8,000. The second week of “Stagecoach” and “There’s That Woman Again” drew $2,200 at the College.

Estimated takings for the week ending March 17:

- Stagecoach (U. A.)
- There’s That Woman Again” (Col.)
- Tail Spin” (20th-Fox)
- The Three Musketeers (20th-Fox)
- The Three Musketeers (20th-Fox)

Man of Conquest

RICHARDIX—Sam Houston • Gail Patrick as Margaret Lee • Edward Ellis as Andrew Jackson
Joan Fontaine as Eliza Allen • A Republic Picture
CBS Demonstrates Its New $600,000 Television Setup

CBS, after more than a year of pressure, yesterday disclosed its new $600,000 television facilities to the press. Located atop the Chrysler Building, the transmitter, WJZ, powered for 775 kilowatts, is modulated for both video and audio transmission, needs only final tuning up before experimental operation in March.

The equipment is on the 73rd, 74th and 75th floors of the building, with two other transmitting antennas. Power output will be the same as the transmitter of NBC-RCA. However, the CBS antenna differs from NBC's in that it radiates in a vertical direction rather than in a spherical direction, as does NBC's. According to Dr. Paul Gerhard of RCA, the design of the CBS antenna will give it four times more efficiency than others. It will not increase the area of signal reception, Dr. Goldberg said, but will make for a much clearer image.

The CBS transmitter was designed and constructed by RCA. The antenna, studio and film transmission equipment were provided by CBS.

CBS began planning its television setup more than two years ago. Preliminary work was started last fall and equipment was moved in last January.

Meanwhile, construction of the television station is proceeding rapidly in the Grand Central Terminal Building, and this also is expected to be finished by May.

Three New Contracts Are Closed by WHN

Technical Institute has closed a 13-week contract with WHY, which covers a weekly half-hour show, "Hold the Press," to be broadcast Sundays. Winer & Co. is the agency.

Additionally, WHN has a 13-week contract by Beauty Affiliates for participation in "Polly the Shopper," through the agency of Guenner-Lax, and a contract by Plant Growers' Guild for announcements, through Moore & Harman, Inc.

Drop Coast Repeats Due to AFRA Scale

Because of the added expense of producing network programs, under the new scale of wages provided in the American Federation of Radio Actors pact, Blackett-Sample-Hummel is dropping its west coast re-peat broadcasts of two of its daily strips, "Just Plain Bill" and "John's Other Wife.

Plane Series on WMCA

Practical Aircraft & Diesel Training Co. has placed a series of programs over 13 weeks on WMCA. Richard Muller & Hbeks placed the account.

"Man's Castle" on Lux

Spencer Tracy and Loretta Young have been signed by Lux "Retro Theatre" to play in "Man's Castle" over CBS on Monday.

Radio Personalities

Elaine Sterne Carring-ton, author of "Pepper Pot," has an NBC management contract...

Felix Knight returns from a Hollywood vacation today. Dorothy Doran, radio editor of the Akron Beacon-Journal, is in town...

Orson Welles' wife is in a New York hospital...

CBS engineer is the father of a boy...

Additional programs we have been told about include.


domestic

Scheenberg, Ed Scheenberg, script writer, has joined the New York office of the N. & Son agency. He will work on the various programs produced by the agency's local office.

Independent Seek Own National Net

MONTREAL, March 22—Independent Canadian radio stations today applied to the Canadian Broadcasting Corporation for permission to form a separate network.

Following the presentation of the application for the Canadian Association of Broadcasters Aime Geoffrion complained that many stations were being drowned out by the networks, with added costs for more power for certain stations.

Other requests in the application were: extension of the 1,390-35 kilocycle band to the use of television and facsimile broadcasts; the right to use recorded programs between 7 and 11 P.M. and permission to mention prices of goods advertised on the air.

FCC Calendar

WASHINGTON, March 22—Federal Communications Commission has announced its calendar of broadcast applications, as follows:

April 24: Applications of KRBA, Lubbock, Tex., for increase of power from 1,000 watts to 2,500 watts, and WQDM, St. Albans, W. Va., for extension of time from day to sunset at Cleveland.

May 10: Application of M. C. Reese for a 1,200-kilocycle station at Phoenix, Ariz., for change of frequency range from 1,235 to 1,250 kilocycles, and change of power of 500 to 1,000 watts, and KOY, Phoenix, Ariz., for change of frequency from 1,390 to 350 kilocycles.

May 15: Application of KOVC, Valley City, N. D., for change of frequency of 10,500 to 1,340 kilocycles, increase of power from 100 watts to 250 watts, 250 watts to 500 watts, and 500 watts to 1,000 watts.

Other Dates to Be Set

It was also announced that hearings, on dates later to be set, had been ordered on the following applications, to the World Peace Foundation for a $250,000 international broadcasting station at Oakland, Cal.:

- Application by A. L. Lattimore for a 1,370-kilocycle station at Shelby, N. C., with 100 watts night, 250 watts day, and KMA, Shenandoah, Ia., for authority to move to Council Bluffs, Ia., and WCOA, Pensacola, Fla., for increase of power from 500 watts, night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

The other applications include requests for WKNY, Griffin, Ga., for extension of time from day to unlimited, and KALF, Portland, Ore., for an increase of day power from 1,000 to 5,000 watts.

Radio News

Scheenberg Joins Ager

Ed Scheenberg, script writer, has joined the New York office of the N. & Son agency. He will work on the various programs produced by the agency's local office.

Device Shifts Radio Sets to Television

A new device which will transform any ordinary radio receiver into a television receiver has been patented and will be marketed by the Western Electric Research Laboratory of New York. A public demonstration of the development will be held shortly.

According to Robert Robins, a manager of the corporation, the patent, by his company permits the sending of television in an area of hundreds of miles by means of "mixed frequencies," without necessity of costly relay stations. Present range of television transmission has been limited to the horizon, or about 50 miles, unless aided by booster stations.

Wald Corp, will manufacture, distribute and license the use of equipment based on its patents. It has also perfected a method of radio transmission enabling use of the present broadcast band on radio receivers for television transmission. The corporation chartered last week in Albany, is a closed company and will not make public issue of capital stock.

Women's Air Awards To Be Made April 19

Annual radio awards meeting of the Women's Air Award Committee will be held in New York on April 19. Since the organization's formation in 1934, it has been conducting a campaign toward raising $50,000 to establish the awards and granting awards to the year's best programs selected by the committee.

Frigidaire on WABC

Frigidaire Division of General Motors has launched a new local show over WABC, Entitled "Melody Time," the program is broadcast on Mondays, Wednesdays, Fridays, and Saturdays from 8:45 to 9 A.M. Lord & Thomas is the agency.

NY Radio Bill Advanced

ALBANY, March 22—Measure extending to broadcasters exemption in libel and slander action was advanced by a Senate committee today. It will come up for final vote tomorrow.

McConnell Is Renewed

Smiling Ed McConnell, broadcasting over a split NBS network and sponsored by Ballard & Ballard, has been renewed for another eight weeks, effective this week. Henri Hurst & McDonald is the agency.
No Special Judge to Hear Trust Action

Justice Department Is Satisfied with Bondy

WASHINGTON, March 26.—Department of Justice officials denied over the weekend that action had been taken to secure a special judge to hear the New York anti-trust suit, pointing out that Judge William Bondy is hearing motions and indicating that he is satisfactory to the Government.

It was flatly denied, also, that any shift was contemplated in the Department's force handling the case and rumors that Seymour Krieger of the anti-trust division staff would be made special prosecutor were declared to be unfounded. The case is in the hands of Paul Williams, it was said, and he undoubtedly will remain in charge. Krieger is one of six assistants to Williams.

SUBSTITUTES NAMED

Application of the Government to substitute seven persons, including James Roosevelt, as defendants in its anti-trust suit against the eight majors, was granted Friday by Federal Judge Samuel Mandelmann without opposition.

James Roosevelt, Charles Schwartz, Emanuel Silverstone and Theodore Caruso were named in the United

(Continued on page 6)

Loew Abandons Test Of Single Bills Here

After an eight-week test of single features at the Ziegfeld Theatre, Loew's will return the house to double bills on Thursday.

The single-feature policy was unsuccessful. Business dropped 25 percent or more. A previous mid-week singles policy had proved fairly successful, and Loew's had believed that the patrons of the de luxe house would support an extension of singles to the balance of the week. On Sixth Ave. at 54th St., the Ziegfeld caters to a better than average class.

There was a dearth of big pictures during the test. The circuit was unable to arrange for Warner and RKO product, because of the booking situation, and only one 20th Century-Fox film, "Dawn Patrol," was available for the Ziegfeld.

Minn. 'Divorce' Bill Not Slated to Pass

St. Paul, March 26.—The affiliated theatre entertainment measure which was introduced in the Minnesota legislature last week by Representative Louis E. Berg of West St. Paul is given virtually no chance of success.

The legislative session will end within a few days and the legislature is overloaded with urgent business now.

U.A. to Have At Least 22 Next Season

Hollywood, March 26.—David Selznick will make three pictures for release by United Artists for the coming season. Selznick and John H. Whitney arranged to continue with United Artists at a meeting with Maurice Silverstone, Saturday night.

Hollywood, March 26.—United Artists plans a minimum of 22 pictures for the 1939-40 season, it became known today as Maurice Silverstone, company head, prepared to return to New York after several weeks of conferences with United Artists producers. The number is exclusive of pictures which would be supplied by Selznick-International if a new releasing deal with the company is negotiated.

Understood here that deals by which Ernst Lubitsch and Sol Lesser-Frank Lloyd join the United Artists' producers' ranks were definitely set during Silverstone's visit. Together, they will probably contribute six to eight pictures to the new season's schedule.

Allied's Meet Set for June 13, Minneapolis

MINNEAPOLIS, March 26.—Allied States' national convention will be held here June 13, 14 and 15 at the Nicollet Hotel.

The dates were set by Col. H. A. Cole, Allied president, and W. A. Stevens, head of Allied of the Northwest, at a conference here. Northwest Allied will be the official host. Steffes heads the arrangements committee.

The convention will open with a directors' meeting on June 13 and close with a dinner on the night of June 15.

LOCAL 306 CALLS STRIKE FOR TODAY

Strike Threat

Operators in New York home office and exchange projection rooms are due to strike today in response to a call issued by Local 306 to protest the shutdown of the New York headquarters.

Distributors at a meeting yesterday decided to oppose the strike by seeking an injunction.

There is no threat of extended strikes or other actions of the metropolitan area.

Strike call is the outgrowth of distributors' refusal to comply with Local 306 demand that film service to theatres not employ members of the local be stopped.

Film on hand in many theatres, much of which was shipped yesterday, will continue for two days to a week in the event exchanges are vitally affected.

Hays Report to Take Up Foreign Problem

Increasingly serious problems of the industry's foreign markets will be discussed in the annual report of Will H. Hays which is to be submitted to the M.P.I.F.D.A. board today.

There is a possibility also that the meeting may consider the advisability of an industry-wide promotional action further in the form of a special anniversary tie-up or the establishment of a permanent public relations bureau such as that recommended by Howard Dietz, M-G-M advertising and publicity director, at the close of the Greatest Year drive. There is no formal proposal for a jubilee celebration before the industry now. One which contemplated an industry exhibition in Grand Central Palace to run concurrently with the World's Fair was submitted by outside interests and rejected by company advertising and publicity heads in January.

Industry participation in the world's Fair will be limited to the donation to both the San Francisco and New York stations of an American historical subject compiled recently.

Myers Declines to Predict Pact Action

WASHINGTON, March 26.—Negotiation of the proposed trade practice program is still incomplete, states Abram F. Myers, Allied general counsel.

(Continued on page 6)

Distributors Will Seek Restraining Order; Fear Shutdown

New York home offices and exchanges faced a strike by projectionists at the opening of business today.

The strike order to the employees who are members of Local 306 I. A. T. S. E. was issued by union officials late Saturday night. The order directed the union men not to report to work Monday morning. Instead they are to form picket lines. In this way it is intended that the strike will be spread progressively, including through the day workers engaged in other activities.

Starting with home office and exchange projectionists, all are planned to extend the strike eventually to include members of all affiliated bodies, thus bringing to a halt all film activities in the metropolitan district, including theatres.

Closed Shop Demand

Following several weeks of negotiation the strike order arose out of the refusal of the film companies to accede to the union demand that they cease further film service to theatres which do not employ members of Local 306.

The strike order affected employees of the eight major and two independent companies.

At a meeting of film company executives on Sunday it was decided to oppose the strike by seeking a restraining order in the United States Court today. It was stated that in the opinion of counsel the union demand was held to be illegal in that it acceded to it would result in the breaching of contracts with theatres which do not employ members of Local 306. This was said to apply in the case of the A.H. Schwartz Century Circuit and the Kocals Circuit, representing about 40 theatres, and a number of others.

Browne Okays Order

The strike program apparently has the approval of the I. A. T. S. E. George Browne, international presid-, was in conference here last week with Joseph D. Bass, district vice-president of the local. Browne is reported to have left New York by plane for Hollywood sometime during the week-end. Various exchange employment recently have been organized by the I. A. T. S. E. These include bookers, shippers and film inspectors. All are planned to be subject shortly to the progressive application of the strike order as instituted in the case of the home office projectionists.
Referendum Voted
By Equity on Stage
Shows During Fair

Quarterly meeting of Actors’ Equity voted Friday to take a referendum of its members on the stage during the World’s Fair. It is not expected that the vote will be completed by April 30, when the Fair opens, but announcement of the results is expected within two weeks thereafter.

Four conditions were imposed. All other unions, including stagehands, press agents, box-office men, musicians and ushers, must accept Sunday work without requiring extra pay. There must be one day off each week without pay for each union. Top price for musicals is $4.40 and dramatic pieces are limited to $3.30. Duration is limited to the 26 weeks of the Fair. The Fair operators agree that it is not to be a criterion or precedent for the future.

The executive committee designated six members of a nominating committee to select the official ticket for officers and counselors for the next year.

To Ask Accounting
In IATSE Dispute

HOLLYWOOD, March 23.—Russell Parsons, in charge of the district attorney’s probe into the IATSE affairs of technicians Local 37, will demand an accounting of money collected during the strike. Another development in the I. A. T. S. E. situation was a move by Zeal Fairbanks, member of Local 37, to form a separate organization.

Both sides in the fight for control of the Local will submit affidavits today on their restraining orders each has obtained against the other.

Goetz Due Thursday
With Print of ‘Chips’

Ben Goetz, M-G-M production chief in England, is due Thursday on the Normandie. He brings with him a print of “Good Bye, Mr. Chips.” Sam Wood, director of the film, is also aboard. A decision on whether to send Mickey Rooney to England to make motion pictures was “Yank at Eton,” sequel to “A Yank at Oxford,” will be made while Goetz is here. He is scheduled to discuss future plans with Louis B. Mayer on the coast.

Also due on the Normandie are John Hics, Paramount foreigner, who is arriving for home office conferences after an extended stay in Europe; Herbert Wilcox, British producer of “Shirley Temple to make her a ‘Little Princess for a Day.’” Girls between the ages of seven and ten are eligible and the Princess will be selected from photographs submitted. Entry blanks are available at local newspapers. In addition to being voted for a day the Princess will receive $100.

Para. Byway 1938 Loss

Paramount Broadway Corp., owner of the Paramount Building, reported net operating loss of $215,307 for the year 1938. Deficit at Dec. 31, last year, was $537,304, as compared with $449,143 at the end of 1937. The deficit is expected to continue this year from operations for the year amounted to $990,934. Expenses were $838,155.

Referee

STANTON GRIFFIS, chairman of the Paramount executive committee, returns to New York from Florida tomorrow. He is scheduled to leave for the coast April 5 with B. K. NEW BALABAN, Paramount president, ROBERT GILLHAM, advertising and publicity director, who arrived in New York yesterday from the studio. Neil F. Agnew, distribution head, may leave for the coast the end of this week.

JOSEF ZIMANS, musical director and assistant studio manager, returns to the National Service Left, Friday for a brief visit to Hollywood, his first trip to the coast in 15 years.

NAT WACHSBERGER, associated with Simms of Paris, is on the way to New York on the Normandie. He will confer with Harry Brands, with whom he is co-director of the Film Alliance of the United States.

MERRL OBERON, star of Samuel Goldwyn’s “Wuthering Heights,” arrives in New York. She will sail for England on the Normandie Saturday.

TEX RITTER, Monogram western star, and EDWARD FINNEY, producer of his westerns, have returned to Hollywood after a three-month personal appearance tour.

TERRY KILBURN, who arrived from England late last weekend, leaves for the weekend for the M-G-M studio.

Publicity Guild Gives
Terms to Producers

HOLLYWOOD, March 26.—William Edwards, president of the Screen Publicists’ Guild, held a committee which presented to the producers Friday the guild’s position in asking for the following: A. S. Meyer and Carol Sax, of M-G-M, 20th Century-Fox and Warners, respectively, represented the producers.

Edington Starts Work
For ‘U’ Tomorrow

HOLLYWOOD, March 26.—Harry Edington, who abandoned agency business to head his own production unit for Universal, will start operations tomorrow when he plans to under contract two or more writers.

Edington has his organization completed in three or four weeks. His addition to Universal is expected to bring to the company Douglas Fairbanks, Jr., and other stars.

Bill Revises Tax
On Film Rights to Bouts

ALBANY, March 26.—Revision of the tax provision on the sale of motion picture and broadcasting rights or public boxing and wrestling exhibitions is asked in a bill introduced jointly by Assemblyman Crews and Senator Condon. It would substitute a flat tax or five percent on gross income for the six percent per cent on total gross receipts.

ROK seeks Girl as
‘Princess for Day’

RKO theatres are seeking the child in the Metropolitan area who most resembles Shirley Temple to make her a “Little Princess for a Day.” Girls between the ages of seven and ten are eligible and the Princess will be selected from photographs submitted. Entry blanks are available at local newspapers. In addition to being voted for a day the Princess will receive $100.

Loew Ties Up Set
On Carload Scale

When Loew’s publicity department goes in for tie-ups, it does a cardboard basis. The circuit is using: 5,000 miniature diapers on “Made For Each Other,” 10,000 perfumed paper handkerchiefs to “dry the laugh-tears among ‘Pygmalion’ aud- iences.” 25,000 envelopes to plug “Honolulu,” 40,000 “Lone Ranger” necklaces, pistols, ice cream cones, etc. The stage coaches for “Stagecoach,” 100,000 samples of caramels advertising Buckleberry Finn, 50,000 Institute sample products in “Topper.”

Rydge On Today
On Australian Parley

Adjustment of the booking situation in Australia, as well as a broad discussion of restrictions imposed by N.Y. State, are the subject of conferences to be held here by Norman Bede Rydge, head of Greater Union Theatres and affiliated interests, and Samuel Schellhorn, chief of the Radio. Rydge is due today from the coast, where he has spent some time since arriving from Sydney. He is accompanied by Capt. Harold Auten, his American representative, who met him on the coast.

On Sunday evening was the guest of Y. Frank Freeman at a luncheon at the studio. Attending were George Balaban, Miss M-G-M, W. B. Cokiel, Luigi Luraschi and Edward Schellhorn, among others.

Warner Gets Plaque
For Patriotic Films

HOLLYWOOD, March 26.—Harry M. Warner was presented with a bronze plaque by the All-American Women’s Life Insurance Co. for his production of motion pictures inspiring Americanism. More than 4,000 attended the mass meeting at Warner’s Grand Theatre for the presentation.

Loew
PICTURE
DAILY
Monday, March 27, 1939

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; SAM SHAIN, Editor; JAMES A. CRONIN, Managing Editor.

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NOW!

THE PERFECT DRAMATIC STORY FOR FRED AND GINGER...
BLAZING BIOGRAPHY! DANCING IN HEAVEN!
YESTERDAY'S MUSIC IN YOUR HEART!

Fred and Ginger!—as the glamorously romantic Vernon and Irene, who became the most famous dancers on earth! . . . The drama of two in love against an unheeding world! . . . Gifted boy and golden girl . . . fighting up the ladder of Fame with Fate kicking half the runs out! . . . Irene, pioneer in woman's march of charm; Vernon, "heart crush" of a thousand debs and dowagers! . . .

Drama taken from life, told to the strains of memory's most haunting melodies, presenting a GREAT CAVALCADE OF THE DANCE including the re-creation of The Tango, The Maxixe, The Castle Walk, The Texas Tommy and many more! . . . BIG SHOW EXCITEMENT HEADED FOR TOP GROSSES!

She streamlined America's women . . . taught them how to wear clothes. She was the first to bob her hair. Her daring led the way to glamour for millions.

THE STORY OF
VERNON AND IRENE CASTLE
STARRING FRED ASTAIRE GINGER ROGERS

with
EDNA MAE OLIVER
WALTER BRENNAN
LEW FIELDS • JANET BEECHER
• ETIENNE GIRARDOY

PANDRO S. BERMAN in charge of Production
Directed by H. C. Potter • Produced by George Haight
Screen Play by Richard Sherman
Adaptation by Oscar Hammerstein II and Dorothy Yost
Big-U Film Exchange, Inc.
Columbia Pictures Corporation
Loew's Incorporated
Paramount Pictures, Inc.
RKO Radio Pictures, Inc.
Twentieth Century-Fox Film Corporation
United Artists Corporation
Vitagraph, Inc.

have posted the following notice in their New York City Exchange:

The projection room operators in our New York Exchange and Home Office have been called out on strike by Local 306.

There is no dispute between Local 306 and the company over wages, hours or working conditions.

The strike has been called solely to coerce your company to refuse delivery of its films to any theatre in Greater New York which employs a projection room operator who is not a member of Local 306.

All projectionists in our New York Exchange, Home office and theatres within the jurisdiction of Local 306 have been for a long time and are now members of that local. To comply with the demand of Local 306 would require us to breach a large number of contracts with independent theatres which do not employ members of that local.

We have been advised that to join with Local 306 in taking action which would shut off our film from these theatres, would be in violation of law. We have, therefore, been compelled to refuse the demand of Local 306.
A Royal Visitor
London, March 26—Queen Mary on Friday visited the London Studios and saw a preview of the film directed by Captain Richard Norton, Adolph Zukor and David Rose. She examined the finished print of the cliffhanger, and also toured the Denham Laboratories. She was filmed on arrival and saw the print when she departed an hour later.

UA Sets Minimum At 22 for 1939-40
(Continued from page 1)
with the remainder coming from Alexander Korda, Walter Wang, Hal Roach, Edward Small, Douglas Fairbanks and Charles Chaplin. Goldwyn's new season plans are indefinite at this time.

U. A. INVITES EXHIBITORS
Exhibitors all over the country will be asked to participate in United Artists' 20th anniversary celebration. Exhibitors will be asked to observe the company's exchanges from April 23 to May 20.

Harry L. Gold, eastern sales manager, and Jack Schaffer, western sales manager, have designated the period "United Artists Month." Among the activities planned for the period is an exhibitor endorsement policy that "quality entertainment can be achieved only when programmers are permitted to make pictures the way they want them." Exhibitor endorsement of this policy will be recorded in a "20 Golden Years Register" which will be available at every United Artists' exchange.

At the close of the anniversary period the register will be added to the company's permanent archives, and publicly distributed in the traditional organizational papers, documentary booklets and in the company's rise and a number of films that the company regards as milestones in its growth.

Another feature of the anniversary month will be the award of a gold medal to members of the sales force for distinguished service during the year ending June 30, next.

No Special Judge To Hear Trust Suit
(Continued from page 1)
Artists group in place of Mary Pickford, Charles Chaplin, Douglas Fairbanks, Samuel Goldwyn and Lubitsch under the decision are dropped as defendants: Edward L. Weisz and George L. Bagnall, in place of Harold A. Portington and Henry O. King, is the Paramount Pictures group, and Henry Rogers Winthrop for William F. Phillips in the Loew's group.

At the same time Paramount News, Inc., which merged with Paramount Pictures in April, 1937, was dropped as a defendant.

Mikado at Hartford
HARTFORD, March 26—Universal's "The Mikado" in color opened here Friday night in Bushnell Memorial Hall. It was scheduled for a three-day run at $1 top price.

Mike Gennett "Gris" Story
Warner has acquired rights to "Gris," film on the Czech situation produced by Herbert Klein, has been booked in Pennsylvania.

Equity Liberals Win Fight for Committee
Equity's liberals won their fight with conservatives over the naming of a committee that will prepare the slate of candidates for the council. Results of Friday's election yesterday showed that five of the seven members of the committee are liberals. The only conservative is Percy Moore.

Loew's to ceases "Mikado"
Dorothy, which now includes Raymond Massey, who polled a vote of 223: Whitford Kane, Fredric March, Phillip Thomas, and George Coulouris. The committee's name and naming the nominating committee is Joseph A. Vitale, Blanche Yorks and Franklin Fox.

S.A.G. Drops 3,460 Extras in 13 Months
Hollywood, March 26.—Screen Actors Guild has dropped 3,460 extras from its roles since the closed shop agreement with studios was signed 13 months ago.

Rep. Evans, for instance, stated that many new members have been admitted to the extras ranks, the Guild discloses that during the three months in June 10 regional anti-trust suits contemplated, as a result of failure of the House to grant additional funds, is hopeful of initiating them as soon as the appropriation for next year becomes available on July 1.

M-G-M Shifts Managers
CHICAGO, March 26.—Al Wingham will replace Ira Furman as M-G-M manager in Chicago. Maurice Saffie, Saffie & Haff, replaces Wingham, and Sam Gardner, Indianapolis salesman, replaces Saffie.

Bill Exempts Theatres
Milwaukee, March 26.—Theaters with refrigerating units of less than 100-ton capacity when used for humidity control and air conditioning, provided the refrigerant used is non-injurious and the refrigerating equipment is in compliance with orders of the department of health, are exempt from the provisions of the Assembly Murray bill. The measure licenses operators of refrigerating machines.

Protest Dillingfer Film
Practice Pact Draft in Today Or Wednesday

Rodgers Calls Meeting for Final Approval

Distributors are planning to approve the trade practice today or Wednes-

day in order that it may be pre-

tened as an industry program before the U.S. Senate Interstate Commer-

cie sub-Committee which begins public

cardings on April 3, on the Neby-

anti-block booking bill. Lawyers are

waiting the recent statements and removals.

All exhibitor criticism has been

considered by the lawyers in charge

drawing the final draft of the document,

which have also given consideration to Department

of Justice complaints as well as incorpora-

tions in the pending anti-trust suit in New York. The pact will not

delve into the question of divorce,

but will cover the question of arbitration.

There is a meeting of company sales

managers this morning at 10:30 at

the Hotel Astor. This meeting was

called by William F. Rodgers, chairman

of the distributors’ groups.

Rodgers received a report on the

lawyers’ work yesterday. Previous

Congressional hearings on anti-block

(Continued on page 6)

CBS to Start N.Y. Television June 15

Hollywood, March 27—William S.

Paley, president of CBS, told Morroco

PICTURE DAILY here today that his company

will start its television program in New York on June 15.

First releases will concentrate on news, he declared, and will be

confined to events in the metropolitan area.

He added that television would not be

practical for at least ten years.

While in Hollywood, Paley will con-

fer with film executives on how CBS

may cooperate with them to the best advantage of both.

“Radio broadcasting is not worry-

ing that motion picture producers will

crack down on us,” said Paley, “de-

spite recent hearings and removals from

the air. Such antics are merely

mops to exhibitors who claim broad-

casting is detrimental to their business.

Whenever producers have a job to do

particularly exploiting an important

picture, they call upon us to help

them and that condition explains all

picture-radio relationships.”

CBS will launch a coast building

program in July. It will include two

new audience stages in Hollywood.

Hays Report Cites Growth Of Film with Social Value

Public acceptance of pictures of art-

istic, social and cultural values, as

well as entertainment appeal has en-

larged the screen’s opportunities, Will

H. Hays said yesterday in his annual

report to the M. P. P. D. A.

Hays was reelected president of the

organization for his eighteenth year.

All other officers and directors were

reelected. The meeting was adjourned

to Wednesday due to the absence of

20th Century-Fox, Warners and

United Artists’ representatives.

The board discussed the foreign market and its current problems but

no action was taken. Courten Smith, the

former news executive, submitted

his report to the board on the current

status of television with particular at-

tention to the medium’s relation to

films and theatres. It was stated that

no recommendations were made in the

report and that it will not be made

public.

Hays’ discussion of pictures of so-

cial and cultural significance was

given prominence in the summary of

his annual report released to the press,

about half of the abstract being given

over to the subject.

Pictures of high social and enter-

tainment significance have attained

the greatest measure of success, the report

indicated. “There is nothing uncom-

patible between the best interests of

(Continued on page 6)

SETTLEMENT TALK ON STRIKE BEGINS

Strike Developments

Federal Judge William Bondy

urges distributors and Local 306

to mediate. Instructs RKO to

“fulfill” its contracts and author-

izes company to bring restrain-

ing action against union to test

legality of its demands. Indicates

other companies should join such

an action.

Exchange operations may be

crushed today when “backroom”

workers refuse to pass picket

lines as instructed by their union.

Picketing of home office buildings

is to start today.

Strikeors have enough film for

one to three weeks. No spread

of strike to theatre projectionists

seen immediately.

All newsreels expect to com-

plete regular issues on schedule

today.

G.N. Plans British Production Program

LONDON, March 27—Grand Na-

tional’s British production plans

include several films to be made at

Twickenham studios, which the com-

pany has acquired. One will be “Stars

Look Down,” with Michael Redgrave

and Margaret Lockwood. Will dye

and Will Hay have been placed under

contract.

Jeffery Bernard and Morris Wilson

G.N. executives, sail for Friday

New York.

To Wait Official Act On Return to Italy

Foreign department heads will not

give consideration to any proposal for

resumption of film shipments to Italy

unless it is made by official sources

and is in formal order, it has been in-

dicated following a meeting at M. P.

P. D. A. headquarters.

Arthur W. Kelly, United Artists

foreign manager, outlined to the meet-

ing a suggestion which had been

broadcast to him in Italy for resump-

tion of business by the companies.

However, it was emphasized that the

suggestion was purely a conflicting and

hence, is not a matter for negotia-

(Continued on page 6)
Orders Dismissal of Dakota Divorce

WASHINGTON, March 27—U. S. Supreme Court yesterday dismissed the North Dakota theatre divorce court case, remanding it to the U. S. District Court in Fargo with instructions to dismiss the case on the ground that the case has become "moot" through repeal of the state law.

The order stipulated that the proceedings in the Supreme Court were to be without cost to either party, the state or Paramount, which brought the case, and without costs to the high court.

The court also stipulated that no barrier to the case was to be raised to an application by either party to the District Court for an award of costs in that court.

$100,000 Movie Quiz Suit Is Dismissed

Suit for $100,000 against Donaldson & Co., Inc., agency that handled the advertising for the Movie Quiz and, as Edward J. Churchill, president, was dismissed yesterday by N. Y. Supreme Court Justice Salvador Agilita, with permission to amend the complaint.

Action was started by Edward J. Pfeifer, who claims to have given the idea for the Quiz to Donaldson early in June, 1938, and who asked for 10 per cent of the alleged profit. Justice Agilita ruled that a contract upon which a suit was based must be in writing.

Lichtman Goes West After Parleys Here

At Lichtman, M-G-M vice-president, left last night for the west after conferencing with Harry Rapf, at the home office. He came here from the company's convention in Chicago, which he attended. He was accompanied by Harry Rapf, M-G-M producer, and Mrs. Rapf.

Ampa Slate Will Be Reported Thursday

Ampa's nominating committee will report its selections for the officers for the coming year at the organization's meeting Thursday at the Astor.

Mrs. R. Milton, president, and Herbert S. Klein, producer of "Annie Oakley" on the Czech situation, will be a guest speaker at the luncheon.

Eliot Koen Is Dead

Eliot Koen, editor of Silver Screen for many years, died of a heart attack in Long Island Hospital yesterday.

Maurice Silverstone, United Artists chief executive, is delaying his departure from the coast for several additional days and probably will not be back in New York until next week. Mr. Farley, advertising and publicity director, is scheduled to arrive in New York on a plane tonight, following his recent coast visit.

Charles S. Aronson of the theatrical staff of Motion Picture Daily, is the father of a girl, born to Mrs. Aronson at the Sydenham Hospital, Manhattan, on Sunday.

Charles D. Prutzman, Universal general counsel, was back at his office yesterday after a business trip to Phoenix, Ariz.

Paul Gusmanov, Cleveland theatre owner, and Mrs. Gusmanov, returned from an extended southern trip.

Harry Buxbaum, 20th Century-Fox New York exchange manager, has returned after two weeks in Miami.

E. A. Helou, office manager at Columbia's New York exchange, is confined to his home with a sore throat.

Thomas S. Walker, publicity man, has been named representative in the south for Film Makers Trailer Co. of Chicago.

Anna May Wong has been signed to appear on Orson Welles in a radio adaptation of G. B. S. Buck's "The Patriot" on April 15.

Huntington, Paramount theatre associate in the southeast, is at the home office from Charleston, Va.

Harry G. Kosch, Allied of New York counsel, is due Monday from a quick trip to Havana on business.

Barbara S. Barron, Paramount theatre associate in Ohio, is in New York to confer with office officials.

Mitchell Azriel, Republique's post-office head, is the father of a nine-pound boy, Gary Gerson.

Jack Sogol, M-G-M salesman in Cleveland, has returned home from the hotel after an operation.

Leo Justin of the Walter Reade circuit will return April 7 from Mexico where he is vacationing.

Howard Dietz, M-G-M advertising and publicity director, has left for a vacation in Bermuda.

Frankly Underwood, eastern story head for 20th Century-Fox, is recuperating from an illness at Doctors' Hospital.

Leonette, Paramount home office theatre executive, returned to the city yesterday from a two-week cruise to the West Indies.

George Welbaum is at home ill with the flu.

Yiddish Film to Open

"Without a Home," Yiddish film produced in Poland by Adolph Mann, will open in New York March 31 in Yiddish theatres, the Astor in Manhattan, the Bronx and People's Cinema in Brooklyn. Foreign cinema Arts, Inc., is distributing the films.

Weiner to Universal

OMAHA, March 27—M. Weiner, formerly branch manager for Columbus here, has joined the Universal staff in Des Moines.

SWG Hearing Put Off

Hollywood, March 27.—The Screen Writers Guild and producers' committee at a meeting yesterday agreed to a day-to-day postponement on the N. L. R. B. hearing of guild charges scheduled for today. Further conferences were being held today looking toward an amicable settlement of differences. Both sides expressed hope that an agreement on the disputed points in the proposed bargaining contract.

Industry is Joining Yeshiva College in Refugee Student Aid

Efforts to enable Yeshiva College to increase its good work in providing for refugee students are being made by a group in the motion picture industry.

Yeshiva College, the only college of liberal arts and sciences under Jewish auspices, is giving aid to hundreds of scholars who have lost everything. Many are receiving full support at the college.

As part of their plans to aid the institution the industry group comprising workers and executives of all faiths is combining in sponsorship on a benefit dinner at the Hotel Astor next Sunday. Speakers at the dinner among others will be Alfred M. Schaefer, W. G. Van Schieen and Dr. Nelson P. Mead, president of the College of the City of New York, Van Schieen is chairman of the dinner committee, as well.


James Roosevelt Off To London Saturday

Hollywood, March 27.—James Roosevelt will take to England a print of Samuel Goldwyn's "Wuthering Heights." He sails for London, Saturday, on a special liner.

The Goldwyn office says Roosevelt is going to London to represent the producers in trade-showings of "Bolero" and "The Miracle." Roosevelt's first trip to London since becoming an officer of the Goldwyn organization.

He arrives in New York, Thursday.
"IT WOULD APPEAR, WATSON, THAT THE PICTURE IS A GREAT SUCCESS!"

"Slated to set a new high among chillers!" — Boxoffice
"Graphic chill appeal!" — Hollywood Reporter
"Opened to plaudits of a packed house!" — N. Y. Daily Mirror
"Best of Sir Arthur Conan Doyle films!" — N. Y. World-Telegram
"Enough to give Roxy customers a swell set of jitters!" — N. Y. Eve. Post
"A thoroughly entertaining mystery!" — N. Y. Journal-American
"Class mystery thriller! Conveys unrelenting menace!" — Los Angeles Times
"Sent many a shudder through last night's audience!" — L. A Examiner

RIGHT YOU ARE, SHERLOCK HOLMES...

"THE HOUND OF THE BASKERVILLES" IS DOING A SMASH BUSINESS AT THE ROXY, NEW YORK!
$25,000 for 'Honest Man' Philadelphia

PHILADELPHIA, March 27—Fox held top spot here. Hal Kemp's band, plus "You Can't Cheat an Honest Man," took a strong $2,500.

"The Great Loom" at Warners' was good for $18,000. Second run of "Pygmalion" scored a good $2,900 at the Arcadia in its second week and will be held for a third.

Estimated takings for the week ending March 23:

"Priest Without Bars" (U. A.)
AUDIENCE (1,000) (35-35-57) 6 days. Gross: $6,000. (Average, $1,000)
"Pygmalion" (M-G-M)
ARCADA—6,000 (35-35-25) 7 days. Gross: $12,000. (Average, $1,700)
"Love Affairs" (RKO)
BOYD—(1,200) (35-35-35) 7 days. Gross: $2,000. (Average, $200)
"Gunna Din" (RKO)
EARL—(2,000) (35-35-15) 7 days. Gross: $3,000. (Average, $400)
"You Can't Cheat An Honest Man" (Univ.)
FOX—(3,000) (35-35-45) 6 days. Gross: $7,000. (Average, $1,100)
Stage: Wylie's Band. Gross: $25,500. (Average, $1,600)
"Imagination" (G. A.)
KARLOFS—(1,000) (35-35-57) 7 days. Gross: $4,000. (Average, $500)
"Ice Follies of 1929" (M-G-M)
KEITH—(2,000) (35-35-25) 7 days. Gross: $1,200. (Average, $100)
"One Third of Nation" (Param.)
PALACE—(1,300) (35-35-45) 7 days. Gross: $4,000. (Average, $500)
"Cafe Society" (Param.)
STANLEY—(1,700) (35-35-35) 7 days. Gross: $1,500. (Average, $200)
"King of Chinatown" (Param.)
STATION—(1,200) (35-35-45) 7 days. Gross: $8,000. (Average, $1,100)

Expect to Make 20 Features in Mexico

MEXICO CITY, March 27—Unless there is a complete breakdown of financing, a circumstance that is beginning to be feared because of the progressively worse condition in which economics in Mexico is finding itself, Mexican producers hope to have completed 20 features by the end of spring. That will be about the biggest spring product that has been seen here ever before. Producers, though, are finding it harder and harder to get money. The pictures of the spring crop, though, are rather well financed. Yet there are fears that lack of funds may hamper the output. It looks as though the producers will have a hard time attaining their goal of 70 features for this year.

"Wuthering Heights"
(H. A.-Samuel Goldwyn)
Hollywood, March 27.—"Wuthering Heights" is a class picture. It has been designed for particular appeal to women. Considered from the standpoints of able writing, directing, and staging, it takes rank with the screen's finest efforts. It possesses unique power to grip and hold audience attention. It is essentially an adult attraction, the subject matter with which it deals being too deep for adolescent or juvenile comprehension. The crowd which saw its preview in Warners' Hollywood Theatre, its attention riveted on what was happening on the screen, sat in hushed silence. No applause interrupted the continuity. The ovation following the climax, however, was whole-hearted and enthusiastic.

In preserving the mood and spirit of Emily Bronte's century-old novel of suppressed and tragic love, the performances of the leads, Merle Oberon and Laurence Olivier, are impressive. The quality of support, particularly that contributed by David Niven, Flora Robson, Geraldine Fitzgerald, Hugh Williams and Miles Mander, is exceptionally good. Produced in the Goldwyn Theatre, this picture makes no concessions to modernism and, as written for the screen by Ben Hecht and Charles MacArthur and directed by William Wyler, it is faithful to the somber tone of the original, in which there is no humor and nothing is light or gay. A prologue, by the by, the story is told in retrospect, with Miss Robson relating it to Mander. A victim of persecution and oppression, the only happiness in Olivier's life is affection for Miss Oberon, which is returned. Her marriage to Niven, however, is Olivier's first tragedy. Leaving "Wuthering Heights," he vows that one day he will avenge himself upon all who have abused him in the years that follow. Subjects Williams to the same cruelties that had been his early lot. Finding Miss Oberon dying, their old affection flames again and they visualize the love that might have been. As she dies, Olivier places a curse on her that her spirit shall roam the moors until it is time for him to depart this world. When Mander hears an eerie voice calling, Olivier dashes out on to the moor in quest of the spirit of Miss Oberon. He dies in a storm.

The appeal of the picture is to the more sentimental and sympathetic emotions. Directly it is aimed to play upon the heartstrings of women. Taking this as the key, exploitation campaigns should be plotted to arouse the maximum amount of adult feminine interest for the attraction. Running time, 105 minutes. *A*

G. McC.

"A" denotes adult classification.

Operators Set Meeting

SALISBURY, N. C., March 27—North Carolina projectionists and stage employes have set April 23 at Charlotte for the association's convention. W. H. Fowler is president.

 Warners Book "Crisis"

Warners theatres in the Pennsylvania area have booked "Crisis," filmed on the Czech situation produced by Herbert Kline.

Goodman Band and 'Madness' $20,800 Washington Gross

WASHINGTON, March 27—Benny Goodman pulled the largest gross of the year, $20,800, at Warners' Earl. "Spring Madness" was the screen feature.

"You Can't Cheat An Honest Man" held up nicely in its second week at RKO-Keith's. It grossed $7,500.

Estimated takings for the week ending March 23:

"The Three Musketeers" (20th-Fox)
LOEW'S CAPITOL—(3,000) (35-35-65) 7 days. Stage: Clem McCarthy. Gross: $12,500. (Average, $1,800)

"Huckleberry Finn" (M-G-M)
LOEW'S COLUMBIA—(1,800) (35-36-45) 6 days. Stage: Dan Goodwin. Gross: $8,000. (Average, $1,300)

"Made for Each Other" (U. A.)
PALACE—(1,200) (35-35-25) 7 days. Gross: $7,500. (Average, $1,000)

"You Can't Cheat An Honest Man" (Univ.)
RKO-KEITH—(1,800) (35-35-25) 7 days. Stage: Ben Hester and revue. Gross: $7,500. (Average, $1,300)

"Spring Madness" (M-G-M)
WARNERS EARL—(2,218) (35-35-65) 7 days. Stage: Benny Goulman and orchestra. Gross: $20,800. (Average, $1,000)

"Yes, My Darling Daughter" (W. B.)
WARNERS METROPOLITAN—(1,591) (35-35-45) 7 days. Stage: $4,200. (Average, $600)

"The Little Pretender" (M-G-M)
WARNOCK—(2,200) (35-35-75) 8 days. Gross: $7,000. (Average, $875)

Garber Band Leads Milwaukee Parade, Grossing $14,000

MILWAUKEE, March 27—Topnotcher in a fair week was Jan Garber's orchestra and stage revue featuring Greer Garson and "The Long Wolf Spy Hunt" on the screen with a $14,000 gross at the Riverside.

Estimated takings for the week ending March 22-23:

"Club de Femmes"
LITTLE THEATRE—(1,100) (35-35-40) 8 days. Gross: $2,800. (Average, $300)

"Moonlight Senator" (Metro)
JOHN F. DECKER (Nep) PALACE—(1,000) (35-35-40) 4 days. Gross: $1,000. (Average, $200)

"Fast and Loose" (M-G-M)
KEITH—(1,000) (35-35-35) 7 days. Stage: Ben Hester and revue. Gross: $8,000. (Average, $1,300)

"The Lone Wolf Spy Hunt" (Col.)
RIVERSIDE—(2,000) (35-35-40) 7 days. Stage: Ben Hester and revue. Gross: $14,000. (Average, $2,000)

"Nancy Drew, Reporter" (F. N.)
TERRY HAYES (Para.) PALACE—(3,000) (35-35-40) 3 days. Stage: Ben Hester and revue. Gross: $7,000. (Average, $1,000)

"The Great Man Votes" (RKO)
KRANER—(1,200) (35-35-25) 7 days. Stage: Ben Hester and revue. Gross: $6,500. (Average, $930)

"The Little Pretender" (M-G-M)
WARNER—(2,200) (35-35-75) 8 days. Gross: $7,000. (Average, $875)

"Charlie Chan in Honolulu" (20th-Fox)
WISCONSIN—(2,000) (35-35-75) 8 days. Gross: $7,000. (Average, $875)
**Beachcomber’ Hits $6,500 In Slow Minneapolis Week**

MINNEAPOLIS, March 27—Best business getter was “The Beachcomber” at the Century where it had good results. The opening was $900, the second week $2,500, the third week $1,500, and the fourth week $1,400. After that it tailed off. (Average, $2,000.)

**Society Lawyer**

Hollywood, March 27—“Society Lawyer” is a thrilling story of crime and society, of murder and romance, deftly aligned for adult entertainment. A remake of M-G-M’s “Tenth Avenue” of 1933, the new version has Walter Pidgeon, Virginia Bruce, Leo Carrillo, Eduardo Ciannelli and Lee Bowman playing roles originally enacted by Warner Baxter, Myrna Loy, Nat Pendleton, C. Henry Gordon and Phillips Holmes.

In support are Frances Mercer, Ann Morris, Herbert Mundin, Fredric March, Thomas Meighan, Edward S. Brophy, Tom Kennedy, Clarence Kolb, Pierre Watkin, Ian Wolfe, Paul Guilfoyle and Joseph Crehan.

The new version adheres to the 1933 Somers Roche narrative, which originally appeared in the *Cosmopolitan* magazine. Pidgeon undertakes the defense of Bowman, to whom the former’s sweetheart becomes engaged, when Bowman is arrested for murder. The attorney, with the aid of Carrillo, a gangster whom he previously has defended successfully, and Miss Bruce, a night club singer who falls in love with Pidgeon, solves the murder. Carrillo is killed during Miss Bruce, but not before wiping out Ciannelli, the real murderer, and his gang. Albert Hackett and Marine M. Wright, who wrote the 1933 screenplay, with Leo Gordon and Hugo Butler are credited with the “Society Lawyer” script, an able mixture of melodrama and comedy. Edwin L. Marin directed the John W. Considine, Jr., production.

The preview audience owned some of the picture’s situations sophisticated, and the dialogue became smart.

The Production Code Administration certificate is pending. Running time, 77 minutes. “**A**”

**Wings**, at $3,400

**Missouri’ Scores Strong $13,500 in Premiere in K. C.**

KANSAS CITY, March 27—“I’m from Missouri,” in its world premiere, at the Newman, took a big $13,500. “Love Affair” at the Ophelia did $8,900, and also was held.

Estimated take for the week ending March 22-23:

**Par**

NEWMAN—$1,000 (25c-40c), 7 days, gross, $7,500. (Average, $1,000.)

**Pygmalion** (M-G-M)

ORPHEUM—$1,300 (25c-40c), 7 days. Gross, $8,900. (Average, $1,100.)

**Love Affair** (RKO)

ORPHEUM—$1,500 (25c-40c), 7 days. Gross, $10,200. (Average, $1,300.)

**Stagecoach** (U. A.)

“First Offenders” (Col.)

MIDLAND—$1,000 (25c-40c), 7 days. Gross, $8,000. (Average, $1,100.)

**The Little Princess** (20th-Fox)

UPTOWN—$2,000 (25c-40c), 7 days. Gross, $13,500. (Average, $1,800.)

Shift RKO Managers

CINCINNATI, March 27—Arthur M. Frudenberg, RKO division manager, has made the following appointments: C. E. Linr from Capitol to Paramount, replacing M. J. Kavanagh, resigned; James Pendergast, from Grand to Capitol; Roy C. Strain from Family to Grand, and Eugene Works from assistant to manager of the Family.

**Ban on Commercials Is Fought in Mexico**

MEXICO CITY, March 27—Restriction of educational and industrial pictures from abroad to those that the Federal Government approves is being protested by numerous businessmen who desire to obtain many such pictures from the United States. They petition the Senate to make the import laws void, which the businessmen say are valuable for Mexico’s educational and industrial advancement.

**Reade Makes Changes**

Guy Hevia has been named manager of the Community in Topeka, Kans., effective immediately. He recently appointed publicity manager of the Walter Reade Theatres. Additional shifts in the Reade circuit include:

- John McNulty from the Swift, Topeka, to the Savoy in Ashbury Park; John McNulty from the Savoy, Ashbury Park, to the Community in Morris.

**Signs Tax Token Bill**

TOPEKA, Kans., March 27—Gov. Payne Ratner has signed the bill making the sign tax obsolete.

**SANTA ANA CAN’T ATTACK! ’DEAL!’ WE’RE UPHILL FROM HIM AND PROTECTED BY THE WOODS. HE CAN’T RETREAT BECAUSE HE’S BLOCKED OFF BY THE RIVER. SO WE’LL LET HIM STEW IN THE HOT SUN FOR A SPELL.”**

**DAILY**

**America — First, Last, Always!**

**Man of Conquest**

RICHARD DIX as Sam Houston  •  Gail Patrick as Margaret Lea  •  Edward Ellis as Andrew Jackson  •  Joan Fontaine as Eliza Allen  •  A Republic Picture
Hays Report Cites Growth of Films With Social Value

(Continued from page 1)

the box-office and the kind of entertainment that raises the level of audience appreciation.”

Summarizing the effect of public opinion on the Hays Men, Mr. Hays said the call is for continued themes which treat of “mankind’s long struggle for freedom” and proper emphasis in our screens of the theme of Americanism; for pictures treated with realism drawn from life; for films which dramatize home life and habits, for films which will meet our entertainment responsibilities to our sister nations.

Cites Foreign Effect

Hays pointed out that American pictures, even when censored abroad, “carry their own refutations of the alleged freedom” of our policies, our efforts and our system. From the standpoint of American trade and industry, he said, the films which our entertainment films should be messengers of our foreign trade in every field where they are exhibited.

Hays commented on the Government’s suit against the major companies, declaring that it would be a constructive effort by the Department of Justice to encourage and not to retard the industry’s operation. “Of vital interest to this great entertainment structure cannot be easily destroyed,” he said.

The belief of the M. P. P. D. A. that current misrepresentations of Hollywood should be corrected by enlarged public information and he pointed out that there are still instances of a type of publicity which is out of line with the facts and harmful to the industry.

Trade Pact Draft in Today or Wednesday

(Continued from page 1)

looking legislation were held by the Senate and House in 1936. Taking of testimony required six weeks.

The bill’s proponents will be heard first. In addition to Allied spokesmen, numerous representatives of public groups are expected to urge passage. Col. H. A. Cole, Allied president, and Abram F. Myers, general counsel, will appear. The exhibitor opposition is expected to be led by Earl Paton, president of the M. P. T. O. A. Walter Futter Gets Financing for Film

General Film Co. will finance Walter Futter’s first film to be made in England for RKO release and plans to finance additional pictures scheduled. The film is, “The Man Who Lost Himself” with Leslie Howard, scheduled to start in July. Lawrence W. Fox is president of General Film Co.

Two Say They Paid $10,000 to Nick Aid

St. Louis, March 27.—Testifying in the suit of 19 members of the Projectionists’ Union to oust John P. (“Big”) Nick, boss of the theatrical union, Clyde Westover, agent of their own organization, Clarence Kainman, motion picture theatre owner, today said he and Louis Landau, president of Local 37 on a check for $10,000 to Edward B. Brady, bunch of Nick at the Jefferson Theatre. Westover told the IATSE in 1936 while negotiations for wage increases for operators were in progress. Landau, a reluctant witness, corroborated Kainman under pressure, but later stated his statement that there was no wage increase after the fund was paid to Brady.

Kainman testified that the full committee of the theatre owners included Fred Wehrenberg, president of M.P.T.O. Louis Ansell and Thomas James, besides Landau and himself.

Nick, Brady and Westover are under indictment on extortion charges in connection with 1936-1937 payments.

Confirm Lee Position

Barney Balaban, Paramount president, yesterday confirmed the report which was made yesterday that he was expected on March 23 that Claude Lee, formerly with the Sparkes Circuit in Florida, is undertaking a study of movie public relations for Paramount and its theatre partners.

Mexico Film Man Dies

MEXICO CITY, March 27—Juan Palmer Arizo, a director of Cines Modernos, S.A., operator of a cinema circuit in this city, died at the port of Vera Cruz during a vacation. Burial was in Mexico City.

Negotiations Are Begun To Settle Operators Strike

(Continued from page 1)

capacity throughout the day, because picket lines were not established by Local 306 until midnight. Night film inspectors who were to begin their daily tasks at 4:00 P.M. refused to pass the picket line.

The effect of the strike will probably be felt by the exchanges this morning when the day workers, virtually all of whom are members of Local 51-B, the National Player’s Union, an IATSE affiliate, will refuse to cross the picket lines, thus putting the number of strikes involved in the picketing to over 20.

Theaters will not suffer for lack of product for another week at the earliest. Arrangements, cleverly devised by exhibitors to get the empty theaters which have been closed down around the city to show up the films as was available. About 10 times the normal number of exchanges crowded the exchanges and the surrounding streets yesterday. Workers were on duty at all exchanges all day Sunday up to 4:00 A.M., yesterday, reporting again for work in the forenoon.

Shippers, film inspectors and other “back room” workers remained on duty; until 10 P.M. Lou Johnson, president of the Film Exchange Employes Union, B-51, said that at a meeting of the local’s board at noon, decision was made not to go through the picket lines. The local extended the privilege to exchanges of keeping its members several hours overtime in order to complete shipments. Exchange workers are only technically on strike.

A Local 306 official said that laboratory technicians, cameramen and others affiliated with the IATSE will not be permitted to go through the picket lines at newsreel buildings. At the office of the national Motion Picture Technicians, Local 702, it was declared that the IATSE would have to be involved in this specific effect, otherwise it would not be affected.

The non-IATSE theaters which are involved in this strike employ projectionists of Empire State Motion Picture Operators Union. Abraham Kindler, president of the union which has a New York State charter, said Empire men are employed at about 500 showplaces in this state. Excluding the Century, Springer and Colac circles, as well as individual theaters, Empire’s contract with Century does not expire to the end of 1942 and the pact with Colacis has eight years still to run, Kindler said. He said Empire has 300 members.

Hepburn Play Opens On B’way Tonight

After an absence of five years, Katharine Hepburn returns to the Broadway stage tonight in “The Philadelphia Story,” at the Shubert. The play is by Philip Barry and is described as a sophisticated comedy exploiting the love affairs of a family in suburban Philadelphia. Van Heflin heads the supporting cast. The play has done well on the road.

Court Defers Action On I.A.T.S.E. Order

Hollywood, March 27.—Superior Court Judge Emmett H. Wilson today deferred judgment on the application of Local 37 to dissolve the I. A. T. S. E. restraining order, by which local officers are stopped from conducting affairs of the union. Attorneys must submit briefs on Tuesday.

There is also a motion by the order of James E. Shaw, member of Local 37 for an injunction to restrain local officers from using local treasury for full accounting of their past operations.

Meanwhile Martin Dies, head of the I.A.T.S.E. Committee on Anti-Communist Activities, has notified officers of the I.A.T.S.E. that an investigation will be made into their under which Communist activities in Hollywood unions.

Form Rochester Firm

ALBANY, March 27—Obberman Co. has been authorized to conduct a motion picture enterprise at Rochester.

Divorcement Bill Up in Wisconsin

MADISON, Wis., March 27.—A duplicate of the divorce bill introduced in the 1937 legislature has been tossed into the hopper this year by Assemblyman Alex L. Nicoli of Sparta. The bill provides that it shall be “unlawful for any motion picture treatment, where there is owned, controlled or operated, in whole or in part, by any producer or distributor of motion pictures that any theatrical project producer or distributor has any interest, direct or indirect, legal or equitable, through stock ownership or otherwise.”

The measure was introduced in both houses of the 93rd legislature and passed the Assembly, but failed in the Senate because of sine die adjournment.

New Policy Talks at 20th-Fox Convention

(Continued from page 1)

will arrive in Chicago direct from the coast. In addition, three house office executives and the New York branch delegation, representatives from Boston, Philadelphia, Albany and St. John will leave from here today.

Guests at the convention will include Spyrkos Skouras, operating head of the National division, John E. Heiliger, the circuit’s Milwaukee division head; William Powers, chief film buyer for the Astor and other New England coast film buyers, as well as E. B. Hatrick, vice-president of Cosmopolitan Productions, and Cosmo Terry, present manager of the Astor. The eastern group will leave for Chicago today in a special section of the Century which will pick up other delegations of several cities en route to the convention.

Boston, March 27.—"The Duke of West Point" and "Three Musketeers"—the Keith Memorial took a big $20,000 for the week.

The Oklahoman Kid" and "Nancy Drew, Reporter" ran a close second at the Metropolitan, taking $18,000.

Estimated takings for the week ending March 22:

- "The Strange Case of Dr. Moreau" (Col.)—4 days with vaudeville.
- "The Dams Held Hostage" (B.)—2nd run.
- "Goings Places" (W. B.)—2nd run.

"Stand Up and Fight" (M-G-M)

"Fast and Loose" (M-G-M)

"Three Weeks in a Marriage" (20th-Fox)

"Pygmalion" (M-G-M)

"Let Us Live" (Col.)

"Loew's Orpheum—(2,200) (25c-35c-45c-50c) 7 days.

"Pygmalion" (M-G-M)

"Let Us Live" (Col.)

"Loew's State—(3,537) (25c-35c-40c-50c) 7 days. Gross: $11,500. (Average. $1,642.45).

"Pygmalion" (M-G-M)

"Stand Up and Fight" (M-G-M)

"Fast and Loose" (M-G-M)

"Three Musketeers" (20th-Fox)

KEITH'S MEMORIAL—(4,332) (25c-35c-40c-50c) 7 days. Gross: $30,000. (Average. $4,285.71).

"Stand Up and Fight" (M-G-M)

"Stand Up and Fight" (M-G-M)

"Fast and Loose" (M-G-M)

"Pygmalion" (M-G-M)

"Let Us Live" (Col.)

"Loew's Orpheum—(2,200) (25c-35c-40c-50c) 7 days.

"The Duke of West Point" (U. A.)

"Three Musketeers" (20th-Fox)

"Metropolitan—(4,332) (25c-35c-40c-50c) 7 days.

"Pygmalion" (M-G-M)

"Let Us Live" (Col.)


"Pygmalion" (M-G-M)

"Stand Up and Fight" (M-G-M)

"Fast and Loose" (M-G-M)

"Three Musketeers" (20th-Fox)

"Metropolitan—(4,332) (25c-35c-40c-50c) 7 days. Gross: $30,000. (Average. $4,140.62).

"Pygmalion" (M-G-M)

"Stand Up and Fight" (M-G-M)

"Fast and Loose" (M-G-M)

"Three Musketeers" (20th-Fox)

"Metropolitan—(4,332) (25c-35c-40c-50c) 7 days. Gross: $30,000. (Average. $4,140.62).

"Pygmalion" (M-G-M)

"Stand Up and Fight" (M-G-M)

"Fast and Loose" (M-G-M)

"Three Musketeers" (20th-Fox)

"Metropolitan—(4,332) (25c-35c-40c-50c) 7 days. Gross: $30,000. (Average. $4,140.62).

October's Does $17,000

In Pittsburgh

Pittsburgh, March 27.—"Made For Each Other" at Loew's Penn led the pack with $17,000. "The Oklahoma Kid" and Al Domale's brand on stage gave the Stanley $17,200. "The Little Princess" drew $5,000 in the second week at the Fulton. "Buddy's Baby" gave the Senator the $6,200.

Estimated takings for the week ending March 23:

- "Mysterious Miss X" (Rep.)
- "Winnie Takes All" (20th-Fox)
- "Alvin"—(1,300) (25c-35c-40c) 7 days.
- "The Little Princess" (20th-Fox)
- "Fulton"—(1,300) (30c-40c-50c) 7 days. Gross: $9,000. (Average. $1,285.71).
- "Made for Each Other" (U.A.)
- "Estates" (20th-Fox) (25c-35c-40c) 7 days. Gross: $17,000. (Average. $1,285.71).
- "Fast and Loose" (M-G-M)
- "Let Us Live" (Rep.)—(2,200) (25c-35c-40c-50c) 7 days. Gross: $9,200. (Average. $6,570.71).
- "Fisherman's Wharf" (RKO)
- "King of the Underworld" (W. B.)
- "Werner"—(1,300) (25c-35c-40c) 7 days. Gross: $4,400. (Average. $628.57).

My Heart's Clears Big $11,300, Omaha

Omaha, March 27.—Orpheum’s bill of "You Can't Cheat an Honest Man" and "There Goes My Heart" pulled a strong $11,300 gross.

"Love Affair," duped in the indies. "The Springfield Child" did well at the Grandstand at $7,300. The weather was excellent.

Estimated takings for the week ending March 23:

"Love Affair" (RKO)

"Springfield Child" (RKO)

"RKO BRANDS—(1,100) (25c-35c-40c) 7 days.
- "Fast and Loose" (M-G-M)
- "Let Us Live" (Rep.)—(2,200) (25c-35c-40c-50c) 7 days. Gross: $6,500. (Average. $600.00).
- "There Goes My Heart" (U. A.)

"Orpheum—(1,300) (25c-35c-40c) 7 days. Gross: $11,300. (Average. $7,750.00).

DO YOU HAVE PICTURES?

Returning to Hollywood late in April, where I can handle distribution of some independent pictures, domestic or foreign. Have excellent contacts and a lifetime of executive experience in virtually all branches of the motion picture industry have equipped me to execute practically any type of assignment. My activities have covered independent and national sales, merchandising, advertising and exploitation.

Can supply wholly convincing references as to personal integrity, ability and past performances. Please address The Remington Institute, 1270 Sixth Avenue, New York City.
Radio Personalities

SKINNY ENNS, the Bob Hope maestro, has been signed to join the Jack Benny broadcast. 

Scheuing WMCA Program Director

Ed Scheuing has been appointed program director of the newly licensed WMCJ, to commence his work on April 1.

Congressman Hits Forcing Programs

WASHINGTON, March 27.—Broadcasters, including those of radio and television networks, are operating under lock, according to Rep. Connery, in a statement in the Congressional Record urging adoption of his investigation of the F.C.C. While exhibitors need not show pictures they must take, broadcasters must air all programs, demanded by networks, Connery said.

Hall of Television in RCA Exhibit at Fair

Revised plans for the RCA television exhibit at the New York World’s Fair call for eight display sections. They include a Hall of Television, a setup and transmission, "Telemobile" unit, a receiver display and Television Laboratory.

Program Adds Sponsors

WNEW’S “Music Hall” series obtained three additional participating sponsors yesterday. They are Premium Penny and Business & Asiatic Institute, through Wilton & Williams, and the Star Co., through Louis F. Herman Advertising Co. Another new contract, for announcements, is Foley Sales Co., a direct placement.

Ban Mexican Station

MEXICO CITY, March 27.—Concession of Station XFM, of 1,000 watts power, here, owned by the Company Pan Americana de Radio, S.A., has been cancelled by the ministry of communications and public works because the station has not met its obligations, or concessary and by failing to give the required number of daily broadcasts.

McGee Show to Canada

Fibber McGee and Molly program, heard over NBC and sponsored by the Johnson Floor Wax Co., will be expanded to the Canadian Broadcasting Co., network on April 4. The addition of the 27 CBC stations will bring the program up to 100 stations.

FCC Calendar

WASHINGTON, March 27.—Applications for two new broadcasting stations have been filed with the Federal Communications Commission by the Crabtree Valley Broadcasting Co., Inc., Hickory, N. C., seeking a 1,520-kilowatt station with 100 watts power at 750 watts day, and Grace H. Frey and Robert O. Grever, Logan, W. Va., asking for a 1,200-kilowatt, 100-watt daytime station.

The commission also received an amended application from the Neptune Broadcasting Corp., Atlantic City, seeking a station with 100 watts night, 250 watts day, asking for a frequency of 1,420 kilocycles instead of 1,500 kilocycles as originally applied.

A schedule of hearings for the week was announced as follows:

March 27: Applications of Spar- tanburg Advertising Co. for a station at Spartanburg, S. C.; and the Northwest Broadcasting Co. for a station at Concord, N. C., both to operate on 1,370 kilocycles with 100 watts night, 250 watts day.

March 28: Applications of Law rence J. Keller for a 1,310-kilowatt station, Alvon, Pa., operating 250 watts night, 250 watts day, and WFRG, Altoona, Pa., for extension of time from sharing to unlimited.

March 29: Application of North west Broadcast Co. for a 1,370-kilowatt station at Fort Dodge, Ia., with 100 watts night, 250 watts day.

March 31: Application of KPLT, Paris, Tex., for extension of time from day to unlimited with 100 watts night, 250 watts day.

Renew Reiser Orchestra

AI and Lee Reiser and their or chestra have been renewed for 13 more weeks on the Schaefer Beer program heard over WCAP. The renewal will round out a full year of the program, Batten, Barton, Durstine & Osborn is the agency.

To Explain Television

Television will be explained to the public in a broadcast over the NBC Blue, on March 31 at 7:30 P. M. by C. W. Farrier, television coordinator, and Thomas H. Hutchinson, manager of the television program division of NBC.

20th-Fox and WOR Set Facsimile Deal

Twentieth Century-Fox and WOR have completed a ten-year deal whereby film publicity will be broadcast on WOR’s facsimile network. The station claims 1,000 facsimile receivers in operation in this area. WOR employs the Pacific and RCAF facsimile systems. The 20th Century-Fox participation in the station’s "Spring Edition" will begin today. Charles E. McCarthy, 20th Century-Fox advertising manager, and Alfred J. McCoY er, WOR president, negotiated the deal.

Lack of Funds Holds Up Economic Group

WASHINGTON, March 27.—Lack of funds at the National Economic Committee almost to a standstill.

Developments tendency to slow down the committee’s activities are the pressure of other business requiring the attention of Chairman O’Mally and its members, said its chairman, the father of Leon Henderson, secretary.

The funds now to the credit of the committee, it said, are not sufficient to finance its work. It appeared that future hearings will be called until well into April.

The committee has pending in Congress a request for $2,000,000 of which $600,000 would be made available immediately. If the money is forthcoming it may alter the situation.

Three Firms Chartered

ALBANY, March 27.—Recent the atrical and film charters granted here include: 1939 Amusement Corp., New York; W. E. S. Altec, Buffalo; and G. E. & M. G. M., New York.

Is Circuit Ad Head

SPRINGFIELD, O., March 27—Rob ert E. Armstrong has been named head of the advertising and publicity department of the RCAF, a partnership of Warners and Phil Chakeres, operating several local houses. He formerly was in charge of advertising and publicity for the Jensen-VonHerrberg circuit in Seattle.

‘U’ Transfers Eng gulph

Cleveland, March 27—Joseph Eng gel, chief of Universal branch for the past year, has been transferred to Albany. He will be succeeded in Cleveland by Joseph Kaufmann, Pitts burg branch manager, whose place is being filled by Julez Lapidus, former Grand National district manager.

Studios Engaged

On 33 New Films

Hollywood, March 27—Thirty three pictures were before the cameras this week, as four finished and three started. Thirty are being prepared for the studio.

Those started were: “6,000 Enemies,” M-G-M; “Boy’s Reformatory,” Monogram; and “What a Life,” Universal.


These finished were: “Maiden Voyage,” “A Hundred to One,” “It’s a Wonderful World,” M-G-M, and “Dog-Rod,” Republic.

Columbia and M-G-M each have a short subject in work, Columbia, and a first cut of its papers each finished one. Four are being prepared, and 15 are being edited.

Fairbanks Loses in US Tax Appeal Case

WASHINGTON, March 27—Profits accruing to Douglas Fairbanks from right of publication, to the extent to which he had transferred his interests in nine films, were profit and not sale or exchange of capital assets, it was held today by the Super court.

The case which brought the court on the of Fairbanks from a lower court decision in the case brought by the Commissioner of Internal Revenue to recover taxes allegedly errone ously refunded.

Heads Kansas City Club

KANSAS CITY, March 27—Harry Wheeler has been elected president of the Cinema Club, Reel No. 1. He succeeds Stan Goldberg. Charles Crawford, treasurer, andолн D. Coles, secretary, have been re-elected.

Florence Hume in Post

Florence Hume has taken up her duties as business manager here of the United Theatres, 1101 W. 21st St., for the 11 months, etc.

Dreifuss is working on a new scheme for Columbia release at Eastern Service Studios.

Altec Closes Contract

Altec has closed a deal with Casey and Wheeler to service the circuit’s theatres in Connecticut, Pennsylvania, New York, and New Jersey. Bert Sanford, New York district manager, acted for Altec.
David Loew Will Release Through U.A.

Silverstone Signs Him For Several Years

Hollywood, March 28.—David Loew is returning to production under new agreement with the government of the late Marcus Loew, founder of Loew's, Inc., and who was an officer of Loew's. A member of Loew's company's board for 15 years or more, has become associated with United Artists. He signed a long-term deal under which he will work for two films yearly for the latter company beginning with the 1939-40 season. Loew made his debut Silverstone, operating head of U. A.

Silverstone previously signed a releasing deal with Sol Lesser and Ernst Lubitsch and renewed with Selznick International for the new season.

Two Next Season

Loew will deliver two pictures to United Artists next season, both of which will be high-budget productions with outstanding stars and directors. The Lesser-Lubitsch deal involves the formation of a $3,000,000 production company to be headed by Lesser, which will make three pictures annually for five years. Productions are slated to be budgeted at $1,000,000 each.

(Continued on page 3)

Says Neely Bill Will Kill Self Regulation

Enactment of the Neely Bill would invalidate the industry's voluntary program of self-regulation of trade practices at once, Ed Kuykendall, M. P. T. O. A. president, said yesterday.

Restoring his organization's stand against the bill for Government control of distribution and exhibition practices, Kuykendall asserted that the M. P. T. O. A. believes that 90 per cent of the exhibitors are opposed to the Neely Bill and, through its national officers and representative members, has been at work at the committee hearings on the measure opening April 3 in Washington.

Kuykendall points out that the efforts being made in Washington to obtain enactment of the measure are ill-advised on the part of its adherents both inside and outside the industry, particularly at this time. The effort is being made by the Motion Picture Industry's Washington office.

(Continued on page 3)

Those New Hats! Cincinnati, March 28.—Following protest of five women that their view of the screen had been obstructed in a local theatre, Vice-Mayor Nicholas Klien has called the attention of all managers to the State Code which makes it a misdemeanor for a manager to permit patrons to wear hats while attending a performance. There is a fine provided for violation.

It is expected the old sign: "Ladies, please remove your hats," will be resurrected.

Washington Sets In Motion Several New Trust Probes

WASHINGTON, March 28.—Department of Justice officials today disclosed that attorneys of the anti-trust division are in the field investigating numerous exhibitor complaints.

Investigations are now in Oklahoma, the Cincinnati area and in New York state. Inquiries will be made at other points from which exhibitor complaints have been received. It is understood the complaints from the Cincinnati territory have been numerous. Clearance and overbuying problems are involved.

The studies are understood to be in connection with the plan of Thurman Arnold, Assistant Attorney General, to bring 10 more film suits. The results of the investigation it was said, will have no bearing on the pending New York case, it being pointed out.

(Continued on page 3)

SHOWS WILL GO ON DESPITE THE STRIKE

Strike Developments

Distributors arrange plan for keeping all theatres open and supplying them with product. Local 306 members hold midnight mass meeting.

Local 306 members held a mass meeting at union headquarters beginning at midnight. The strike situation was discussed. What else transpired will be made known this morning.

Extra precautions are being taken by theatre owners to protect their business and property in event the strike progresses to include theatre projectionists.

Mayor Fiorello LaGuardia has stepped into the projectionists' strike, urging mediation through the state labor board. The flow of product from the exchanges in greater New York is at a standstill. Pickets are stopping all delivery trucks but no unwanted activity has occurred.

The picketing is peaceful and theatre owners and circuit heads are up the better part of the night watching the situation.

Lawyers Report Today

Judge Mathew Levy, counsel for Local 398, Judge Thomas D. Thacker and Col. William Donovan, of counsel for the companies held a mediation meeting Monday night and are to report back to their clients today.

The next meeting has not been set yet and may depend on what recommendations are made to comply with the Mayor's request for mediation.

The mayor's request follows that of Federal Judge William Pauley on Monday. Col. Donovan was in Wash.

(Continued on page 3)

Resume Trade Pact Discussion Today

Discussions on the trade practice draft began yesterday by company sales managers at the Hotel Astor, will be resumed today, in an effort to rush completion of the program. Yesterday's meetings lasted throughout the day. The draft may be completed today and a copy will be sent to Washington.

(Continued on page 3)

“The Story of Vernon and Irene Castle”

[RO] Hollywoo, March 28—Here is a picture which brought bursts of applause from the preview audience. Its 39 bygone but ever green song hits, revived in the musical score, are each in its correct calendar setting and all done in a manner to send the audience home whistling in praise of grand entertainment. So much for the musical side of the film, which would be enough in itself to carry a top line attraction but is only a fascinating factor in the splendid composition of this one.

Fred Astaire and Ginger Rogers have never had such substantial story material to work with and never performed so well. The screenplay by Richard Sherman, made from an adaptation by Arthur Hammerstein II and Dorothy Yost of two books about Vernon Castle written by his widow, is literally the story of their years together. The film opens with their meeting in 1911 and ends with the dancer-aviator's

(Continued on page 3)
Frisco Host Today
At “Bell” Preview

Hollywood, March 28.—A 16-car “Alexander Graham Bell” special train left here tonight on the Southern Pacific connection for the East, corresponding to San Francisco, where the 20th Century-Fox film based on the life of the inventor will be premiered at the Balboa Theatre at World’s Fair tomorrow afternoon. Prior ceremonies will be broadcast on a half-hour national hookup.

About the train were Darryl Zanuck, Joseph, M. Schenck, William Goetz, Al Willson, William Keeler, and players Don Ameche, Loretta Young and her three sisters, who appear in the film. Also on the train were Tyrone Power, Sonja Henie, Al Jolson, Annabelle, Douglas Fairbanks, Sr., Constance Bennett, Nancy Kelly, Richard Greene and others.

The press was represented by 135 Hollywood correspondents of major publications, press services, syndicates and photographic crews from picture magazines. Mayor Rossi of San Francisco will name Ameche Mayor for the day at City Hall ceremonies on the arrival of the train, followed by a parade over the bridge to the Fair for a tour of the grounds on thrifty-back. Elsa Maxwell will be hostess at a luncheon and later banquet at the Palace Hotel following the screening. The party will return to Hollywood tomorrow night, arriving Thursday morning.

WASHINGTON TO SEE ‘BELL’
Washington, March 28.—Official Washington will attend the preview of “The Story of Alexander Graham Bell” tonight. The showing will take place in Constitution Hall under the auspices of the National Geographic Society.

Claims Theatre Assault
Claiming assault by theatre patrons while attempting to demand admission, Maxon filed suit for $25,000 damages yesterday in the N. Y. Supreme Court against Samuel H. Horowitz, manager of the Square Theatre Co., Inc., owner of the Palace Theatre. On Jan. 1, 1939, the plaintiff stated, he was assaulted when he attempted to quiet patrons, and left the theatre celebrating New Year’s Eve.

YOU CAN BE IN LOS ANGELES
TOMORROW MORNING
via Flagship DEEPER STAR

Fly the only Southern Sunshine Route—twice daily. Exchange of planes, delicious meals. Delicious meals. Fare $19.95; 10% saving on round ticket.

The MERCURY
The SOUTHERNER
Lv. 317 p.m. Lc. 4:10 p.m.
Lv. 7:45 a.m. Lc. 5:22 p.m.

FOR RESERVATIONS
Call your local travel agent or A-1 Travel, 3220.
Ticket offices 65 Vanderbilt Ave. and Rockefeller Center, 18 W. 49th St.

AMERICAN AIRLINES
THE AMERICAN STANDARD OF SERVICE

F. Carlton Young, president of the S.C.C.C. and theatre exchange officials.

DAVID BERNSTEIN, vice-president and treasurer of Loew’s, and Mrs. Lois Loew’s, latest London assignment, will return on the Viam Amsterdam from a 46-day South American cruise. William P. Phillips, vice-president and treasurer of United Artists Theatre Circuit, also made the trip.

STANLEY J. MAYER, Des Moines branch manager for 20th Century-Fox, and John N. Dillon, Los Angeles branch head, left yesterday with the eastern group for the Chicago convention. They had been vacating there.

I. F. Dolle, assistant to Norman Moray, Vitaphone sales manager, left yesterday on a week’s sales trip to Warner exchange in Buffalo, Cleveland and Detroit.

WALTER BRANSON, captain of the George Scafler sales drive at RKO, will reach Dallas tomorrow for a Friday meeting at the RKO exchange, headed by C. W. Allen.

ROBERT SNOBLER, central district manager for the Universal salesmen in Washington, is in town for a few days of conferences at the home office.

WILLIAM ROWLAND flew in from Mexico City yesterday with a print of the Spanish-language film “Pinfuha,” which he made there.

RUDY KNOZELLA, Republic salesman in Cincinnati, has returned home after several months in Miami Valley Hos- pital, Dayton, O., following an automobile accident.

Chicago Dinner for Award Winner Today

Chicago, March 28.—Testimonial dinner being given John F. Parburn, winner of the Quigley Grand Silver Award, at the Blackstone, tomorrow evening, will find more than 75 clock and film industry leaders in attendance.

The dinner is given by the Illinois-Indiana Theatre Corp., with details arranged by the Merchandise Mart, a number of Commerce. The Gatyey, of which Borburn is manager, is in South Chicago. Scheduled to appear at the dinner will be Mayor Edward F. Kelly, Alderman William A. Rowan, Frank M. Stanley, president of the S.C.C.C. and theatre exchange officials.

Chicago Diary for Award Winner Today

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Industry Will Aid in Jewish Appeal Drive

Henry Itelson, chairman of the New York Jewish Appeal for Refugees and Overseas Needs campaign, says that the motion picture industry will play an important part in this drive for funds. According to Itelson the funds raised will be used to finance emergency programs of the American Jewish Committee and for social services to refugee aid—the Joint Distribution Committee, the United Palestine Appeal and the National Coordinating Committee Fund. Campaigns by these three organizations will be suspended for the duration of the Appeal drive.

Equity Committee Nominates Ticket

The regular ticket and clowns selected by the directors committee of Actors’ Equity were reported at the regular meeting yesterday, Burgess Meredith named president for a year and the following were nominated as councilors:


To Tender Farewell Dinner for Koerner

Boston, March 28.—Charles W. Koerner, division manager for RKO Theatres in New England, will be tended a farewell dinner next Sunday evening at the Copley Plaza. The affair is being arranged in view of the scheduled transfer of Koerner to head the New York RKO Theatres, under John J. O’Connor.


Lubitsch Metro Film Set

Hollywood, March 28.—Next Ernst Lubitsch production for M-G-M will be “The Shop Around the Corner.” Margaret Sullivan, James Stewart and Frank Morgan have the leading roles.

The Newsreel Parade

Sweetstakes winners and events in the current Nazi aggression share the spotlight in the new issue. The real and the fictional conflicts follo-

SWEETSTAKES WNS. No. 7—Germany covers Steinschult, Hall speaks a few words, Yankee Clipper takes off for Europe.

TWINNIES WNS. No. 2—Germany covers Steinschult, Hall speaks a few words, Yankee Clipper takes off for Europe.

WALL STREET WNS. No. 7—Germany covers Steinschult, Hall speaks a few words, Yankee Clipper takes off for Europe.

WASHINGTON D.C. WNS. No. 2—Germany covers Steinschult, Hall speaks a few words, Yankee Clipper takes off for Europe.

NEW YORK CITY WNS. No. 7—Berlin and London correspondents of the New York Times.

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NEW YORK CITY WNS. No. 7—Berlin and London correspondents of the New York Times.


NEW YORK CITY WNS. No. 7—Berlin and London correspondents of the New York Times.
Back to the Horse

Equipment concerns sold more hand-operated projection machines Monday and yesterday than are ordinarily disposed of in a single week. The fact that the holiday season is just a year in a time. The so-called "movie-olas" were pressed into service first by the exhibitors when their projection machines were deserted by striking operators.

Screenings of shorts and some emergency material were accomplished by means of the hand-operated machines in home office and exchange projection rooms yesterday.

Says Neely Bill Will Kill Self Regulation

Fort ports to saddle the industry with Government regulation are, above all else, inopportune in that they come at a time when the Administration is endeavoring to relieve industry of unnecessary encumbrances in the interest of the general economic well-being.

The fact that such an enactment would frustrate the industry's trade practice program, now in the final phase of development, also makes the campaign being waged for it now, an ill-advised one, the M. P. O. A. head stated.

"M. P. O. A. cannot conceive the sincerity of purpose of those who would drag outsiders in to attack the industry in which they derive their livelihood," he said.

Kay Kendall leaves for Washington tonight or tomorrow to remain there for the hearings on the Neely Bill.

Unit Case Continued

Oklahoma City, March 28—Heard yesterday was the motion of the Stage Employees Local 112 asking the removal of two maintenance men formerly employed by Standard Theatres Corp., and Byron F. Moore, formerly general manager of the defendants, has been continued until March 31 by Judge Giddings.

Mrs. Kenny at Ampa

Teresa A. Kenny, officer of Kendor Productions, will be a guest at the Ampa meeting tomorrow at the Astor. Other guests slated to attend include: Herbert Klein, producer and director of "Crisis"; Nancy Hamilton, author of "One for the Money," and Frank F. Cavanaugh.

Here to Buy Equipment

Fernando Jaramillo, engineer in charge of theatre construction for the United Player Producers, is here to buy the equipment for a new 3,000-seat theatre being erected in Bobota.

Wallace 'U' Film Set

Hollywood, March 28—Richard Wallace's first film for Universal under his producer-director deal will be "Victoria Docks at Eight."

Handling French Film

French Film Exchange is distributing in the United States and Latin America "A Man and His Wife."

Shows Will Go On Despite the Strike

(Continued from page 1)

George J. Schaefer, RKO president, yesterday named an emergency committee of district sales managers consisting of H. T. H. Markal, chairman; Edward S. Kusell, United Artists: Harry Busbaum, 20th Century-Fox, and T. J. O'Shea, M-G-M.

Plan Daily Meeting

The committee will hold daily meeting at the hotel before turning to the next member. The system may keep virtually all theatres in the city open.

The distributors say they will make every effort to keep the plan in effect and fulfill their contracts with exhibitors. They call for all exhibitors or managers to call out of the theatres by Local 306, no responsibility for theatre closings can attach to the public's asset.

Plan Injunction

Company attorneys have begun preparation of a detailed application for an injunction restraining the union from striking and, at the same time, to test the validity of the strike. Local 306 revoked its order for picketing of home office buildings but left it on the books for exchange and newsreel theatres. Midweek issues of the wards were completed and delivered to theatres on schedule. However, the projection department is operating as best they can. Some screenings were given yesterday, surmise salesmen and theatre workers were on the job in all exchanges yesterday. These employees were utilized in the film rooms getting out a few shows which were still available for exhibitors who called for them. Some of these were from New Jersey, West Coast and New York points ignored by the striking operators. A union delegation, however, is reported. It asked for transfer and tax companies to refuse to handle film during the strike.

Chicago Gets WB Short

Hollywood, March 28—Warner's historic short film " Sons of Liberty" will have its initial showing in Chicago early in April. In connection with this will be a dinner at $10 a plate to raise funds for a statue to Haym Salomon, Revolutionary patriot upon whose life the film is based.

Basch Joins Aerograf

Charles Basch has joined Aerograf Productions Co. and will serve as eastern representative.

Strike 'Cure'

"Now is a good time to start television programs for theatres," a harried exhibitor observed yesterday after an unsuccessful attempt to get a new show out of 630 Ninth Ave., because of the Local 306 strike.

Says 'Big' Nick Put Gangsters in Union

St. Louis, March 28.—All that John P. (Big) Nick did for Motion Picture Operators Local No. 143 for the $125 a week "was to attend wage negotiations," Robert Tomson, former business agent of the projectionists union under Nick, testified at today's hearing in the suit of 19 members of the union tooust Nick, their present business agent Clyde Weston and George E. Brown from control of the union.

Tomsen declared Nick put 44 men in the union instead of 133, without any of them having been voted in by the membership.

None of the members of the local and told them that Nick was in complete charge and his word was law, Tomsen said.

Government Plans New Trust Actions

(Continued from page 1)

that it is now too late to amend that complaint to include new matter.

William J. Donovan, counsel for M. P. O. A., entered his appearance here today with Department officials but declined to discuss the subject of the conferences. It is believed that discussions of phases of the Government anti-trust suit pending in New York District court and, possibly, both the New York State and Federal laws, which was submitted by agents of the Department recently.

G. N. Files $652,000 Suit Against U. P. P.

Hollywood, March 28—A suit brought by Grand National against the United Player Productions and Eugene Frenke seeks to enjoin the latter from failing to fulfill an alleged contract for the delivery of films through G. N. from which the petitioner asserts domestic gross of half a million was illegally withheld. The suit seeks the court order U. P. P. to turn over the pictures to G. N. or pay $652,000 damages. Superior Court Judge Emer- itus Waylon L. Bower was set Monday as a day for a hearing.

SWG Board Votes To Continue Parley

Hollywood, March 28.—Conference of the Screen Writers' Guild and producers were continued today. Continuance was voted by the board of directors of the guild at a meeting last night. As previously arranged, the L.R.B. hearing will remain in suspension pending negotiations.

Delay Arkansas Meet

Little Rock, Ark., March 28—J. F. Norman, president of the Independent Theatres Owners of Arkansas, disclosed today that the association's annual convention, scheduled for April 2 and 3, has been postponed to April 23 and 24. The meeting will be held at the Hotel Marion here.

Read Transferred

Atlanta, March 28—Thomas Read, manager of the Paramount for several years, has been named manager of the Fox to succeed Hudson Edwards, who has been appointed city manager of Lucas & Jenkins theatres in Savannah.

David Loew Signs UA Release Deal

(Continued from page 3)

each. Loew's contract with United Artists becomes effective next Sept. 1 on completion of his current RKO commitments. Lubitsch, who has more projects at hand than most other producers of his type, may not join United Artists until October.

Since the Loew and Lesser-Lubitsch deals gives United Artists a minimum of 30 pictures for next season.

Edward Small will make six pictures for United Artists next season under his long term contract with the company. These are "My Son," "South of Pago Pago," "Food for the Gods," "The Life of Rudolph Valentino," "Twenty Years Before a Mast" and "Quarrellist, the Raider."

Selznick International will deliver "Intermezzo" and "Rebecca" for the new season program. The company also has four additional properties which may be made available additions to "Flashlight Stream," "Ordeal," "Titanic" and "Freedom of the Press."

Rhode Island Clergy Opposes Sunday Bill

Provence, March 28—R. D. o Island clergy has come to a vote on record as opposing any legislation "further commercializing Sunday."

The resolution was aimed particularly at the DiPasquale amendment to the Sunday entertainment law, under which the presentation of legitimate attractions would be permitted in Rhode Island.

The Rev. Walter Green of the Natick Baptist Church was appointed head of a committee to oppose the DiMascolo amendment, now in the State Senate Judiciary Committee, if all, which department was also to oppose any similar legislation.

Radio Columns Read By Third of Nation

Newspaper radio columns have a far wider appeal than they are commonly credited with, a survey undertaken by Fortune Magazine indicates. The results are published in the April issue.

Almost a third of the nation reads the radio columns faithfully. Fortune's survey shows, and another third sporadically. This, states Fortune, "is probably nearly as good a batting average as the time-honored institutions of the women's and sports pages."

Wednesday, March 29, 1939

MOTION PICTURE DAILY

3
That M-G-M Lion has a positive genius for delivering big shows for big holiday crowds—Thanksgiving it was "Out West With The Hardys" New Year's it was "Sweethearts" and now it's "Broadway Serenade"!

Greetings from Jeanette MacDonald in "Broadway Serenade"

M-G-M's MUSICAL HEART-THROB! with LEW AYRES, IAN HUNTER, FRANK MORGAN
A ROBERT Z. LEONARD PRODUCTION
Screenplay by Charles Lederer
GILDING THE EASTER LILY!

We're happy to give your patrons "BROADWAY SERENADE", as sweet a holiday gold-getter as ever packed in the lads and lassies with their new Easter bonnets!

"BROADWAY SERENADE" has heart appeal, eye appeal and ear appeal—romance, spectacle and music to lift the spectator from wintry doldrums to Springtime cheer! Hear! Hear!

And speaking of M-G-M's Springtime hits:

"IT'S HEY MONEY, MONEY AND A HA-CHA-CHA!"

We have seen the new DR. KILDARE picture ("Calling Dr. Kildare") and it's a thrilling fulfillment of this series' promise!

We have seen the new HARDY FAMILY picture ("The Hardys Ride High") and when you see it you'll agree with us that it's their best yet! A riot of fun!

We have seen "GOODBYE MR. CHIPS" from our production unit that made "Yank at Oxford" and "The Citadel", which won the N. Y. critics' Best Picture of The Year award! It is sensational!

And there's Robert Taylor and Myrna Loy in "Lucky Night"—Claudette Colbert and James Stewart in "It's A Wonderful World"—Johnny Weissmuller in "Tarzan" and a flock more.

LOTS OF TALK in the papers about 1939-40 and M-G-M has big things in store for that, BUT before Sept. 1st rolls around you’re going to enjoy a merry Springtime and a Summer of gala M-G-M shows!

SUMMER, WINTER, SPRING AND FALL—AND SUMMER AGAIN—EVERY SEASON IS FRIENDLY TO YOUR BOXOFFICE WHEN YOU DEPEND ON THE FRIENDLY COMPANY!
First Giveaway

Milwaukee, March 28.—For the first time in local theatre history, the first run is going to a giveaway as a box-office lure. Starting April 12, Fox’s Palace will give away $1,000 or more each Wednesday night. House is now taking applications. Manager, Robert W. Murphy, is studying the situation. Question now being raised is whether the Warner or J. Weisfield’s Riverside will follow suit on the giveaway policy.

Cuba May Increase Film Import Duties

Cuba is considering a measure to raise import duties on films to protect the growing domestic industry, according to Eddie LeBaron, head of LeBaron Productions, who has reported to Havana surveyed distribution possibilities there.

This is the trend throughout South America where local studios have been established, and the Cuban Government has exempted Peliculas Cubanas, the country’s major studio, from taxes. Citic, another production company, is also being considered.

LeBaron said that “Mi Ti a de America” (“My American Aunt”), produced by Jaime Salvador for Peliculas Cubanas, is proving a big attraction. The film cost $60,000 and has already grossed $37,000 in Cuba. LeBaron, who conducts an orchestra in the Rainbow Room in Rockefeller Center, is also a producer of Spanish-language films. His “Citas en el Aire” is being released on Monogram and is now being shown at the Regis Theatre, Mexico City.

Legion Approves 9 Of 11 New Pictures

National Legion of Decency this week approved nine of 11 new films, giving general approval and three for adult classification. It said the Legion, which has been handling film matters for 20 years, is still in its infancy, and condemned both the latter are French films. New films approved are: “The Adventurer,” “The Virgin,” “The Spanish axe,” “He Is My Beloved,” and “The King’s Highway.”

Class A-1, Unobjectionable for General Patronage: “Mexicali Rose,” “The Air to Danger Out of Mind,” and “North of the Yukon.”


“North of Vera Cruz,” “The Story of a Family,” “The Gangster.”

Class C, Objectionable in Part: “Crossroads” (French).

Class C, Condemned: “With a Smile” (French).

Allows ‘Lynnot’ Appeal

Appeal to the Circuit Court of Appeals from a ruling of Judge Vincent L. Leibell, which awarded a judgment of $532,000 in aid of the Negroes of ‘Lynnot’ play, was allowed yesterday by Federal Judge Mandelbaum. The notice of appeal filed alleged errors committed by Judge Leibell in awarding the judgment to Edward Sheldon and Margaret Ayer Barnes, the plaintiffs.

Will Award Prizes At 20th-Fox Meet

Twenty branch managers of 20th-Fox will receive checks representing awards in the 1938 S. R. Norris, at this 25th annual convention which will be held in Chicago beginning tomorrow. About 500 employees will be present.

The checks will be presented by J. P. O’Loghlin, Canadian district head and driver. The custom contingent of home office executives and New York branch representatives, as well as delegates from the 26 branches and the home office, will take part in the convention.

Listing of the field staffs scheduled to attend the convention follows:

From Eastern Division

Boston—T. H. Bailey, district manager, F. S. Busch, assistant manager, Alexander, sales manager, J. A. Pelfrey, assistant manager, J. H. Gold, assistant manager, T. H. Murray, sales manager, E. S. Thorpe, assistant manager, H. Leibell, assistant manager.


From Midwestern Division


From the Southwestern Division

Los Angeles—T. H. Young, manager, J. R. Hart, manager, J. C. Hall, manager, J. C. Hall.

From the Northwestern Division

Denver—J. O. Bishop, manager, J. C. Hall, manager, J. C. Hall.

20th-Fox Net for 1938 $7,252,466; Gross $60,401,473

Net profit of $7,252,466 after all charges is reported by 20th-Fox for 23 weeks ending March 21 which compares with $8,617,114 for the preceding year. Fourth quarter profit of 1938 was $2,530,466, compared with $3,718,000 for the same 1937 quarter and $1,202,433 for the third quarter of 1938.

Gross income for the quarter was $60,401,473, with film rentals and accessory sales income at $38,201,314, an increase of $2,752,167 over the same period last year. The company had $1,016,797 in foreign countries where currency is either frozen or restricted.

Dividends from National Theatres Corp. are included in the report in the amount of $8,522,000, compared with $11,134,000 the year before. The dividends are received in the fourth quarter of each year.

National Theatres and its voting controlled domestic subsidiaries had consolidated net income of $2,617,673 for 1938. The 1937 income was $2,982,000.

G. B. Investment $3,737,567

The report shows an investment in Gunnont British holding companies of $5,737,567. The companies are United American, which owns 50 per cent by 20th Century-Fox, and Metropolis & Bradford Trust Co., in which M-G-M has an interest.

Other investments in and advances to affiliated companies, at cost or written down value, are National Theatres Corp., representing investment in 42 per cent of the capital stock, $8,859,886; National Films, $893,636; Hoyts Theatres, Ltd., of Australia, advances only, $372,000, and radio station WMAL, and sundry others, $608,619.

The consolidated balance sheet last Dec. 31 shows current assets of $31,275,936, including cash of $6,962,168, as against current liabilities of $6,211,515. Inventories increased during the year by $2,221,927, to $23,638,447, due to no change during 1938 in the method of amortizing picture costs.

Remodel Two in Marion

Marion, O., March 28.—Marion, local unit of Northco Theatre, Inc., has remodeled the Palace theatre, costing $2,000. A new $2,500 front has been built at the Palace, sister house.
Sensationallly Different!

Fred and Ginger in a DRAMATIC ROMANCE TAKEN FROM LIFE!...
EXCITING! THRILLING! BEAUTIFUL!

A story written by life and events to be played ONLY by Fred and Ginger! . . . The true-life romance of the couple who made dancing the world's favorite pastime!

A story that will leave you limp with TEARS . . . . and gloriously glowing with a great Cavalcade of the Dance, re-creating The Castle Walk, The Maxixe, The Tango, The Texas Tommy! . . . All the gaieties and glories, the swift drama and glamorous pageantry of a warmly-remembered yesterday parading before your eyes! . . . TRULY THE EXTENDED RUN SENSATION OF THE SCREEN!

THE STORY OF
VERNON AND
IRENE CASTLE

STARRING
FRED
GINGER
ASTAIRE
ROGERS

Told to the tunes of all the hit songs of the past two decades!
Urge Resumption of Ticket Levy in Ohio

COLUMBUS, O., March 28.—Spokesman for a Senate committee, appearing before the joint committee on permanent relief, has urged reinstatement of the 1 cent per admission tax as a means of raising funds to finance the state relief program.

His argument that the admission tax was practically the only state impost that showed an increase in 1938 over the 1937 amount and approved by P. J. Wood, secretary of the Ohio I.T.O. in the current organization bulletin, is for being due to rigid tax enforcement rather than to increase in business. Ohio exhibitors now pay a three per cent retail sales tax, based on gross returns.

Kansas Legislature To Adjourn April 3

TOPEKA, KAN., March 28.—Kansas legislature will cease consideration of all bills Thursday and will adjourn April 3. Both houses have passed resolutions to that effect.

Still on the Senate calendar is Senator Hackney's censorship bill which has been shelved. Dr. Blake Williams' request for a 10 per cent tax on newspaper circulation has been approved by P. J. Wood, secretary of the Ohio I.T.O. in the current organization bulletin, as being due to rigid tax enforcement rather than to increase in business. Kansas exhibitors now pay a three per cent retail sales tax, based on gross returns.

English Film Units Discuss Television

LONDON, March 28.—Cinematograph Exhibitors' Association and the Kinematographe Renters' Society met today in a reconsideration of television policy. No definite agreement was reached, but the two bodies will examine the situation separately and probably will meet again.

A large delegation attended, representative of various sections.

MOTION PICTURE DAILY

Wednesday, March 29, 1939

Hollywood Previews

“The Story of Vernon and Irene Castle” (Continued from Page 1)

death in the final year of the war. Theirs was a romance and experience and success of glittering adventure, gay and sad by turn, and although Astaire and Rogers are Astaire and Rogers impersonating Vernon and Irene Castle at the start of the picture, they are Vernon and Irene completely for the last 60 or more of its 90 brilliant minutes. Lew Ayres’ performance of himself is an important influence on the side of verity and Edna Mae Oliver is excellent, as is Walter Brennan, in principal support.

As produced by George Haight and directed by H. C. Potter, the picture would be a wholly satisfying love story with the music numbers that make it so much more so. Among these immensely effective incitements to audience reaction, manifested in repeated outbursts of applause during the Hollywood preview, are such memorable songs as “Oh, You Beautiful Doll,” “Waiting for the Robert E. Lee,” “Dartmouth Strutters Ball,” “Too Much Mustard,” “Yama Yama Man,” “Glow Worm,” “The Missouri Waltz,” and all the tangos, fox trots and specialty numbers the Castles made unforgettable. Every one was a hit in its era, and to these has been added a modern number of comparable caliber by Con Conrad, Herman Ruby and Bert Kalmar.

The Astaire-Rogers dancing is, as it has been in each of their successive pictures, by far their best. In this case they dance not merely because they are good at it and are expected to do a lot of it, but because a lot of good dancing is an essential part of the Castle story. They dance the dances the Castles did and there are no documentary films to argue that the Castles danced in better. As a music film, as a dance film, and as an amusing and hilarious love story, the picture is equally meritorious, artistic, entertaining and sound. Exploited as any one of these things it is a commanding article of screen merchandise. Taken altogether, it is a triple-plated box-office quantity.

Running time, 90 minutes. G.**

Roscoe Williams

“Torchy Runs for Mayor” (Warner)

Hollywood, March 28.—This installment of the Glenda Farrell-Barton MacLane reporter-detective series is about as full of melodramatic plot, counterplot and counter-counterplot as one feature-length film can be. John Miljan is the villain in this particular attempt to rid the unnamed city of crime, while Tom Kennedy, Frank Shannon, Joe Cunningham, Joe Downing and a staple Warner cast portray other characters on opposite sides of the law. It’s fast, lively and contains a number of amusing incidents in addition to the serious ones.

The screenplay is by Earle Snell, from an idea by Irving Rubine based on characters created by Frederick Nebel, and the direction is a slick job by Ray McCarey, officiating for associate producer Bryan Foy.

The story is pretty complex for quick synopsis. Miss Farrell gets so much evident against Miljan, the power behind the city government, that ranking newspapers are afraid to print her stories. So she gets a community newspaper publisher to print the news, goons help him to run for mayor as a recall candidate, then finds herself replacing him as candidate after Miljan murders him. The manner and means of removing Miljan from local politics and the land of the living are, from there on, melodramatic in the exciting extreme.

Running time, 60 minutes. G.**

Roscoe Williams

Dismissal Is Sought In Okla. Trust Suit

OKLAHOMA CITY, March 28.—Motion to dismiss the amended petition without answering the merits of the case were filed this week by defendant attorneys in the $5,000,000 federal anti-trust suits numbers 6516-L and 6517-L, in which A. B. Momand, Shawnee, Okla., independent theatre operator, is plaintiff. Momand’s attorneys last week filed a bill of particulars as ordered by Federal Judge A. P. Murrill.

Sunday Fines Upheld

CAMBRIDGE, O., March 28.—Appellate Court has approved the $2,000 fine assessed Dan Gillhula of the Cort and State Theatres here and three employees. They were arrested several weeks ago for operating Sunday fairs, and fined $50 and costs by the Mayor.

Set Club Party May 1

MIWKAUK, March 28.—Local Variety Club will hold ball, May 1, in the Schroeder Hotel. A recent membership drive resulted in the addition of about 30 new members.

“Princess” at $16,000 Leads San Francisco

SAN FRANCISCO, March 28.—“The Little Princess” paired with “Winer Take All” grossed a strong $16,000 in the “Pride Affair” at the Golden Gate drew $16,500 and was held for a second week.

Estimated takings for the second week of “Made for Each Other” at the United Artists. “The Story of a Cheat,” playing at the Clay, pulled a good $750 for the third week.

Estimated takings for the week ending March 21-27:

“Love Affair” (RKO)

GOLDEN GATE—$2,850 (25c-40c-55c) 7 days, Gross: $1,500. (Average, $214.29)

“Made For Each Other” (U.A.)

GATE—$700 (25c-40c-55c-65c) 7 days, Gross: $850. (Average, $121.43)

“Spirit of Custer” (Univ.)

ORPHEUM—$1,460 (35c-40c-55c-75c) 7 days, Gross: $1,750. (Average, $250)

“Oldman Kids” (W. B.)

LYRIC—$300 (35c-40c-55c-75c) 7 days, Gross: $325. (Average, $46.43)

“Winer Take All” (20th-Fox)

WARRFIELD—$1,450 (35c-40c-55c-75c) 7 days, Gross: $1,625. (Average, $232.14)

“Cafe Society” (Para.)

PARADE—$800 (25c-40c-55c-75c) 7 days, Gross: $900. (Average, $130)

“The Story of a Cheat” (Gall)k

HAY—$1,225 (35c-40c-55c-75c) 7 days, Gross: $1,430. (Average, $204.29)

“The Great John Ericson” (Paramount)

LARKIN—$390 (35c-40c-55c-75c) 7 days, Gross: $470. (Average, $67.14)

“Pygmalion” Does $11,000, Montreal

MONTREAL, March 28.—“Pygmalion” drew a smash $11,000 at Loew’s and was estimated at $9,000.

“The Little Princess” earned $9,000 at the Palace. “Cafe Society” and “Third of a Nation” grossed $7,500 at the Capitol while “The Musketeers” brought $4,500 to the Princess.

Estimated takings for the week ending March 25:

“Cafe Society” (Para.)

“Third of a Nation” (Para.)

“Pygmalion” (Art-Cmc)

LOEW’S—$2,850 (30c-40c-56c) 7 days, Gross: $3,125. (Average, $446.43)

“Starcoach” (U. A.)

GATE—$700 (35c-40c-55c-65c) 7 days, Gross: $750. (Average, $107.14)

“The Three Musketeers” (20th-Fox)

CHARLIE CHAN IN HONOLULU (20th-Fox)

HAY—$390 (35c-40c-55c-75c) 7 days, Gross: $450. (Average, $64.29)

Two Companies Formed

FRANKFORD, Ky., March 28.—Charles Shriver, of 583. E. W. R. and Edna E. Shriver and John B. Elliott for the Irvine Amusement Company have formed the Island Booking Company at Morehead to operate film houses and other forms of public entertainment. The companies were capitalized at $10,000 each.
Thompson Named to Sykes' FCC Place

WASHINGTON, March 28.—Nomination of Frederick I. Thompson of Mobile, Ala., to succeed Eugene O. Sykes, resigned, as a member of the Federal Communications Commission, was sent to the Senate for confirmation today by President Roosevelt. The new appointee will serve for the remainder of Sykes' term of seven years from July 1, 1934.

Thompson, long prominent Alabamian, has been in Washington since 1929. He served as member of the old United States Shipping Board, following appointment by President Wilson in 1920, through Harding and Coolidge Administrations, to 1925. Since 1935 he has been Alabama State Docks Commissioner.

193 Stations Plan to Air 'Dodge' Opening

A total of 193 stations will broadcast the Warner premiere of "Dodge City" at Dodge City, Kan., on Saturday, with the addition of the 93 stations of the NBC network making 286 stations in all.

WSSAI, which owns NBC, is in the forefront of the broadcast arrangements. The NBC network has announced that it will broadcast "Dodge City" at 5:30 P.M., and the station, which has been carrying an important public service, for him to tell people what pictures to see, rather than what pictures to avoid.

Endorses Retention Of Canadian Radio Fee

OTTAWA, March 28.—Continuation of the present $25,000-annum radio-receiving sets was endorsed by the Radio Committee of the House of Commons at a meeting held by Mr. Ross.

He said evidence of the Canadian Broadcasting Commission, officers as to "curtailment of service that must result from the $25,000 in revenue" has been heard and should be adopted by the committee as a warning of what can happen if the fee is not continued.

The motion was carried and a second motion by Ross that the main motion be sent to the House of Commons as an interim report was carried without a vote.

Musicians' Protective Association has taken steps to block the proposed reduction. The association has protested to the Radio Committee of the Canadian Parliament against the radio fee reduction.

Intercity Net Will Air Fair Programs

Preparing for the opening of the New York World's Fair, cities along the Atlantic coast will present a weekly series of special broadcasts saluting the Fair on successive Sundays from 2:30 to 3 P.M., to be broadcast through WMCA and associated stations of the Intercity network.

The series, which will be presented by both the foreign salutes from European nations which were featured on the network during the island radio, will be presented by the Intercity station in Lawrence, Mass., will present the second salute. Other broadcasts will originate from WMEX, Chicago; WCBS, New York; WJZ, Newark; WPTF, Raleigh; WPRO, Providence; WDEL, Wilmington; WGAN, Lancaster, and WORK, York.

George Gant suggested the possibility of the Alberta Government taking over the service, and the committee believed such a move would result in court action with Thermionics Ltd., and all companies licensed under the Intercity Act into the manufacture and distribution of radio tubes.

Calls Canada Radio Business Monopoly

EDMONTON, March 28.—Charging that the radio business in Canada constituted a monopoly, investigating commissioner, hase recommended to the Alberta Government that the present method of wholesale distribution be changed under the Television and Radio Networks Act. Suggesting procedures "be commenced with Thermionics Ltd., and all companies licensed under the Intercity Act into the manufacture and distribution of radio tubes.

Crosley Plans New Cincinnati Studio

CINCINNATI, March 28.—Crosley Company has purchased the 48th and 49th floors of the Carew Tower, 574 feet above the street level, in the heart of the downtown business district, in which Crosley broadcasting studios, control and observation rooms, and a projection room for pictures will be built, and an adjoining office for television construction permit, recently applied for to the F.C.C.

Crosley and its associates have been building a 1,000,000-watt radio network, with two broadcasting units consisting of a video transmitter, in which the network will operate on 3,000,000,000 carrier frequency, and a television transmitter. The station will operate on 1,000,000 watts power, on a frequency band between 30 and 300 megacycles. It is expected that the network will be increased after the tests are made.

Air Film Critics Friday

Radio Film Critics will present a portion of an informal meeting on the over WJZ from 3:30 to 4:00 P.M. Friday, discussing the problems of radio critics and of the radio and film industries.

Ken Craig Joins KSFQ

SAN FRANCISCO, March 28.—Ken Craig, formerly of KNX, Hollywood, has replaced Vance Graham on the announcing staff of KSFQ here. Graham resigned due to ill health.
20th-Fox to Open Meet at Chicago Today

280 Delegates Attending Annual Sales Parade

CHICAGO, March 29.—With 280 delegates attending from the branches, home office and foreign field, the annual sales convention of 20th-Fox starts here tomorrow for three days at the Congress Hotel. Sidney R. Kent, president, and Herman Wober, sales chief, arrived today from the coast.

Executives will discuss the details of the proposed trade practice program on sales policies and 1939-40 contracts. The foreign situation will also be a major topic.

Webber to Preside

Webber will preside at all sessions. The meeting will open tomorrow morning with roll call by Jack Sichel, assistant to Webber. Then there will be addresses by three executives of National Theatres, 20th-Century-Fox affiliate, including Spyros Skouras, president, William T. Powers, chief film buyer, and J. S. Sullivan, Fox West Coast film buyer. At this session addresses will also be heard by Felix A. Jenkins, general counsel of the company, and William J. Kupper, western division manager.

Foreign heads will speak at tomorrow afternoon session. On the program are Walter J. Hutchinson, director of foreign distribution; Sir Gordon Craig, British Movietone chief; R. Sutton Davies, British sales manager; C. V. Hale, Australian managing director; and J. Ruscica, manager in Chile. Leo Brandt, former manager in Czechoslovakia, and Harold Rosenfeld, former Vienna manager.

William J. Clark, general sales manager of short and news, will then outline his department's program for the new season: J. E. O'Loghlin.

Pa. Measure Would Compel National Anthem in Houses

HARRISBURG, Pa., March 29.—It will cost theatre operators in Pennsylvania $10 for each day they fail to display the American flag and neglect to play the national anthem before every performance, if a bill introduced today in the lower house of the Legislature by Assemblyman Samuel M. Rosenfeld of Philadelphia becomes a law.

Costs would be added to the amount of the fine, to pay which would result in the offending theatre man being sent to jail for not more than 10 days. Each day a violation is committed would constitute a separate punishable offense, and the proposed law would be effective 60 days after final enactment.

Assemblyman Edwin Winner of Montgomery County introduced a bill which would permit a referendum on Sunday films in any municipal subdivision of the state, to be held every three years instead of every five years, as now.

Assemblyman Russell H. Reese of Washington,Pa., offered a measure which would make it illegal for theatres to hold Bank Night, under penalty of fine or imprisonment or both. There already are bills before the Legislature permitting Bank Nights under a plan where 15 per cent of the receipts would be paid to the state and authorizing theatres to hold Bank Night upon payment of a license fee.

Alcohol Board Asks Liquor Air Ad Ban

Washington, March 29.—Officials of the Federal Alcohol Administration and Anti-Saloon League today told the Senate Interstate Commerce Committee that enactment of the Johnson Bill prohibiting advertising of liquor would tend to improve conditions on the air.

Neville Miller, president of the National Association of Broadcasters, urged rejection of the measure, explaining that while he was not out of sympathy with its aims it set up "dangerous and unnecessary precedents.

Strike Probe Is Opened by U. S.

Dept of Justice Agents Here Investigating Anti-Trust Angle

Department of Justice stepped into the I. A. T. S. E.—Local 306 strike situation here yesterday. Federal District Attorney's office and Federal Bureau of Investigation men were active throughout the day studying all angles of the strike. Indications are that subpoenas will be sought for officials of I. A. T. S. E., Local 306, Local B-51 and Empire State Operators union.

Mediation efforts continue with State Board making recommendations for settlement to Local 306, which is scheduled to give its answer today.

Company attorneys continue work of preparing injunction papers to restrain union.

No theatres without film at end of third day of strike. Program changes tonight will test emergency systems of film deliveries throughout city.

Scully Sets Dates for Three 'U' Meetings

Dates for Universal's three regional sales meetings were set yesterday by W. A. Scully, general sales manager.

First meeting will be held at Cincinnati, April 15 to 17, inclusive, at the J. W. Roach Hotel; the second, in Chicago, April 18 and 19 at the Palmer Hotel, and the third in Los Angeles, April 22 and 23 at the St. Francis.

Nate J. Bumbarger, Universal president, plans to attend the meetings.

Strike Developments

Federal District Attorney and Department of Justice begin investigation of local strike. Preparations to issue subpoenas for officials of I. A. T. S. E., Local 306, Local B-51 and Empire State Operators union.

Mediation efforts continue with State Board making recommendations for settlement to Local 306, which is scheduled to give its answer today.

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Will Set Early Trial

In Studio Union Case

HOLLYWOOD, March 29.—Judge Emmett H. Wilson today ordered a continuance of the hearing on pickups and depositions in the litigation over control of Studio Technicians' Local 37 between the I.A.T.S.E. and local operators. He indicated he would set an early trial date.

More than 200 pages of affidavits were submitted by opponents headed by International representatives John Gatelye and Frank Stickel and on one side, Joseph W. Carpenter and other depose Local 37 operators on another, and James E. Shaw, local member seeking an accounting of funds from the Hollywood unit's treasury.

Judge Wilson in denying A. Briskman, attorney for the suspended

Distributors Finish Trade Pact Parleys

Distributors have completed their trade practice discussions. The final draft is now up to the lawyers. Yesterday, evening meeting was held and the lawyers held another meeting for discussion of last-minute matters. The speed with which the draft is completed is up to the attorneys.
McConville Reports Latin America Gain

A decided upturn in Latin American business has been reported by Joseph A. McConville, Columbia foreign manager, yesterday following a two-weeks' business trip to Mexico. He stated that the Latin American producers, Mexican distributors, and U. S. distributors had improved considerably during the past two weeks, both in the realization of the improved results which are being shown by producers who distribute through American companies in South America, instead of through separate organizations in each country.

"L'Alibi," French production being distributed here by Columbia, has been booked to open at the Fifth Ave. Playhouse, April 8.

Equity Protests Rise In Actor Hotel Rates

Actors' Equity has issued an appeal in behalf of theatrical talent threatened with eviction from hotels in the Times Square area because of revised rates now set by the hotels. The appeal, which was made in a letter to the signature of Paul Dubell, executive secretary. It was addressed to Mayor La Guardia, License Commissioner Moss, Grover Whalen, Fair head and Edward P. Mulrooney, hotel arbitrator. Dubell pointed out that low salaried actors and chorus girls suffer because of the cancellation of weekly rates and the raise in daily rates.

Agent Sues Author

Henry M. Schiffer, literary agent, filed suit yesterday in the N. Y. Supreme Court against George E. Carney in connection with the author of the play, "Burrow, Burrow," and asked the court to direct the defendant to pay him 10 per cent of a settlement of a planned out-of-court action against Rose by a group of M-G-M Pictures.

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Pa. Censor Chief Not Yet Confirmed

HARRISBURG, Pa., March 29—Pennsylvania's noted motion picture censor, since, although Gov. Arthur H. James has named Mrs. Edna Carroll as censor board chairman following the political adjournment of the previous board, the State Senate thus far has failed to confirm her appointment. No one ever appeared to fill the other two vacancies on the board.

The state censor board is a bureau of the Department of Municipal Affairs, and the review and approval of pictures is being handled in a routine manner by the department's film and theater division, directed by Calvin Core, administrative assistant. It is understood that Miss Carroll is approved without difficulty. Any controversial matter is settled by calling in distributors who usually cooperate in any needed changes in films.

John Hicks, Paramount foreign chief, arrives today on the Nor- mandic from England. Others abroad for the company are William A.鲳e, Lenox; Ben Corey, Sam Wood, Gabriel Pascal, Greer Garson, Mrs. Erna Raper, Henry Koster, French playwright, and Dr. Eugene Zabor, Hungarian composer.

Marcel Silverstein, operating head of United Artists, leaves the coast today for New York, arriving here Sunday. Merle Oberon and his family arrive in New York today from the coast.

Matthew Fox, Universal vice president and John Joseph, advertising and publicity director, arrive in New York from the coast tomorrow for a brief home visit.

Irene Castle McLaughlin, who has come from Chicago to attend the Hall opening today of "The Story of Vernon and Irene Castle," for which she acted as technical advisor.

Mrs. Carlos Israel's gave birth yesterday to a daughter, Elizabeth, to the Lenox Health Hospital. The father is connected with the law firm of White & Case.

Mac Rubenfeld of the M-G-M sales department in Hollywood, is visiting his brother here, Joseph M. Rubenfeld, manager of Loew's Oriental.

Sheridan Girey, playwright, will arrive in Hollywood today and start work on the screenplay of the Ilove C. Douglas novel, "Disputed Passage," for Paramount.

To Rule Shortly on Ellis Fee Request

N. Y. Supreme Court Justice Louis A. Valente within the next few days will rule on applications for fees made by Emil K. Ellis, trial counsel for Loew's stockholders, in the consolidated actions brought against Loew's and its officials and directors by seven other attorneys and Bernard Reis, an accountant, it was revealed yesterday.

These applications which are now being considered by Justice Valente do not ask for specific sums, but in each instance request "reasonable fees." All the allowances will be paid by Loew's from its money and not sold for over-payments to five officers of the company.

Wins Damage Verdict

IOWA CITY, Ia., March 29.—A district court jury awarded Mrs. Mary Piltman $3,543.31 damages for injuries she suffered when she fell in the Englert here in 1937. The Englert is a unit of the Central State Theatre Corp. circuit.

Set Fleischer Opening

MIAMI, March 29.—Aladdin and His Wonderful Lamp," two-color color cartoon produced by Max Fleischer at his new studio here, will open at the Sheridan in Miami Beach April 4.

New Yorkers Off to 'Dodge City' Opening

More than 80 correspondents will attend on specials today and Friday to attend the opening of the Warner picture "Dodge City" that Kansas town on Saturday. Among the writers and others leaving from New York will be: R. B. Pelswick, Blaud Johansen, Eileen Creichan, William Bohelt, Howard Barnes, Paul Peters, Ira Wollert, Mark Barron, Jean Rue, Robert H. Kane, Jack Warner, Charlie Berns, Gwydell L. Sears, Carl Lesmer, R. J. Buck, and such films as Mitchell Ralph and John Harkins.

The New York group will be joined at Chicago by another representing magazine.

Among those who will join the party at Dodge City will be Franklin D. Roosevelt, Jr., son of the President.

Hold Monthly Para. Board Meet Today

Monthly meeting of the Paramount board of directors will be held today. Board members are: Stanley Griffis, executive committee chairman; Neil F. Agnew, distribution head; Robert Howard, United States story and talent head, leave for the coast about the middle of next week to start new season production conferences. Robert Gilmour, advertising and publicity director, leaves for the coast Monday to participate in the conference. A few days after that the studio in about 10 days. He will start east for the "Union Pacific" premiere at Omaha, April 28, with remaining stops at the home office thereafter.

Reject Revised "Darling"

TORONTO, March 29—Ontario Board of Moving Picture Censors, through Chairman J. C. Silverthorne, has rejected a version of "Yes, My Darling Daughter" on the ground that the revamped print is open to criticism that it would permit the Warner exchange to release only the original version. The original film is being presented in the UpTown here and the Centre, Ottawa.

Decision Reserved In Arnstein Action

Decision in the $2,000,000 plagiarism suit of Ira B. Arnstein against the producers of a number of music publishing houses was reserved yesterday by Federal Judge Edward A. Conger, after a trial that lasted more than six weeks.

Arnstein, who asked for an injunction, accounting and $2,000,000 damages, claimed plagiarism of over 50 of his songs in compositions of the defendants, and also charged the defendants with conspiracy to deny him membership in Ascap.

To Film Canada Shorts

TORONTO, March 29.—Stuart Legg of Straw Film Co., London, has been engaged by the Dominion Gov- ernment under a contract calling for a salary of $3,000 for the directing of two short subjects dealing with youth training projects under Federal-Provincial auspices, the films to be produced within a period of three months.

250 Prints of ' Streets'

Hollywood, March 29.—More than 250 prints of Sam Wood's "Street of New York" will be issued at once according to W. Ray Johnston, Monogram president. Action was taken after New York and Chicago sales- men saw an advance screening of the film.
Film Daily says "We are ready to stake our reputation that Dark Victory ranks as one of the Really Great motion pictures. Dark Victory is one of the greatest emotional heart dramas ever produced and a sure Academy Award winner. The outstanding performance of the screen's No. One Artist, Miss Davis". Hollywood Reporter wrote, "Dark Victory is a boxoffice smash; rises head and shoulders of screen achievement. Will hold audiences breathless." Box-office stated, "Dark Victory tops box-offices." Motion Picture Herald as a "made-to-marquee-measure attraction. Emanuel Publications said, "It is one of the surest box-office bets!" Showmen's Trade Review said "Bette Davis tops previous roles!" Jay Emanuel Publications said, "Victory is a top grosser. If Warner Bros. had deliberately made a picture just to capitalize on winning the Academy Award, they would not have made a better vehicle." Film Daily said, "Miss Davis at her best!"

A Portrayal Never to Be Forgotten

In support of Miss Davis are Geo. Brent, Humphrey Bogart, Geraldine Fitzgerald, Ronald Reagan, Henry Travers, Cora Witherspoon. Directed by Edmund Goulding. Screen Play by Casey Robinson. From the Play by George Emerson Brewer, Jr. and Bertram Bloch. Music by Max Steiner. A First National Picture

RELEASE BEGINS APRIL 20 AT RADIO CITY. WARNER BROS., PRODUCERS
**Reviewing the Latest in Short Subjects**

**"Money to Loan"**
*(M-G-M)*
The latest in the "Crime Does Not Pay" series deals with the activities of a loan shark company. Starting with the advertising slogan, "Who makes the public to make loans," the film details with considerable forcethfulness the methods used to collect the usurious loans. Blackmail, threats, physical violence and, finally, murder are among the collection methods. The murder results in the roundup of the gang and the subject ends with a warning that banks and legitimate loan companies should be patronized. The film should hold audience interest. Running time, 20 mins. *G.*

**"Popular Science"**
*(Paramount)*
Popular Science reels invariably pack a good deal of interest and educational subject matter, and this is no exception. Subjects shown are the United States' atomic base at New London, Conn., where goons are trained for duty in undersea craft; laboratory men studying alternate control methods via a miniature model, a new method of scientifically planting a lawn; a bank on wheels that caters to automobiles and the usual science in the household shots. Running time, 11 mins. *G.*

**"Air Waves"**
*(RKO-Pathé)*
A trip through the N.B.C. broadcasting studios and a view of Radio City are provided in this subject. It is an interesting backstage tour and should prove popular, particularly with audiences who have never had an opportunity to witness an actual broadcast. Running time, 10 mins. *G.*

**"Fisherman's Pluck"**
*(Paramount)*
Here is an exciting outdoor picture, replayed for us from the wild areas of the Oregon River. Narrated by Ted Husing, the camera accompanies Zane Grey on a fishing expedition in quest of steelhead trout. Grey is shown demonstrating his technique of angling, flycasting and angling in dangerous waters. Running time, 10 mins. *G.*

**"Artie Shaw and His Orchestra"**
*(Warners)*
This is a pleasing "Melody Master." The band, in a night club setting, plays several popular numbers and Artie Shaw has ample opportunity to display his skill with the clarinet, but it is not obtrusive. Tony Pastor is featured in a Russian swing number. Running time, 10 mins. *G.*

**"March of Time, No. 8"**
*(Warners)*
In this "Looney Tune" cartoon, Porky is featured as the owner of a chicken farm, where the hens and chicks are cheerful jittersbug. A fox kidnaps a duckling, and then the battle starts. Glibly amusing. Running time, 7 mins. *G.*

**"Ranch House Romeo"**
*(RKO)*
A light, western-type story combines interest by the "Popeye" boys and band making a diverting two-reel subject. The cowboys with the aid of a Hollywood actress make things all right again after the ranch owner has been swindled out of his property. That's the story, but the cast isn't any more serious about it than the audience, so the latter won't mind much. Running time, 17 mins. *G.*

**"Cafe Boheme"**
*(Universal)*
Everything but the vaudeville juggler is crammed into this musical short. It is a musical dancer, a singing group, a Russian singer, Roy Smeck's Hawaiian band; a team of specialty dancers, and still another team of dancers, plus Saul Grauman's girls who hoof on musical stairs. Running time, 17 mins. *G.*

**"Imperial Delhi"**
*(M-G-M)*
This FitzPatrick Traveltalk provides a view of the architectural wonders of India. Included, too, are typical events and activities as well as procession and a county fair. One of the outstanding sequences is that of the U.P. gravers, with another one showing the taking shots of the product of their art. Running time, 8 mins. *G.*

**"Chained"**
*(Warners)*
Floyd Gibbons presents an exciting real-life story in the "Your True Adventure Series," which should have general appeal. This deals with children who play pirates and one of the youngsters is chained up as a hostage and is caught by the inquiring tide. The suspense is terrific while his playmates vainly try to rescue him and he is finally saved by harbor police. The hero, as usual, is shown. Running time, 12 mins. *G.*

**"Hello, Momma"**
*(Warners)*
A variety subject which offers Georgie Jessel as master of ceremonies, a duty which he performs while engaged in one of his well known telephone conversations with "momma." Principal acts are the Four Eton Men, Oliver Hardy, Emerson's Ward city dancer, and Emerson's Mountain-Towners, hill-billy company. Up to the average of this type of subject. Running time, 9 mins. *G.*

**"Sporting Wings," No. 8**
*(RKO Pathé)*
Amateur or "sporting" airmen and their planes receive the camera's attention in this latest addition to Frank Donovan's Sportscope series. All is true, as far as the planes and the uses to which they are put are pictured. Range of ships is from the small, simple craft, through increasingly larger planes to gunboats and the huge seaplane with a 1,000-mile cruising radius of Gar. Wood's. Running time, 9 mins. *G.*

**"Republic of Panama"**
*(Paramount)*
Latest of the Paramount "color cruise" releases deals interestingly with life in the Canal Zone. Episode opens with the camera centering on the modern shops, hotels and even the race tracks. Highlight of the reel is the jaunt through a Canal. Running time, 9 mins. *G.*

**"One Armed Bandit"**
*(Universal)*
A Walter Lantz cartoon, which draws its delightful action from the old fashioned "mellerdramas." Grandpa draws his relief money and is enlisted into a saloon by the villain, to lose his money playing the slot machine. The villain receives the mortgage for some other uncle with the slot machine. Daughter senses something wrong and the hero comes to the rescue. Running time, 7 mins. *G.*

**"Duel Personalities"**
*(M-G-M)*
Alalla, leader of "Our Gang," permits himself to be hypnotized, and while in this state challenges Butch to the duel for the band of Darla. When he comes out of the trance, he thinks better of it and so does Butch. After two boys agree to pretend to fall dead and to watch where Darla runs, the young lady, however, overhears the plot and walks off with Waldo. This is an end. Running time, 10 mins. *G.*

**"Daffy Duck and the Dinosaurs"**
*(Warners)*
Leon Schlesinger delivers good color cartoon work in this "Merrie Melody," but the striving for whimsy hits only in spots. A ravenous caveman, in the stone age, seeks to make a broth with Daffy Duck, but gets the "bird" throughout. Running time, 7 mins. *G.*

**"Tough Little Mice"**
*(Universal)*
A Lantz cartoon burlesque on the "Dead End Kids," but it is wide appeal. Three tough mice waylay the nice little mouse after the gentile one makes a nest with a huckle for food, including a box of popcorn. Running time, 7 mins. *G.*

**"So Does an Automobile"**
*(Paramount)*
An imaginative and altogether delightful picture, which receives the camera's attention in this latest addition to Franklin Donavan's Sportscope series. All is true, as far as the planes and the uses to which they are put are pictured. Range of ships is from the small, simple craft, through increasingly larger planes to gunboats and the huge seaplane with a 1,000-mile cruising radius of Gar. Wood's. Running time, 9 mins. *G.*

*G* denotes general classification.
Strike Investigation
Is Opened by U. S.
(Continued from page 1)

phases of the investigation are con-
cerned with possible interference with the
free flow of interstate commerce.

Meanwhile, company attorneys con-
tinued their preparation of injunction
papers which will be filed late today
or tomorrow. A legal committee of
three attorneys representing M-G-M,
20th Century-Fox and Para-
mount has been appointed by the dis-
tributors' strategy committee to pre-
pare the injunction papers against the
union.

"No Theatre Strike"

Local 306 insists no operators will be
called out of theatres.

All I.A.T.S.E. crafts here have been
instructed by the International execu-
tive board to honor Local 306 picket
lines. Paramount News is the only
newspaper affected by the order, but it
got today's issue out on time.

The Paramount News Picket line
affects laboratory, cameramen and
studio technicians' locals. There is a
possibility that Local 306 picketing
may be extended to all newsreels and
one or two laboratories servicing
major companies, which may tie them
up.

Executive board of Laboratory
Technicians' Union, Local 702, met
last night to discuss the situation.

Efforts at mediation of the union's
demands also progressed yesterday
despite the other developments. Jules
I. Freund of the State Mediation
Board met with Mathew Levy, attor-
ney for Local 306 yesterday after-
noon and presented certain recom-
mandations and suggestions designed
to bring about a settlement. Judge
Levy is scheduled to consult with
union officials and make his reply to the
mediator today. Further meet-
ings of the kind will depend upon
the answer given today. Freund said
he could not disclose the nature of
the recommendations but it is be-
thieved he have as they objective
the absorption of Empire State by
Local 306, the proposed aim of the
strike.

State mediation board is expected
to take over the strike situation and
to consider whether Empire State
union's contracts with Century and
Cocals circuits are legal. The point
to be decided is whether those con-
tracts conform with national and state
labor laws passed after negotiation
of the contracts.

May Seek Restrainer

If it should be found that the con-
tracts do not conform, the state board
may then apply for a restraining or-
der against Century and Cocals.
Their contracts with the Empire
State union provide that the union
cannot merge with Local 306 unless
it has the employers' consent. This
may be regarded by the state board
as contrary to the Federal and state
labor acts, which give the employ-
es the right to choose their own bargain-
ing agent.

However, before taking any action
involving legality of the Empire State
contracts, the state mediation board
plans to call in all parties concerned
for a full discussion of the situation.
Harry Brandt, president of the I.T.O.A.,
expressed his belief in the "common sense" of George E.
Brown, president of the I.A.T.S.E.,
and that he will be willing to nego-
tiate a settlement on reasonable
terms.

Local 306 officials last night de-
clared that anything the state media-
tion board might attempt to do is
"meaningless," since the strike is in-
terstate, affecting New Jersey as well
as New York, and therefore subject to
Federal jurisdiction. Federal of-
icials, perhaps the National Labor
Relations Board, should handle the
situation, officials declared.

Strike Front Quiet

Actual strike front, 44th St. and
Ninth Ave., was unusually quiet yester-
day. Local 306 reduced the picket
line from two men to an exchange
entrance to one man, leaving only
five men on the street to maintain the
line which continued to keep organ-
ized exchange employees away from
work. Film shipments, however, con-
tinued and the emergency method of
picking up shows at theatres func-
tioned smoothly. The owning of
division managers' committee yester-
day, of which Milton Kusel of
Paramount, is chairman, was advised
that no theatre in the metropolitan
area was without film at the end of
the third day of the strike.

Picketing continued orderly but
the Warners and Paramount exchanges
supplemented city police details with
Burns Agency men.

Hundreds of neighborhood theatres
in the metropolitan area are sched-
duled to change programs tonight and
with a new issue of the five news-
reels scheduled, the emergency dis-
tribution system will receive its first
severe test then.

Discussion of the operators' strike
at exchanges featured the I. T. O. A.
meeting yesterday.

20th-Fox Sessions
On Today in Chicago

(Continued from page 1)
Canadian district manager and 1938
S. R. Kent Drive leader, will present
prizes in the drive to field forces.
Address will follow by Morton A.
Levy, 1939 drive leader, William Sus-
man, eastern division manager, and
William C. Gehring, central division
head.

"Bell" to Be Screened

In the evening there will be a
screening of "Alexander Graham Bell,"
the Chicago Theatre. This is the
first Cosmopolitan production
released by 20th Century-Fox.

At the Friday morning meeting,
addresses by Movietone executives are
scheduled as follows: Truman H. Tal-
ley, producer of Movietone and
short subjects; Edmund Reek, general
manager; Lowell Thomas, chief com-
mentator; Ed Thorsersen, sports;
Lew Lehr, humor; Vyvyan Donner,
fashion editor, Paul Perry, producer of
Terrytoons, and Harvey Day, Sr.,
business representative, will then dis-
cuss their cartoon product.

McCarthy to Talk

At the same session, Charles E.
McCarthy, director of advertising and
publicity, will outline plans for 1939-
40, to be followed by an address by
Sidney R. Kent, president, who will
discuss the company's operations dur-
ing the past year.

Friday afternoon will be devoted to
a detailed analysis of the 1939-40
product by Woiber. His address will
bring the general sessions to a close.
The convention will wind up Sun-
day after divisional meetings.

Says $6,500 Was Paid
To Operators' Agent

Sr. Louis, March 29.—Clyde A.
Weston, business agent of motion
picture operators' Local 143, was paid
$6,500 to aver a wage increase for
operators, according to testimony be-
fore Circuit Judge Ernest F. Oakley
yesterday. Weston is a theatre own-
er, who gave the testimony, said the
cash was given to Weston at a
bank in November, 1937.

Will Set Early Trial
Of Studio Union Case

(Continued from page 1)
local officers, a new restraining order
against International officers, who
seized the local's books, records and
offices, threatened Rose with contempt
of court when the attorney demanded
in court if the "highbrowed tactics" of
International officers were approved.

The court told the litigants to pre-
pare further affidavits if they wished,
declaring the most legal point in the
fight between International and local
officers was whether alliance by-laws,
under which International can sus-
pend autonomy of the local, was con-
stitutional.

"Mamlock" Hearing Set

Providence, March 29—Rhode
Island State Police Commission
today issued a write for all records of
the Providence Bureau of Police relat-
ing to the banning of the film "Profes-
sor Mamlock." The court set April 17
as the date for further hearing on the
ban.
<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>
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</thead>
<tbody>
<tr>
<td>Feb. 24</td>
<td>Let Us Live (G) (D)</td>
<td>Let Freedom Ring (G) (D)</td>
<td>Edith L. Barrymore McLaughlin</td>
<td>One Third of a Nation (A) (D)</td>
<td>I Was a Convict (G) (D)</td>
<td>MacLane Roberts</td>
<td>Beauty for the Asking (G) (D)</td>
<td>Pardon Our Nerve (G) (C)</td>
<td>Stagecoach (G) (O)</td>
<td>Society Smugglers (G) (D)</td>
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<td></td>
<td>1.1.3 March</td>
<td>1.1.3 March</td>
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<td>Sunset Trail (3857) (G) (O)</td>
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<td>Lucy Ball Knowes</td>
<td>Lynn Bari June Gale  (931)</td>
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<td>Yes, My Darling Daughter (A) (C)</td>
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<td>March 3</td>
<td>Romance of Redwoods (O) (D)</td>
<td>Pygmalion (G) (C)</td>
<td>Leslie Howard</td>
<td>Mystery of Mr. Wonder (G) (D)</td>
<td>Cafe Society (G) (C)</td>
<td>Carroll MacLane (3826)</td>
<td>Twelve Crowded Hours (A) (D)</td>
<td>Richard Dix Lucille Ball</td>
<td>Wife, Husband and Friend (G) (C)</td>
<td>Preton Foster Irene Hervey Walter W. King</td>
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<td>Blondie Meets the Boss (G) (C)</td>
<td>Ice Follies of 1939 (G) (D)</td>
<td>Stewart Law Ayes</td>
<td>Mystery Plane (G) (D)</td>
<td>The Beachcomber (A) (C)</td>
<td>Laughton Lanchester (3683)</td>
<td>The Saint Strikes Back (G) (D)</td>
<td>Roy Rogers Mary Hart</td>
<td>George Murphy Loretta Young Andy Devine</td>
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<td>March 10</td>
<td>Lone Star Pioneers</td>
<td>Within the Law (G) (D)</td>
<td>Ruth Hussey Ria Johnson</td>
<td>Trigger Smith (O)</td>
<td>King of Chinatown (G) (D)</td>
<td>Anna May Wong Tamiroff (3827)</td>
<td>Rough Riders Round-Up (G) (O)</td>
<td>Michael Whalen Jean Rogers</td>
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<td>April 7</td>
<td>Whispering Enemies (G) (D)</td>
<td>Sergeant Madden (M) (D)</td>
<td>Wallace Beery</td>
<td>Undercover Agent (G) (C)</td>
<td>Midnight (G) (C)</td>
<td>Colbert Ameche (3828)</td>
<td>My Wife's Relatives (G) (O)</td>
<td>George Sanders Wendy Barrie</td>
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<td>April 14</td>
<td>North of the Yukon</td>
<td>Society Lawyer (A) (D)</td>
<td>Polyanis Bruce Crallo</td>
<td>Streets of New York (G) (C)</td>
<td>Sudden Money (G) (C)</td>
<td>Kugles Silver on the Sage (W)</td>
<td>Trouble in Sundown (G) (O)</td>
<td>Baby (A) (C) (Jones Family)</td>
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<td>April 21</td>
<td>The Lady and the Mob</td>
<td>Broadway Serenade (G) (D)</td>
<td>MacDonald Ayers Ira Hunter</td>
<td>Boys Reformatory (G) (D)</td>
<td>Almost a Gentleman (G) (D)</td>
<td>James Ellis</td>
<td>Hound of the Baskervilles (G) (D)</td>
<td>Greene Rathbone</td>
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<td>April 28</td>
<td>Oklahoma Trail</td>
<td>Calling Dr. Kildare (D)</td>
<td>Lionel Barrymore Ayes</td>
<td>Wolf Call (O) (D)</td>
<td>I'm From Missouri (G) (C)</td>
<td>Bob Burns (3830)</td>
<td>Love Affair (D) (B) Boyer</td>
<td>Irene Dunn Flying Irishman (G) (D)</td>
<td>Mr. Moto in Danger Island (G) (D)</td>
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<td></td>
<td>Starrett Meredith</td>
<td>Lucky Night Robert Taylor</td>
<td>Myrna Loy</td>
<td>The Night Riders (O)</td>
<td>They Made Her a Spy (G) (D)</td>
<td>Sally Elters Alan Lane</td>
<td>Story of Alexander (A) (D)</td>
<td>Graham Bell Ameche Loretta Young Fonda</td>
<td>Wuthering Heights (A) (D)</td>
<td>Olivey Oliver Flora Robson</td>
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<td>Wanted by Scotland Yard</td>
<td>Stevenson Man from Texas</td>
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<td>Back Door to Heaven</td>
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<td>Return of the Cisco Kid</td>
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<td>April 28</td>
<td>Only Angels Have Wings</td>
<td>The Kid from Texas</td>
<td>Denis O'Keefe Rice</td>
<td>Riders of the Rio Grande</td>
<td>The Lady's from Kentucky</td>
<td>Jack Randall</td>
<td>The Story of Vernon (D) (O)</td>
<td>Baxter Lynn Barry</td>
<td>Zenobia (G) (C) Hardy Langdon Burke</td>
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<td>Jean Arthur</td>
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<td>Cary Grant</td>
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<td>Barthelemy</td>
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Hollywood, March 29.—Harry Sherman has decided to put music in the "Hapalong," starring William Boyd. He has signed the King's Men, radio-film singers, to appear in six "Hapalongs" under an exclusive contract which permits him to approve other film deals ... Jackie Coogan joins his little brother, Junior, at Cinerama's "David Copper."... " governing, has signed a new contract with Warners. He will play "the usual role of the famous National Guard regiment of New York of which Father Frank Duffy was chaplain."

Claude Rains gets an important role in "The Knight and the Lady," in which he stars down to romantic. Betty Davis and Ethel Flynn. The studio seeks Basil Rathbone for another top role. ... Cooper has purchased "First Performance," American Magazine story by Matt Taylor, for a vehicle for Martin Spellman, 12-year-old... . Start of Production. "Air Raid" has been postponed, due to inability of camera crews abroad to get background shots of air raid precautions due to military censorship, according to the studio... . Ann Sheridan, having been given a publicity buildup, will be given the title role in Warners' "Oomph Girl." Jack Moss has been signed by Paramount in connection with the development of pictures to be directed by Henry Hathaway and T. A. Reed.

David O. Selznick has purchased "Ordeal," novel by Neville Schute, who also wrote the best seller, "Kissling"... Nax Gray and Constence Moore drew feminine leads in Universal's "Edgar the Everlasting."... McLaglen and Tom Brown. Phil Rosen will direct... Bella Lugosi will be borrowed from Universal for Factory's new Western. Factory's 20th Century-Fox has lined up a strong cast for "Young Mr. Lincoln," now shooting with Henry Fonda in the title role. Marjorie Valentine will play "Mary Todd," and supporting will be Alice Brady, Arleen William, Pauline Moore, Eileen Collins and Spencer Charters.

Arcadia Pictures, producing for Grand National release, has purchased "Born to Hang," story with an aviation background by George Bruce Jr.; Paul Maitland has started on "Wolf Call," featuring Movita and John Carroll, for Monogram reprise. George Waggner will direct... . Chester Morris and Wendy Barrie head the cast of RKO's "Five Came Back," story of a wrecked clipper off the coast of South America... . RKO has signed Edward Ellis for three pictures, first of which will be "Career." The studio's new London production has purchased "The Outlaw of Three Corners," original by Bernard McConville, as a George O'Hehir story.

Holbrook, March 29.—"Rollin' Westward," final of the 1938-39 series, RKO pictures which Ed Finney has produced for Monogram, maintains the entertainment quality and commercial standard of its predecessors. An outdoor action feature, it is naturally whoop-and-holler material for the youngsters, but the manner in which love, music and comedy have been welded in, gives the film adult interest. Phoney aesthetes, inspired by Harry Harvey and Charles King, Jr., are playing hob with cattle men and Herbert Corthrell, their principal victim. Roper is roped into being a part of the land grabbing. But after a couple of unpleasant brushes with Dorothy Fay, Cothrell's daughter, he becomes aware of what actually is going on. Law and order brought to the community again with the land grabbers jailed, T. A. Reed, and production dovetailed with Miss Fay's singing and dancing talent, for the film has a full quota of fights and chases. The exciting quality of these is contrasted by the instrumental music and Ritter's singing.

Fred Myton did the original screenplay and Al Heerman directed. Running time, 60 minutes. G.***

*G* denotes general classification.

Para. Signs Kingsley

Hollywood, March 29.—Sidney Kingsley, well known playwright, has been signed by William LeBaron, managing director of Paramount production, to write the screenplay of "Every Day Is Sunday." Kingsley is due at the studio on Friday.

Tri-States Moving

Des Moines, March 29.—Tri-States Theatre Corp., now occupying part of the third floor of the Paramount Theatre Building here, will move April 1 to the eighth floor, where the offices will occupy the entire floor.

'Broadway' Hits $2,000

Los Angeles, March 29.—"Midnight" scored the best comparative first week gross, with $18,000 at the Paramount in the important week, the "Out of the Past." ... "The Adventures of Jane Arden" drew $12,200 at the Warner Hollywood and $15,400 at the Warner DownTown. ... "The Lady Vanishes" took good $5,500 at the 4 Star and "Love Affair" and "The Lone Wolf Spy Hunt" took $9,500 at the Hill Street and $12,000 at the Pantages. Estimated takings for the week ending March 29.

'The Ice Follies' and 'Saint Strikes' at $9,000 for Denver

Denver, March 29.—"The Ice Follies of 1939" and "The Saint Strikes Back" led the way at the Orpheum with $9,000. Close behind were "Midnight," with $8,800 in the second week at the Denham; "Yes, My Darling Daughter," with $8,000 at the Denver, and "Blondie," at the Newsboys' Home, with $4,500 for the week. Estimated takings for the week ending March 29:

'Capper Takes a Trip" (U.A.)
ALADDIN—(1,600) (25c-40c) 7 days, 2nd week. Gross: $1,350. (Average, $1,350).

"Love Affair" (RKO)
Twelve O'Clock — (RKO)
BROADWAY—(1,100) (25c-40c) 7 days, 2nd week. Gross: $1,000. (Average, $2,650).

"Midnight" (Parama)
DENHAM—(1,350) (25c-40c) 7 days, 2nd week. Gross: $8,000. (Average, $8,000).

"The Ice Follies of 1939" (M-G-M)
"The Saint Strikes Back" (RKO)
ORPHERT—(700) (25c-40c) 7 days. Gross: $9,000. (Average, $9,000).

"Blondie" (Col.)
"Newboys' Home" (Univ.)
PARAMOUNT—(4,200) (25c-40c) 7 days. Gross: $6,250. (Average, $8,150).

"Wings of the Navy" (W.B.)
"The Lady from Shanghai" (RKO)
BASELO—(670) (25c-40c) 7 days. "Wings of the Navy" continued. Gross: $2,000. (Average, $1,270).

Rydge Is Here for Product Purchases

Norman B. Rydge, managing director of Greater Union Theatres and affiliated interests in Australia, is here to buy product and to discuss the booking situation generally in Australia. He will be here about two weeks more. Rydge says that he was responsible for the provision making Government funds available to producers in Australia. Cinesound, a Greater Union affiliate, has applied for a Government loan. Such loans are in the form of guarantees of bank overdrafts for a period of one year. The amount may be unlimited, according to Rydge. Among the tax breaks, the films act granted exhibitors a 25 per cent cancellation. Rydge says this has worked in favor of the large buyers, because they now may buy product in excess of normal requirements to provide for the rejection and that this actually amounts to a 33 per cent cancellation.

Rydge's theatre interests have not used the tax breaks and do not propose to be declared, because of the fact that it places a premium on over-buying. Rydge opposed increasing the cancellation from 12½ per cent from the start.

Delaware, March 29.—The Moving Picture Manager's Association has been closed.
Television Alarms

London, March 29.—Considerable apprehension among distributors and exhibitors was expressed at yesterday’s joint meeting of the Cinematograph and Kinetograph Restorers’ Society to consider the television situation. The increasing number of television sets on the market was the chief cause of anxiety.

Distributors are particularly concerned over the potential competition outside the province of the K. R. S. It is estimated that there are 8,000 television sets currently operating, and it is calculated that at present 40% of the total of radio licenses in the country will be using television.

A second joint meeting of the two organizations will be held next week, with a view to formulating a collective appeal to the British Broadcasting Corp. to limit the program time of films, especially short subjects.

WHN Closes Three New Time Contracts

New contracts closed at WHN include a 52-week deal with Kohler Manufacturing Co. for drug promotion and covering spot announcements Monday through Saturday, placed by Courtlandt R. Ferguson Agency of Baltimore.

Another contract was with Steam Electric Co. of St. Louis for 13 weeks of participation in “Ed East’s House Party,” heard Monday through Friday at 10:30 A. M., placed by The Smith Benux Sales Co. A third deal was with the Steam Electric Co. for 52 weeks of participation in the “Polly the Shopper” program, Tuesday and Thursday, 9 to 9:30 A. M., placed through Moser & Co.

Set Pacific Web Show

San Francisco, March 29.—Brown & Williamson Tobacco Co., famous for their cigarettes, has signed a contract for a 52-week program over stations of the CBS Pacific Network. Featuring John B. Hughes, the program will be heard “News, Views and Sports Reviews by Hughes.” It will be heard Sunday, Monday and Thursday from 9:45 to 10 P. M. The contract was placed by Russell M. Seeds Co. of Chicago.

Quiz Show on WMCA

A new quiz program, “What Do You Know About America,” based on American history, will start on WMCA April 1 from 8 to 8:30 P. M. Edward Boykin will direct the show. The first program will feature 12 Boy Scouts.

WKRC Increases Power

Cincinnati, March 29.—WKRC, Columbia station for Cincinnati, has been granted increase in night power from 1,000 to 5,000 watts by the P. C. C. The station already operates on 5,000 watts daytime power.

Nehi Arranges Series

Nehi Corp. has set the show for time recently booked on CBS, and starting March 31, Bob Ripley, B. A. Rolfe’s orchestra and vocalist Linda Lee will be featured in the series.

Radio Personalities

FRUBER McGEE and company burned their fifth year on NBC and will observe the program’s 200th broadcast April 4 over the NBC network. . . . Annabell, screen actress, has been assigned the role of a guest star responsibilities on Walter O’Keefe’s “Tune Up Time” April 6. . . . Tommy Dorsey returns to the network Wednesday and Thursday for a total of 16 announcers. Gene Krupa, who substituted while the former was on vacation.

Gala Preview for ‘Bell’ at Coast Fair

TREASURE ISLAND, SAN FRANCISCO, March 29.—Here for the preview of “The Story of Alexander Graham Bell,” about 250 Hollywood stars and personalityutherland, the ubiquitous Warner-First- rate Fox, were greeted by San Francisco’s Mayor Angelo Rossi. A parade, speeches and tour of the Fair were held in the city.

Addresses by Rossi, Leland Cutler, president of the Golden Gate Interna
tional Exposition, and United States Commissioner to the Exposition, broadcast on a nationwide hookup, were answered by Darryl F. Zanuck, who thanked the city for the hospitality.

May Delay Meet of Ontario Exhibitors

TORONTO, March 29.—General meeting of the Ontario independent exhibitors scheduled for April 4 in Toronto producers was postponed for several days because of information that Nat Taylor, head of 20th Century Thea
tres, will not return to Toronto from Florida until after April 1.

An important item on the agenda for this conference is a proposal for establishing a special committee to make a study of the clearance schedules for rental contracts in the Dominion, even to the point of appealing to the United States government for the total elimination of “protection” in order to obtain speedy re
duction of films.

NY Allied Discusses Clearance Situation

Discussion of the clearance situation in New York state was held at a meeting of New York Allied yester
day in the office of Max A. Cohen of the Cinema Circuit, who is president.

The proposed trade practice program was discussed, as well as the unit’s forthcoming annual convention.

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day in the office of Max A. Cohen of the Cinema Circuit, who is president.

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American Record Adds 2

American Record Corp. has added two men to the sales staff, George Prutting, who will work in New York, Newark, Philadelphia and Balti
more, and Willard H. Wilkins, of Hartford, Boston, Syracuse and Al
bany.

Greens on WMCA

Green Watch Co. has taken 28 weekly shows for the network. Five shows for each of the 56 stations of the Green Watch Co. will be scheduled for 5:30 and 6:30 P. M. weekday evenings.

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Scott Quintette Renewed

Raymond Scott Quintette has been renewed on the “Your Hit Parade” over CBS for the third 13-week pe

I.T.O. is Reviving Move to End Duals

New York I.T.O.A. has reactivated its move for the elimina
tion of double bills. It condemns the practice as giving patrons “meat and gruel,” and is asking for comments from exhibitors and distribu
tors as to why they are for or against duals and why. Also, if anyone has a solution, the I.T.O.A. would like to know what it is.

MPPDA Discusses Neely Bill and Pact

Discussion of the Neely Bill and the industry trade practice program, which is expected to be in final form in a day or two, occupied members of the MPPDA at a closed session of their ad
dressed morning meeting yesterday.

Will H. Hays, president, named George J. Schaefer, Barney Balaban and Jack Warner, the latter representing the Warners, to a committee which will cooperate with Hays in a study he is making for the benefit of the industry concerning advertising, relief and security in the motion picture industry. Hays and the committee will work with officers of the M. P. Relief Fund, headed by Jean Hershey, president; Ralph Morgan, executive committee chairman, and Ralph Block, treasurer.

Defer Vote to April 11 On Projectionist Bill

ALBANY, March 29.—Senator Crews, one of the authors of the projectionist bill, said today that he has put his measure until April 11 for a vote. Other Senate business was the reporting out of the Coudert measure transfer
ing regulation of theatrical agencies to the state commission. Also the Butler child admission measure, which was reported out for a vote, and a bill before the Industries Committee held a public hearing today on all bills that had been referred for controversial issues.

Assemblyman MacNeil Mitchell, Manhattan Republican, introduced a bill putting the sale of theatre tickets, particularly applying to ticket brokerage, under license com
missioners. It is substantially the same as the Coudert bill, now on the Senate calenda

Honor Burhorn Who Won Quigley Award

CHICAGO, March 29.—About 100 civic and film industry leaders attended the testimonial dinner for John Bur
horn at the French Lick Sheraton. Alex Manta and Jack Rose of I
diana-Illinois theatres were hosts. The group heard speeches by Mayor Ed
ward J. Kelly and south-east Chicago business and industrial leaders as well as76.

Sponsor Mel Allen Show

Brown & Williamson will assume sponsorship of Mel Allen’s sports program over WABC, starting April 3.
20th-Fox Sets $2,000,000 for 1939-'40 Ads

52 One-Reelers Planned, Convention Is Told

Chicago, March 30.—Charles E. McCarthy, 20th Century-Fox advertising and publicity head, announced at the company's sales convention at the Palmer House here today that the company will spend $2,000,000 in promoting its 1939-40 program. This, he said, is the largest appropriation in the company's history.

An address by Herman Webber, general manager of distribution, opened the three-day convention this morning, with 280 delegates on hand. General sessions will continue tomorrow, highlighted by an address by S. R. Kent, president, and an outline of the 1939-40 product by Webber. Following this a telephone boxing will enable the delegates to hear Darryl F. Zanuck, production chief, and members of his staff, who will speak from the studio.

Tomorrow it will be disclosed that the company will have 52 shorts, all one reel, as in the current season, in (Continued on page 4)

Levy, 306 Counsel, Goes to Washington

Department of Justice intervention in the I.A.T.S.E.-Local 306 strike brought an immediate calm in the situation, with strike leaders and distributor statesmen alike apparently waiting for the Government's first move.

No significant developments occurred during the day unless it was the trip to Washington of Mathew Levy, Local 306 counsel. Union sources declined to give any information concerning the purpose of Levy's visit and it was alternately reported that he had gone to confer with William Green, A. F. of L. president, who is known to be disturbed by the local situation and that he had been summoned to Washington by Thurman Arnold, special assistant to the Attorney General for questioning.

It was also surmised that Levy may have gone on his own volition to confer with Arnold or another Department of Justice official on the possibility of their naming a Federal mediator. Both union and distributor cir-

Trade Pact Is Completed; Exhibitors Get Final Draft

Rodgers Note On Program

Following is the text of a letter accompanying a copy of the trade practice code sent by William F. Rodgers to Col. H. A. Cole, president of Allied. Similar letters of transmittal went last night to Ed Kukendall, president, M.P.T.O.A., and heads of seven regional unaffiliated exhibitor organizations, as well as the Department of Justice:

Please refer to my letter of December 1st, 1938, under cover of which we sent you a memorandum prepared by us embodying the trade practice proposals resulting from the conferences between the distributors and various exhibitor groups representing most of the theatre operators throughout the country. That memorandum as revised by us has been the basis of further conferences, and your counsel was good enough to send our counsel a further revision which was discussed at conferences between our respective counsel. As a result we have prepared a new revised memorandum which we enclose herewith.

Our original memorandum called attention to the fact that various matters in connection with arbitration and arbitration machinery had not been fully discussed. In a subsequent conference when we discussed a revision of this memorandum, we banded you a proposal basis which we had prepared upon which arbitration machinery will be included.

(Continued on page 9)

New Producer Offer Is Rejected by SWG

Hollywood, March 30.—The board of directors of the Screen Writers Guild at a meeting last night turned down the producers' counter proposals to the guild demands for a pact to run three and a half years: 80 cents per guild shop and the right of writers to produce their own material during layoffs. The board also authorized Lillian Hellman to represent it at the Washington hearing on the charge of Wagner Act violation.

(Continued on page 9)

“The Story of Alexander Graham Bell”

(20th Century-Fox)

San Francisco, March 30.—Dr. Graham Bell rings up mankind on the telephones and tells the story of the telephone and its inventor in terms that the least and greatest of the world's people can comprehend in words of universal significance. As common as the instrument itself is to and as close to the hearts of men and speech to lip and ear, the story is without limitation in appeal and point. Loreta Young and Henry Fonda, sharing with the public one of the most impressive screen performances of this or any time and the production is in the finest Darryl Zanuck tradition.

Previewed at the Federal Theatre in the San Francisco World's Fair grounds, and following ceremonies broadcast throughout the nation, the
Paul N. Lazarus was nominated for the Amca presidency yesterday at a meeting of the Screen Actors Guild. Other officers named for the coming year included: Vincent Trotta, vice-president; R. R. Britton, secretary; Herb Berg, treasurer. Ralph Roby, Eli Sugarman, James Cron, Bob Lewis, and Martin Starr, together with eight former American. Directors of the Board of Governors. Martin Starr will act as trustee for the next three years, and then be eligible for a fourth slate. Election will be held April 27.

Herbert Kline, producer of "Crisis," was the principal speaker yesterday. Mrs. Time, who was chairman of Variety Productions and Brenda Forbes of the play "One for the Money," also spoke.

David P. Howells Dies in Hollywood

Hollywood, March 30—David P. Howells, Bishop of the Wilshire ward at the Theatre Club, was found yesterday. He was 56 years old. Funeral services will be held tomorrow.

Although in recent years Bishop Howells had devoted himself almost entirely to the Mormon church in his earlier years he was identified with the film industry and was known among exhibitors in the distribution of American films in the Far East. He purchased the Far Eastern rights of the old World Film Corp. and established the program of the old Metro company in the Far East, Australia and New Zealand.

When first National was organized Bishop Howells was the first president of his company became the most extensive of the independent international distributors. He liquidated the company in 1925 and returned to Salt Lake City, and since has divided his time between Utah and California.

New Sunday Show Bill

Albany, March 30—Another billing promoting music of the moving picture era on Sunday shows was introduced today by Assemblyman Owens. A similar bill was dropped from the calendar last week.

Lazarus Nominated As Amca President

The Newsreel Parade


UNIVERSAL NEWS. No. 28—Scrappy Diaper. Diaper, as the name of the character in the film. Diaper, as the name of the character in the film.


NEWS OF THE DAY. No. 256—Rosedale. Every time he was sent to the station. Diaper, as the name of the character in the film. Diaper, as the name of the character in the film.

FRONTPAGE PARADE. No. 2—RKO leaves Cuba. Cuba is the name of the character in the film. Cuba is the name of the character in the film.

MOTION PICTURE DAILY

Friday, March 31, 1939

Subscriptions rates per $6 in the American and $12 foreign. Single copies 10c.
Biggest TRADE AGREEMENT of All:

WARNER BROS. NOW!

WARNER BROS. NEXT YEAR!
Para. to Have Nine From England, Says Hicks on Arrival

Paramount will have nine features from England in its program now starting, three of which will be Charles Laughton films from Sir Erich von Stroheim and the balance to be made by the British Imperial studio, it was said by John W. Hicks, Paramount foreign chief, who arrived yesterday on the Normantoone. Besides the Laughton films and "French Without Tears," the films will be single quota.

Hicks was gone three months. He was last seen in Europe when Dave Rose, and the three set up the production program. Zukor, who has visited many of Paramount's offices in Europe, sails for New York April 15 and will go to Hollywood. He may then visit South America.

Other Arrivals

Also arriving on the Normantoone were Gabriel Pascal, Robert Wood and Herbert Wilcox. Goetz, who heads M-G-M's British production, brought a print of "Goodbye, Mr. Chips," and Howard Estabrook. His plan to leave today for the coast to set future plans with Louis B. Mayer.

Wilcox will settle final details with George J. Schaefer, RKO head, on the cooperative production arrangement his Imperial Pictures has with RKO for two films a year. His first under the arrangement will be "Marie Lloyd," starring Anna Neagle, to be made in England. Wilcox will cast the film while here and will arrange for casting "Kitchen of Kathurmon," which follows, Michael Hogan, who will do the "Marie Lloyd" script, arrived with Wilcox.

Has Shaw Plays

Pascal disclosed he has obtained exclusive film rights to all Bernard Shaw plays. He will make his Imperial's "Doctor's Dilemma" in England for M-G-M and other films may be for the company. This follows the release of "Doctor's Dilemma" at the M-G-M studio, where Howard Estabrook is completing the shooting script.

Other arrivals were Greer Garson, of the cast of "Goodbye, Mr. Chips" and under contract to M-G-M, who may appear in the Pascal film, and Laurence Irving, Pascal's set designer.

RKO New England Post to McDonald

Harry McDonald, manager of the RKO Albee theatre, Providence, was named New England division manager of RKO Theatres yesterday by John J. O'Connor, general manager.

McDonald succeeds Charles Kerner, who leaves Boston April 7 to take over his new post as manager of RKO's new West Coast theatre division. The New England division comprised of theatres in Boston, Providence and Lowell.

E. K. Sets Stock Price

ROCHESTER, March 30—(Associated Press)—E. K. Kodak's board at a special meeting fixed $121.50 as the subscription price for 22,396,2 1/2 shares of common stock.

Levy, Counsel of 306, Goes to Washington

(Continued from page 1)

Levy believes that if mediation is to be effective in the present situation it must be through the participation of the principal agencies. He told the state board which was appealed to by Broadway theatre operators. This in the hands of films are in interstate commerce, and, therefore, under Federal jurisdiction.

Levy's Washington trip, incidentally, prevented his giving a report yesterday to the mediation proposals made to him on Wednesday by Jules J. Freedman of the state mediation board, as he had been scheduled to do.

Brill Here for Probe

Joseph E. Brill of the Department of Justice anti-trust division arrived here yesterday from Washington to take charge of the Federal investigation of the strike. He conferred at once with William McGovern of the Federal District Attorney's office here and today will begin his study of the situation created by the strike to determine whether there have been any violations of the Federal antitrust laws. Issuance of subpoenas for officials of L. A. T. S. E. Local 306, Local B-51 and Empire State Operators union are contingent upon the results of Brill's study.

Meanwhile, work on the injunction being prepared by attorneys for the distributors was suspended to await developments.

20th-Fox Sets $2,000,000 For 1939-40 Advertising

(Continued from page 1)

addition to semi-weekly issues of Movietone News. The shorts program may later be expanded or reduced depending upon the interest in subject matter or company policy. The shorts and newscast will be separately featured.

Spyros Skouras, National Theatres operating head, spoke this morning and voiced optimism regarding the coming months. "Goodwill between exhibitor and distributor is more important than ever," he declared. Regardless of the outcome of the Government suit he said, the business will go forward, he said.

National Theatres has no expansion plans, he revealed. He commended Harry Saltzman and his Century-Fox stars off the air and said radio should develop its own talent and not compete with the film industry.

Felix Jenkins, general counsel, discussed technical details of the 1939-40 contract, aspects of the trade practice program and clearance. He said the company will set up clearance in the best interests of distributor and exhibitor. Other speakers on the morning session were J. J. Sullivan and W. T. Powers, National Theatres executives, and William Kopp, western division manager, who emphasized the sales staff's support to their chief.

To Increase Schedules

Most of the advertising budget will be spent on cooperative newspaper advertising. The company's offices, national magazines of large circulation and fan magazines also used. The plans have been increased to 300 daily papers with a combined circulation of 30,017,041. During the present season the company is using 24 national magazines, including the combined circulation of 22,010,486, and use of these media will continue.

The daily paper is the medium best adapted to film advertising, McCarthy said, because of its flexibility permitting the ads to coincide with release dates and local booking dates.

Truman Talley, producer of Movietone News, outlined his department's product. The 52 one-reel shorts will include: six in the "Magic Carpet of Movietone," four shadow shorts, six "Sports Reviews" by Ed Thorgersen, four "Adventures of a Newsreel Cameraman," and six "Dribblesons Parade Comedies" with Lew Ayres.

There will also be 26 Terri-tories, 10 of which will be in color. The two cartoon characters, Captain McDoodle and Captain M. McDoo, are being dropped.

The Lew Lehr shorts will be different from those being currently released. The first will be "Muscle Maulers," on wrestling, with Ed Thorgersen giving the commentary, and this style will be followed in the others.

Hutchinson a Speaker

At today's afternoon session, Walter J. Hutchinson, foreign chief, spoke on the overseas situation and introduced members of his staff. The importance of the Latin American market was stressed. R. Sutton Dawes, British office manager, introduced Mr. Talley and Wobber to the European conventions in May, Lee Brandfield, former Czech manager, will be given a South American assignment.

J. P. O'Loghlin, 1938 Kent drive leader, presented drive prizes, and R. H. Padgett announced the plans for the new drive. William Sussman and W. C. Gehring, eastern and central division managers, spoke on sales plans.

Tonight the delegates attended a "snack preview" of "Alexander Graham Bell" at the Chicago Theatre. All day Saturday will be devoted to individual meetings and the delegates are scheduled to leave Saturday afternoon and night.

Republic Regional

At Houston Friday

Herbert J. Yates, J. R. Grainger, president, and Al Adams, director of publicity and advertising, will leave Sunday for the first of four Republic regional sales conferences at Houston. They will attend the world premiere of "Man of Conquest" at the Majestic, Houston, and the convention will take place Friday and Saturday at the Rice Hotel. M. J. Siegel, studio head, and William Saal will also attend.

Claire Hilgers, southern district sales manager, will preside. Entire sales organization of Republic's eight southern offices will be present. Yates and Grainger will return immediately to attend the New York meeting at the Park Central April 12 and 13. The Chicago convention will follow at the Drake April 20 and 21 and the San Francisco meeting will be held at the Empire Hotel April 25 and 26. Program of the last convention will be announced at the meetings.


NSS, Trailer-Made Action Is Settled

Infringement action of National Screen Service pending in U. S. District Court here against Trailer-Made is settled through the submission of an injunction decree under which Trailer-Made is perpetually enjoined from use of National music.

The suit was based on the charge that Trailer-Made uses National's sound tracks in its trailers.

The settlement decree, in addition to a permanent injunction, requires Trailer-Made to return a court decree of $3,000; requires the surrender for destruction of all negative and sound track with Trailer-Made's words, moving from circulation all trailers with National music, inspection of all sound track and trailer in Trailer-Made's library, and affidavits from time to time to show that the defendant is complying with the decree.

In addition Trailer-Made agreed to withdraw its suit against National in which it was charged that National had interfered with Trailer-Made's business.

Suey for Trailer-Made, pointed out that the payment of damages was not involved in the settlement and that no admission or admission is made in the decree that the use of any of the music was deliber-
in all the crimson magnificence of its volcanic, emotional fury.

SAMUEL GOLDWYN presents

WUTHERING HEIGHTS

cos-starring
MERLE OBERON
LAURENCE OLIVIER
DAVID NIVEN
with Flora Robson, Donald Crisp
Geraldine Fitzgerald
Screen play by Ben Hecht & Charles MacArthur
Directed by WILLIAM WYLER
From the great novel by Emily Bronte

... and released thru UNITED ARTISTS

SUPERB:
ALEXANDER WOOLLCOTT
WATCH FOR GOLDWYN BUSINESS

Entire LOEW’S CIRCUIT . . APRIL 14th
RADIO CITY MUSIC HALL . . SOON
PARAMOUNT, SEATTLE . . APRIL 14th
HOLLYWOOD & DOWNTOWN,
LOS ANGELES . . . . . APRIL 20th
U. A., CHICAGO . . . . APRIL 15th
U. A., DETROIT . . . . APRIL 14th

WUTHERING HEIGHTS

Presented by Samuel Goldwyn and launched with powerful national magazine advertising to 75,000,000 coincident with release date.
PREAMBLE

The signatories hereto, being distributors, exhibitors and organized groups of exclusions, do hereby agree to be bound by the following rules of conduct, which are comprised of the principles, policies and practices set forth herein in the licensing, distribution and exhibition of motion pictures in continental United States.

I. Exclusion Privilege

(1) Exclusion as a matter of right.

Whenever an exhibitor shall have entered into an exclusions agreement as hereinabove defined (as all of the feature motion pictures ("features") offered at any one time by a distributor for a run in any situation), such exhibitor shall have the right to exclude therefrom, without payment of the license fee therefor, any of the total number of features contracted for, if the average of the license fees for all features contracted for shall not exceed $100.00 per picture; fifteen per cent, if such average is in excess of $100.00 and not in excess of $250.00; and ten per cent, if such average is in excess of $250.00.

In determining the number of features that may be excluded, fractions of one shall be counted as one and fractions of less than one-half shall not be counted.

In computing the average of the license fees for all features contracted for the license fees of features based in whole or in part on a percentage of the gross receipts of exhibition shall be included at the average of the license fees of all the distributor's features of like nature, each for the feature or features in the picture season which were exhibited upon a percentage basis for the same run in such situation. If none of the distributor's features are on a percentage basis for the preceding season, then such average of license fees shall be agreed upon by the distributors and exhibitors and included in the license agreement.

For the purpose of determining the rights of exclusion of an exhibitor hereunder, and for the purpose of determining "such term as is understood in the motion picture industry," reissues and foreign pictures (except such as may have been produced outside of the United States in the English language by an American producer or distributor) shall not be included in the number of features offered or contracted for as above provided, but shall be deemed to have been offered in separate groups and, if contracted for, the features in each such group shall be subject to the same basis as the subject features above and, if included with other features in the same license agreement, shall be separately listed.

The distributor shall have the exclusive privilege of exercising his exclusion privilege hereinafter provided for shall be subject to the following terms and conditions.

(1) The first run exhibitor shall give the distributor written notice with respect to each feature he elects to exclude within fourteen days after the mailing by distributor of the first notice of availability thereof; any other exhibitor shall give such notice within fourteen days after the close of the first exhibition of such feature in the city or town in which his theatre is located or the mailing of the notice of availability thereof, provided that if such feature is not exhibited on a prior run in such city or town the notice of availability shall have been previously mailed to such exhibitor, the distributor shall mail to such exhibitor a new notice of availability thereof and notice of such exhibitor's election to exclude such feature shall be given within fourteen days after the mailing of such new notice.

(2) The exhibitor shall not, at the time of giving such written notice, be in material default under the license agreement.

(3) Exclusions shall be made proportionately among the several price brackets provided for in the license agreement; but any number of exclusions to which an exhibitor is entitled may be made from the lowest price bracket.

(4) If any exhibitor, having the right to do so, fails to exclude one or more features from higher brackets, he shall, for each such feature, have the right to exclude one feature from the lowest bracket; provided, however, that if a theater have been previously exhibited available features in the lowest bracket, he may exclude a feature from the next lowest bracket.

Upon the exclusion of any feature under this Section (1), the license therefor shall terminate and all rights thereto shall revert to the distributor and such exclusion shall be charged against the number of exclusions allowed to such exhibitor which may be entitled, whether or not a new license agreement for the exhibition of such feature is subsequently entered into by such exhibitor.

All disputes growing out of the exercise or attempted exercise by an exhibitor of his exclusion privilege provided for in this Section (1) shall be subject to arbitration.

(2) Exclusion for fee. An exhibitor, who shall have the right, in addition to the exclusion privilege provided for in Section (1) above, to exclude from the exhibition of any feature, which may be locally offensive on moral, religious or racial grounds, provided he shall give written notice, not later than fourteen days after the conclusion of its first exhibition in the exchange territory in which the exhibitor is served, of his desire to exclude such feature, specifying the reasons therefor. Upon the exercise of any such feature under such provision, the license therefor shall terminate and all rights thereto shall revert to the distributor and such exclusion shall be charged against the number of exclusions allowed to such exhibitor, as to whether or not a feature is in fact so locally offensive as to be subject to arbitration. The arbitrators shall have the right to take into consideration the decision of any arbitrators with respect to the same feature in the same local area in which exhibitor's theatre is located.

II. Trade Announcement

Each distributor shall make a general trade announcement at or prior to the beginning of each of its seasons, the term "season" to mean a time period in which it is practical to give of all features completed or actually in production then intended for release during such season, and which is determined by the completion of such features actually in production and the making of such arrangements as may be necessary to assure that new productions subject are to the hazards and uncertainties of the business and they may not be completed or produced.

III. Public Demand for Exceptional Feature

If in any town or in any city, or section of a metropolitan city, an exhibitor shall request of a distributor a license for a run in any situation of a feature, having such an exceptional and outstanding appeal as to create a natural and spontaneous national public demand and for which there is a spontaneous and natural public demand in the town, city or section of the metropolitan city in which the theatre(s) is, and which would not be shown in such town, city or section unless licensed for such showing, upon a license offer to exhibit a greater number of features than exhibitor's playing time therefor is absorbed by previous commitments for features can without altering his operating policy reasonably exhibit in such town, city or section of a metropolitan city, to the distributor for which such feature shall be ordered, such feature, which shall be ordered, exhibitor shall have the right at any time before the arbitrators shall have made their award to offer to license all or any of its features, including such re-presentation, or any such feature, as may be agreed upon or, lacking such agreement, such number as may be determined by arbitration to be the maximum number which can be offered and exhibited by exhibitor in such situation; provided that the distributor shall have the right at any time before the arbitrators shall have made their award to offer to license all or any of its features, including such re-presentation, or any such feature, as may be agreed upon or, lacking such agreement, such number as may be determined by arbitration to be the maximum number which can be offered and exhibited by exhibitor in such situation; provided that the distributor shall have the right at any time before the arbitrators shall have made their award to offer to license all or any of its features, including such re-presentation, or any such feature, as may be agreed upon or, lacking such agreement, such number as may be determined by arbitration to be the maximum number which can be offered and exhibited by exhibitor in such situation; provided that the distributor shall have the right at any time before the arbitrators shall have made their award to offer to license all or any of its features, including such re-presentation, or any such feature, as may be agreed upon or, lacking such agreement, such number as may be determined by arbitration to be the maximum number which can be offered and exhibited by exhibitor in such situation; 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Final Concessions

"So far as the concessions are concerned, this is as far as they go," said William F. Rodgers to Motion Picture Daily last night.

"The industry's best brains have prepared the code, and as far as language is concerned, I consider it quite the best that the collaborators have been able to accomplish.

"We have taken all factors into consideration, all suggestions made by the nine exhibitor groups who participated in the negotiations."

Final Concessions

VI. Regular Customer

To meet objections of certain exhibitors to so-called "selling away to a coals" the distributor will have the right to refuse to license its features to its regular customer who is not a "circuit customer", in order to license them, for the same reason, in any other area, to another exhibitor for the sole reason that such exhibitor is a "circuit" customer, provided that such regular customer (a) has substantially performed his previous license agreements with the distributor, (b) maintains and operates his theatre in a modern manner, and (c) is financially responsible. Any dispute as to whether a distributor has so refused to license its features to such regular customer shall be subject to arbitration. Should distributor elect to refuse to license features to distributor (other than its then current customer) who is a circuit customer, distributor shall have the right to refuse to license its features to distributor if such distributor shall fail to commence arbitration proceedings within five days after the sending of such notice, he shall be deemed to have waived all claims, if any, in connection with such features under this Article VI.

VII. Short Subjects, Newsreels, etc.

No exhibitor shall be required to license short subjects, newsreels, trailers, serials, re-issues, "Westerns" or foreign, (hereinafter collectively referred to in this Article as "Shorts"), as a condition of licensing other features.

An exhibitor shall have no right to assert any claim that the licensing of such features was conditioned, unless he shall have mailed to the distributor at its Home Office notice in writing, giving the name of the exhibitor, the ground therefor within thirty days after delivery by exhibitor of his signed application for such "Shorts." Any dispute as to whether the licensing of such features was so conditioned shall be subject to arbitration. The powers of arbitrators in any dispute relating to such matters shall be limited to:

(a) a finding as to whether or not the licensing of such features was so conditioned; and, if so finding be for the distributor, to:

(b) an award cancelling the license agreement or agreements for (or to the extent that they relate to) such "Shorts."

VIII. Score Charges

Score changes, if any, for flat rental fees, for the 1939-1940 exhibition season shall be added to and consolidated with the license fees therefor. For the 1939-1940 exhibition season, there will be no separate score charge for features licensed on either a flat rental or a percentage basis.

IX. Allocation of Features

Under license agreements authorizing a distributor to allocate features to particular price brackets, distributor, on giving notice of the availability of each feature, shall notify exhibitor of the price allocation thereof, except that such notice is to be given not later than fifteen days after the release date thereof to first-run exhibitors in those cities which the distributor may designate as "Key Cities."

X. Form of License Agreement

Each distributor will use its best efforts to simplify its form of license agreement.

XI. Selective License Agreements

Whenever an exhibitor shall have the right under a license agreement to select a number of features out of a larger number, he shall exercise such right by written notice of selection or rejection of each feature to which he may be entitled under such agreement within twenty-one days after the mailing of the notice of availability thereof. Failure of exhibitor to give such written notice with respect to any feature within such period shall constitute a selection thereof by exhibitor.

XII. Playing Features in the Order of Release

If under any license agreement an exhibitor is obligated to play features in the order of their release, the distributor shall have the right to witheld such features from exhibitor because features previously released have not been exhibited by exhibitor. Any dispute as to whether or not these features were so withheld from exhibitor to make them available to any disponent hereunder shall be subject to arbitration.

XIII. Coercing Contracts

No distributor shall coerce or intimidate an exhibitor into entering into any license agreement by threat of any kind, or build or otherwise acquire, or by falsely representing that any other person will build or acquire, a theatre specifically for its operation in competition with such exhibitor.

An exhibitor shall have the right to assert as a defense that he was coerced or intimidated unless he shall have mailed to the distributor at its Home Office notice in writing of such claim and that he was therein, within forty-eight hours after delivery by exhibitor of his signed application for such license agreement.

Any dispute as to whether exhibitor was so coerced or intimidated shall be subject to arbitration. The powers of arbitrators in any such dispute shall be limited to:

(a) a finding as to whether or not the exhibitor was so coerced or intimidated, and the finding be in the affirmative, then, (b) an award cancelling such license agreement.

XIV. Other Subjects of Arbitration

(1) Performance of License Agreements. Any claim that either party to a license agreement that the other party has breached any provision thereof shall be subject to arbitration.

The arbitrators shall have power to make the following awards only:

(a) To find that the provision involved is impossible of performance or enforcement, and in such event, to rescind the agreement.
(b) To direct specific performance of the provision involved.
(c) To award actual damages with respect to each feature involved, which award shall not exceed the liquidated damages provided therefor

(2) Clearance. The parties hereto recognize: that clearance, reasonable or minimum, is essential in the distribution and exhibition of motion pictures; that an exhibitor has the right without restriction to license for any theatre any run for which he is able to negotiate with any distributor; and, that, subject to Article VI hereof, an exhibitor has the right without restriction to license for any theatre any run for which it is able to negotiate with any exhibitor.

Any dispute as to whether or not the existing clearance, under the conditions involved in the particular instance, is unreasonable shall be subject to arbitration.

The powers of arbitrators in any dispute relating to clearance shall be limited to:

(a) a finding as to whether or not the theatre or theatres whose clearance is involved, of any of them, is entitled to clearance; and, if so, then,

(b) an award of the reasonable minimum clearance which such theatre or theatres is entitled.

(3) Over-buying. Any complaint by an exhibitor that another exhibitor has over-buying put him in the position of an exhibitor of a greater number of features than the latter reasonably requires shall be subject to arbitration in his theatre or theatres, with the intent and effect of depriving the complaining exhibitor of sufficient features to operate his theatre or theatres, shall be subject to arbitration.

In considering such complaint, the arbitrators, shall, among other things, make due allowance for a "sufficient features" rule which may be established to control the responding exhibitor against non-delivery of features and failure to make features available and give due regard to the normal policy of the theatre or theatres operated by the responding exhibitor.

If arbitrator shall determine that rights of an exhibitor shall no longer be deemed to be "over-bought" if his minimum commitments do not exceed by more than fifteen (15%) per cent, his maximum requirements. If the arbitrators shall find that over-buying exists as herein provided, they shall specify in detail the nature thereof, and, if any, the responding exhibitor shall have over-bought and the responding exhibitor shall then be permitted a period of fourteen days from the date of the arbitrators' decision to obtain the release of such excess number, if any, from its license agreement(s); if the exhibitor does not obtain such release, in whole or in part, he shall be liable to the distributor for an award apportioning the damages to the distributors, with which responding exhibitor has entered into license agreements for any features to be released by them, respectively (being in the aggregate the number of features above the number that is in excess of any, the release of which the responding exhibitor shall have obtained), of such features, if provided that no such award shall be made unless adequate assurance shall be given to each distributor that it will receive from the complaining exhibitor, in respect of its features to be so released, no less in license fees, than the amount of fees which were provided for in its license agreement with the responding exhibitor.

(4) Minimums and Conditions. Neither license fees, nor (except in the respects and to the extent specifically provided in this code) other terms and conditions under which motion pictures may be licensed by a distributor to an exhibitor, shall be the subject of arbitration. For any purpose under any Article hereof, each of the parties hereto recognizing that such matters are to be determined only by mutual agreement between distributor and exhibitor.

XV. Effective Date

The provisions of this code shall apply to all contracts made after January 1, 1939 for 1939-1940 product and to all product of subsequent years so long as this agreement shall be in effect.

XVI. Term

The term of this code shall be for the exhibition season commencing with the 1939-1940 season, and thereafter indefinitely.

Any signatory hereto may withdraw therefrom at any time during the exhibition season or at the end of any subsequent exhibition season by giving to the other signatories at least six months prior to the end of such exhibition season.

The provisions of this code shall remain in force until superseded by a new agreement, or so long as this agreement shall be in effect.

(Continued on page 9)
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MOTION PICTURE

Friday,

March

31,

DAILY

1939

Text of Industry
Practice

financial interest, directly or indirectThe parties may, however, waive
their right in any objections which
ly.

Program

(Continued from page 8)

added burdens. While this has been
discussed with representatives of exhibitors no definitive language has yet
been worked out but will be supplied
shortly.]

[Provision should also be made enabling other distributors and exhibitors
to become parties to the code.]

Arbitration Machinery
1.

tion

Location of Board.

exchange
2.

An

Arbitra-

Board

shall be established in each
territory.

Method

of selection of arbitrators.

There shall be created in each exchange territory a general panel and
a neutral panel.
The general panel
shall consist of about 20 members of
the distributors will appoint 10

whom

exist on the above grounds.
Vacancies. Vacancies occuring by
reason of illness, resignation, disqualifications, disability or death shall be
filled
in the same
original appointment.

manner

as

the

Hearings.

Hearings shall take
place in the exchange territory in the
city in which is located the exchange
out of which the complaining exhibitor
is served.
Parties may represent themselves
or be represented by another.
Each party shall have the right to
question the witnesses of the other
party or parties.
6.

Witnesses shall

under oath.
The arbitrator may require any
party to produce whatever records and
documents they may deem necessary.
Stenographic records of testimony
will not be taken unless either or both
parties so request and provide funds
for

same

the

in

testify

which

case

the

stenographer shall be selected by the
board, or if designated by either or
both parties, approved by the board.
7.
Waiving oral hearings. If the
parties to a controversy agree in writing to waive oral hearings they shall
submit to the arbitrators a statement
of claim under oath including state-

members

to be mutually agreed upon
by the exhibitor and distributor interests in each exchange territory. These
members shall not be members of the

general panel and shall not be associated with exhibitor or distributor
interests but shall have an understanding and knowledge of the motion picture industry.
The two arbitrators chosen by the
above method shall designate the third
arbitrator from the neutral panel and
if they are unable to agree the third
arbitrator shall be drawn from the
neutral panel by lot.

No compensation shall be paid to
any arbitrator from the general panel,
but compensation wherever necessary

make such

to

reply in

days

from receipt thereof he shall be deemed
to have waived the right to reply.

The

files

shall

1

contracting for a portion
features shall be deemed
have contracted for "all of the feature
motion pictures offered" if the distributor
shall have offered only such portion to ex-

then be submitted to

the arbitrators.

2

An

exhibitor shall be deemed to have
contracted "for a run in any situation" if
he contracts for the right to exhibit each
feature for a particular run either at a
specified theatre or upon an "or" basis,
i.e., at one of two or more specified theatres.
3

Only "Westerns" which are not of the
character and type of, and are inexpensively produced as compared with, the
itsual

general line of features for
the particular season in question.
*Without limiting the generality of the
term "material default", an exhibitor shall
in any event be deemed so to be in material
default if, at the time of giving notice
of exclusion, he has failed to pay the license fee due for any feature theretofore
exhibited by him or if, at such time, he
has failed reasonably to perform the license
agreement with respect to the playing of
features theretofore made available to him
thereunder.

Miscellaneous.

All

reduce
such revenue if it is a policy established
under methods of competition normal and
fair in such situation.
S
"circuit customer," as that term is
used in Article VI, is a customer who is,
or is a part of, a circuit, a buying combine,
a booking combine or a cooperative.

A

""Westerns" and foreigns
I,

Section

The

(1).

rights of exclusion,
Article I, Section (1) hereof,
ing exhibitor found by the

be paid to the neutral arbitrator.
cost of arbitration machinery.
Upon the filing of a claim the complaining party shall pay a filing fee
of $5. These fees are to cover the cost

placed in effect. If legislation, judicial
decisions or basic changes in trade
operations invalidate the program or
make it unduly burdensome, provision
is to be made to permit the general

withdrawal of signatories.

Negotiations Begun in June
In all other respects, the program is
essentially as it was on completion of
the tentative draft last November. It
provides for the 10-15-20 per cent cancellation according to film rentals paid
by the exhibitor; for abolition of the

such

finding.

u An

this

exhibition season for the purpose of
Article shall be deemed to commence

September
next

first

and end August

thirty-first

following.

The

Arthur H. Lockwood for M.P.T.O.A.
Abram F. Myers, H. A. Cole, W. A.
Steffes, Nathan Yamins and Sidney
Samuelson for Allied States, and the
following
sentatives

of the arbitration board,
(c) administration.
In disputes involving principles, affecting the entire industry the arbitration board may assess the cost incurred upon the initiative of the arbitration board upon all distributors and
exhibitors associations.
The arbitration board shall have no
power to award counsel fees.
Except as here provided each party
shall stand its own costs and expenses.
initiative

The board

shall be

empowered

in its

discretion to engage a secretary for
own sessions.
4.
Qualification of arbitrators. No
person shall be nominated or elected
to act as an arbitrator in any dispute in which he has a personal or
its

unaffiliated

regional

repre-

:

9
Rodgers Transmittal Note

Harry Brandt, I.T.O.A. Charles R.
Gilmour, T. O. & M. of the Rocky
Mountain Region, and Leo F. Wolcott,
Allied I.T.O. of Iowa and Nebraska.
The code is the result of nine
months' work by the distributors' com;

mittee and company counsel in collaboration with exhibitors. The formulation of the principles was completed
by the sales managers in conference
with exhibitor groups. The first draft
submitted did not contain arbitration
principles and procedure. This was
completed by the lawyers' drafting
committee after suggestions were received from Abram F. Myers, Allied
general counsel.

Union Ouster Trial
In St. Louis Is Ended

of:

(a) compensation to the neutral,
wherever necessary,
(b) expenses incurred upon the

;

;

have over-bought, shall be determined and
computed on the basis of his license agreement(s) as modified in consequence of

which have been discussed but have
not yet been resolved.]

ties

become
has been

;

[Disputes where more than 2 parare involved, or involving third

:

it

Lee Moffitt, M.P.T.O. of
as defined in
Kentucky; John Rugar, IntermounW. F. Crockett, M.P.T.O.
if
any, under tain T. A.
of a respond- of Virginia
Albert A. Galston, I.T.O.
arbitrators to of Southern California
& Arizona

parties who refuse to submit to arbitration, or where a greater number
of exhibitors are involved than distributors or vice versa, or where a distributor and its affiliated theatre company are parties, present problems

;

1)

to

RKO

questions affecting procedure such as the time
when the submissions are to be made
the time within which the arbitrators
must make their awards the forms to
be used
the notices to be sent and
similar problems should be referred to
counsel for the distributors and exhibitor groups.
9.

(Continued from page

score charge, non-forcing of shorts and
features and regulation of designated
play dates.
"Example:
If
the
agreement licenses
Distributor-exhibitor negotiations on
forty-eight features, of which eight are in
the highest bracket, twelve are in the the program were begun late last June
next to highest bracket, sixteen in the with Sidney R. Kent
as honorary
next to lowest bracket, and the remaining
twelve in the lowest bracket, and, if the chairman, and Rodgers, working chairexhibitor has the right to exclude ten per man of the distributors' committee.
per cent, (five features), then not more than Members were Ned E. Depinet,
one feature may be eliminated from the
Abe Montague, Columbia; Gradwell
highest bracket, not more than one from
the next to highest bracket, not more than L. Sears, Warners. Alternates included
two from the next to lowest bracket, and Nicholas M. Schenck and Leo Spitz.
the remaining one feature from the lowest The
latter was replaced subsequently
bracket; or all five or any lesser number
may be eliminated from the lowest bracket. by George J. Schaefer.
Exhibitor negotiating committees in""For a run in any situation" as defined in Section (1) of Article I, footnote 2.
cluded Ed
O. C. Lam,
7
A policy shall not be demed destructive Lewen Pizor,Kuykendall,
Charles E. Williams and
or one which
will
substantially

10

Preferential cases. Certain disputes require prompt and immediate
decisions while others do not. There
shall therefore be established a list of
disputes to which the arbitrators must
give preference in time of hearing.

Completed;

tributors and exhibitors
parties to the code after

distributor's

Article

8.

Is

Sent to Exhibitors

exhibitor
distributor's

may
3.

Pact

An

of
to

hibitor.

and the exhibitor association function- ments from books of account or other
ing in that particular exchange terri- evidence together with written argutory the other 10. Where there are 2 ment. Immediately upon receipt of the
or more exhibitor associations each statement of facts and written arguassociation may appoint a panel of ments a copy thereof shall be sub10 of their own. The members of the mitted to the respective parties and
general panel may be affiliated with each shall have the right to reply
thereto. But if either party should fail
exhibitor or distributor interests.

Each party to a dispute may designate as his arbitrator any member of
this general panel or any one else he
desires outside of the panel.
The neutral panel shall consist of 10

Notes on Text

may
5.

the signatories the right of withdrawal
in the event of substantial withdrawals
by other signatories and in the event
of legislation or judicial decisions declaring any part of the code invalid
o "'legal, requiring a material change
ii.
ne method under which distributors or exhibitors do business or making the code impracticable because of

9

(Continued from page 1)

chinery might be set up. Your counsel's revision contained counter suggestions as to arbitration, which were
discussed with our counsel. However,
we have not yet completed a revision
of the provisions with respect to arbitration machinery, and for that reason
we again enclose the proposed basis
for arbitration which we previously
handed you. It is obvious that this is
not complete and further elaboration
will be necessary in the light of discussions and of your counsel's suggestions, but we believe that the statements of principle contained in it and
in the revised memorandum enclosed
herewith will furnish the foundation

machinery desired.
Since our discussions we have been
notified by United Artists Corporafor the arbitration

tion that it has withdrawn from participation in the conferences.
Following the same course as before, we are sending a copy of this
letter and its enclosures to the Department of Justice in accordance with as-

surances of counsel that the Department would be kept informed of the
results of our industry conferences.
the accompanying revised memorandum substantially expressed your
understanding of these proposals, we
renew our previous suggestion that
a joint conference be held with the Department of Justice at the earliest possible date for the purpose of obtaining its approval of these proposals and
putting
of considering methods
of
them into effect. Sincerely,
W. F.
for the Committee
If

RODGERS,

St. Louis,

March 30.— Trial

of the

by members of operators' Local
143 to oust John P. (Big) Nick and
Clyde Weston from control ended
abruptly in Circuit Court here today
suit

when

stipulations were filed stating
that additional testimony would be
repetitious.
Judge Ernest F. Oakley

took the case under advisement.
The stipulations provide that all
vouchers, canceled checks and stubs
issued by the union since 1937 and an
audit made since that time will be-

come

evidence.

To Air Yeshiva Benefit

WMCA

will carry the speeches
scholarship fund dinner for
students at Yeshiva College
Sunday from 11:15-11:45 P. M.

the
refugee
at


AND NOW—

Latin America

POLITICAL and social unrest in Europe has brought about the curtailment of many important outlets for the American motion picture industry.

Latin America becomes now the most important market for American motion pictures—21 nations with a population of more than 100,000,000 friends of the American film.

TEATRO AL DIA, a Quigley Publication now entering its fourth year, has made new friends and more friends in the great market of the future. It's the only Pan-American business magazine published in the interest of closer relations, better understanding, and increased film trade with the sister republics of the Western Hemisphere.

The new issue of TEATRO AL DIA will be out Monday. Be sure to see it!