U.S. Going Ahead With Griffith Co. Suit in Oklahoma

The Government pressed forward last week with the prosecution of the anti-trust suit against the Griffith Amusement Co. and the major distributors, now pending in the Federal District Court in Oklahoma City, by serving all defendants with a series of interrogatories. Objected to are the interrogatories must be filed this week but there is an understanding between counsel that the time will be extended.

In this case, the Government will request one week's adjournment of the trial until next Monday when it is called in Federal Court here this morning. A representative of the Government staff will explain to Judge Henry W. Goddard that the settlement conferences are "progressing" favorably and that a further adjournment is necessary.

The conferences will continue daily. The interrogatories served in the Griffith action are much more extensive than those filed in the New York suit. Demand for a conference concerning the local area only and the interrogatories deal with the nature of the contracts, the principal and the like.

Attorneys were reluctant over the weekend to express any opinion on the significance of the Government's latest move. There is a general un- (Continued on page 5)

1938 Industry Salary List

Led By Mayer's $688,369

<table>
<thead>
<tr>
<th>Name</th>
<th>Salary</th>
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</thead>
<tbody>
<tr>
<td>Howard Hawks</td>
<td>$121,500</td>
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<tr>
<td>Katharine Hepburn</td>
<td>$75,000</td>
</tr>
<tr>
<td>William Perlberg</td>
<td>$92,750</td>
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<tr>
<td>Everett Roshen</td>
<td>$92,750</td>
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<tr>
<td>Loew's, Inc.</td>
<td>$186,842.25</td>
</tr>
<tr>
<td>Freedie Bartholomew</td>
<td>$168,379</td>
</tr>
<tr>
<td>Wallace Beery</td>
<td>$115,000</td>
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<tr>
<td>David Bernstein</td>
<td>$191,358.51 (83,000 salary, $87,308.21 bonus, $10,678 other compensation)</td>
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<tr>
<td>Ray Bolger</td>
<td>$87,000</td>
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<tr>
<td>Frank Borzage</td>
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<tr>
<td>Claude Colbert</td>
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<tr>
<td>Arthur Schwartz</td>
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<tr>
<td>Howard Curran</td>
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<tr>
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<td>Joan Crawford</td>
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<tr>
<td>George Cukor</td>
<td>$125,833</td>
</tr>
</tbody>
</table>

(Distributed Act to Protect Runs)

Republican Meet Costs
Nets $332,000

Radio coverage of the Republican convention in Philadelphia last week cost the three major networks, NBC, CBS and Mutual, a total of more than $332,000 during the three days of the convention. A study of the Networks' budgets for the total convention show that NBC outdid CBS and Mutual. NBC spent $185,500 for the radio coverage whereas CBS spent $154,666 and Mutual $91,000.

But NBC, which has a more flexible program situation, spent $185,500. CBS, which has a network of 13 stations, spent $154,666. Mutual, which has a network consisting of 39 stations, spent $91,000.

Radio station W2XBS, the NBC outlet, set a record on Thursday when it remained on the air for nine hours and 23 minutes, the longest program service furnished by any station. In all, W2XBS remained on the air about 33 hours during the week. CBS cancelled 11 hours of commercial programs during the 18-day period (Continued on page 5)

3% Foreign Revenue Lost Through War

Golden Sees Nazi Films Dominating Europe

BY BERTRAM F. LINZ

Washington, June 30.—Approximately 73 per cent of the foreign revenues of American films have been lost as a result of the war, it is estimated by Nathan J. Golden, chief of the Film Section of the Department of Commerce.

If Germany wins and becomes the dictator of Europe, it is considered probable by officials that the Hitler ideologies will be extended to the point where all Nazi-made or Nazi-approved films will be shown on the screens of Europe.

Golden's figures show that last year American films accounted for 62 per cent of the picture showings in Norway, 71 per cent in Denmark, 60 per cent in Holland, 60 per cent in Belgium, 65 per cent in France, 54 per cent in Finland, 77 per cent in England, 50 per cent in Switzerland, 57 per cent in Greece, 66 per cent in Poland, 70 per cent in Turkley, 41 per cent in Bulgaria, 75 per cent in Albania (1938), 60 per cent in Hungary, and 80 per cent in Portugal.

Nowhere in Washington will any official attempt to predict the future of the European film market. It all depends upon the outcome of the war. If England wins and the vanquished, partitioned nations are reconstituted, (Continued on page 5)

New York Allied May Join MPTOA

Allied Theatre Owners of New York, of which Max A. Cohen is president, may join the M.P.T.O.A. as the New York State organization. The unit was ousted by national Allied last year in a disagreement over policies.

The executive board at a special meeting in New York last Wednesday considered an invitation from the M.P.T.O.A., and "it is expected that the State organization will look favorably" toward an affiliation, an Allied statement said over the weekend.

The directors voted to maintain present admission scales and to pass the new defense tax to the public. They also offered the services of the organization to President Roosevelt to aid national defense.

Washington, June 30.—The Treasury Department tonight made public the salaries of approximately 250 individuals receiving compensation in excess of $75,000 from corporations for personal services in 1938, headed by Louis B. Mayer, who received $688,369 from Loew's, Inc.

Tonight's list was a supplement to the annual salary report submitted to Congress last January by the Treasury and for the most part covers corporations which were granted additional time in filing their voluminous income tax returns.

Of the approximately 250 names reported, 153 were those of film stars and picture company officials, who were listed as follows:

Columbia Pictures — Jack Cohn, $106,120; Harry Cohn, $85,500; Jean Arthur, $136,666.67; Samuel J. Briskin, $105,000; Sidney Buchman, $92,750; Frank Capra, $94,166.67; Walter Wanger, $82,500; Cary Grant, $181,250; Al Hall, $83,750.

Howard Hawks, $112,500; Katharine Hepburn, $75,000; William Perlberg, $92,750; Everett Roshen, $92,750.

Loew's, Inc.—Lionel Barrymore, $136,842.25; Freddie Bartholomew, $118,166; Wallace Beery, $155,000; David Bernstein, $191,358.51 (83,000 salary, $87,308.21 bonus, $10,678 other compensation); Ray Bolger, $87,000; Frank Borzage, $166,083.33; Fanny Brice, $106,500; Clarence Broun, $188,708.33; Arlington Brugh (Robert Taylor), $184,833.32; Edward Chodorov, $90,000; J. J. Cohn, $90,000; Claudette Colbert, $125,000; J. W. Considine, Jr., $122,666.67; Jack Conway, $182,000; Joan Crawford, $185,843.43; George Cukor, $125,833.83.

Also, Jack Cummings, $70,750; Melvyn Douglas, $98,585.54; Sam Eckman, Jr., $122,410.97 ($102,410.97 salary, $20,000 other compensation); Nelson Eddy, $146,416.67; Victor Fleming, $135,000; Sidney Franklin, $125,833.83.

Selznick Denounces 'Rebecca' as Triple

Chicago, June 30.—A scathing denunciation of the triple-feature program, "Rebecca," "House Across the Bay" and "Viva Cisco Kid," shown recently at the Balaban & Katz Bel- mont theatre here in a tele- gram received by Jack Kirsch, president of Illinois Allied, from David O. Selznick.

Selznick said in part: "The situation is disgraceful. I am more depressed than I can say that a picture of which I have a high rental as I have of 'Rebecca' should be permitted to be part of a triple bill in an im- portant theatre.

He ended the telegram by saying: "I am taking steps to avoid the inclusion of any future production of mine or any such destructive program."
**Personal Mention**

HERMAN WOBER, general sales manager of 20th Century-Fox, and Leo Spitz observed their birthdays yesterday. Mr. and Mrs. Spitz are visiting Miss and Mrs. Wober at the latter's home at Woodside, San Mateo County, Calif.

ARTHUR M. LOEW, vice-president of Loew's in charge of foreign activities, is recovering from an illness.

ENRIQUE BAEZ, United Artists general manager in Brazil, left for his headquarters in Rio de Janeiro on Friday following a six-week visit here.

HARRY BRILLMAN, executive with Atlantic Theatres Inc., Philadelphia, has announced his engagement to GRACE BERGER.

O. B. GUILFOIL, Warner exchange booker in Philadelphia, is confined to his home at Woodbury, N. J., by illness.

SAUL KRUGMAN, United Artists salesman in Philadelphia, is the father of a son, born late last week to Mrs. Krugman at Fitzgerald-Mercy Hospital, Philadelphia.

LARRY BEAG, an organizer district manager for Famous Players-Canadian, has returned from a trip through Eastern Canada and the United States.

RALPH BLUM, Hollywood agent, and Mrs. Blum, the former CARMEL MYERS, are in town.

JEAN HERSHOLT has been reelected president of the Motion Picture Relief Fund. RALPH ROLFE has been reelected first vice-president.

**Bookers to Honor E.K. O'Shea Tonight**

E. K. (Ted) O'Shea, M-G-M Eastern district manager, will be inducted as first honorary member of the Motion Picture Bookers Club of New York tonight at the Hotel Lincoln. Other executives are expected.

**Mos Leaves 20th-Fox**

Carl Mos of the 20th-Century-Fox advertising department has left the company. His future plans are unknown. MOS was started in the Fox Theatres advertising department in 1930 and after two years joined the film company's advertising staff, where he had been since.

**New Tickets**

Tax Roll or Machine Folded

**IMMEDIATE SERVICE**

WRITE OR WIRE

INTERNATIONAL TICKET COMPANY

50 Grafton Avenue, Newark, N. J.

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**Illinois Exhibitors**

**Form Organization**

**Florida, Ill., June 30.—Exhibitors representing 211 downtown Illinois theatres organized on a permanent basis under the name of Illinois Theatre Owners of Illinois at a convention held here late last week.**

Edward R. Zion of Pontiac was unanimously named president and William F. Crouch was named executive secretary. Other officers will be announced at the next meeting.

Organized to protect their interests against adverse legislation primarily, the group also discussed the problems of "typewriting" by junior operators, competition with small town exhibitors, the slot machine film problem and patent violations.

All downtown exhibitors are eligible for membership in the organization, with headquarters to be set up in Springfield.

**Erpi Again Upheld On Sound Patents**

**Philadelphia, June 30.—U. S. Circuit Court of Appeals here has affirmed the lower court decision which held that Erpi's sound patents did not infringe two patents of British Acoustic Films, Ltd., and that both patents were invalid.**

**Ontario Ticket Tax May Be Reinstated**

**Toronto, June 30.—Immediately after the introduction of the Federal Amnesty Bill in Parliament without a sign of a Federal impost on theatre tickets, taxation came up last week in the Province of Ontario, where the Government that the amusement tax would be revived for patrons of the 300 theatres in Ontario.

This was a welcome announcement in its entirety by the Provincial Government in 1936 but a move which made winter, during the last session of the legislature, to restore the levy, to secure additional revenue for war purposes. Wide protest from exhibition organizations caused the proposal to be dropped, although offices had been set up at Queen's Park for the collection of the tax.

Considerable interest has been aroused, in this connection, by the new Federal tax revenue bill in the United States, and this may have some bearing on tax revival in Ontario. It comes at a time when a new federal impost on film patents here is being organized a nationwide campaign for the staging of a special matter, which has run on monthly, a few weeks ago on all theatre receipts.

Other Paramount foreign representatives have scheduled their return as follows: J. D. Rappaport, Havana branch manager, sailing for Cuba July 5; John L. Day, Jr., general manager in South America, and S. L. Pierpoint, manager in Brazil, sailing July 12 for Rio de Janeiro, and Frank Kennebeck, general manager for India, estimating his post in Bombay the latter part of this month.

**Metropolitan Shows Profit**

Metropolitan Playhouses, Inc., New York, over the weekend reported a net profit of $29,976 for the year ended Jan. 31, compared with a net loss of $50,000 the year before.

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**Duals an Exhibitor Problem: Rodgers**

Only exhibitors can solve the double bill problem, William F. Rodgers, general sales manager of M-G-M, said in an interview over the weekend. "Triple bills, however," he said, "are indefensible."

Rodgers observed that duals are a long-established practice in exhibition, and that it must be assumed that the exhibitor knows what his patrons want.

**Feature Review**

**"The Man Who Talked Too Much"**

(Warner)

There is plenty of action and suspense in this story of the attorney for racketeers whose activities nearly cost the life of a younger brother, and who nearly loses his own in an effort to save him. It is good, lively entertainment.

George Brent, the lawyer, and Virginia Bruce, his secretary, handle the leading roles effectively, aided by Richard Barthelmess, as a reasonably convincing racket boss, just out of law school; David Bruce, as one of Barthelmess' gang, and Henry Armetta, for a touch of good comedy.

Vincent Sherman, director, extracted the maximum of suspense and excitement from the screenplay by Walter DeLeon and Earl Baldwin, from a play by Frank J. Collins. The story is compact, convincing and swift.

Brent quits as assistant district attorney after a man he had caused to be electrocuted for murder is later proved innocent. Doing badly in private practice, faced with the inability of the new governor to appoint him in law school, he succumbs to the temptation of working for Barthelmess. Brent's conspicuous success gets him in too deep to quit, and when his brother tries to aid the Government in an income tax indictment against the racketeer, the boy is framed for a murder. Only at the last exciting moment is Brent able to save him.

Running time, 75 minutes. "G."

**Fight 'Fifth Column': Nizer to Associates**

Louis Nizer, prominent film attorney, in addressing the members of the Motion Picture Associates at a special meeting on Friday at the Astor Theatre, announced that he is to make an unrelenting fight against subversive and "fifth column" elements.

Nizer observed that duals are a long-established practice in exhibition, and that it must be assumed that the exhibitor knows what his patrons want.

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**Referee Voids Lien On G.N. Equipment**

Referee Peter B. Ohney, Jr., Friday vacated a mortgage of $10,000 held by the National City Bank against equipment and automobiles of Grand National Pictures. The decision was granted on application of Harry Fromberg, trustee of Grand National, who cited a mortgage in that it did not comply with the filing requirements of Illinois law and because National City Bank failed to record the mortgage before Grand National filed a petition in bankruptcy.

**Stage Unions Seek 'Burlesque' Revival**

A campaign to restore the word "burlesque" to the theatre at the present, will be started at a meeting of theatrical craft and actor unions at the Hotel Astor Wednesday. The unions concur that the number of theatres playing burlesque has been sharply reduced since Mayor LaGuardia and License Commissioner Paul Moss banned the word from burlesque houses. A delegation will be sent to confer with the Mayor after the meeting.

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** Tomasito's ShowUp**

Metropolitan Playhouses, Inc., New York, over the weekend reported a net profit of $29,976 for the year ended Jan. 31, compared with a net loss of $50,000 the year before.
Every man, woman and child in the nation will be grateful for this wonderful entertainment. It is not exaggerating to say that localities would be justified in declaring a holiday when this picture plays, for it is a show nobody will want to miss. The Hardy Family comes to the Gay White Way in a rousing, uproarious story that reunites Judy Garland (and her captivating songs) with Mickey Rooney. From this minute on keep saying "Cheer up America! Andy Hardy Meets Debutante."

with

LEWIS STONE • MICKEY ROONEY
CECILIA PARKER • FAY HOLDEN
ANN RUTHERFORD • DIANA LEWIS
and JUDY GARLAND

Screen Play by Annalee Whitmore and Thomas Seller
An M-G-M Picture • Directed by George B. Seitz
1938 Industry Salary List Led By Mayer’s $688,369

(Continued from page 1)

Irène Dunn, $352,272.97 ($352,720.01 salary); Edward H. Ginzler, $302,678.00; Charles W. Jenkins, $274,875.00; Jesse O. Krehm, $269,275.00; John A. Matthews, $260,000.00; Otto F. Reischman, $250,000.00; Max Steiner, $250,000.00; Joseph W. Smith, $250,000.00; Max Weisz, $250,000.00; John Williams, $250,000.00; W. W. Wiegand, $159,996.64; John Yoakum, $157,992.80; William A. Zuckert, $150,000.00; William G. Dyke, $150,000.00; John Hays, $150,000.00; Walter Wanger, $150,000.00; Louis B. Mayer, $150,000.00; John Lee, $150,000.00; Harry Cohn, $100,000.00; John H. Langton, $100,000.00; John R. De Garis, $100,000.00; Sigmund Lubin, $100,000.00; John J. Gresham, $100,000.00; John M. Singer, $100,000.00; John P. Crowther, $100,000.00; John W. Johnston, $100,000.00; John K. Hall, $96,000.00.

H. M. Warner $156,000

Warner Brothers—Sam E. Harris, $75,000; Warner Bros.—Eddie Mannix, $100,420; Warner Bros.—Henry Blanke, $66,300; George M. Kimball, $70,000; Hal Roach, $60,000; Michael Curtiz, $71,000; Bette Davis, $25,000; William Wyler, $75,000; Warner Bros.—Forbes, $80,000; Brian Foy, $109,096.97; Edmund Goulding, $86,916.94; William Wellman, $70,000; Max Steiner, $70,000; Warner Bros.—Robinson, $60,000; H. B. Smith, $50,000; (salary $30,000; salary, $20,000; other compensation); Stothart, $12,000; Stott, $10,000; B. F. Greene, $15,000; (salary, $8,000; salary, $5,000; other compensation); Anson Dyer, $9,000; Palm, $8,000; G. C. Boulting, $7,000; Ansel Arbogast, $6,000; Leopoldo Fregoli, $5,000; Harvey L. Clondike, $5,000; Edward G. Robinson, $10,000.

Distributors Act to Protect Runs Against Price Cutting

(Continued from page 1)

stabilized and fight what they call political ‘merchandising competition’ with their customers.

All Broadway Houses To Add U. S. Tax

The Rialto, Globe and Central over the weekend decided to add the Federal defense tax to their admissions, thereby forcing the lead of the other Broadway houses, all of which are passing the levy to their patrons.

Fox Tower, Kansas City, Boosts Prices Five Cents

June 30.—Beginning tomorrow, the Fox Tower, downtown combination vaudeville and film house, will increase its admission from straight 25 cents to 30 cents. This admission increase reported in this area as a result of the new defense tax. Jeff Feifer, manager, is running newspaper ads saying, ‘No pennies, no mills, when you enjoy Tower bills.’

Iowa Is Expected to Increase Admission

Des Moines, June 30.—G. Ralph Branton, Tri-State business manager, contacted heads of other circuits and state independent exhibitors regarding the new Federal admission tax and the tentative decision was that there would be no change in admissions, and that the original admissions that are now 26 cents will be raised to 30; the 31-cent admissions raised to 35; the 33-cent price raised to 40 cents and the 41-cents price to be 46 cents.

A service charge of 10 cents is to be charged for among other reasons the admission. An agreement was reached for the independent exhibitors to meet with Tri-State officials and direct heads for further discussion.

Loop Oriental Cuts Prices

Chicago, June 30.—Reduction in matinee prices, effective last Friday, has been made by Aaron Jones, Jr., of the Loop. The theatre is a part of the & Schaefer circuit, for the Oriental.

The new price schedule will be as follows: 15 cents instead of 35 cents; 40 cents to 63.5 cents instead of 55 cents and the 65-cent evening price remains unchanged.

1938 Industry Salary List

(Continued from page 1)

U.S. Goes Ahead on Griffith Co. Suit

(Continued from page 1)

there will probably once again be a market for American pictures, the extent of which will depend upon the commercial conditions of the peace.

Eight months of war have practically wiped out the market for American motion pictures, variously estimated as having been worth, in previous normal times, anything to Abraham Stiefel, of the Stiefel family, long associated in theatre operations in Philadelphia, was unveiled today at Roosevelt Cemetery here.

Unveil Stieffel Stone

PHILADELPHIA, June 30.—A monument to a pioneer in the theatre trade, Abraham Stieffel, founder of the Stieffel family, long associated in theatre operations in Philadelphia, was unveiled today at Roosevelt Cemetery here.

Distribution of Church Bells

The broadcast of church bells, planned for May 30th, was moved to June 1st because of the 100th anniversary of the Battle of Gettysburg.

MOTION PICTURE DAILY 2

75% Foreign
Revenue Lost
Through War

(Continued from page 1)

Dr. Henry C. Hood, of Philadelphia, who is in charge of the project, said that his object was to help people realize the value of their own time.

He added that he did not know what the result of the experiment would be, but that it was a step in the right direction.

The residents of the town of Gettysburg, in the state of Pennsylvania, were recently divided into groups of ten and asked to work on a clock which would indicate the time of day.

The project was supported by the town's municipal government.

It is estimated that, during the day, the residents of Gettysburg lost about 10% of their time because of various activities, such as cooking, cleaning, and socializing.

The experiment is expected to last for at least a week.

The results will be analyzed to determine the impact of the experiment on time management.

The experiment is part of a larger initiative to improve time management in Gettysburg and other similar communities.
June 28, 1940

To the Leaders of the Industry:

It is contended that there is no monopoly in the industry, and anybody who differs with this opinion is criticized as being destructive, and ungrateful to the business from which they make a living. We want you, the leaders of the industry, to judge the situation in Chicago and decide whether there is a monopoly or not.

There are hundreds of thousands of Chicagoans not attending motion pictures, who formerly did so. This is due to double-features and triple-features.* The idea of triple-features and additional short subjects may sound ridiculous. However, in one section of Chicago there were, as of Sunday, June 16th, 18 theatres showing three or more features on every program. Business has been so bad that 17 independent theatres, regardless of divergent interests, decided to eliminate the third feature, effective Sunday, June 16th. However, the Belmont Theatre, owned by Balaban & Katz, with a seating capacity of 3,257, ran three features against the independents' two features. The BELMONT THEATRE GETS ALL THE PICTURES BEFORE ALL OF THE SEVENTEEN THEATRES. The BELMONT THEATRE RAN A SHOW LASTING FIVE HOURS. The features were "Rebecca," "House Across the Bay" and "Viva Cisco Kid." The week prior to the "Rebecca" booking the Belmont Theatre played "It's a Date," "Broadway Melody" and "Johnny Apollo" on the same program. With the newsreel and trailers this show ran considerably over five hours.

Hollywood producers and New York distributors contend that with the loss of the foreign market American exhibitors must take up the slack, and good pictures should be played for extended playing time. The independent exhibitors of Chicago are willing to play good pictures for extra days, but how can they run five-hour shows and gross any money? Furthermore, how can you expect people who might want to see a great production like "Rebecca" to sit in a theatre seat for five hours? The mere thought of it is enough to keep a patron away from the theatre! Is a five-hour show, including "Rebecca," good booking?—particularly in view of the fact that it is first-run in the entire district. Would you say there is no monopoly, when ONE FIRM PREVENTS THREE HUNDRED THEATRES from exhibiting pictures in a manner which will not keep people from the theatres? We are not belligerent; we definitely want to be constructive; but, it is most difficult to operate theatres under this form of economic slavery.

We have no right to expect Hollywood to turn out a sufficient number of good pictures for this "automat" type of operation. After all, the independents do not have enough theatres to pay their interest charges with candy money.

IF THE LEADERS OF THIS INDUSTRY CANNOT CORRECT SUCH A DEVASTATING ABUSE AND WASTE OF PRODUCT WE WOULD AT LEAST APPRECIATE PUBLIC UTTERANCES OF CONDEMNATION OF THIS POLICY ON THEIR PART.

JACK KIRSCH,
PRESIDENT, ALLIED THEATRES OF ILLINOIS, INC.

*VARIETY June 26th says: "72% of patrons polled being for solo programs and 28% for duals. Exhib sentiment is almost in the same ratio." In view of this nation-wide VARIETY poll the industry should forget the 'ostrich' policy and immediately stop forcing multiple features on the public. It is not good merchandising to force the public to buy anything it does not want: furthermore, it can't be done successfully.

THANK YOU DAVID O. SELZNICK FOR YOUR PROMPT AND CONSTRUCTIVE TELEGRAPHIC REPLY TO OUR LETTER PUBLISHED IN HOLLYWOOD REPORTER. WE DEEPLY APPRECIATE YOUR SUPPORT.
Suit Attorneys Approve of Arbitration Agreement in Principle; Trial to July 8

The only specific agreement reached in the present negotiations for an out-of-court settlement of the Government's New York anti-trust suit is that all factors concerned approve of arbitration of industry disputes.

The mechanics of the arbitration procedure, however, and the problems to be arbitrated are still far from agreement among the principals. While other points of the proposed settlement have also been agreed upon in principle, they still remain to be worked out. The sub-committees have struggled with various suggestions and variations of the proposals, and several drafts have been submitted to the general committee.

Meantime, trial of the suit was adjourned yesterday to July 8. Appearing before Federal Judge Henry W. Goddard to request the adjournment, Assistant Attorney General J. Stephen Doyle told the court that several of the sub-committees have submitted specific proposals for consideration of the Government and attorneys for the defendant companies. Judge Goddard again urged the parties to strive for an early agreement.

Among phases of the settlement on which the sub-committees have submitted proposals are clearance and overbuying, and the committee as a whole is now considering them. Source material for the proposals are the findings of the Federal Trade Commission and the antitrust laws of Congress.

(Continued on page 4)

Roosevelt Urges Excess Profit Tax

WASHINGTON, July 1—Imme-

diate enactment of a "steep-

lly graduated" excess profits tax was asked of Congress today by President Roosevelt. The national defense effort, the President said, involves a responsibility to see that the burden is equitably distributed according to ability to pay. The excess profits tax should be applied to all individuals and corporations without discrimination, the President said, and he left it to Congress to determine what should constitute a fair rate of profit, beyond which taxes should apply.

306 to Cut Scales For N. Y. Theatres Facing Shutdowns

Operators' Local 306 has decided to reduce the cost per booth to New York City independent theatres in those instances where the house is losing money during the hot weather months and the reduction will prevent the closing of the house.

The action followed the request of the New York L.T.O.A. for conferences concerning a general citywide cut. The union's executive board declined to grant a blanket cut or enter into negotiations for such reductions. Instead, the board decided that any individual owner can make a request for a wage revision at his own house.

A committee will study the situation in each theatre and if an investigation proves that the exhibitor's claims are substantiated.

Strong Attractions Ready for Holiday Play

Broadway first runs will play strong attractions to take advantage of the Independence Day holiday business. Tomorrow, "The Ghost Breakers" will open at the Paramount with Orrin Tucker's band and Bonnie Baker on the stage. On Thursday, "All This and Heaven Too" will open at the Music Hall and "Susan and God" at the Capitol, and the Roxy.

The Strand will hold "The Man Who Talked Too Much" and Bob Crosby's band a second week.

The latter film drew an estimated $18,000 for its first three days at the Strand. "Tom Brown's School Days" with a stage show at the Music Hall

(Continued on page 4)

E. K. O'Shea Inducted By Bookers' Club

Bookers were entitled to "future executives of the industry" (Ted) O'Shea, M-G-M Eastern district manager, upon his induction as first honorary member of the Motion Picture Bookers Club of New York last night at the Hotel Lincoln. About 50 attended.

O'Shea related that he started in the film business as a Booker 20 years ago and said that in this capacity he observed the fundamental business of the business.

Thomas J. Connors, M-G-M Eastern, Southern and Canadian division manager, maintained that the

(Continued on page 4)

THEATRE PATRONS PAY NEW DEFENSE TAXES WILLINGLY

Ban on Fight Film Shipments Repealed

WASHINGTON, July 1—President Roosevelt's veto nullified the Barbour bill lifting the ban on interstate transportation of fight films. The bill was passed unanimously by both Houses of Congress this session and removes the prohibition on the transportation of such films which has been applied for more than 25 years. The bill, however, has no influence on any state legislation dealing with the showing of fight pictures.

Payment Problem Of British Export

LONDON, July 1—The newly formed export group of the British Producers' Association, in its effort to stimulate the export of British films, is facing a difficult trading situation.

The problem stems from the recent Treasury order controlling foreign payments for exported British films, which was introduced early in June. The order requires that British films sold in the United States may be paid for only in dollar exchange and not from funds frozen in England.

American interests who heretofore have used money frozen here and who contend the new order is applicable only to negative and positive prints, are apparently outside the scope of the new regulation through the exchange agreement, but the Treasury interpretation includes them.

It was originally understood that the June order was applicable only to those British firms which represented American companies lacking their own distribution units here, and they were told to set up a currency control body of their own. They have not complied with that suggestion, it is understood.

It is the attitude of American interests here that application of the order would be a violation of the exchange agreement and discourage British film exports. TV plan for individual exceptions is being discussed, it is said.

Public Accepts Impost As Patriotic Measure Without Objection

A cross-section of opinion across the nation on the new Federal admission tax for defense, which went into effect yesterday, indicated that the public is more than willing to pay the additional levy.

Designed to assist in paying the national defense bill, the new law calls for a tax of 10 per cent on all admissions over 20 cents. Virtually all theatres are passing the tax to the public, which voted to extend the extra levy with a smiling willingness to do its share in building national defense.

The new tax produced no noticeable effect at Broadway houses, a survey of managers revealed. All Broadway houses added the tax to admission prices with box-office signs calling the addition "Defense Tax," "U. S. Government Tax" or simply, "Tax."

No confusion was noted by box-office attendants and the tax was accepted in a matter-of-fact fashion and many patrons were prepared with the exact amount in pennies. A few asked the doorman why admissions had been increased but paid the increased amount without question when told why the tax had been added.

The consensus among managers was that the advance publicity given the new law apportioned the public of the change and that most patrons were prepared for it before coming to the theatre. Newspapers sent reporters and cameramen to theatres yesterday to watch reactions among patrons and to interview them.

(Continued on page 4)

Tax Nets $108 at Hall in First Hour

The new defense tax made the Government $108 richer within the first hour yesterday at the Radio City Music Hall. The regular "early bird" admission of 40 cents was raised to 44 cents. A total of 2,700 persons paid their way in during the first hour.
Paul Cravath, Noted Attorney, Dies at 78

Paul D. Cravath, 78, attorney and president of the board of the Metropolitan Opera Co., died at his home in Locust Valley, L. I., early yesterday of a heart attack. Cravath was a member of the law firm of Cravath, Egersdorf, Swain & Wood, which represented many interests in the industry, including Paramount and RKO.

At present, the firm is counsel for RCA and March of Time. The firm won an acquittal for Warner Bros. in an anti-trust indictment in St. Louis several years ago. Funeral services will be held at 3:30 P.M. tomorrow at Cravath's home, Still House, Locust Valley. Interment will be private.

Lawyer for St. Louis Union Paid $30,000

St. Louis, July 1.—Robert A. Roessel, attorney for the members of the operators' union, Local 143, who voted to strike the union from John P. Nick, has been paid a fee of $30,000 by the union, it is shown in the final report of the receivership approved by Circuit Judge Ernest P. Oakley.

The union paid Frane P. Ascheimer, counsel for the receivers, a $12,000 fee, the report stated. Both were voted $500 by the union. In closing the receivership and turning the property back to the union, Judge Oakley complimented the membership, receivers and counsel for cooperation in the difficult work of reforming the organization.

Bioff Loses His Last Chance of Clemency

SPRINGFIELD, Ill., July 1—William Bioff, Hollywood leader of the I.A.T.S.E., has lost his last chance to obtain release from his 22-year-old conviction through clemency. Bioff is serving a six-month term on an old parole violation charge.

Robert Phillips, chief clerk of the Illinois Pardon and Parole Board, said Bioff's application had been continued until Oct. 7 because of his failure to comply with parole requirements. Bioff's prison term will end in September.

Ben Turpin, Famed Comic, Dies at 65

HOLLYWOOD, July 1—Ben Turpin, 65, famed on the silent screen for his cross-eyed comedy, died here today.

Turpin was one of Hollywood's most active in recent years. After a recent illness he had been discharged from the hospital and was ready to go on the road to recovery.

Turpin was one of the first comedians to capitalize on a physical defect, and achieved a high degree of success in the early slapstick days of the screen.
CHEER UP AMERICA!

“ANDY HARDY MEETS DEBUTANTE”!

PREVIEWED AND IT’S A PIP!

“ANDY HARDY MEETS DEBUTANTE” with Lewis Stone • Mickey Rooney • Cecilia Parker Fay Holden • Ann Rutherford • Diana Lewis and Judy Garland • Screen Play by Annalee Whitmore and Thomas Seller • Directed by George B. Seitz

A Metro-Goldwyn-Mayer Picture

Oh Mister Exhibitor! Just keep on having faith in the Friendly Company that gives you a “New Moon” (terrific hit in every engagement) followed by the best Hardy comedy of them all and more good news coming!
Suit Attorneys Approve of Arbitration

(Continued from page 1) dustry trade practice code which was proposed last year, the Department of Commerce proposed the NRA trade practice code. With respect to arbitration, the Government, it is said, is holding out for as broad a jurisdiction as possible for the arbitration boards, so that any dispute would automatically be turned over to them for adjudication.

The major companies, it is understood, are seeking to limit the jurisdiction of the boards and to confine their supervision to specific problems. It is probable that local boards will be set up in exchange centers with a National Appeal Board to hear appeals from the local boards.

In addition to arbitration, no agreement has been reached on block booking. One of the proposals would give the distributors the right to offer a block of 10 films with the privilege of an exhibitor of eliminating from two of the group, or the alternation of offering five pictures in a block without the right to eliminate. The idea of local competitive bidding may be dropped with the substitution of compulsory arbitration on any disputes between circuits and independent theaters.

E. K. O’Shea Inducted By Bookers’ Club

(Continued from page 1) his is the most important one in running a theater.” He said that despite the demands on the time of Nicholas M. Schenck, M-G-M president, he sees every one of the company’s pictures. Booking films, said Conners, is a good training school for future managers.

Other speakers were Max A. Cohen, head of the Cinema Circuit: Sam Shain, editor of Motion Picture Daily; Jack Hoenscheder, New York branch manager; F. W. Aaron, assistant to W. F. Rodgers, M-G-M general sales manager; Ben Abner, M-G-M New Jersey manager, and Joseph J. Lee, Century-Fox New York sales manager.

Harold Klein of the Cofsin Circuit is president of the Club and was chairman of the meeting. Other officers are: Alex Arnswarder of M-G-M, vice-president; Sol Kravitz, secretary, and Ben Levin, United Artists, treasurer.

Strong Attractions Ready for Holiday

(Continued from page 1) grossed an estimated $40,000 for the first four days. At the Roxy “Sailor’s Lady” with a stage show took an estimated $9,000 for the first admission.

In its second week which ends tonight, “Safari” with Red Skelton’s band at the Paramount or the store at the Paramount should do an estimated $31,000. “The Lucky Cisco Kid” drew an estimated $3,900 at the Globe and was followed on Saturday with a revival of “The Lost Horizon.”

Theater Patrons Pay New Defense Tax

As Patriotic Act Without Objection

Coast Houses Urge 9-Cent Exemption

Los Angeles, July 1.—A resolution was passed at a meeting of theater operators in this territory during the weekend calling upon the Government to tax every adult admission of 10 cents or more. The I.T.O. of Southern California sent the resolution to Federal authorities today.

The resolution was proposed by George Bromley, operator of a 25-cent house, as a patriotic gesture. A reduction of the exemption to nine cents was originally proposed to a Senate committee as a more equitable measure.

Los Angeles, July 1.—Independent and circuit theatre operators in this area today were united in not charging admission prices in view of the new Federal admission tax, and are adding the tax to the admission price. Signs have conspicuously been posted in all theaters indicating the levy.

The decision to pass the tax on came over the weekend at a meeting of virtually every theater operator in the territory at the Boulevard Theatre.

Allied Urges Public Education to Levy

WASHINGTON, July 1.—The Allied States, receiving the notice that the Federal tax on the admission to the public. The undertaking also urges all members to undertake a comprehensive educational campaign to reconcile the public to the tax, and suggests various exploitation measures, stressing the patriotic defense angle of the levy.

Passing Tax on in Pennsylvania Spots

Scranton, Pa., July 1.—Comerford Theatres, operating throughout Pennsylvania, are passing the new tax on to the public. Virtually all theaters in the area are doing likewise.

No Petron Complaints In Cincinnati Area

CINCINNATI, July 1.—The new admission tax bill is being added to prices in practically all first and subsequent appearances in the Cincinnati territory, which includes Columbus, Dayton and Springfield, O., among the larger situations. There was no complaint by patrons on the new tax.

Newspaper publicity was of assistance in forestalling any possible adverse reaction to the levy.

Reaction to Levy Favorable in Chicago

CHICAGO, July 1.—The public reaction to the new admission tax was favorable here today. All those in- terested in the Loop theaters voiced their belief that the change in the policy program is vital to America and there was no objection to the new levy.

No Adverse Reaction To New Tax in Dallas

DALLAS, July 1.—Robert J. O’Donnell, Interstate Circuit and R. J. Payne, president of the Dallas Theatres, indicated today that the public had been prepared for the new Federal admission tax, and there was no adverse reaction to the new levy.

No AnTagonism to Tax In Kansas City

KANSAS CITY, July 1.—Theatre patrons were surprised but not antagonistic to the new admission tax at first runs here today.

Public Ready to Pay Tax in Albany

ALBANY, July 1.—The fact that the public was prepared to pay the admission tax and willing to pay it was indicated by the fact that many came to the box-office today with the correct change in hand. No independent in this territory were affected, since they have a top of 20 cents.

No Reluctance To Pay Shown in Des Moines

DES MOINES, July 1.—No reluctance to pay the new admission levy was shown by the patrons of local theater today. The tax was explained in the newspapers of yesterday, so that the public was fully aware of the tax. Most patrons were unhesitating to pay the tax and that the public reaction is good.

Birmingham Patrons Willing to Pay More

BIRMINGHAM, Ala., July 1.—The public here appears quite willing to pay the new Federal admission tax, and some have expressed a willingness to pay even more if it is necessary.

Absence of Protest Is Noticeable in Buffalo

BUFFALO, July 1.—Protests, which in the past have accompanied the levy of new taxes, are conspicuously absent here with regard to the new admission tax. The first day of the new tax found business “as usual” with no adverse reaction to a day’s admission tax. Town houses charging 55 cents, which would have to charge six cents additional for the tax, have dropped the extra price one cent to make an even 60 cents admission tax, while 35-cent tickets have been reduced five cents instead of four to make a flat rate. Neighborhood houses have added the three cents of tax to their 25-cent price.

Sparks Circuit Will Add Tax to Admission

MIAMI, June 30.—Guy Kimmier, district manager for Sparks Theatres here, said that Sparks Florida theatres will keep the same prices as heretofore, and add the new Federal admission tax, effective today.

Philadelphia Business Good: No Tax Opposition

PHILADELPHIA, July 1—Business at philadelphia theaters today for the most part was better than that reported yesterday, indicating that the public is willing to pay the New Federal admission tax. No incidents were reported at the box-office theatres. The public reaction to the admission tax when it was enacted was noticeably absent today. Members of the Allied I.T.O.

of Eastern Pennsylvania, controlling 150 houses, agreed they would “make no effort to get out from under the tax,” Sidney Samuelson, Allied executive, said.

Pay Without Question At Houses in Miami

MIAMI, July 1.—The major activity of theatre patrons today paid the new admission tax without question. Many commended theatre attendants for the defense measure. Some, who were unaware of the tax, paid willingly when its purpose was explained to them.

No Effect On Film Grosses in Rochester

ROCHESTER, N. Y., July 1.—The consensus of theatre managers here today was that the new tax has had no effect on business. The public apparently is entirely willing to pay the new tax.

Pay Tax With Smile At Richmond Houses

RICHMOND, July 1.—Theatre patrons here are paying the new defense tax willingly for the most part, and those who were unaware of the tax are paying without objection. The tax apparently has had no effect on business.

Tax is Passed On In Indiana-Theatres

INDIANAPOLIS, July 1.—Most neighborhood and suburban runs here increased admissions today 20 cents. Eighteen neighborhoods, however, were not affected and there is a possibility of others following suit later. The few houses with 15-cent and 20-cent tops remained unaltered. Downtown first runs’ new scale is 28 cents during the day and 31 cents and 44 cents at night.
I never saw anything more realistic in any theatre. In fact, all the pictures in this theatre are so much better than they used to be. Am I imagining things?

No, Mary, Mr. Robinson, the Manager of this theatre, is a friend of mine and he told me that they have recently installed a new type of projection light known as the "One Kilowatt" High Intensity arc. This new light is designed especially for the small theatres. It is a snow white light like daylight and there is half again as much light on the screen as they had formerly. That's why the pictures are so natural and easy to look at.

All I can say, John, is that it's wonderful and believe me I am going to tell my friends about it. Mr. Robinson is to be congratulated for his progressiveness.

CARBON ARC PROJECTION LAMPS

have a simple but highly efficient optical system.

The words "National" "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.
**Hollywood Reviews**

**"Maryland"** *(20th Century-Fox)*

Hollywood, July 1.—Introduced with a prologue depicting some of the state of Maryland’s claims to fame, while a narrator further extols the state’s virtues, the picture "Maryland" devolves into a horse race yarn.

An original screenplay by Ethel Hill and Jack Andrews, the story is that of a woman raised in the tradition of horse-breeding and racing, who turns against it when her husband is killed on her favorite hunter.

Her son, however, agrees to race a horse in the Maryland Hunt Cup, which turns out to be her own horse, the colt of one she had ordered shot.

Famed in color, one of the picture’s high spots is a portrayal of the race and the countryside. Another is the comedy deriving from a colored revival meeting, in which Ben Carter, as the singing husband of Academy Award winner Hattie McDaniel, “gets religion.”

The cast includes Walter Brennan, Fay Bainter, Brenda Joyce, John Payne, Charlie Ruggles, Marjorie Weaver and Sidney Blackmer, while the race is announced by Ed Thorsen, known for his newscast announcing. The picture was directed by Henry King. Gene Markey was associate producer.

A preview audience found the film to its liking, most especially in its comedy moments.

Running time, 92 minutes. "G".

**W. S.**

**"Andy Hardy Meets Debutante"** *(M-G-M)*

Hollywood, July 1.—This is the type of picture shownmen the nation over have been waiting for in order to forget, with their patrons, the war and other troubles. Mickey Rooney and Judy Garland, last in "Babes in Arms,” are teamed in "Andy Hardy Meets Debutante," a film which surpasses the already established excellent entertainment standards of its predecessors.

Seen with Rooney and Miss Garland, the latter singing "’Alone” and "’I’m Nobody’s Baby," are the familiar characters portrayed in other Hardy Family pictures by Lewis Stone, Cecilia Parker, Fay Holden, Ann Rutherford, Sara Haden and George Brent.

This time, in the fast-moving, finely dialogue screenplay by Annalee Whitmore and Thomas Seller, the Hardy family pays a visit to New York, where Rooney finds himself dared to make good his boast that he knows the leading debutante of the season. In an excellent job of acting, Rooney gets himself more involved in difficulties than he ever did in his home town. He wins through in typically Hardy style, however, but not without giving the audience the preview many delicately comic moments.

George B. Seitz, identified previously with the direction of several of the more successful Hardy family stories, was responsible for the guidance of this.

A preachment on American traditions and heritage is worked into the dialogue.

Running time, 86 minutes. "G".

**VANCE KING**

**"The Fugitive"** *(Universal)*

Hollywood, July 1.—"The Fugitive," an English-made production being released in this country by Universal, presents an exciting, suspenseful, but gruesome, study of a London slum barber, whose first crime, the theft of £100, leads to murder and his subsequent death at the hands of the police. Made as "On the Night of the Fire," from a best selling (in England) novel of that name by Frederick Laurence Green, the film is of a definitely somber tone, directed throughout in this vein by Brian Desmond Hurst, who managed to bring out effectively the psychological reactions of the main character, who is caught in the maelstrom of growing crime.

Ralph Richardson enacts the title role, supported by a host of capable character actors whose names are unfamiliar to American audiences. Diana Wynyard, the feminine lead, is about the only player known, to audiences of the United States.

Hurst’s photography, figure, Patrick Kirwan and Terence Young wrote the screenplay, with Josef Somlo producing.

Running time, 75 minutes. "G."
"Constructive"

... "I read weekly with great interest your Herald and derive much constructive information pertaining to this fast-moving business."

AL SCHWARTZ
Directing Manager

MOTION PICTURE HERALD
ROCKEFELLER CENTER  NEW YORK
Petrillo Bans Remote Pickup
On NBC, CBS

In one of his first official acts, James C. Petrillo, newly elected president of the American Federation of Musicians, has removed remote pickup rights from NBC and CBS. NBC's 28 on-air network programs and CBS's 108 shows, which are heard in 94 cities and 78 countries, are now off limits to remote pickups. NBC's ban went into effect Friday night and was extended to CBS effective Saturday night.

Remote pickup rights are not affected by the order. The dispute arose when Stanely Hubbard, NBC's executive vice president, said Petrillo, for NBC affiliates, said they were not interested in signing with Petrillo's organization. NBC affiliate, broke off negotiations with a musicians' local concerning the size of a studio band to be maintained at the station. The local called a strike.

Petrillo Issues Order

When the network refused to stop feeding KSTP, Petrillo ordered all bands playing in hotels, night clubs, and similar places not to permit their music to be fed to NBC. A similar dispute was heard in 1938 by KYW, Richmond, Va., caused the tieup at CBS.

Studio bands and programs originating in Chicago studios were used to CBS's 9 P.M. and 11 P.M. closing. Mark B. Woods, NBC vice-president and treasurer, conferred with Petrillo yesterday but neither would comment. A further meeting is scheduled for this afternoon.

Effect on "Name" Bands Serious

Observers are puzzled by Petrillo's order because its most serious effect will be felt in small cities whose music will not be heard on the air. Band leaders regard the use of remote pickups as a valuable asset on an engagement and frequently pay for the line charges themselves. Some interpret the move as the first in a series of efforts to help the local musician at the expense of the big traveling bands. In this connection, it is pointed out that the smaller cities do not observe the regular studio bands or orchestras employed on commercial programs to stop working for the network.

On the other hand, the move has been interpreted as a warning by Petrillo, to the networks to bring their affiliates into line with the possibility of an extension of the strike if the first move is unsuccessful.

CBS Opens Studio
—Surrealist's Dream

Reemerging a cross between a surrealist's nightmare and a room plastered by a man who had no plum line to guide him, the CBS radio studio was opened for public inspection last night.

Two no walls are constructed parallel to each other and the ceiling is a collection of accoutrements, among which is a sandbag, one of the characters in the "newscast.

Feature of the studio, which is the last word in acoustics, is a series of "acoustivines." These are hardwood panels, in five sections, which can be manipulated from the control room to create resonant walls or sound-deadening panels. Clarence R. Jacobs, CBS sound engineer, was in charge of construction. There are six additional studios in the building, which is at 52d St. and Madison Ave., but they will not be ready for several weeks.

MUTUAL gross billings for the first six months of 1940 went up to the two million dollar mark for the first time in any year with a total of $2,031,323. This represents an increase of 25.1 per cent over the $1,624,215 for the first six months of 1939. For June, Mutual grossed $299,478, a rise of 12.2 per cent over the same month last year.

Two additional stations joined the network over the weekend, bringing the total to 142 affiliates. The additions, both in Texas, are KRIS, Corpus Christi, on 3,130 watts full time, and KRGV, Weslaco, on 1,260 k.c. with 1,000 watts full time.

All parents will be willing to encourage children to listen to appropriately selected programs, according to a survey made by the United Parents Associations in New York City. In addition, 85 per cent would be willing to buy sponsors' products "providing the products appealed to them," and 95 per cent were willing to write to sponsors with their opinions of the programs, according to the survey.

Questionnaires were sent to 60,000 school children, parents and teachers. The children like adventure and mystery programs but not those of a group, and they like for children and asked for more stories of children from 4 to 8 P.M. Among the programs selected for praise by the children were "The Lone Ranger," "Sky Blazers," "Ellery Queen," "I Love a Mystery," "Five Star Final," "One of the Finest," "Information, Please," "Cavalcade of America," "Bergen & McCracken, and Jack Benny.

A series of "Movie Night" programs will be "previewed" over the ABC network by June Barlowe and Jimmy Lyndon appearing in "Tom Brown's School Days." The regular series will start July 29 or early in August and will be heard Mondays at 9:30 P.M.

Program News: General Foods, which held a non-cancelable contract with Kate Smith until Dec. 31, 1941, has revised the expiration date and extended the contract to Jan. 1, 1943. Products will replace "What Would You Have Done" with "Metropolitan Airport" over 45 stations on NBC's Blue on July 24. Effective July 25, Kraft Cheese Co. has renewed the "Kraft Music Hall" for one year. The program shifts from 10 P.M. to 9 P.M. on Thursdays. Mars, Inc., has renewed "Dr. J. O." over 59 NBC Red stations effective Aug. 26.

Mutual will start the first of four semi-pre-convention broadcasts from the Democratic meeting tomorrow at 9:30 P.M. with a talk by Oliver A. Guyle, treasurer of the Democratic National Committee. A series of four talks also preceded the Republican convention over Mutual.

While recognizing the importance of freedom of speech and radio, the board of directors of the National Association of Broadcasters has issued a warning to stations broadcasting foreign language programs to guard against "prostitution inimical to the United States.

Neville Miller, NBC president, in this connection, declared: "All scripts in foreign languages be carefully read and appraised in the light of American standards. This is a serious matter. The board has warned that the station's approval of such scripts, adequate and capable linguists in whom complete confidence may be reposed, shall be utilized to supervise active presentation on the air to prevent possible ad lib inscriptions or deviations from the scripts."

A complete file of continuity and script of all foreign language broadcasts should be kept.

CBS has arranged an exchange series of four musical programs with Brazil, with the first program broadcast Sunday, The Rio de Janeiro Symphony Orchestra will be heard over CBS in four concerts on Sundays at 2 P.M. and CBS will short-wave four programs via WCRX in Program Broadcasting Symphony Orchestra Mondays beginning July 8. Native music will be featured. Elizabeth A. Tucker, short wave program director, and Lowriuf Fontes, minister of propaganda for Brazil, arranged the series.

Dramatized political broadcasts during the current campaign should be avoided, Ed Kirby, NBC director of public relations, warned at the press conference today. NCCB, the side which broadcast the acclaimed apologies noise and sound effects to simulate political meetings should not be used, Kirby said. Legitimate political meetings and talks from studios should be the only acceptable forms of political broadcasting, he declared.

An analysis of broadcast programs, particularly those that media records available in the publishing field will be started soon, it was said. The NAB has approved this service in principle and Peter Paul, NAB research director, is working out its mechanics.

William C. Gittinger, CBS vice-president in charge of sales, has released Radio Card No. 25, effective July 15, and the reductions are made on five stations and the Hawaiian group. In addition, three groups originally added, have been dropped, five stations have their power raised to 50,000 watts, one in daytime, eight have construction permits to increase to 5,000 watts, 17 have increased to 250,000 watts, and one decreased to 1,000 watts.

Martin Block's "Make Believe Ballroom" popularity poll, which has been conducted on a national scale for the first time has Glenn Miller's band in first place followed by those of Tommy Dorsey, Benny Goodman, Kay Kyser, Gene Krupa, Charlie Barnet, Jimmy Dorsey, Artie Shaw, and Jan Savit.

Legal Hurdles Hinder B.M.I.
Music Deals

Serious legal complications on the horizon may prevent the exploitation of Broadcast Music, Inc. by B.M.I. for the purchase of music publishing interests. It is believed that the issue may have to be litigated out in the courts.

B.M.I. is making the purchase of the Robbins, Miller and Feist catalogues from M-G-M for a reported price of $4,500,000 but the legal question and the possible financial situation may block the deal.

It was pointed out yesterday that publishers own the copyrights to songs they publish but that the "small rights" are owned by the composers under the standard contract. If a song is not interested in using the proper percentage of the broadcast privileges, the question may block any deal. A similar question was raised by Warner Bros. when Warner Bros. withdrew its catalogue from Ascap. At that time, broadcasting stations refrained from playing any Warner Bros. music.

B.M.I. officials contend that the publisher owns the dominant right to the copyright and any rights which accrue to the subject of the catalogue are the publishers' ownership of the copyright. When the catalogue is sold, B.M.I. cannot control performance and broadcast privileges, and publishers are reluctant to sell a large catalogue to the present unsettled condition.

Coast Union Seeks Parleys With NBC

HOLLYWOOD, July 1—Stagehands Local
33, I.A.T.S.E., today sought a new series of meetings with NBC officials to negotiate further on demands that I.A.T.S.E. stagehands and other union workers be used in setting Hollywood shows.

Material Cooper, the union's business agent, said that the negotiations, which are sponsored by the Los Angeles Central Labor Council, have been under way since NBC opened its new building here some time ago. All other stations here have a union shop, Cooper said.

Gulf Oil's Option Is Extended 2 Weeks

The option of Gulf Oil Co. on next season's screen Actors Guild radio show, which expired yesterday has been extended for two weeks, William Thomas, Gulf Oil & Rubicam, the agency handling the option disclosed yesterday. Members of the S.A.G. appear on the program without compensation. The Gulf receives $10,000 for each performance and sets it aside for the building fund for a home for aged performers.
U. S. Seeks Ban On ‘Blind Buys’ By Screening
One of Major Points in Settlement Talks

Elimination of blind buying by means of trade showings before selling is one of the principal concessions which the Government is seeking from the major companies in the negotiation now being pursued for an out-of-court settlement of the New York anti-trust suit.

Decentralization of chain and circuit product purchasing departments has been proposed as a means to prevent overbuying. Localized purchasing of product permitting the local operators opportunity to bid for films along with the circuits has been proposed as a curb to overbuying.

These restrains plus unit selling in blocks of 10 pictures or 5 pictures comprise the major points in the present trade reform discussions.

There has been no agreement, except in principle, on certain of these points among the sub-committees, and no agreement with the companies can be effected until the general committee of the defendant firms concur.

It has also been established that some of the lawyers and company executives will insist on a “protection” or “escape” clause in any final agreement which will assure their companies and clients freedom of action, in case the proposed consent decree, when once set, does not cover all trade contingencies permanently.

‘Rebel’ Union Chiefs Sue IATSE Leaders

Los Angeles, July 2— Ten “rebel” I.A.T.S.E. leaders today had a $250,000 damage suit on file in Superior Court here against the International officers of the union, headed by George Browne, charging conspiracy to deprive them of their livelihood, among other allegations.

The action is an aftermath of last year’s fight by the United Studio Technicians Guild to throw over the I.A.T.S.E. Hollywood. The suit seeks a receiver for the dissolved Local 37, studio technicians.

No Paper Tomorrow
Motion Picture Daily will not be published tomorrow, July 4.
Page Ferdinand!
It looks as though the ингл is about to happen. Elsie is going into the movies. She has been working for some time now on a commercial advertising subject with a marked degree of success, and RKO's research di¬
rector, Harold Hulett, yesterday at the World's Fair screen-tested her for a role in the upcoming RKO film, "Little Men." Elsie will leave with her shortly for Hollywood. She's Borden's contested cow.

70% of Indiana AIO Operate Concessions

Indianapolis, July 2—Approximately 70 per cent of the 110 members of the A. T. O. of Indiana who re¬
sponded to an organization's deman¬
daire on the subject operate conces¬
sions of some sort in their theatres, the investigation reveals.

Of the 72 who operate concessions, 48 use popcorn machines, 54 have candy concessions and three operate mechanical combinations. Many houses have both candy and popcorn. The questionnaire indicated that only one concession operator reported business from the operation is unsatisfactory.

NLGB Gets Data In Scenic Art Dispute

Los Angeles, July 2—Walter Sprackels, regional director of the M. T. C. J. here, today sent a volumi¬
nous file to the board in Washington on the jurisdictional dispute between the Scenic Artists Association and the Moving Picture Painters Local No. 64.

The national board will decide whether an election to determine which organization shall be the col¬
lective bargaining agency for the craft shall be held. The dispute has been under way for more than a year.

Variety Club Names Short Life Member

Dallas, July 2—Paul Short, di¬
vision manager for National Screen Service here, has been made a life member of the local Variety Club by R. J. O'Donnell, chief Barker here and assistant national chief Barker.

Short was awarded the membership for his efforts in staging the celebrations incidental to the national Variety Club convention here.

Ramparts We Watch Premiere on July 12

"The Ramparts We Watch," first full-length feature made by March of Time, to be released by RKO, will have its world premiere on July 12, Louis de Rochemont, producer, said yesterday. Made with a cast of 100,000, the film, directed by B. O'Neil, will introduce a new technique in feature films, with a story recreating events of the war years 1914-18 in a typical American community.

Ben Turpin Rites Today

Hollywood, July 2—For services to Ben, the perennial second screen comedian, will be held tomorrow. He died yes¬
terday of a stroke.

Theatre Group Sets Drive for England

A promise to use the full strength of the legitimate theatre to save Eng¬
lhardened American music. "I am going yesterday in a World's Fair celebra¬
tion of the American Theatre Wing of Allied Relief Day, by Racher. Churches, president of the Theatre Wing.

Tickets for a series of events at the Fair will priced at $5 per film, and stage and radio players at¬
tended. A feature of the program was a long distance telephone conver¬
sation between Helen Hayes at the Fair and Mary Pickford on the Coast.

Ask Union Men to Service Coin Films

Chicago, July 2—John Smith, bus¬
businessman of the local opera¬
tion, Local 110, has held con¬
ferences with officials of Mills Novelty Co., one of the manufacturers of slot machine films, which are expected to be placed on the market shortly.

Smith informed Mills executives that he expected union operators to be used to service the machines, with a probable $100 weekly scale. Under the plan tentatively formulated by Smith, maintenance men will be responsible for the machines and be on call 24 hours a day in the event of a breakdown. Simil¬
lar union action is expected in other parts of the country.

CEA Group Studies Tax Problem Today

London, July 2—A committee of the Cinematograph Exhibitors Associa¬
tion will meet tomorrow to study the tax situation, in view of the Treas¬
ury's recent ultimatum that the indus¬
ty will be expected to raise consid¬
erable additional revenue to help in the financing of England's war effort.

The exhibitor organization committee will determine the extent of the burden which they are able to bear, and investigate the prob¬
lem of increases in admissions based on the practicability of proposed in¬
creases in admission taxes.

Lesser, Lubitsch Here for Parleys

Sol Lesser and Ernst Lubitsch are here from the Coast confering with Maurice Silverstone, U. A. chief executive, on the first of two films they will make for U. A. release. Lubitsch will produce the film, which will go in work immediately. It is not yet. Lubitsch and Lesser plan to leave for the Coast tonight.

British Legislative Plans to Be Outlined

London, July 2—Sir Andrew Dun¬
can, Liberal, member of Parliament, on Monday will address the Films Council, discussing the current attitude with re¬
spect to the industry.

No revolutionary plans are expected.

'Love Opens Thursday

Milwaukee, July 2—Warners' "My Love Came Back" will have its world premiere here on Thursday. Lynne Littman will play opposite Olivia de Havilland in the film, which will make a personal appearance.

The nomination of Wendell Willkie by the Republican Party takes prece¬
dence of the newsreels, contents of which follow:

MOVIENTE News, No. 85—Russia proves defensive action in the Battle of Army planes in California, new light ma¬
cine under construction. Willkie, as first press conference; McNary and his family. Girls go sailing in non¬
professionals in Milwaukee contest.

NEW YORK, July 2—The Re¬
publican convention. Willkie and McNary meet. Chaffee, former gubernatorial contest. Kindergarten com¬
missions, Badminton contest.

RKO Pathe News, No. 109—Willkie nominated by Republicans. McNary is running mate. Willkie, a light¬

RKO Promotes Five Of Field Sales Staff

Five RKO field sales force promos¬
tions have been made in Pittsburgh, Oklahoma City, Cleveland, Pitts¬
bach, David Silverman, office man¬
ger, was named a salesman. Carl Whittaker, Oklahoma City office manager, was moved to the same post in Pittsburgh, replacing Silver¬
man.

Mr. Tullius was promoted from Oklahoma City assistant hooker to hooker and office manager, replacing Peppercorn, and Dan Snider was av¬
ced from assistant shipper to as¬
istant hooker. Assistant hooker Floyd Heninger in Seattle has been named to the assistant hooker post, replacing Wade Ken¬
fito, resigned.

Toluboff Dies at 58

Detroit, July 2—Alexander Toluboff, 83, art director for Walter Wanger Productions, died in Bloom¬
feld Hills, near here, yesterday after a year's illness. Surviving are a wife, seven children, and a grandson, and a son, Alexander.
EYES ON M-G-M's 'SPORTING BLOOD'!

Talk about a "sleeper"!
Don't get caught napping on this one!
We heard it was a swell picture—
But yesterday we screened it and
What a thrill!
Every once in a while there comes an
Unusual, unheralded show like
"Sporting Blood" about which showmen say:
"Why didn't you tip me off in advance?"
We're telling you Mister showman—
There's grand entertainment coming!
There's heart-throb, gripping action, romance in
M-G-M's "Sporting Blood." Please take our tip!
Book it wisely. Promote it enthusiastically!

"SPORTING BLOOD" with ROBERT YOUNG • MAUREEN O'SULLIVAN • LEWIS STONE
William Gargan • Lynne Carver • Screen Play by Lawrence Hazard • Albert Mannheimer and
Dorothy Yost • Directed by S. Sylvan Simon • Produced by Albert E. Levov • An M-G-M Picture
THE LION ROARS!

Listen!
HERE'S a message from M-G-M to you:
WE'VE got our coats off and our SLEEVES rolled up.
WE'VE got a job to do and we’re meeting it WITH everything we’ve got!
WE’RE making great entertainments AND we’re proving that NOTHING can stop good pictures!
LAST week we launched the big musical "NEW Moon" (Jeanette MacDonald and Nelson Eddy)
IT’S a box-office sensation everywhere AND has electrified every Film Row with OPTIMISM!
ANOTHER sensation just opened is ‘ANDY Hardy Meets Debutante” (with Lewis Stone, Mickey Rooney and all the folks plus Judy Garland!)
YOU will see for yourself that it’s the BEST of the happy Hardy hits and a GOLD mine for these times.
WE’VE got more genuinely BIG pictures FOR release during the summer months!
AND remember that they follow a WHOLE year of consistent successes!
WE want every man and woman WHO reads this message to be CONFIDENT with us, to place FAITH in us.
WE have made our plans for next season on the basis of optimism that it will be one of the greatest years in show business.
MEANWHILE the Lion is ROARING right now AND it’s a comforting sound that means SECURITY! STRENGTH! POWER! FRIENDLINESS!
Philadelphia Gives ‘Susan’ $16,500 Tally

PHILADELPHIA, July 2.—Cool weather and the Republican convention gave film grosses a boost. The best business was registered by “Susan and God,” which grossed $16,500. “Brother Orchid” did well at the Fox with $15,000, while “All This and Heaven, Too” continued strong at the Earle with $15,000 for the second week.

Estimated takings for the week ending June 29 were:

Typhoon (Para.) ARCADIA—(600) 3,25c-5c 7 days, Gross: $13,000. (Average, $1,857)

“Susan and God” (M-G-M) BOYD—(2,000) 3,25c-5c-5sc 7 days, Gross: $15,000. (Average, $2,143)

John Romeo (M-G-M) CARMAN—(2,500) 2,200c-3c-4c-5c 7 days; 75c, 85c, and $1.00, Gross: $11,000. (Average, $1,571)

All This, and Heaven, Too (W. B.) EARL—(6,000) 7Sc-11c-14c 7 days, 2nd week, Gross: $13,500. (Average, $1,929)

Brother Orchid (W. B.) FOX—(3,000) 3,25c-6c-7c-8c 7 days, 2nd week, Gross: $13,000. (Average, $1,857)

Terrrid Zone (W. B.) KAL—4,500 4c-5c-6c-7c-8c 7 days, 2nd run, Gross: $3,300. (Average, $1,100)

My Favorite Wife (RKO) KEITHS—(2,000) 2,200c-3c-4c-5c-6c-7c-8c 7 days, 2nd week, Gross: $13,000. (Average, $1,857)

The Martial Storm (M-G-M) STARK—(5,000) 7Sc-11c-14c 7 days, 2nd week, Gross: $8,500. (Average, $1,214)

Lillian Russell (20th-Fox) STAGE—(1,000) 2c-3c-4c-5c-6c-7c 7 days, 2nd week, 2nd run, Gross: $3,500. (Average, $500)

13 New Pictures Are Approved by Legion

The National Legion of Decency has approved all of 13 new films reviewed and classified for the current week, seven for general presentation and six for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Signing:

Auntie Mame

Class A-2, Unobjectionable for Adults—Grand Old Opie (M-G-M)


Class A-4, Unobjectionable for Adults—Grand Old Opie (M-G-M)


Philadelphia Feature Reviews

“Stagecoach War” (Sherman-Paramount)

Hollywood, July 2.—Bill Boyd is starred in “Stagecoach War,” the latest Harry Sherman production for Paramount release and which is a departure from the usual run of Hopalong Cassidy pictures. In the first place, it rates as an historical western, definitely dated as the time before the railroads cut through to the west. Then, too, it has more action, music and romance and a better story than many of the previous efforts. It holds to the high standard of the outdoor action pictures produced by Sherman.

Lesley Selander, long associated with Sherman, directed from a screenplay, based on the Clarence E. Mulford character, and written by Norman Houston, another Sherman service veteran, and Harry F. Omlsted. It running time, 63 minutes. “G.”

VANCE KING

“Danger Ahead” (Monogram)

In this lively film, the adventures of Renfrew of the Mounted involving the solving of a cattle robbery and a murder. The picture follows the action formula which has long satisfied that type of audience which clammers for action. James Newill as Sergeant Renfrew, sings a few songs, the lyrics of which are appropriate.

The screenplay was written by Edward Halperin from Laurie York’s “Erskine’s mounted Long Trail.” Ralph Staub directed. In support of Newill are Dorothy Kent, Guy Usher, Maude Allen, Harry Deap and John Dillon.

Newill and an assistant seek to solve the disappearance of an armored car which had been carrying a shipment of gold. Miss Kent, student of criminology, and daughter of Newill’s chief, applies modern methods unsuccessfully in her attempt to aid Newill. The culprits are finally uncovered and brought to book in an exciting pursuit.

Running time, 57 minutes. “G.”

“Grand Ole Opry” (Republic)

The musical numbers of this film are numerous and in tuneful, hillbilly style. The story is rich in originality, contains subtle humor and some slapstick comedy, and tops these with a dash of corn cob philosophy.

As far as the talent is concerned, the picture is principally a family affair. Leon, Frank and June Weaver head the cast with Loretta Weaver among the supporting cast. The picture features Henry Kolker, John Hartley and Purnell Pratt. Frank McDonald directed the original screenplay of Dorrell and Stuart McGowan. Cy Feuer acted as musical director.

The story concerns the attempt of two politicians to pass a local bill detrimental to farming which Newill was associated with the town of Hopeful, and the nomination of Abner Weaver as governor result in defeat of the bill. The picture offers light-hearted, amusing entertainment.

Running time, 68 minutes. “G.”

RGK Signs Hitchcock

Hollywood, July 2.—RKO has signed Alfred Hitchcock to direct two pictures, through a special arrangement with Selznick International. The first will be “Mr. and Mrs. Smith,” starring Carole Lombard, and the second will be “Before the Fact,” tentatively set for Anne Shirley.

Ford Takes RKO Post

Seattle, July 2.—Harry Cohen, western district sales manager for RKO, is here to install Fred Ford as exploitation director in the Pacific Northwest territory. Ford succeeds Lou Maren here.

Establish Trio Films

Martin J. Lewis, H. S. Rosenwald and Harold S. Neuberger have formed Trio Films, Inc., for the distribution of foreign films. The first will be an English musical, “Break the News.”

‘Million’ Pulls Good $10,500, Leads Frisco

SAN FRANCISCO, July 2.—“One Million B. C.” was strong at the United Artists with $10,500. “His Favorite Wife” drew $12,500 at the Golden Gate. Estimated takings for the week ending June 25-28 were:

“His Favorite Wife” (RKO) GOLDEN GATE—(3,250) 2,5Sc-3Sc-5c 7 days, 3rd week, Stage: Vaudeville, Gross: $15,000. (Average, $2,143)

“You’re Not So Tough” (Univ.) ORPHEUM—(2,480) 3,25c-3Sc-4c 7 days, 3rd week, Stage: North Beach, Gross: $8,000.

“The Mortal Storm” (M-G-M) CAPTAIN JAZZ (M-G-M) FOX—(5,000) 3,25c-3Sc-4c-5c 7 days, Gross: $12,500. (Average, $2,143)

“Brother Orchid” (M-G-M) THREE WHEELS (M-G-M) EMPIRE—(5,000) 3,25c-3Sc-4c 7 days, 2nd week, Stage: North Beach, Gross: $8,000.

“Four Sons” (20th-Fox) CHARLIE CHAN’S MURDER CASE (20th-Fox) ST. FRANCIS—(1,000) 3,25c-3Sc-4c-5c 7 days, 2nd week, Stage: North Beach, Gross: $10,500. (Average, $1,833)

“The Baker’s Wife” (Foreign) RENAISSANCE (Foreign) DEUTZ (Foreign) FOX—(5,000) 3,25c-3Sc-4c-5c 7 days, Stage: Hawaii, Gross: $9,000. (Average, $1,500)

Danger and Show $10,000, Milwaukee

MILWAUKEE, July 2.—“Danger on Wheels” and Hattie McDaniel on the stage drew $10,000 at the River-side. “The Mortal Storm” and “Frisco” took $6,000 at the Fox’s Wisconsin.

Estimated takings for the week ending June 25 were:

“The Light at Western Stars” (Para.) 21 DAYS TOGETHER (Cal.) STAGE—(1,000) 2c-3c-4c-5c 5 days, Gross: $2,500. (Average, $500)

“The House of Seven Gables” (Univ.) WARNER—(3,250) 2,5Sc-3Sc-5c, 6 days, Gross: $11,000. (Average, $1,833)

“Susan and God” (M-G-M) KING OF THE LUMBERJACKS (W. B.) STARK—(5,000) 2,5Sc-3Sc-5c 5 days, Stage: North Beach, Gross: $5,000.(Average, $1,000)

“Dance’ Role Changed

Hollywood, July 2.—The role assigned to the late Maurice Moscovich in the Erich Pommer-RKO film, “Dance, Girl, Dance,” has been changed to a female part of Maria Ouspenskaya has been cast in the role of the Russian dance director, which Moscovitch started.

Chicago at $5,400;
Slump Hurts Omaha

OMAHA, July 2.—Summer slump hit this city hard, sending all first runs down. The $5,400 for Bridge took $5,400 at the Omaha for the week’s best. Estimated takings for the week ending June 25 were:

“House of the Seven Gables” (Univ.) BLACK FRIDAY (Univ.) STARK—(5,000) 2,5Sc-3Sc-5c-9c 7 days, Gross: $5,000. (Average, $714)

“King of the Lumberjacks” (W. B.) STARK—(5,000) 2,5Sc-3Sc-5c 7 days, Stage: North Beach, Gross: $5,000. (Average, $714)

“A Day in Adventure” (M-G-M) MARCHING CASE (M-G-M) STARK—(5,000) 2,5Sc-3Sc-5c 7 days, Gross: $5,700. (Average, $714)
WITH GOOD REASON

FROM long experience, cameramen confidently rely on Eastman negative films to more than meet today's production requirements. Extra quality—reserve power—supports each film's special ability; and each is firmly established as the raw-film favorite, with good reason. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., Distributors
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
NBC and CBS June Billings At New Highs

Gross client expenditures on NBC and CBS during June soared to new highs with CBS reporting an increase of 9.9 per cent over the same month last year and NBC a 7.2 per cent rise. The total for the first six months of 1940 was $24,559,876 for NBC, an increase of 8.7 per cent over the same period last year while CBS grossed $20,457,372, an increase of 20.7 per cent over last year.

For NBC, grossed $3,144,213 as compared with $2,960,180 in June 1939. NBC-Red grossed $2,919,405 during June, a rise of 5.8 per cent over June, 1939, with a six-month total of $19,326,846, an increase of 6.5 per cent. NBC-Blue grossed $7,229,695 during June, a 161. per cent over last June, and a total of $44,449,500 for the first six months of 1940, a rise of 17.6 per cent.

June billings, released Monday, increased 31.2 per cent for June and 25.1 per cent for the six-month period.

Seeks Permission For Atlantic Station

WASHINGTON, June 2.—Application for a construction permit for a new 350-kilowatt broadcasting station at Atlantic Station, Md., with a power of 5,000 watts day, has been filed with the Federal Communications Commission by the Constitution Broadcasting Co., Atlantic City.

Also received was an application from KYW, Philadelphia, for an increase of power from 10,000 to 50,000 watts.

Milwaukee Starting Probe of Carnivals

MILWAUKEE, July 2.—The Public Service Committee of the Common Council will undertake a study of the carnival problem here as a result of a campaign against this form of entertainment by the Milwaukee Booster Club, a civic organization, and the Vliet Street Advancement Association. The shows, according to the organizations, are destructive to “public business and morals.”

Roosevelt, Bronston Sued

LOS ANGELES, July 2.—Kurt Siodmak, writer, today filed suit for $11,800 against Samuel Bronston Productions and James Roosevelt's Globe Productions, seeking an amount assertedly due him on a writing contract with the dissolved Commodore Pictures. Bronston and Globe acquired the assets of Commodore, Siodmak asserted, and therefore is liable for his salary.

WINS 'ZENOBIA' Contest

F. V. Dimmerman of Keith's, Cincinnati, has won the $250 first prize in the national exploitation contest in Hall Roach's United Artists film, "Zenobia." Second prize of $75 went to S. J. Hackett, Lyric, Springfield, Tex., and third of $50 to Charles Smakowitz, Lincoln, Troy, N. Y.

No Gross Losses From Federal Tax, Survey Discloses

Philadelphia, July 2.—A survey of gross net theaters shows that the gross tax on the public is passing the tax on to the public.

Slight Decrease In Summer Attendance

JACKSONVILLE, Fla., July 2.—There was a slight decrease in ticket sales at local theaters today, it lay over the new admission tax. All theaters here are passing the tax on to the public.

Some Milwaukee Spots Raise Prices

MILWAUKEE, July 2.—The first run Fox and Warner houses have increased ticket prices over the new Federal tax. The Riverside, combination film and vaudeville house, merely has added the levy, while some other houses have reduced prices to maintain the admission as before, including the tax.

Maintain Even Prices in Buffalo

BUFFALO, July 2.—Local theater owners have decided on new admission scales, including the new Federal tax, to bring prices in downtown houses to an even figure. Only neighborhood houses have odd-figure admission scales.

Three downtown houses have raised their prices to 5-cent figures under 6 P. M. and 40 cents after 6 P. M. Prices before the tax were 25 cents and 35 cents. New prices include the tax plus a two-cent boost.

New Haven Patrons Accept Tax Willingly

NEW HAVEN, July 2.—Universal acceptance on the part of the public of the new admission tax is noticeable here.

No Public Resistance Noted in Milwaukee

MILWAUKEE, July 2.—Business here has adopted the usual grosses, indicating no public resistance to the new Federal admission tax.

Grosses Hold Up Well in Boston

BOSTON, July 2.—The public here gave evidence of no reluctance to pay the new admission tax. Today's grosses held up to the normal average business as well as yesterday.

Lincoln Taking New Tax in Stride

LINCOLN, July 2.—Patrons here are taking the new tax in stride, with little comment at the box-office. The public had been prepared for the tax through advance newspaper stories.

ST. LOUIS SUIT ENDS

ST. LOUIS, July 2.—After 51 court delays, defense attorneys for St. Fanchon & Marco, Inc., for the return of $42,200 allegedly paid in legal fees to three St. Louis lawyers, have been taken under advisement by Circuit Judge Joseph I. Ward, before whom the case began Feb. 26. Arguments by counsel, however, will not be made until September.

Off the Antenna

THE steady rise of radio as a major advertising medium is dramatically portrayed in a comparison of network billing figures for the first six months of past years:

1930 NBC CBS MBS

$9,234,611 $3,904,193 (none)

$16,426,863 $9,223,536 $0,001

$16,061,092 $11,185,775 $927,920

$19,948,107 $14,903,265 $1,165,620

$21,023,674 $15,382,555 $1,342,767

$39,582,953 $16,952,973 $1,000,000

In 1930, the total number of sets in this country was 11,500,000, according to NBC estimates, while the present total is estimated at 44,000,000.

Program News: "I or Pop" starts its sixth year as a network show tomorrow over CBS. Col. Stoopnagle will be heard with his "Unwise Doodle Contests" over 52 CBS stations on Sundays 5:30-6 P.M., beginning Sept. 29, with Maneuva Co. at 2. Comic cigarette will be heard over 52 NBC stations at 7:30 P.M. Thursdays beginning July 11. Crosby’s Saturday night spot for the same sponsor will be taken over by the "Uncle Ezra" programs. "Toni Pa-Pa-A" is sponsoring another program over WON Monday at 8:30 P.M.

Industrial labor disputes will be arbitrated over the air in a new program which will start over WMCA next Tuesday, 9-10 P.M. All employer-union relationships will be heard whether involving unions or not. The parties will be required to sign agreements which will give legal effect to the decision of the arbitrators.

Remodeling coming to the Palace in New York, the Palace was required to be closed for extensive alterations, to be completed in time for an early Fall opening.

Takes Kansas Theatre

KANSAS CITY, July 2.—Joe Allard, formerly with W. D. Pitte’s Kansas City, Kan., has taken over the Majestic in Louisville, Bob Cranky remodeling the house, and will reopen shortly. He will rename it the Tivoli.

Reopen Vancouver House

VANCOUVER, B. C., July 2.—Fa- mon-Players’ Dominion here, second run house, has reopened after complete renovation.

Manages Indianapolis House

INDIANAPOLIS, July 2.—Joseph Col- fey has been named manager of the Paramount, downtown subsequent run.

Close Camden Theatre

CAMDEN, N. J., July 2—Towers Theatre, the only vaudeville house in the city, has closed until Aug. 23, according to A. M. Ellis and Martin Ellis, owners and heads of Towers Theatre Co.

Pan Delaure House

PHILADELPHIA, July 2.—Armand D. Carroll, local architect, has completed plans for a theatre and store expansion to be built in the Edge Moor Del. by the Willington Construction Co. The film house will seat 850.

No Gross Losses From Federal Tax, Survey Discloses (continued from page 1) on grosses, no theaters are passing the tax on to the public.
Petrillo Gets Philadelphia Music Strike

Meets Warner and Union Agents Here Today

James C. Petrillo, newly elected president of the American Federation of Musicians, today will hold a meeting here with Frank Phelps, labor agent for Warner, and A. Rex Riccardi, secretary of Musicians Local 27, Philadelphia, following a union request that he take over the negotiations in the Philadelphia musicians’ strike against Warner Philadelphia house. The eight-month-old strike of musicians against the circuit was turned over to the new A.F.M. president following a resolution passed by the membership of the Philadelphia union. Petrillo was given power to act for the local in the strike situation. The national union president declared on Wednesday that he preferred the matter to be handled by the

Skouras, RKO Pool 7 Cocalis Houses

Seven Cocalis houses in the Bronx on Wednesday were acquired by RKO and Skouras Theatres in a pooling arrangement. Of the seven, RKO will operate the Pelham, Castle Hill, Marble Hill, and Skouras will operate the Ward, Square, Pilgrim and Interboro. Operation under the new ownership started yesterday. Operating policies will remain unchanged for the time being, as the

Rialto Enjoys "Fifth Column"

Midtown Theatre Corp., operator of the Rialto, and Film Alliance of the United States, on Wednesday were temporarily enjoined from using title of "Fifth Column Squad" for a film scheduled for the theatre.

The injunction, issued by N.Y. Supreme Court Justice Felix C. Benvenza, had been sought by Ernest Hemingway, Ben P. Grady, and the Theatre Guild, Inc. claiming they had exclusive right to "Fifth Column," the title of a Hemingway play.

U.S. Appeals Court Reverses Goldwyn U.A. Suit Dismissal

PHILADELPHIA, July 4—The U.S. Circuit Court of Appeals has reversed in part a decision of the Federal District Court in Wilmington which dismissed the suit of Samuel Goldwyn against United Artists. The final court, however, instructed Federal Judge John P. Nields to hold a hearing to determine whether Goldwyn should be permitted to proceed with the Wilmington suit, in view of the fact that he has another suit pending on similar grounds in the New Federal Court, or whether the Wilmington suit should be dismissed and the trial continued in New York.

The basis of the appellate court’s reversal was the fact that Judge Nields previously had held that Alexander Korda and Douglas Fairbanks, as producers of the film "Heavenly Skylark," were "indispensable" but left the question of the New York or Wilmington suit up to Judge Nields.

Goldwyn seeks a declaratory judgment stating that his distribution contract with U.A. has been breached and permitting him to withdraw his suit. In disposing of this contention, the appellate court ruled that Korda and Fairbanks were "indispensable" but left the question of the New York or Wilmington suit up to Judge Nields.

(Continued on page 4)

Picture Stars Need Good Plays for Stage Success

PITTSBURGH, July 4—Actors with film reputations draw well at the boxoffice only when they have a good play to support them, Harry Brown, manager of the Nixon Theatre here, concludes in a revealing that grosses for the city’s only legitimate theatre approached $418,000 for the 1939-40 season of 29 weeks.

In one of the most successful seasons of the decade, the Nixon presented seven musicals and four play premiers.

Top box-office attractions were Victor Moore and William Gaxton in "Leave It to Me" and Katherine Hepburn in "The Philadelphia Story," both doing about $30,000. Next in importance of business were Helen Hayes in "Ladies and Gentlemen" with $38,300; George White’s "Scandals," $27,300; Bill Robinson in "The Hot Mikado," $23,200 on the first of two engagements; John Barrymore in "My Dear Children," $25,000; Raymond Massey in "Abe Lincoln in Illinois," $22,100 and "No Time for Comedy" with Katherine Cornell and Frank Cady, $17,500.

Other attractive features starring with film followings were Donald Cook with Gertrude Lawrence in the premiere of "Skylark," $14,500; Ethel Barrymore in the premiere of "Farck of Three Echoes," $9,700; Edward Everett Horton in "Springtime for Henry," $12,200; Laurette Taylor in "Outward Bound," $8,500; Ruth Chatterton in "Tonight We Dance," $4,000; George Houston in "Vagabond Hero," $3,100; Simone Simon, Mary Brian, Mitzi Green and Stepin Fetchit in "Three After Three," $16,000; Walter Huston in the premiere of "Passenger to Bali," $4,100; Paul Muni in "Key Largo," $21,000; John Garfield in the premiere of "Heavenly Express," $5,500.

The longest in some years, the season was not the best in local history.

C.P.A. on Deck

Kansas City, July 4—Jay Means, who operates the Park, 23-cent suburban house here, is advertising the present-transferred public account in his lobby every evening that patrons can confer with an expert on the payment of admissions, now that the Government 10 per cent tax has been added on to other, E.E.M’s two per sales tax. Means sought unsuccessfully to get other 25-cent houses to go to 30 cents when the tax went into effect.

Ascap Washington Hearing In Sept.

TAOMA, Wash., July 4—The Federal District Court here early in September will hear a motion by Ascap to confirm a special master’s report that the court has jurisdiction in the action brought by the Society attacking the constitutionality of the State’s anti-Ascap law.

The District Court originally declared it had no jurisdiction and, on appeal, the U. S. Supreme Court reversed the case to the lower court for a determination of the point. A special master, after hearing testimony, decided the District Court had jurisdiction in the case, Herman Finkelstein

(Continued on page 4)

U. S. Fighting Nazi Films in Latin America

Counteracts Propaganda
Of Free Pictures

WASHINGTON, July 4.—The granting by the United States Government last month of a $20,000,000 loan to Argentina is reported to have already aroused a more friendly spirit toward this country, and is aiding in counteracting the Nazi propaganda films which are offered for little or nothing throughout South America.

As part of the frantastic effort of German agents to sabotage President Roosevelt’s proposals for a Western Hemisphere cartel to dispose of South American surpluses, so-called “news reels” for theatres and “news services,” the Nazis are offering newspapers virtually free.

While the Administration for some time has been counteracting totalitarian propaganda over the radio, through the international stations in this country, the film industry has been asked to make efforts in the Latin American countries.

Anxious to avoid even the suggestion of interference in the affairs of the Latin American countries, the Administration currently is taking no

(Continued on page 4)

Cuba’s Block Sales Ban Terms Drastic

Home offices this week received the details of the recent drastic Cuban Presidential decree banning block and blind selling.

The measure, sponsored by Dr. Oscar Bonachea, Secretary of Commerce, and which went into effect yesterday, outlaws block booking and the contracting or renting of films before they are made and without the “most exact possible” synopsis to the exhibitors.

The measure is similar to the Neely bill, imposes fines and provides for distributor cooperative ads on percentage bookings.

‘Pride and Prejudice’ To Play Music Hall

Radio City Music Hall has closed with M-G-M for ‘Pride and Prejudice.’ The picture will follow the run of “All This, and Heven Too” and “South of Pago Pago,” probably about mid-August.
**Personal Mention**

J. ROBERT RUBIN, vice-president, and general counsel of Loew's, is expected at his office next week.

ARNOLO Bernstein, son of DAVID Bernstein, treasurer of Loew's, Inc., and Mrs. Bernstein, and JEANNE Mary Postley were married early this week at the bride's home in Scarsdale.

FRANK Phillips, Warner's labor contact, returns today from Hartford.

ARTHUR SILVERSTONE left for Montreal on Wednesday.

VINCENT KORIA, production designer for ALEXANDER KORIA, is here from England en route to the Coast. He arrived Wednesday in Montreal.

ADOLPH HAAS and HARRY COTTON are in Colorado Springs on business.

BEN WASHER is spending the weekend at Louisville, Ky.

HELEN Hayes and CHARLES MACARTHUR, her husband, arrived on the Coast yesterday for a brief visit.

WILLIAM KARL, managing director of Pan-American Films Corp., Havana, is here for a visit.

Mr. and Mrs. BEN SMITH of Panorama Films, Albany, have returned from a Toronto visit.

MRS. GEORGE Seed, wife of Fabian's Colors city manager, was operated on in Albany Hospital this week.

TIMOTHY J. CLEARY, M-G-M sales- man in Indianapolis, has a birthday Sunday.

TONI SPITZER of the RKO publicity staff will leave the hospital today, having recovered from an appendix operation.

JEFFREY LYNN arrives today from Milwaukee.

LEE V. HADIN, new products manager of Wurlitzer Co., is on a two-week vacation.

**S.W.G., Producers Agree on Contract**

HOLLYWOOD, July 4.—Representatives of the Screen Writers Guild and the producers' "Andy Hardy Rules," a tentative agreement on a short term contract, thus climaxing a S.W.G. fight of years for recognition.

The guild said, "The bargaining representatives of the producers and the S.W.G. have come to a tentative agreement on a short term contract. This contract is subject to ratification by the boards of the several companies and by the S.W.G. membership. The executive board of the S.W.G. shortly will call a membership meeting, where details of the contract will be made public. It will be submitted to the pact is ratified by both parties. The guild is believed to have scored a major victory in obtaining a short term contract, since this was one point on which negotiations were stymied two years ago.

**Dismiss Stockholder Consolidated Action**

Two stockholders' suits brought against Consolidated Film Industries, Inc., its officers and directors, Republic Pictures and Cajo, were dismissed on Wednesday by N. Y. Supreme Court Justice Carroll Walter and Chief Judge.

The opinion decided that no excess salary had been paid to Consolidated officers and that there had been no wrong connection with the purchase of stock of Republic Pictures and Cajo. At the same time, the court struck down as invalid the $100,000 worth of loans extended by Consolidated to Republic, stating that no objections had been raised by stockholders at the time the loans were made and there was "no fraud or concealment committed by the directors."

**Indianapolis Apollo Files Anti-Trust Suit**

INDIANAPOLIS, July 4.—The Apollo Amusement Co., operator of the Apollo, charges other first runs here and elsewhere with unfair practices in connec-
tion with the "Apologies" in the Apollo, and is seeking damages in suit filed in Circuit Court.

C. H. Bailey, attorney for the defendant, has taken over the case.

Butler's defense will be that Bioff did not know the source of the money at the time the offense was committed.

**Republic Now Operates 12 Offices Direct**

Republic in recent months has taken over 12 exchanges from franchise owners, the most recent being Des Moines and St. Louis, in line with its policy of seeking larger revenues. The company, which now owns 144 exchanges in the fiscal year ended last April, and H. J. Yates, who controls 35 ex-
changes through Republic Film Industries, wants to make a better profit showing this year.

The exchanges acquired and now operated by Republic direct are Albany, Boston, Buffalo, New Haven, New York, Philadelphia, Detroit, Des Moines, Omaha, St. Louis, Los Angeles, San Francisco. There are 21 exchanges which are being operated by franchise owners.

The move has been to gradually reduce the distribution percentage to the franchise holders and work out a plan to meet the terms, or cannot see their way clear to do so, Republic buys up the rights.

The St. Louis exchange was taken over by Republic through a "larger states rights distributor, Nat Steinberg, his long-time associate, remains exchange manager. The concessionaire who was sold by E. J. Tilton, F. P. Moran of Oklahoma City has been appointed branch manager there and has named Edward O'Neill sales manager.

**Sus to Take Over Indianapolis House**

INDIANAPOLIS, July 4.—Immediate possession of real estate of the Ritz, deluxe neighborhood, plus $10,000, has been filed in Superior Court here by the owners of the property, Mr. and Mrs. Oscar Marks.

Defendants are Ora C. Stewart, receiver of the Indianapolis Ritz Theatre Co.; Charles M. Olson, stockholder in the receivership; and James E. Olson, exchange manager, of which the Ritz is a unit; Jean D. Marks and William A. Brennan.

**T.O.E.'s 182nd Dividend**

Loew's, Inc., on Wednesday declared a dividend of $1.62 per share on the $530 cumulative preferred stock, payable Aug. 15 to stockholders of record on July 29.

**Customers Pleased with New Menu**

H. R. CARR, president of the RKO-Radio Players, Inc., is here for the opening of the new restaurant of the RKO-Radio Players in the RKO building.

**Sue's New Lawyer To Seek His Release**

Chicago, July 4.—William Bioff, I.A.T.S.E. leader, will make another attempt in the courts here tomorrow for release from jail where he is serv-

**Eastman May Move Child Refugees Here**

ROCHESTER, July 4.—Eastman Kodak Co. has announced a tentative plan to bring children of employees working at Kodak, Ltd., the British subsidiary, to the United States and Canada. The children would be housed in homes of employees in the two countries.

The announcement stressed the fact that the plan is tentative but asked employees to signify their interest.

**Cheer-Up Week**

Des Moines, July 4.—Tri-States Theatre Corp. started its "Cheer-Up Week" today.

**Disband Stockholder Consolidated Action**

Two stockholders' suits brought against Consolidated Film Industries, Inc., its officers and directors, Republic Pictures and Cajo, were dismissed on Wednesday by N. Y. Supreme Court Justice Carroll Walter and Chief Judge.

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Butler's defense will be that Bioff did not know the source of the money at the time the offense was committed.

**Kansas City, Kan., Trying Single Bills**

KANSAS CITY, July 4.—Kansas City, Kan., theatre owners, who have an organization of their own, inaug-
rated their new "single" law here today. Seven subsequent run units, for four weeks, will run "A" in the "weekly" and the "day"-Mondays will not be the only change on single bills. If the experi-

**Motion Picture Daily**

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Every inch the hit that 'Four Daughters' was
—in a different way!
See it Mister! WARNERS have it now!
**MOTION PICTURE DAILY**

Friday, July 5, 1940

**Critics’ Quotes . . .**

"FOUR SONS" (20th-Fox Film)

Filled with grim material, not designed to send its audiences into the streets with cheers and laughter.—*Henry T. Murdock, Philadelphia Ledger.*

It might do us no harm to see them (five columnists) in action, ... an eloquent reflection of the insidious effects of their subversive practices.—*Dorothy Guinan, Philadelphia Daily News.*

It will only depress and probably bore you with its grim tale ... the film cannot be considered entertainment, but propaganda.—*Laura Lee, Philadelphia Bulletin.*

The mobilization scenes and those showing mournful soldiers beaten without firing a shot are among the film's best ... Leontovich gives the film gallery a proud portrait ... also scores on atmosphere and sets.—*Elise Finn, Philadelphia Bulletin.*

A gib and empty drama, conventional where it should have been cleverly documented, sentimental where it should have painted a bleak picture of despair.—*Philadelphia Inquirer.*

**OUR TOWN** (United Artists)

The players, all, hold the mirror up to nature and in their naturalness, give such convincing portrayals that words seem inadequate in giving them the praise due them for their extremely fine performances ... a truly fine picture, worthy of the highest praise for the cast.—*Dorothy Guinan, Philadelphia Daily News.*

Bigger than any other player, but, by reason of its style, it affords unlimited chances to the protagonists ... a classic of the modern stage; the photograph has done it no wrong.—*Henry T. Murdock, Philadelphia Ledger.*

Falling in with warmth ... fresh and exciting.—*Laura Lee, Philadelphia Bulletin.*

Even better than the footlight original ... gentle, tender and humorous.—*Philadelphia Inquirer.*

Every bit of the play's original charm and power have not only been retained but sometimes augmented.—*Philadelphia Inquirer.*

Even bigger than the original, bold, fresh and exciting.—*Philadelphia Inquirer.*

"MY LOVE CAME BACK" ( Warners )

Practically bowed over the audience with a great deal of excellent acting and delightful moments ... Kurt Uthman displays a great knack of tempo and got delightfully funny from very simple ideas ... a thoroughly enjoyable production.—*Jemsu Starr, Los Angeles Herald Express.*

Looks out for itself in petty ways, some of which areundeniably clever and sharp, and others of which don't seem to click, somehow ... refreshing enough to beguile most audiences.—*Philip K. Schermer, Los Angeles Times.*

The court move was agreed to by George T. Graves, who holds legal title to the property, and William C. Carmen, owner of the house.

**PETRILLO MEETS ON PHILA. MUSIC STRIKE**

(Continued from page 1)

Philadelphia union officials, that he would make an effort to bring the long controversy to an end at the meeting here today. The national union has already donated $10,000 to the Philadelphia union to prosecute the strike.

Recently Local 27, sought to have the A.F.M. declare Warner Theaters unfair事實 to bring other unions into the controversy in support of the strike. However, the A.F.M. at that time refused to order national action in support of the strike.

The Philadelphia strike revolved around the refusal of Warner Theaters to restore stage shows in Philadelphia houses, and the attempt of the union to bring about reemployment of musicians in the circuit's theaters there.

**SKOURAS, RKO POOL**

7 Cocalis Houses

(Continued from page 1)

theaters have picture commitments to work off.

The other four Cocalis houses in the Bronx, the Rosedale, York, Aller-


toon and Beach, will remain Cocalis operations, at least temporarily.

Operators' Local 306 will supplant Empire State Operators Union mem-


bers at the seven theaters passing from Cocalis. Although all 33 opera-

tors employed at the Cocalis houses were admitted to Local 306 Wednes-

day, the operators at transferred houses will lose their jobs because of a rule that projectionists hired by the theater must be members for at least two years. However, they may be given other employment. Five operators were admitted to Local 306 because they are over the union's pre-

scribed age limit of 45 years.

At the remaining four Cocalis the-


tares, the circuit will terminate its present Empire State contract and enter into one with Local 306. In this case, however, the present opera-


ators will continue on their jobs but will change union affiliation.

**ASCAP WASHINGTON CASE UP IN SEPT.**

(Continued from page 1)

of the New York firm of Schwartz and Frohlich appeared for Ascap at the hearing.

The defendants, including the State attorney general, prosecuting county attorneys and various intervening de-


fendants, filed exceptions to the de-


cision, and individual plaintiffs filed exceptions to that part of the mas-


ter's report that individual plaintiffs did not show jurisdiction. In Sep-


ember, Ascap will move for confirm-


ation of the master's report finding the court has jurisdiction.

**BOYAR BUYS SECOND PLAY**

Ben Boyar Associates, of which John Cohen of the Cinema Circuit is one of the principals, will produce a second play, "World of Their Own," by Gabriel R. Walling, for produc-


tion on Broadway.

**YORKE ACQUIRES FILM**

Emerson Yorke has acquired the United States and Latin American distribution rights to "Abuna Messiah," Italian film which he will release as "Inside Ethiopia."

**‘Wife’ Scores Good $24,000 To Lead Hub**

BOSTON, July 4.—"My Favorite Wife" and "Sandy Is a Lady" proved the top attractions grossing $24,000 at the Fox Gross Theater at the bill at the two Loew houses, "Phantom Boul-


ders" and "Mortal Storm," held up the, State taking $11,500 and the Orpheum $17,500.

Estimated takings for the week end-


ing June 26:

**Harrow" (Univ.)

"Leopard Men of Africa" (Select)

"Mortal Storm" (M-G-M)

"Sandy Is a Lady" (Univ.)

"Seventh Heaven" (Para)

**FRIENDS WITHOUT TEARS** (Paramount)

A picture that is gay, frivolous and diverting ... gaily and wittily told, bubbles over with fun.—*Doris Arden, Chicago Daily Times.*

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**SANDY AND MILLER**

$34,000 in Detroit

DETROIT, July 4.—"Sandy is a Lady" had the show on this bill of Glenn Miller and his orchestra, more than doubled the Fox average with $34,000, "Brother Orchid" and *The Bells of St. Mary's.*

Estimated takings for the week end-


ing June 27:

**Mud Men of Europe** (Col.)

"Mud Men of the South" (Col.)

"Northwest Passage" (M-G-M)

"Phantom Raiders" (M-G-M)

**BREAKERS’ SMASH**

$13,400 in Buffalo

BUFFALO, July 4.—"The Ghost Breakers" was a smash $13,400 at the Buffalo, while our "Town," double-billed with "Gentleman Jim," pulled $7,700.

Estimated takings for the week ending June 29:

**THE BREAKERS** (Para.)

"Gentleman Jim" (Para.)

"Irene" (RKO)

"Our Town" (A. U.)

"Gambling on the High Seas" (W. B.)

**U.S. FIGHTING NAZI INROADS IN SO. AM.**

(Continued from page 1)

steps to block Nazi propaganda, but is hopeful that the governments of the friendly countries will be encouraged to the dangers of their situation and themselves initiate steps to keep totali-


tarianism from spreading.

However, if present plans for knit-

	ing the American countries more closely go through, it is quite possible that the pictures which now will fall off quite rapidly as national resentment is aroused by the unveiling of "popular front" sympathizers.

Administration officials are hopeful that the development of better rela-


tions with the Latin American repub-


lic will lead to increased exhibition of American films and picture audiences from the Nazi propaganda films.

**DELAY CASAL HARING**

St. Joseph, Mo., July 4.—The hearing on the application for a bill of particulars in the suit fraud of Frank Cassal of the Kaito, against Dubinsky Bobbs and the major distributors, has been put off indefinitely.
Bob's the hottest thing in show business right now... what with Paramount's "THE GHOST BREAKERS" galloping ahead of "BUCK BENNY" and "ROAD TO SINGAPORE" still packing them in... so take our advice... LISTEN...
Our exchanges are swamped with telephone calls asking for return engagements of those two swell Paramount pictures, "NEVER SAY DIE", starring Bob Hope and Martha Raye and "THANKS FOR THE MEMORY", starring Bob Hope and Shirley Ross. Better get on the phone and call your exchange pronto as prints are limited.

LET SMART BOB GIVE HER A HEART THROB!

YOU WON'TLOSE 'EM...
IF YOU AMUSE 'EM...
WITH PARAMOUNT PICTURES!
**‘Orchid’ Gets $8,800 Total In Twin Cities**

MINNEAPOLIS, July 4—Best business of the week was done in “Stormy Weather,” which grossed $5,000 at the Loews, $4,000 at the Republic and $1,000 at the Palace.

Estimated takings for the week ending June 27:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loews</td>
<td>$5,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>Republic</td>
<td>$4,000</td>
<td>$800</td>
</tr>
<tr>
<td>Palace</td>
<td>$1,000</td>
<td>$200</td>
</tr>
</tbody>
</table>

**‘Ghost’ and ‘Eater’ $5,500, New Haven**

NEW HAVEN, July 4—The “Ghost Breakers,” dually billed with “The Biscuit Eater,” at the Paramount, took $5,500. The grosses in New York were $9,000 for “Bacterium” and “Earthbound” at the Loew’s grossed $8,400.

Estimated takings for the week ending June 28:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loew’s</td>
<td>$8,400</td>
<td>$1,400</td>
</tr>
</tbody>
</table>

**‘Ghost’ With $8,600 Leads Indianapolis**

INDIANAPOLIS, July 4—The “Ghost Breakers,” at the Circle, grossed $8,600 at the Circle.

Estimated takings for the week ending June 26:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Circle</td>
<td>$8,600</td>
<td>$1,400</td>
</tr>
</tbody>
</table>

**Two Novels Purchased for Early Production On Coast**

HOLLYWOOD, July 4—Two novels have been purchased this week for early production, and the script on a third is in work.

Constance Bennett, who has purchased Pathe the screen rights to “The Green Archer,” Edgar Wallace novel, which has become a 20th Century-Fox-Western release, has been purchased by Robert S. Crandall, has been purchased by John Stone as his third story in lining up independent production deal for major release. Howard Estabrook is working the script for “Legends,” a Paramount purchase, which Robert Sherwood will produce for Columbia.

Two hundred employes of Leon Schlesinger’s cartoon studio this week embarked upon vacations, with pay, as Schlesinger completed his 1939-40 program of 42 cartoons for Warner release one month ahead of schedule. Schlesinger for the last time in the 7th year annually than any other producer.

Next in the series of adventures of the Lemp Family, “Four Mothers” has been scheduled for a July 15 start by Warners. In the cast are Priscilla Dean, Lawrence Gray, Marjorie Reynolds, Stuart Erwin, Robert Barrat, Jack J. Clark, Denny Miller, and “Earthbound” is due at the Loew’s grossed $8,400.

Estimated takings for the week ending June 28:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loew’s</td>
<td>$8,400</td>
<td>$1,400</td>
</tr>
</tbody>
</table>

**‘Ghost’ Providence High Spot at $8,400**

PROVIDENCE, July 4—“The Ghost Breakers,” paired with “The Light of the Western Stars,” drew $8,400 at the Strand. “Susan and God” and “Beyond Tomorrow” at Loew’s State took $11,000.

Estimated takings for the week ending June 26:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strand</td>
<td>$8,400</td>
<td>$2,000</td>
</tr>
<tr>
<td>State</td>
<td>$11,000</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

**‘Susan’ Montreal Winner at $8,000**

MONTREAL, July 4—“Susan and God” grossed $8,000 at Loew’s. “Bacterium” at the Palace accounted for $6,900.

Estimated takings for the week ending June 26:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loew’s</td>
<td>$8,000</td>
<td>$1,400</td>
</tr>
<tr>
<td>Palace</td>
<td>$6,900</td>
<td>$1,200</td>
</tr>
</tbody>
</table>

**‘Flight’ Takes Seattle Prize, Draws $5,800**

SEATTLE, July 4—Night baseball and warm weather provided heavy attendance at the Angels’ 7-2 victory over the “King of the Lambs,” plus vaudeville at the Palomar drew $5,800. "Our Sons" took $6,200 at the Orpheum.

Estimated takings for the week ending June 28:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palomar</td>
<td>$5,800</td>
<td>$1,000</td>
</tr>
<tr>
<td>Orpheum</td>
<td>$6,200</td>
<td>$1,100</td>
</tr>
</tbody>
</table>

**‘Town’ Gets $12,800 To Lead Cincinnati**

CINCINNATI, July 4—“Our Town,” with a $12,800 gross at the RKO Albee, was the only picture to go over the average, although “Brother Orchid” and “The Man I Married” averaged $9,700 at the RKO Palace.

All this, and Heaven too, booked to open at the 2,000-seat RKO Capitol June 26 at roadshow prices, has been cancelled, and will open at the 3,300-seat RKO Albee July 12 at regular prices.

Estimated takings for the week ending June 26-29:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albee</td>
<td>$12,800</td>
<td>$1,200</td>
</tr>
<tr>
<td>Palace</td>
<td>$9,700</td>
<td>$1,200</td>
</tr>
</tbody>
</table>

**Northwest Picnic Held**

SEATTLE, July 4—Local exchange owner sponsored the local exhibitors, 23-3, in the baseball game which was the feature attraction of the annual Northwest Film Club picnic here at Gaffney’s Grove. The entertainment program was arranged by Joe Cooper, club manager.
<table>
<thead>
<tr>
<th>DATE</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U.A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 7</td>
<td>Passport to Alcatraz (D)</td>
<td>Mad Men of Europe (D)</td>
<td></td>
<td>Riders from Nowhere (O)</td>
<td>Hidden Gold</td>
<td>Saint Takes Over (G-D)</td>
<td>Earthbound</td>
<td>No Exit (D)</td>
<td>Wallace Ford</td>
<td>Davy Crockett</td>
</tr>
<tr>
<td>June 14</td>
<td>The Mortal Storm (G-D)</td>
<td>M. Sullivan</td>
<td></td>
<td>On the Spot</td>
<td>Safari (G-D)</td>
<td>Tom Brown's School Days (D)</td>
<td>Four Sons (G-D)</td>
<td>Sandy Is a Lady (G-C)</td>
<td>Janet Leigh</td>
<td>Fredric March</td>
</tr>
<tr>
<td>June 21</td>
<td>Girls of the Road (D)</td>
<td>Helen Mack</td>
<td></td>
<td>The Captain Is A Lady (G-D)</td>
<td>Carlotta Grey</td>
<td>Wagon Westward (O)</td>
<td>Charlie Chan's Murder Cruise (D)</td>
<td>I Can't Give You Anything But</td>
<td>Betty Grable</td>
<td>George Brent</td>
</tr>
<tr>
<td>June 28</td>
<td>Return of Wild Bill (O)</td>
<td>Bill Elliott</td>
<td></td>
<td>Wild Horse Range (O)</td>
<td>The Ghost Breakers</td>
<td>Pop Always Pays (G-C)</td>
<td>Sailor's Lady (D)</td>
<td>Gambling on the High Sea (D)</td>
<td>Wayne Morris</td>
<td>Carmen McCrack</td>
</tr>
<tr>
<td>July 5</td>
<td>Out West With the Peppers</td>
<td>Edith Fellows</td>
<td></td>
<td>Sporting Blood (D)</td>
<td>The Body of a Debutante (C)</td>
<td>Carson City Kid (O)</td>
<td>Annie of the West (D)</td>
<td>Man Who Talked Too Much (D)</td>
<td>J. W. Dugan</td>
<td>Glamour Girls</td>
</tr>
<tr>
<td>July 12</td>
<td>Military Academy (D)</td>
<td>Tommy Kelly</td>
<td></td>
<td>Haunted House (D)</td>
<td>Three Faces West (D)</td>
<td>Millionaires in Prison (D)</td>
<td>The Man I Married (D)</td>
<td>You're Not So Tough (G-D)</td>
<td>Richard Arlen</td>
<td>My Love Came Back (C)</td>
</tr>
<tr>
<td>July 19</td>
<td>Blondie Has Servant Trouble (C)</td>
<td>Singleton-Lake</td>
<td></td>
<td>Pride and Prejudice (D)</td>
<td>Stagecoach War (D)</td>
<td>Cross Country Romance (C)</td>
<td>Hollywood Bound (D)</td>
<td>Ladies Must Live (D)</td>
<td>Richard Arlen</td>
<td>William Boyd</td>
</tr>
<tr>
<td>July 26</td>
<td>It Happened in Paris (D)</td>
<td>Brian Aherne</td>
<td></td>
<td>The Secret Seven (D)</td>
<td>Boys of the City (D)</td>
<td>Scatterbrain (C)</td>
<td>Street of Memories (D)</td>
<td>They Drive By Night (D)</td>
<td>Richard Arlen</td>
<td>Bruce Boettcher</td>
</tr>
<tr>
<td>Aug. 2</td>
<td>The Durango Kid (O)</td>
<td>Bruce Bennett</td>
<td></td>
<td>Golden Gloves (D)</td>
<td>Golden Gloves</td>
<td>Stranger On the Third Floor (D)</td>
<td>The Man I Married (D)</td>
<td>Money and the Woman (D)</td>
<td>Roberta Shore</td>
<td>One More for the Road (D)</td>
</tr>
<tr>
<td>Aug. 9</td>
<td>He Stayed for Breakfast (C)</td>
<td>Loretta Young</td>
<td></td>
<td>All Around the Town (D)</td>
<td>Mystery Sea Raider (D)</td>
<td>Queen of Destiny (D)</td>
<td>Return of Frank James (O)</td>
<td>Money and the Woman (D)</td>
<td>Jeffrey Lynn</td>
<td>Frank Yankowski</td>
</tr>
<tr>
<td>Aug. 16</td>
<td>The Great McGinty (D)</td>
<td>Brian Donlevy</td>
<td></td>
<td>The Great McGinty (D)</td>
<td>Comin' Round the Mountain (C)</td>
<td>One Crowded Night (D)</td>
<td>R. Russell</td>
<td>Sea Hawk (D)</td>
<td>Errol Flynn</td>
<td>Gene Marshall</td>
</tr>
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<td>Aug. 23</td>
<td>I Love You Again (D)</td>
<td>Loretta Young</td>
<td></td>
<td>Missing People: Arizona</td>
<td>Lucky Partners (D)</td>
<td>Girl From Ave, A (D)</td>
<td>Bliss (D)</td>
<td>The Awful Drunk (D)</td>
<td>Jimmy Durante</td>
<td>Averill Charles</td>
</tr>
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</table>
"Would not be without the Herald"

- - - "WE NOW SUBSCRIBE TO THE MOTION PICTURE HERALD HERE AT THE OHIO AND STRAND THEATRES.

I WOULD NOT BE WITHOUT THE HERALD. FOR TO BE WITHOUT THE HERALD, WOULD BE LIKE TRYING TO SAW A PIECE OF WOOD WITHOUT A SAW, OR TO ROW A BOAT WITHOUT AN OAR. THE HERALD HAS TOO NUMEROUS USES AROUND OUR THEATRES TO EVEN TRY AND GET ALONG WITHOUT IT, AND TO LIST THE USES WOULD REQUIRE SEVERAL SHEETS OF PAPER OF THIS SIZE." - - -

MOTION PICTURE HERALD, $5.00 a year Domestic; $10.00 Foreign; 52 issues with which is combined Better Theatres, 13 issues yearly.

DUKE PRINCE
Manager

SHEA'S OHIO-STRAND THEATRES
MARIETTA, OHIO

MOTION PICTURE HERALD
ROCKEFELLER CENTER
NEW YORK
Station Heads Pledge Aid to U.S. Defense

Pledges of wholehearted cooperation to the FCC in its plan to coordinate broadcasting communications under national defense are expressed by a number of station managers and executives throughout the country.

Although it was pointed out that definite plans of the FCC were still under preparation, assurances were given that any measures adopted by the Commission which would promote national defense were likely to receive hearty response from the broadcasting industry.

There was a note of caution in the expressions calling attention to the need for preserving the rights of private industry in peace time, but the broadcast men were sure that such rights would be safeguarded.

Des Moines, July 4.—"Forty-five million Americans in this country spend eloquently and convincingly for American radio in times of peace," asserted Lulu W. Hill, president of Interstate K-SO-KRTN. "The same essentials of private initiative and necessary Government coordination will insure equal radio service to the nation in time of war. So long as these fundamentals are adhered to the specific Government body charged with the war time responsibility is relatively unimportant.

Albany, July 4—I think the FCC recommendation for a committee to coordinate broadcasting communications under national defense is a splendid idea," asserted Harold Smith, general manager of WOKO and WABY. "We should be set up in an efficacious manner as a matter of patriotism and public service. However, any such recommendation should carefully see that our rights are not pre-empted."

Kolin Hager, manager of the NBC basic outlet, 9,000-watt Station WGY, Schenectady, asserted "The FCC will have 100 per cent cooperation from WGY.

From Fred Ripley, vice-president of Station WTRY, Troy, came the formal statement: "We are public servants, and as such we are ready to cooperate with the government in anything which promotes the public interest, convenience and necessity."

Dallas, July 4—Martin Campbell, general manager of WFAA, and John Runyon, general manager of KRLD, the two 50,000-watt stations here, today pledged their cooperation to the FCC. "All we know about the proposed committee is what we have read in the trade papers," Campbell said. "It goes without saying that all stations in this section will support the FCC's recommendations on national defense plans assigned to us but will do and are doing our utmost to promote American programs and a spirit of patriotism and love of country in every way we can."

Buffalo, July 4.—Despite a lack of accurate knowledge of what the FCC has in mind, station managers of WEN, WEKB, WKBW, WGR and WBNY pledged full cooperation in defense plans.

MOTION PICTURE DAILY

Off the Antenna

WMCA, new business for the period ending July 1 includes the American Tobacco Co. renewing two and a half minute transcribed announcements, running ten a half hour. Luckey Strike enters the hour, 7 A.M. through 1 A.M., for 13 weeks ending Sept. 28; Hotel St. George, Brooklyn, 10 "Rise and White" broadcasts, ending July 31; Ex-Lax, announcements beginning June 20, running seven weeks, the St. George, 10 "Pall Mall Cigarettes", for four weeks ending July 18; Warren & Arthur Smadbeck, realtors, 24 quarter-hours weekly, four weeks, ending July 7; and Carl Fischer Musical Instrument Co. sponsoring Radio News Reel, twice weekly, ending Sept. 13.

"Chicago Tonight," a new variety program series, will originate at WGN, Chicago, July 11 and will be heard over the Mutual network. First program will be "Tom Brown's Schooldays," tying up with the film, Billy Barty, who is working on producing the programs, will use film and stage players available in Chicago.

Purely Personal: Robert Gerdy of the CBS trade news department, has left for a two-week vacation at Olean, N. Y. . . . Hildergarde Gerson has joined Compton Advertising as research librarian. . . . Arthur Kurlan, radio script writer, is in town from Hollywood for a visit. . . . John F. Wulff has been named merchandising and sales promotion director at WLW, Cincinnati. . . . Dick Gaggi, director of early morning programs at WABC, has something happen to him, on Wednesday, which is worse than losing a script. He was leaving on his vacation and when he reached the pier, he found that the ship on which he was to have sailed had burned and sunk. P.S.—in a tryst with the galaxy, the said ship, of time, also has left on his vacation. He will spend it at his summer retreat, "Enchantment," at Flat Rock, N. C. . . . Kyra Deeken has become interested in Richard Hubbell. . . . O. L. Smith, advertising salesman for radio stations WOCX, Knoxville, is the new president of the Knoxville City Salesmen's Club.

Time sales for WQXR, New York, during the first six months of 1940 are 44 per cent above those of the preceding six months. July to December, 1939, it is reported by Elliot M. Sanger, vice-president and general manager. First half of 1940 produced an increase of 114 per cent in sales over the corresponding period last year, he states. Each month of 1940 has shown a gain over the month before, Sanger pointed out.

Plans for "Broadcast Day" at the New York World's Fair will be completed within a week, according to Ed Curtin who is handling the details at the Fair. The date was originally set for yesterday but was put back to August 3, the eve of the N.A.B. convention in San Francisco.

Schenectady: Kolin Hager, Station WGY manager, attended the NAB meeting in Rochester. . . . Thomas Martin, WGY announcer, is vacationing with his younger daughter in Syracuse. . . . Wilbur Morrison of the WGY news staff returns from a three-week vacation in New York and Pittsburgh Monday, . . . Bernard Cruger of WGY engineering staff was in Philadelphia for television pickets by NBC. . . . WGY softball team visited New York to play ABC Athletic Association at Sewane Golf Club, Long Island, and lost 1-0 in 11 innings.

Early birds are going to have their pleasure of being awakened three times weekly, from 6:35 A.M. to 7 A.M. on Monday, Wednesday and Friday, by a new 100-word announcement on the "Larry Elliott Rising Sun" program sponsored by the Federal Life and Casualty Co. of Detroit. The program will be on behalf of the company's accident policy and begins July 8.

A new WABY feature has been started with Forrest Willis and C. R. Rosenberry interviewing important film players who are doing spring and summer theatre shows in the Albany district. Rosenberry is film reviewer for the Knickerbocker News.

Plan Disney "Festival"

Walt Disney's "Snow White" and the "Festival of the American Spirit" were released in December, 1937, and withdrawn 18 months later, will be released in a Walt Disney Festival, according to Ned E. Depinet, RKO vice-president in charge of distribution. The decision followed test engagements in two spots. With training, localities will be shown the "Practical Pig," "Ferdinand the Bull," "The Ugly Duckling" and "Donald's Lucky Day."

Franklin Carper Dead

Denver, July 4—Franklin Carper, 74, retired, theatre operator, killed himself at Lafayette Col., Denver. Carper, his wife, Enza, and two sons, Lawrence and Edward.

Plan Exchange Building

Philadelphia, July 4. — A. A. National Council of RKO exchange operations, has concluded negotiations with local realtors to provide the RKO Exchange with a building of its own. David P. Haseltine, local manager, will supervise construction of the new building, which is expected to be ready for occupancy in February, 1941.

Donate Film to Home

Harry Glickman and John Weber of Mecca Film Laboratories have presented RKO a feature, "Consulting Baby," for the Infants and Home, Far Rockaway, L. I., a two-reel film, which they propose showing the activities of the institution. It will be televised by NBC on Tuesday.

News Commodials Doomed in Canada

Ottawa, July 4—Sponsored news broadcasts in Canada will soon be a thing of the past. Transport Minister C. D. Howe recently told the House of Commons. Plan under consideration is to pool CBC, Canadian Press and Trans-radio services for the use of Canadian Broadcast Corp. I.P. Trans-radio may receive some compensation. There has been criticism here of news programs, which are not popular with Government control.

Charter Farnsworth, Phonovision Corp.

Dover, Del., July 4—Farnsworth Television and Radio Corporation has been incorporated here to deal in radio and television receivers, etc., with capital of 100,000 shares, no par. Incorporators are Howard A. Seitz, Brooklyn; Sanford H. Bloch, North Bergen, N. J., and Lloyd S. Sneeker, New York.

Phonovision Corporation of America also has been incorporated to deal in motion pictures, with capital of $1,000,000 in 10,000 shares, par value $100. The incorporators are R. F. Lewis, L. H. Herman and Walter Lenz of Wilmington.

Permission Sought For Batavia Station

Washington, July 4.—Authority to construct a new 100-kilowatt, 250-watt daytime broadcasting station at Batavia, N. Y., has been filed with the Federal Communications Commission by the Batavia Broadcasting Corp.

An application also was filed by WKBW, 1000-kilowatt, 500-megacycle frequency from 640 to 650 kilocycles and increase of power from 500 to 1000 watts with extension of time from limited to unlimited.

60 Shows Weekly From Frisco Fair

San Francisco, July 4—More than 60 programs originate, weekly at Treasure Island, according to San Francisco Fair Director Robert Colson, over eight local stations. Fourteen shows go to nationwide or Western networks each week. The list does not include the thousands like the Burns and Allen show, which are heard occasionally from the Fair site.

Release 52 Old Comedies

Fifty-two early comedies are to be released this year by the recently formed Motion Picture Productions. Plans call for immediate release of eight slapstick comedies. The rest will be released in September. All shows are syndicated and two-reelers.

In Tie Ball League

Consolidated Film Industries and Paramount are tied for first place in the Motion Picture Baseball League, each having won six games and lost one. NBC, Radio City Center, Skelly, Gulf, Atlantic, Western Ass., M-G-M, International Projector and Universal follow in that order.
Cut Salaries, Ban Doubles, Urges Small

Sacrifices Must Be Made By All, Producer Says

Hollywood, July 7.—Edward Small, United Artists producer, enters industry discussion of double bills and other problems of the business with a three-point remedial program: (a) an immediate healthy cut in salaries, beginning at the top of the list; (b) elimination of double bills, giveaways and other so-called box-office stimulants; (c) sharing of problems by all branches of the industry.

"The time has come," says Small, "when the motion picture business..." (Continued on page 32)

Indefinite Delay Seen on Neely Bill

WASHINGTON, July 7.—The possibility that no further progress will be made with the Neely block booking bill for some time to come was seen Friday in the admission by members of the House Interstate and Foreign Commerce subcommittee that no meeting has yet been held for discussion of the redrafting of the measure.

Consideration of the legislation appears to have been suspended in view (Continued on page 3)

Central Casting

Strike Is Settled

Hollywood, July 7.—Striking office employees of Central Casting Corp. will return to work tomorrow as a result of an agreement reached Friday between Mrs. Elma Goodman, business agent of the American Federation of Office Employees, and Pat Casey, producers’ labor representative. The 47 strikers unanimously agreed to call off the walkout provided Casey will sit in on all future negotiations needed to settle the remaining differences.

BRITISH ACTORS ORDERED TO WAR

Embassy Directs All of Service Age to Return To England at Once

WASHINGTON, July 7.—To allay the confusion which has existed among Hollywood actors of British citizenship over war service, the British Embassy here, at the request of important persons in the film industry to clarify the situation, today advised those between the ages of 18 and 31 to return to England immediately.

In Hollywood it has said that the order will affect not only some of the leading players but a large number of extras, several hundred of whom are working in films. This order will enable the studios to plan for the future without interruption by their stars or other players being called away in the midst of costly production.

Text of the Embassy order follows:

"Since the outbreak of war, British actors, of both stage and screen, and others connected with the profession resident in the United States have reportedly been required to use their services to the British Government and have sought advice from the Embassy as to the possibility of their return to the United Kingdom for service. Until recently, they have been advised to stay here as there is no shortage of manpower in the United Kingdom.

"In view of recent conditions, however, British actors of all ages have again come forward with renewed offers of service. These offers have been considered according to age and qualifications, with a view to utilizing their services, whether here or abroad, in the most advantageous manner. Broadly speaking, those between the ages of 18 and 31 (the present 'military' age in England) should return as soon as they can make the necessary arrangements. Those above this age should continue in their professions until they receive further instructions."

Schenck, Rodgers Due on Coast Today

Hollywood, July 7.—Nicholas M. Schenck, president, and William F. Rodgers, general sales manager, of M-S-M, are expected here tomorrow from the East for studio conferences on "Boom Town" and other company business. Rodgers will tour exchanges before returning East.

Hollywood Concentrating on Light, Comedy Themes

By SAM SHAIN

Hollywood seems to be turning away from war and problem pictures and bending its utmost effort toward creating light, musical, air pictures which can make audiences laugh. Among such pictures already in circulation are "New Moon," "Ghost Breakers," "Andy Hardy Meets Debutante" and "My Love Came Back." Additionally, RKO plans to reissue Walt Disney’s "Snow White and the Seven Dwarfs," a picture which made box-office history, grossing about $4,000,000 domestically.

Since RKO announced that it will reissue this picture, trade authorities have expressed great interest in the event, particularly since the first great feature cartoon is to be reissued hardly two and a half years since it first saw the light of a theatre screen, at the Radio City Music Hall, in December, 1937.

"Ghost Breakers," a Paramount picture, is hanging up his crosses everywhere, according to home office accounts, and Metro’s "New Moon," and the new Andy Hardy picture are rolling up big grosses, too.

In reference to "My Love Came Back," upon which Warner Bros. are spending a good deal of advertising money, Jack L. Warner, the company’s production chief, states: "Its plot doesn’t attempt to solve world problems or to pontificate an important message—unless it be that good laugh and a good time is what we all need right now." He compares the picture to "Four Daughters.

Universal officials claim to have hundreds in "Boys from Syracuse," now out, and "Private Affairs.

Listed in Motion Picture Daily’s Booking Chart are 19 light pictures which are now on release or will be before the end of August. This chart is published once weekly.

Besides those already mentioned here are the pictures: "Bodleian Has Servant Trouble" (Col.); "He Stayed for Breakfast" (Col.); "Gold Rush Mails" (M-G-M); "Comin’ Round the Mountain" (Para.); "Grand Ole Opry" (Republic); "Catch a Star" (Republic); "Sing Dance, Plenty Hot" (Kodak); "Pop Always Pays" (RKO); "Cross Country Romance" (RKO); "Sandy Is a Lady" (Universal); "Can’t Get Anything But Love" (Universal); "Hired Wife" (Universal); "Bridgeview Misbehaves" (Warners)."

First in Film and Radio News

Brief, Accurate and Impartial
Bob Is Allergic
Paramount has been compelled to postpone production of the new series of Bob Benchley shorts which are scheduled for release during the 1940-41 season. Paramount will produce them in the next few weeks but will be unable to start until September. The reason: Benchley has hay fever.

Parleys Start On Musicians’ Strike
A basis for renewed negotiations toward possible settlement of the musicians’ strike at Warner Philadelphia house was laid at a conference held Friday at the national offices of the American Federation of Musicians here, James C. Petrillo, president, declared after meetings. Further meetings will be held in Philadelphia this week.

The conference here was held at the request of A. Rex Riccardi, secretary of Musicians Local 77, who asked Petrillo to take charge of the situation. Petrillo, however, declared that the matter should be handled by the local. Friday’s conference was attended by Frank Philos, Warner labor contact, Petrillo and Riccardi.

The strike was started eight months after Warner’s refusal to restore stage shows in response to a union demand.

Bioff Loses Another Bid for Freedom
CHICAGO, July 7.—Criminal Court Judge John Prystalski on Friday dismissed the petition of William Butler, new attorney for William Bioff, seeking the release of the L.A.T.S.E. Coast leader.

The court held that the facts presented by Butler did not warrant his issuing a writ of habeas corpus for Bioff’s release.

Warner Statement In Cooperative Ad
A statement by Jack L. Warner, production head of Warners, personally endorsing “My Love Came Back,” forms the basis of a cooperation advertisement which appeared yesterday in 75 Canadian newspapers in the United States and Canada. The advertisement, for which Warners will pay the full cost, will appear in daily newspapers’ first sections, rather than on the amusement pages.

‘Wind’ Stays in Chicago
CHICAGO, July 7.—“Gone With the Wind” was scheduled for a six-week run at the Woods here, June 28, will continue until the latter part of July if the show continues doing the business it has the past week.

KEEP TOILETS AND WASHROOMS SANITARY, ODORLESS, DIRTLESS with Lawston’s Odorless Renovator and Bowl Cleaner

THE J. S. LAWSTON CO., Inc.
8 Hennaw St.
New York, N.Y.

A FEW SATISFIED USERS
New York World’s Fair, W. W. Raydon, Shea, and Brunel Theatres

Personal Mention

W. VAN SCHMUS, managing director of the Radio City Music Hall, is convalescing at Luke’s Hospital after an operation performed last Wednesday.

WILL HAYS is expected to leave for the Coast this week.

DAVID O. SELZNICK is expected here from the Coast later this week. Originally he had been due today.

ROGER FERRI of 20th Century-Fox and M. A. LEVY, Minneapolis district manager, have arrived on the Coast to start plans for the Kent sales drive with HERMAN WOBBER, general sales manager.

JACK LYKES, manager of Loew’s Stillman, Cleveland, is visiting here.

J. D. RAPPORTS, Paramount branch manager in Havana, left for his post over the weekend.

JACK KERR, film columnist of the Toronto Star, is in town, making his headquarters at the office of Oscar Stock, Loew’s advertising and publicity head.

J. K. ROBERTSON, manager of the Warner in State College, Pa., was Friday on the Santa Paula with Mrs. Robertson on a 12-day Southern cruise.

RALPH JONES, film editor of the Atlantic Constitution, is spending his vacation here.

SAM GERMANO, booker in the 20th Century-Fox New Haven exchange, started his vacation over the weekend.

Distributors Plan Action on Cuba Bill
American distributors in Cuba are planning concerted action on the recently passed ban on block booking. The Cuban Senate recently reconvened late this month, it is understood in New York.

The drastic measure was passed recently by the Cuban Senate prior to its adjournment for a recess. Under the Cuban law, the President may sign a bill only in the presence of the Senate, and the recess has occasioned the delay in action by the President. American interests, it is learned, plan to institute action when the Senate reconvenes, in an attempt to block or modify the measure.

Tax Case to September
Trial of Monard Theatre Corp. and Albert I. Mackey, its president, charged by the Government with withholding $1,200 in admission taxes has been adjourned to Sept. 1, Judge Robert A. Inch in Brooklyn Federal Court due to a crowded calendar. Ball of $900 was continued.

Mainwaring to W.B.
Dan Mainwaring, formerly of Warner’s Coast publicity department and more recently with the Orson Welles unit at RKO, has joined the home office publicity department of Warners.

JOHN HAY WHITNEY is taking the Army officers’ 30-day course at Plattsburg, where Lyny Farnol is also spending a month.

VIRGINIA COCALS, daughter of the late SOTEROS D. COCALS, circuit owner, was married last week in Newark to George McMillan, thereupon receiving a $25,000 legacy from her father.

HEBB BERG of Paramount is vacationing at Hunter, N. Y., with Gene Adler.

ANDREW SHERIDAN, counsel for the Harris Enterprises, Pittsburgh, is the father of a son, born to Mrs. SHERIDAN late last week at Mercy Hospital. Mrs. SHERIDAN is the sister of JOHN H. HARRIS, general manager of Harris Amusement Co.

MANNY REINER of Monogram left over the weekend for a vacation.

M. D. FAIGE, New England field engineer for RCA Photophone, recently appointed service manager of the Atlantia district, has completed a two-week trip up the Hudson preparing for his new post.

DON HATT, Seattle booker for M-G-M, is recovering after an appendicitis operation.

HOAG CARMICHAEL and FRANK LOESSER arrived in Miami yesterday to prepare the score for the new Max Fleischer cartoon feature.

PATRICIA MORISON, Paramount player, has arrived here from Portland, Ore.

Democrats Apoint Barron to Committee
CHICAGO, July 7.—Carter Barron, Washington district manager for Loew’s, has been appointed head of the entertainment committee for the Democratic National Committee.

Stars who have indicated that they will appear at the convention are Harry Richman, Marion Claire, Al Jolson and Dean Murphy. Barron is here to make arrangements for other entertainment on the convention schedule.

Name Cohn to L.A. Police Commission
LOS ANGELES, July 7.—Alfred A. Cohn has been transferred by Mayor Brown from front city to utility department of the Los Angeles Police Commission, the transfer to the police board had been expected for some time.

Wins Standard Plaque
KENSAGA, Wis., July 7—E. R. BRENNAN, manager of Standard Circuit’s Kenangha, has won the Certificate of Appreciation plaque for outstanding showmanship three successive times and the award now becomes permanent. In addition to the plaque, Brennan was presented with three cash prizes and his assistant, George Kuebl, also was awarded a cash prize for the best idea contributed by a theatre employe.

CEA Hits Circuit’s Booking of ‘Wind’
London, July 7.—“Gone With the Wind” has been booked by John Maxwell’s Associated British for Blackpool theaters, starting July 15, at admission prices of 15s. (about 20s. up). The Cinematograph Exhibitors Association, which has been fighting the rental terms imposed by M-G-M for the film, has described the deal as complete “capitalization” to M-G-M.

Dismisses Goldwyn Suit Against Korda
Federal Judge Vincent L. Leibell on Friday dismissed the suit of Samuel Goldwyn and Samuel Goldwyn, Inc., to cancel his contract with United Artists and stop London Film Productions, Ltd., and Alexander Korda. The court pointed out that the U. S. Circuit Court of Appeals had approved the New Goldwyn and Delaware action that Korda and London Films were not necessary party defendants in the suit. The action will continue against United Artists alone.

The court granted an application of United Artists for a court order directing Korda to submit to an examination before trial in the remaining action against him. The request by United Artists for a bill of particulars was denied on the ground that the property remedy for United Artists was to obtain interrogatories in reference to the complaint. The opinion declared that Goldwyn should amend his complaint in 20 days so as to plead three separate causes.

Musicians Honor Held
CINCINNATI, July 7.—In celebration of the 120th anniversary of the international executive board of the A. F. of M., the Cincinnati musicians’ union, of which he is president, will honor Oscar F. Hild at a dinner tomorrow.

Form Theatre Company
ALBANY, July 7.—Louris Amusement Corp., formed in Manhattan, has $20,000 capital stock. Directors are Sylvia Horn, Irving Abraham and Harold W. Cohen.

MOTION PICTURE DAILY

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Cut Salaries, Ban Doubles, Urges Small

(Continued from page 1)

must take stock of itself and real-
ize that it can’t absorb the opera-
tion or face economic death. Sal-
aries will have to go on the chopping
sacrifice must be made in every
department to keep the plant in pro-
duction and in exhibition of pic-
tures.

Says Adjustment Must Come

“An ideal readjustment must come
swiftly if it is not to come too late.
Such a readjustment will start with
executives, stars, directors, writers
and all others who will have to
realize that they are not worth today
what they were worth yesterday.

The trouble is that while every-
business in the film business realizes
what must be done to save it from com-
plete decay, nobody is willing to take
the initiative. No one is willing to say,
‘This plant is too big and we will
shrink it to size which will save us from destruction.’

“I am willing to take such a cut,”
Small said.

“Although the fact that potential revenues,
both at home and abroad have dimin-
ished in a startling degree automatie-
ally makes their potential values equally less. Thus, a person who was
worth $100,000 per picture six months ago is today actually worth
nothing. The same rule applies to
every money earner in the busi-
ness.

Exhibitor a Partner

“Too many people have been stick-
ing their heads in the sand for too
long a time rather than face the real
facts,” Small stated.

The exhibitor must realize that if he
hopes to continue getting top-
flight product he will have to treat the
producer on a partnership basis,
helping to absorb the losses as well as
the profits.

This would level off all inequali-
ties to insure a continued flow of the
kind of product needed to sustain box
office receipts.”

Small has just completed “South
of Pago-Pago” for United Artists and
has in production “Kit Carson”
and “The Son of Monte Cristo.”

Indefinite Delay

(Continued from page 1)

of the possibility of a settlement of the block booking issue by a consent decree in the New York antitrust
suit. Also contributing to the delay
is the political situation, which caused
Congress to recess last week and the
Republican Convention will and
requirements. and will another recess next week over the
Democratic meeting.

Indications are that Congress will re-
convene after the Democratic Conven-
tion it will remain in session for a few
weeks and take its final vote on the
suit. In view of the situation,
there is little activity on either
side of the Capitol on anything but
defense matters and little or no demand
for action on other subjects.

Public Taking New Tax

In Its Stride, Says U. S.

(Continued from page 1)

Aug. 1. The collectors, in turn, report
to Washington, where the figures are
compiled to determine the national
must. The only reports now coming in
are those dealing with business activity
(pension plan, there is indication that
increasing employment as a re-
sult of reorganization. The new mas-
time, the theater attendance up.
Meanwhile, it was said that Treasury officials are
not asking for apparent general
maintenance of admission June
levels, with the tax added. This,
explained, means that exhibi-
tors will have more income to report
next March than if they had reduced
admissions to react the tax.

Reactions from key spots at the end
of the first week follow.

Popular in Philadelphia

PHILADELPHIA, July 7—That local
patrons are willingly paying the tax
for national defense was apparent
before the first week was over. In
the reactions to the new Federal tax
was such that theatre managers are
inclined to believe that the tax is
even popular. The canvass failed
up any pacifist who attempted
to stay out of the theatre in order
to discourage the Government in its
defense program. Again, the old
tone problem with which cashiers
had to cope, the tax is being paid
ungrudgingly. Furthermore, the tax
had absolutely no influence on the
business done.

No Effect in Birmingham

BIRMINGHAM, Ala., July 7—“No
effect” was the general comment of exhibitors in relation to the new Federal tax. Even if it had been larger, ex-
hibitors say, people would gladly pay
it if they could be assured it would help the defense program.

Albany Reaction Favorable

ALBANY, July 7—The holiday gave
Capital Gregor, it stresses their first
chance to watch operation of the new
defense tax. While the delay in pro-
viding penny change was more no-
ticular, the general thought, the defence reaction was substantially the same.

Columbus Grosses Hold

COLUMBUS, O., July 7—Business
theatrego is at practically an even
keel here despite addition of the Fed-
eral tax to admission prices. The
J. Real Neth Theatres, operating
the neighborhood Cameo, Clinton, East-
ern, Lincoln, Markham and State, has
increased admissions from 25 to 40
cents, as has also Frank Yassennoff,
who operates the Drive-In. There
has been no conspicuous effect on
attendance in either case.

Few Cincinnati Complaints

CINCINNATI, July 7—A further
tertiary check on the effect of the
Federal tax on admissions discloses
but little, if any, downward trend in
business. A large number of film
complaints are in the minority. Where
footing is made by patrons it usually
is in a jocular mood, and all in all,
no really well-marked changes have
been noticed. In many cases good for the opportunity of “doing their bit” toward
the national defense program, while at
the same time gratifying their desire
for entertainment.

No Objection in Lincoln

LINCOLN, Neb., July 7—Theaters
coming under the new tax have re-
ported no objection whatever from
local patrons. At least they say they
are paying the tax, lot who do not understand the tax, and even calls for explanation are minor.

Detroit Weighs Plan to Stagger Bookings

DETROIT, July 7—Frank J. Downey,
M-G-M manager here, has worked
out a plan to stagger bookings of
M-G-M films at Detroit subsequent
runs. The plan, which is being con-
sidered by exhibitor organizations,
would eliminate simultaneous runs
throughout the city and provide day
and date runs in the West Side while
another film is playing day and date in
the East Side. The following week
the bookings would be reversed. The
staggering would provide non-conflicting
bookings for each section and a
toer of films in the “Keo” in third
runs, which have multiplied in recent
years and are increasing, giving them
a greater supply of M-G-M pictures.

Walter Selden to Wed

Hollywood, July 7—Walter Sel-
den of the Hollywood staff of
Coronet Magazine, will be mar-
rried next Friday to Blanche May,
daugher of Tom May, Los Angeles
department store owner. The cer-
memony will be performed at the bride’s
home in Beverly Hills and that eve-
ing the couple will sail for a Ha-
meanwhile, Selden is a for-
mor New Yorker.

‘Maryland’ Players To Attend Opening

Brenda Joyce, Tyrone Power and
Robert Greer, heading the cast of
“Maryland,” 20th Century-Fox will
attend the premiere of the film
Wednesday in Baltimore. During
her stay there, Miss Joyce will be
honorary Governor of the State. Fol-
lowing the showing, the three will
come to New York for the opening
at the Roxy Friday.

B’way Records Go As Holiday Booms Grosses

(Continued from page 1)

Breakers” on the screen and Orrin
Tucker’s band and Bonnie Baker on
the stage, for a five-day figure when it grossed an estimated $28,000
for Wednesday and Thursday. July
4 was the best holiday the house has
had in years, performers with the excep-
tion of a New Year’s Day opening it
was reported.

“Wind” Goes Merrily On

The advent of the Summer tourist
trail in Los Angeles, a pickup to “Go-
With The Wind.” The film was near-
ly $1,000 better for its 28th week
with an estimated $6,800 than it had
earlier taken during the previous week.

At the Strand, “The Man Who Talked Too Much” with Bob Cros-
by and S. England grossed an
estimated $33,000 for its five week
and was held over. “Sailor’s Lady”
with a stage show at the Roxy drew an
estimated $6,300 for its six week run.

It’s “Spies” Again

Following the granting of a tem-
porary injunction restraining the use
of the title “Fifth Column Squad,” the
Kühl restored the original title to
“Spies from Mars” which opened there Wednesday. A “horror show,”
consisting of "Murders in the Rue
 Morgue” and “Man Who Redeemed
His Head” drew an estimated $5,600
during the previous week at the
house.

Estimated stage houses did an ex-
cellent matinee business on the holi-
day. Of the 10 shows which played matinees, four, played to standees
while the remaining six were almost
certain selling-out successes.

Holiday Business

Booms L. A. Grosses

July 7—Holiday business was
reported “excellent” at first runs and
better than average at sub-
sequent runs. Outstanding business
was done at Cahuenga’s Century,
Loew’s State and by Fox West Coast,
reporting a “200 per cent improve-
mant over last Fourth of July.”

The attraction was “Andy
Meets Debutante.” The Pantages and
Hillstreet did excellent business, con-
sidering that the bill, “My Favorite
Wife,” is in a second week. Warners
Downtown and Hollywood reported favorable business for “The Man Who
Wouldn’t Talk.” M-G-M provided the bulk of the business, with
crowds thinning out at night to wit-
tness large, sunny matinees.

All downtown theatres including “grids”
were packed during the day.

To Attend Opening

Charles Coburn and Benda Bondi,
who have leading roles in the film,
will attend the opening of M-G-M’s
“The Captain Is a Lady” on July 23
at the State, Schenectady.

(Continued from page 1)
WARNERS HAVE

IN NEW YORK

Radio City Music Hall hits biggest July 4th since opening of house eight years ago! First day is exactly $6000 ahead of ‘Robin Hood’! The film that did it is WARNER BROS:

“ALL THIS, AND HEAVEN TOO”

BETTE DAVIS and CHARLES BOYER in “ALL THIS, AND HEAVEN TOO”

That’s the way things are now on — if you

Jack L. Warner, in Charge of
STARTED THE

IN

MILWAUKEE

Biggest July 4th
since opening of
Warner Theatre nine
years ago! Better than
'Four Daughters' by
$900 - bigger than
'Fighting 69th' by $200!
The film that did it is

WARNER BROS.

MY LOVE
CAME BACK

OLIVIA De HAVILLAND
and JEFFREY LYNN
"MY LOVE CAME BACK"
with EDDIE ALBERT - JANE WYMAN
CHARLES WINNINGER
SPRING BYINGTON
Directed by KURT BERNHARDT
Screen Play by June Griff, Robert Riskin, and Earl Baldwin
From a Story by Walter Reisch
A Warner Bros.-Film National Picture

-and that’s the way things
have a Warner Bros. contract!

AL B. WALLIS, Executive Producer
FILM DAILY — “A standout attraction whose power and appeal mean certain acclaim by all fans . . . must be set down as a box-office natural.”

SINCLAIR LEWIS — “Adds to the stature of the motion picture as adult entertainment.”

JAMES HILTON, AUTHOR OF “MR. CHIPS” — “One of the richest of all stories of schoolboy life. I am delighted to see Tom and Dr. Arnold, the ‘Mr. Chips’ of Rugby, brought to warm-hearted, young-loving America. We salute the film version of this completely delightful entertainment.”

JIMMY FIDLER — “Should score a hit.”

GENE HERRICK, LOOK MAGAZINE — “Rich in humor and drama...can take its place among the ten best pictures of any year.”

PAUL HARRISON, NEA SERVICE — “Combines rich drama with great comedy.”

MOTION PICTURE DAILY — “A Sound and solid piece of entertainment.”

HOLLYWOOD REPORTER — “Will gain ready response from the same audiences that took to heart ‘Mr. Chips’.”

HOLLYWOOD VARIETY — “Splendid and very moving . . . a compelling piece of entertainment.”

JIMMY STARR — “Will take a place among the screen’s top pictures.”
LOUELLA PARSONS

"Sympathetic and meritorious."

RADIO CITY MUSIC HALL ATTRACTION ... OPENING FIRST RUNS EVERYWHERE!

PRESENTED BY GENE TOWNE

with SIR CEDRIC HARDWICKE • FREDDIE BARTHOLOMEW • JIMMY LYDON
JOSEPHINE HUTCHINSON • BILLY HALOP • POLLY MORAN • HUGHIE GREEN • ERNEST COSSART • ALEC CRAIG • GALE STORM

PRODUCED BY GENE TOWNE AND GRAHAM BAKER • DIRECTED BY ROBERT STEVENSON
Seek to Oust Dolan, Chicago AGVA Agent

CHICAGO, July 7.—A petition to the heads of the American Guild of Variety Artists in New York, seeking the ousting of Graham Dolan, organizer for the AGVA in this area, has been started by a group of Chicago entertainers.

The petition alleges that Dolan, a former newspaper man who was discharged from the Chicago Tribune, and who is still affiliated with the Chicago Tribune, a Guild strike against the Hearst Her-ald-American, still belongs to the Newspaper Guild and therefore is a member of the C.I.O., opposed to the A.F.L., with which the AGVA is affiliated. It is charged in the petition that Dolan’s inexperience does not qualify him for the position.

Joseph Keenan, secretary of the Chicago Federation of Labor, will confer with local heads. President is prefec- ture Green in Washington tomor- row relative to Dolan’s alleged C.I.O. affiliation.

**Actors Sue Loew’s Following Crash**

Suit for $125,000 damages has been instituted in Brooklyn Supreme Court by Natalie Boyle and Paul Gerson against Loew’s, Inc., Variety Artists Bureau and Louis Poli, Bridgeport. The two performers were injured in an automobile crash on May 25 in which two other performers were killed and two others injured en route from New York to Bridgeport to fill an engagement. The suit, an application alleges that the de- fendants were negligent in failing to provide safe transportation. The car was owned by Albert Vincent, one of the troupe.

**Wilkes-Barre Firm Asks Station Permit**

WASHINGTON, July 7.—Authority to construct a new 1,210-kilowatt, 250- watt station at Wilkes- Barre, Pa., has been asked of the Fed- eral Communications Commission by the Wilkes-Barre Broadcasting Corp.

An application also has been filed with the commission by WMMN, Fairmont, W. Va., for increase of night power from 1,000 to 5,000 watts.

**‘Icecapade’ at Resort**

PITTSBURGH, July 7.—The Arena Managers Association, of which John H. Brown is president, plans to open the “Icecapades of 1940” in Atlantic City, July 19 for the Summer. Rehearsals will start at the resort shortly, with Russell Mark- bert, New York Radio City Music Hall dance director, expected to stage the show.

**Barnes Show Banned**

CHICAGO, July 7.—Word has been received here that the Detroit and Wayne County (Mich.) Trades and Labor Council has served notice that the Barnes & Carruthers carnival will not be permitted to have a show at the Michigan State Fair, which opens shortly, because of differences with the AGVA.

**Feature Reviews**

“Sailor’s Lady”

(20th Century-Fox)

Hollywood, July 7.—Nancy Kelly and Jon Hall here portray a girl and the sailor with whom she’s in love, in a story which finally enables the pair to overcome the difficulties supplied by the adoption of a year- old baby.

The screenplay by Frederick Hazlitt Brennan, from a story by Frank Wead, spells comedy in the telling, aided by the baby, Bruce Hamp- ton; Joan Davis and Wally Vernon. Harry Shannon, as a sympathetic priest; Diana Andrews, Katherine Aldrich, Mary Nash and Larry Crable all appear to advantage in supporting roles.

Interspersed with the story are scenes of the fleet at rest and in action. Sol Wurtzel was executive producer and Allan Dwan directed. Running time, 65 minutes. “G.”

W. S.

“Murder in the Air”

(Warner’s)

In the light of current events, this melodrama concerning the Gov- ernment’s drive against professional saboteurs and spies is highly exploitable. The subject is treated tactfully in that neither dialogue nor the accents of the aliens concerned suggest the country involved.

Ronald Reagan heads the cast which includes John Litel, Lya Lys, James Stephenson and Eddie Foy, Jr. Raymond Schrock’s original screenplay as directed by Lewis Seiler provides for brief comedy in- terludes offsetting the melodrama.

Reagan and Foy, Federal agents, are assigned to investigate a train wreck in which a hobo carrying a large sum of money was killed. The investigation leads to an international ring of spies in California to whom the dead man, a confederate, was en route. Reagan poses as the hobo and joins the mob. A plot to seize from Government authorities an “inertia projector,” a radio weapon, is finally uncovered and the mob captured. The two leaders crash in a burning airplane in an att- empt to escape.

Running time, 57 minutes. “G.”

“G” denotes general classification.

**Off the Antenna**

WARNERS has set eight network shows for the next two weeks, each carrying some mention of current Warner releases. “My Love Came Back” will be plugged on Hedda Hopper’s show, the Admiral Byrd broadcast and “Kraft Music Hall.” “The Man Who Talked Too Much” will get the attention on another Hedda Hopper show; “Flying Gold” will be the Kraft program; “Ladies Must Live” on “Little Old Hollywood,” and “All This, and Heaven Too” on the Los Angeles KNX Camera show.

Purely Personal: Fulton Lewis, Jr., Mutual’s Washington commentator, will address the Los Angeles Chamber of Commerce today. . . . Bert Salter, who produced “Our Kids” for the Yankee Network, is in town with a new children’s series called “Musical Wishes.” . . . Ira Herbert, assistant to the WHN sales director, is on a two-week fishing trip in Maine. . . . Bobbie Bach of the WNEW “Platter Brain” is in Chicago on vacation. . . . Will H. Howard will replace Abbott & Costello on the Kate Smith show when the program resumes Sept. 20.

WHN has distributed a new car card for use in 1,500 Fifth Avenue buses and New York, New Haven & Hartford Railroad coaches.

In addition, Herbert L. Petley, station director, has sent to sponsors, advertising agencies and newspapers a booklet called “Your Government and Mine,” an Independence Day promotion piece.

The Civil Aeronautics Authority has purchased four General Electric 250-watt FM transmitters for four radar beams in Alaska. The transmit- ters are to be placed at or near two points. The advantage of FM, which eliminates static, may be considerable in the northern zone.

CBS Golf: Frank Kets, secretary to William S. Paley, CBS president, was winner in the annual CBS golf tournament over the weekend to get the second leg on the trophy donated by L. W. Lowman, CBS vice-president. With a handicap of 23, Kets scored a net of 72. Andre Barouch, announcer, had a low gross of 84, while Al Rinker, program producer, won the kickers’ handicap with a 76. Dell Peters of the Artists Bureau had a low net for the second 18 with a 72, and A. B. Chamberlain, chief engineer, won a driving contest. Jim Middlebrooks, engineer, landed the booby prize with a 149.

**DuMont Telecasts First Test Pattern**

The DuMont television station now located at 515 Madison Ave., started last week to transmit its first test patterns on its 350-watt trans- mitter. A double image, or “ghost,” was received on a number of sets because the antennae were directed to the NBC stations.

This was due in part to the high degree of polarization used in telecasting. Du- Mont is experimenting with high and low horizontal and vertical types in order to determine the method best suited to this area.

**Set B & K Television Transmitters Shortly**

A transmitter site for the Balaban & Katz television station in Chicago will be used for tests during the next few days. Paul Raghoun, Paramount television coordinator, revealed over the weekend, after his return from Chi- cago. While there he inspected three prospective sites.

No decision has been made yet concerning the location of the transmitter. It will be either in the Loop section of Chicago, where advantage can be taken of the taller buildings, or at one of the suburbs, where broader cover can be obtained for the neighboring towns.

Raghoun revealed that the Majes- tica Radio & Television Corp. situa- tion is being studied to permit the early operation of the plant by the Allen R. DuMont Laboratories, Par-amount affiliate, which will control Majestic under the reorganization. Majestic is scheduled to remain in re- organization until the middle of August when the options of stockholders to subscribe to the new debentures expire. The expiration may be made with the trustee to speed up the start of operations.

**Represent Republic on Academy Council**

Hollywood, July 7.—Darryl F. Za- nuck, chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, has appointed Charles L. Looting, chief engineer of the Republic Studio, to Council membership.

Republic Studio is now contributing financial support of the Research Council program, and under the Academy by-laws is thus per- mitted representation on the Council.

**Miss Carroll Safe; Para. ‘Virginia’ Set**

Hollywood, July 7.—Paramount is going ahead with plans for the start of “Virginia” following assurances from the American Legation at Lis- beth, or in the suburb, where new offices would leave by Clipper for the United States tomorrow. It is expected Miss Carroll will join the crew at Charlo- tottesville, Va., next week, under the direction of Edward H. Griffith, pro- ducer-director.
MOTION PICTURE JULY

U.S. Charges Schine Trust In 37 Cities

British Monetary, Footage Quotas to Be Made Optional

London, July 8.—An order in council will be issued tomorrow by the British Board of Trade, probably immediately and retroactively to April 1, which will introduce the monetary quota as an alternative to the footage quota, either to be used at the option of distributors. This legislative adjustment of the industry situation, which will be formally presented to Parliament as an order in council, will obviate the necessity for the introduction of a new Films Act.

Sir Andrew Duncan, president of the Board of Trade, addressing the Films Council today, said the government will introduce the monetary quota immediately. He expressed regret that war conditions made it impracticable to go ahead with the proposed Film Credit Bank. Members of the Council indicated that they expected shortly to pass a resolution lamenting the impracticability of adopting the Credit Bank plan now.

Exhibitors' representatives warned Duncan that if a sufficient supply of films is not forthcoming, they would prefer less pressure for an appropriate reduction in quota percentages. The monetary quota uses film cost as the basis for quota obligations, rather than the footage involved.

MOTION PICTURE JULY

Mexican Elections Cut Theatre Hours

Mexico City, July 8.—Theatres here remained closed yesterday morning, the day of Mexico’s turbulent national election, and opened at 5 P.M. instead of at 3 P.M.

The exhibitors scored a victory over their employers in opening at all. The unions wanted a full holiday because of the election.

Few Coast Players Eligible to Serve

Los Angeles, July 8.—Not many actors or other talent are affected by the British order directing those of military age to return to England. A checkup of the studios today showed that most of the well-known players are over the 31-year age limit.

Louis Hayward, now appearing in Edward Small’s “Count of Monte Cristo,” which has three weeks shooting left, is affected by the order, and last month deferred taking out final citizenship papers.

Richard Greene, 20th Century-Fox player, several weeks ago filed an offer of service with the British consul. Edward Ashley, young M-G-M actor, who made his American debut in “Pride and Prejudice,” is also awaiting further orders.

Exhibitors Generally Calm Over ‘Jackrabbit’ Shows

The operation of 16mm. “Jack rabbit” shows for the most part presents no serious problem to the exhibitors of the country, a Motion Picture daily survey discloses.

In some situations, the operation is a competitive factor of some consequence, with attempts made by individual exhibitors to develop some sort of regulation or restriction on the operations, but on the whole, exhibitors apparently are not particularly disturbed over the situation.

At the recent Allied States convention in Chicago, the organization passed a resolution condemning the operation of 16mm. shows as unfair competition.

It is the general feeling that 16mm. showings should be confined to schools, institutions and other strictly non-theatrical situations.

Following are reactions to the situation in various exchange territories over the country.

No Problem in Southwest

Dallas, July 8.—Sixteen millimeter films are creating no problem in the Southwest, exhibitors here declare.

“We have made a careful check.”

(Continued on page 4)

Philadephia, Neighborhood’s Swank Duals

Philadelphia, July 8.—The Tioga, independent neighborhood house, dresses up its double feature program on Wednesdays and Thursdays, henceforth to be known as “Novel Tioga Nights.”

During the warm weather, there is a 15-minute intermission between the two main features, when patrons may adjourn to a decorated terrace outside, where cigarettes and soft drinks will be served. All seats for these special double feature bills will be reserved.

Two Convicted for Stolen Print Traffic

Two convictions in the Chicago territory have been obtained by the Copyright Protection Bureau for traffic in stolen prints, Jack H. Levin, director of the bureau, revealed yesterday.

A. J. Gallegos, an independent distributor, and Walter Johnson, former employee at the Public Theatre, Chicago, pleaded guilty respectively to charges of receiving stolen property and acting as accessory. Both received suspended sentences but Johnson was placed on probation for six months and Calderara for three.

The bureau picked up a stolen print of Universal’s “Sutter’s Gold” last October in New York City. It was traced to Rochester and then to Calderara in Chicago. Johnson admitted that he stole the print from the Public and after keeping it under cover for three years, disposed of it to Calderara, according to Levin.

A criminal conviction in Chicago for violation of the Federal Copyright Law was obtained less than a year ago.

Vol. 48. No. 6

New York, U.S.A., Tuesday, July 9, 1940

Ten Cents

First in Film and Radio News Brief, Accurate and Impartial


**Propaganda Films At English Houses**

London, July 8.—Commencing today, all film houses in England are collaborating with the Ministry of Information, giving screen time regularly to a series of Information Ministry films. The film for the current week deals with the evacuation of children to North America.

**Prudential Shorts For U. A. Release**

Prudential Pictures, Inc., has been formed to produce three series of 12 shorts for Columbia release. Edmund L. Dorfman, who has produced documentary films as head of the American Institute of Motion Pictures, is president of the company. Harry Hershfield, newspaper columnist, is vice-president and treasurer. A Prudential executive will head the documentary company.

The series planned by Prudential will have a patriotic theme. The films will be "Land of Fame" biographies of noted Americans. An audience participation series of a quiz nature has been ordered, and a series on spots of foreign atmosphere in New York, such as buildings and restaurants, are scheduled.

**Korda Ordered to Appear in UA Suit**

Federal Judge Vincent Leibell yesterday signed an order for Alexander Korda to appear for examination before trial on Thursday in the suit of Samuel Goldwyn against United Artists. Korda was asked to bring all records pertaining to the U. A. Goldwyn contract situation at issue. Korda is expected in town today or tomorrow from the Coast.

**Sears Flies West**

Gradwell L. Sears, Warners' general sales manager, left for Burbank by air last night for studio conferences on the company's fall seasons product. He is expected to return in about 10 days. While there he will confer with Jack L. Warner and Hal Wallis and see completed films.

**Nick Trial Aug. 5**

St. Louis, July 8.—The scheduled trials of John F. Nick and Clyde A. Weston, recently indicted by the U. S. Grand Jury on racketeering charges in connection with their activities as heads of Local 161, will start before United States District Judge John Caskie Collet Aug. 5.

**Personal Mention**

N. L. NATHANSON, head of the Famous Players Canadian Corp., is in town.

JAMES ROOSEVELT returned yesterday from Boston.

A. G. STOTLE, Tri-States Theatres Des Moines district manager, has left with his wife for a two-week Canadian vacation.

MARBURG FOSSÉ, operator of the Palace at LaForte City, Ia., has been elected president of the LaForte City Lions Club.

HENRY AUSTEN of the 20th Century-Fox publicity department, is visiting relatives at Norristown, Pa.

J. LEONARD MINTZ, accessories sales head at the 20th Century-Fox exchange in Philadelphia, was married recently to Thelma Solar.

ALLEN GOLDBERG has been named assistant to Jack Minsky at the Astor, Warner Philadelphia house.

ROY KORSON, son of David Korson, Columbia Philadelphia salesman, has been awarded a mayor's scholarship to the University of Pennsylvania.

WILLIAM SMITH, manager of the Majestic, Aline, Texas, is visiting here.

WILLIAM D. GADDON, head M-G-M booker at the Albany exchange, has announced his engagement to Alice Schmitz, with wedding set for October.

HAROLD D. EVANS, manager of Loew's St. Louis, is on vacation.

RUSSELL MORTENSEN of Columbus's St. Louis branch, has returned from a vacation with his wife, who is secretary to Robert Taylor, Monogram manager.

**Willkie Overemphasized In Newsreels, Says Cole**

By HARRY MCCORMICK

Dallas, July 8.—Col. H. A. Cole, president of Allied States Association, today declared that the newsreels have overemphasized the Wendell Willkie candidacy. He implied that the major companies, controlling the reds, are backing Willkie in the hope that a new administration might adopt a more friendly attitude toward the distributors, defendants in several Government antitrust suits.

Col. Cole said: "I have noticed for weeks that all the newsreels without exception are full of the Republican candidate, not only the convention but the man nominated, in a continued and continuous repetition of Willkie, Willkie, Willkie, ever since that time. Even prior to the nomination, he received what appeared to be a build-up. Of course I realize the Republican convention and candidate are news and are due a certain space on news screens, but I was wondering if the trend has not been accelerated by the absolute control of the newsreels by the motion picture trust. The Big Eight producing and distributing film companies today are facing half-a-dozen anti-trust suits by the Attorney General of the nation under the present Anti-Trust Act. It is perhaps a thought that with still further delay a new Administration might adopt a more friendly attitude? I shall watch with interest to see what treatment is given each of the two parties and their candidates during the coming months."

**Kansas City Area Has Few Closings**

KANSAS CITY, July 8.—Summer closings in this area are fewer than in the past. This year the area did not go to good business but to cool weather, although theatre grosses would have been down, just as the area had its normally hot Summer. On the basis of Film Delivery tonnage, receipts are off almost 25 per cent, and have been since early spring; yet prospects are better, since the 1940 harvest in Kansas is milking of business. Booking as the result of the defense program is expected eventually to aid general business conditions.

Several houses here have been closed for the Summer so far. A few houses which are being remodeled for the Summer closing as such; no other closings are planned, Commonwealth being the only one at this writing. Herman Lee has closed the Lee at Hillsboro, Kan., for July.

**Yeshiva Awards Are Aided by Film Drive**

SCHOLARSHIPS which were extended for the year 1940-1941 to the Yeshiva College, through the annual drive in the film industry, of which George J. Schaefer, RKO president, was chairman, were:

The Barney Balaban Scholarship, established in memory of his mother; the Nate J. Blumberg Scholarship, endowing film pictures in honor of its president; the Jack Cohen Scholarship, established in memory of his father; the Robert Cherniak Scholarship; the William F. Rodgers Scholarship, established by M. F. Rodgers, and the George F. Skouras Scholarship, established in memory of his mother.

**Cantor Heads Guild**

Edie Cantor has been elected president of the Cantor Guild, United Hebrew Medical Guild.

Other offices are: George Jessel, first vice-president; Sam Forrest, financial secretary; Dr. Leo Michel, chairman of relief.
RED HOT RIGHT NOW!

WENDELL WILLKIE
as guest star of issue #12

INFORMATION PLEASE

Matching his wits with the regulars

CLIFTON FADIMAN • FRANKLIN P. ADAMS • JOHN KIERAN and OSCAR LEVANT

Produced by FRANK DONOVAN Supervised by DAN GOLENPAUL

RKO -PATHE RELEASE

SEND THIS COUPON!
RKO RADIO PICTURES, Inc.
1270 Sixth Avenue,
New York, N. Y.

Gentlemen:
I am interested in the "Information Please" service for my theatre. Without obligation on my part, please quote price.

(NAME)

(THEATRE)

(CITY)
U.S. Charges Schine Trust In 37 Cities

(Continued from page 1)

Saranac Lake, N. Y.; Seneca Falls, N. Y.; and Malone, N. Y.

Competing theatres in these places are also listed.

The Government lists the following theatres which, it charges, have been overbought with protection in film bookings by distributors:

- Strand, Ogdenburg, N. Y., all distributor defendants; Capitol, New York, N. Y., all distributor defendants;
- Strand, Delaware, O., Paramount and United Artists; Strand, Hudson Falls, N. Y., all distributor defendants;
- Rialto, Lockport, N. Y., 20th Century-Fox, Universal, Warners, Vitagraph, Columbia, Paramount and RKO.

Carthage and Malone

Strand, Carthage, N. Y., all distributor defendants; Malone, Malone, N. Y., all distributor defendants; Vine, Norwalk, O., Paramount, 20th Century-Fox, Warners, RKO, Universal and United Artists; Norwalk, O., Capitol, Norwick, N. Y., and the Van Wert, Van Wert, O., all distributor defendants.

Theatres acquired by Schine which after acquisition, have been granted priority or preference over competing theatres which are not denied defendants are listed by the Government as the Colonial, Norwick, N. Y.; Strand, Ogdenburg; Capitol, Malone, N. Y.; Rialto, Lockport; O., Strand, Hudson Falls; S.; Carthage; Forum, Norwalk, O., and the Van Wert, Van Wert, O.

Veteran theatre operators in the territory over which theatres acquired by Schine are alleged to have been granted priority are the Star, Delaware, O., Palace, Lockport, N. Y.; Plaza, Malone, N. Y.; Memorial, Mt. Vernon, O.; Moore, Norwalk, O.; Summit, Malone, N. Y.; and the Ohio, Van Wert, O.

License Refusal Charged

The Government charges that all distributor defendants have "consistently refused to license motion pictures that are of some value for exhibition in small communities," and that last week to the Plaza Theatre at Malone and that the defendant 20th Century-Fox has likewise refused to license the Memorial Theatre in Mt. Vernon, O.

The claim also is made that the refusal to sell a second or subsequent run to the Plaza at Malone was made at the request of Schine defendants.

Names and locations of theatres over which it is charged unreasonable protection was granted to Schine defendants by distributors are the American, Canton, N. Y.; Playhouse, Clyde, N. Y., and the Avalon, Lowell, N. Y.

Houses that claim to have been charged more for legitimate or less favorable runs than Schine are listed by the Government as the Capital, Auburn, O.; the Palace, Corning, N. Y.; and the Madison and the Monroe, both in Rochester.

It is further charged that the following theatres, unless films which were licensed to Schine in excess of the reasonable exhibition requirements of the theatres, or from obtaining those films while they are still new:

- Aleck P. Papayanacos, Canton,
- Robert O. Griffith Theatres, reported no trouble in their towns with 16mm.

15 Circuits in Nebraska

Lincoln, July 8—About 15 circuits of free shows, five towns in each one, are now operating in the Nebraska territory, filming 16mm. films. Regular exhibitors have argued against them for some time, even to the point of seeking regulatory legislation, but lately have refused to pass it claiming the free show was a strong business puller in small towns, and political suicide to stop them.

Not Alarming in Cincinnati

Cincinnati, July 8—Theatre competition from 16mm. films exists in this territory, but not to a particularly serious extent as yet. However, occasional evidence of increased number and frequency of shows when acquired largely by religious and charitable groups, fraternal and civic bodies, and, in some instances, by private enterprise.

Showings are not, for the most part, on a regular schedule, but sporadic, ad hoc exhibition, if there is one at all, is very low, and uncertainties in lieu of admissions often are invoked, with proceeds diverted to religious or similar groups. Exhibitors are of the opinion that, "There isn't much we can do about it now," is the gist of exhibitor opinion, "unless we are attacked for its source by discouraging distribution or agitation legislation on the ground that 16mm. exhibitors are compelled to pay a license subject to the same regulations as a theatre operator."

KANSAS CITY, July 8—It is estimated that in five years the number of jack rabbit circuits in this territory will double, and that today three-fourths of them are using 16mm. films. Serving some 425 towns in the area, these portable outlets represent the No. 1 competitive factor in the 16mm. field.

Yet opposition from exhibitors has been very slight. A very few exhibitors have protested to film companies, and there has been some, but not much, effort to have the subject taken up vigorously by exhibitor associations—without result, so far.

Birmingham Undisturbed

Birmingham, Ala., July 8—The showing of 16mm. films in this territory is having no bother so far to exhibitors in this territory. Apparently the exhibitors have been able to control the situation or else there has been no demand for the old films. Exhibitors agree that these films could be a nuisance shown to any extent.

No Buffalo Objecttion

Buffalo, N. Y., July 8—While the showing of 16mm. films presents no problem to local exhibitors, such showings never achieving any degree of popularity within this city. The competition is not a factor of competition to the theatres, it is a chronic problem and complaint of exhibitors in the nearby towns and cities. Upstate exhibitors, especially those in Lancaster, have been alarmed for some time over the showing of such films in night clubs and taverns. In addition to the free showings in the evening, many places offer afternoon shows.

No Invasion of Spokane

Spokane, Wash., July 8—No 16mm. films have shown up in Spokane or adjacent territory, according to leading exhibitors. There are some such films being shown in the small towns, however.

Rubinger Heads W. B. Exploitation Division

Kansas City, July 8—Monroe Rubinger, district exploiter for Warners, opened his W. B. Exploitation Division in the second week at the Strand, "The Man Who Talked Too Much" with Bob Crosby's band on the stage and an estimated $8,000. Rubinger will cover Chicago, Milwaukee, Minneapolis, Indianapolis, St. Louis, Kansas City, Omaha, Des Moines and Memphis.

Exhibitors Generally Calm Over 'Jackrabbit' Shows

(Continued from page 1)

said Robert O. Griffith of Carmel, Ind. "There is practically no use of this class of product in our territory save in a few instances where parlor shows are being given free with an advertising angle."

Robert O. Griffith Theatres, reported no trouble in their towns with 16mm.

Censor Not Concerned With 16 mm.

Philadelphia, July 8—Mrs. Edna R. Carroll, head of the Pennsylvania censor board, has denied allegations by local exhibitors who charge that present censor activities are too strict.

She said the censor would not join any move to curb 16mm. exhibition, pointing out that a State's Attorney General opinion had held that the heating of films, "Sixteen millimeter is a legitimate industry," she said.

Allied Yields Divorcement Point in Suit

(Continued from page 1)

Last week, conferences were interrupted at last week, and the Government attorneys were in Washington for the holiday, during which a conference was held, given to Thurman Arnold, assistant Attorney General in charge of the anti-trust division.

Consider Clearances, Overbuying

Today's conferences between the attorneys for the defendant companies and the Government will concern clearance and overbuying. The entire committee received proposals on these points from the subcommittee last week, and the representatives for both sides will report back today on the attitude of their principals on these proposals.

There has been no agreement on specific points of arbitration. The main considerations to be settled are what parties will be entitled to demand arbitration, the possibility of being employed, and who is to bear the expense of the arbitration setup.

Favor Exhibitor Tax

Both sides regard favorably the provisions originally submitted in the Department of Commerce report on a fair trade practice code which placed part of the arbitration cost on the exhibitor by a tax of 10 cents a week.

Reliable sources doubt the possibility of a protracted adjournment of the conferences beyond the Summer. It was said that both sides are eager to bring the negotiations to a successful conclusion in an effort to settle the problem.

In the event a consent decree is drawn up while Judge Goddard is away on his vacation, no delay would be occasioned since the decree could then be submitted to any other Federal judge in this district for approval, it was explained.

(Heaven and 'Ghost') B'way Smash Hits

(Continued from page 1)

Orrin Hyde, known as the stage, "The Ghost Breakers" at the Paramount should end its first week tonight with an estimated $60,000, which is big. Both shows will probably go three weeks.

"Private Affairs" with a stage show" is doing very well and generating an estimated $20,000 in its first four days.

"Maryland" will open there Friday, July 17. It is scheduled for its second week at the Strand, "The Man Who Talked Too Much" with Bob Crosby's band on the stage and an estimated $8,000. On Friday "My Love Came Back" opens at the Strand with Ruby Valley's band on the stage. A revival of "Lost Horizon" at the Globe brought an estimated $6,000 for the week.
**Feature Review**

"Pride and Prejudice" (M-G-M)

From the best-selling novel of Jane Austen and the Broadway hit of the same name, producer Hunt Stromberg has fashioned for the screen an entertaining and delightful romantic comedy set in the Victorian era when a mother with five marriageable daughters was called upon to plot, scheme and carry on intrigue to see her offspring safely launched on the sea of matrimony.

For the prospective audience of millions who have read and re-read Jane Austen's tale of a lover too proud of his family and a girl prejudiced against class discrimination, there has been added the attractive lure of big marquee names. Mary Bolan, as the mother, might well be proud of her brood which includes Greer Garson, Maureen O'Sullivan, Ann Rutherford, Heather Angel and Marsha Hunt.

Laurence Olivier is in the male lead and the supporting cast has such distinguished names as Edna May Oliver, Frieda Inescort, Edmond Gwenn, Karen Morley and many others.

The story moves in the somewhat stately manner of the Victorian era and much of the flavor of that period is preserved in the sentimentality of the treatment of the film by Robert Z. Leonard, who directed. What the story lacks in action is over-balanced by its quiet humor and powerful, though restrained, emotions.

When Olivier and Miss Garson meet there is a sharp clash of tempers as their rival viewpoints cause them to quarrel constantly. A hasty renewal of marriage is refused by Miss Garson because she objects to Olivier's condescending approach. Later, however, Olivier arranges a marriage for one of Miss Garson's sisters who had run off with a soldier and there is a general reunion with each of the sisters displaying her respective husband or beau.

The screenplay by Aldous Huxley and Jane Murfin from the dramatization written by Helen Jerome. Running time, 118 minutes. "G."

Edward Greif

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**Maryland' Opens in Baltimore Tomorrow**

(Continued from page 1)

The affair will be broadcast over WFBF, Baltimore. Tomorrow a yacht trip down Chesapeake Bay to Annapolis will precede the evening premiere.

Arrangements have been handled by Morris Mechanic, managing director of the two houses, and the staff of Charles E. McCarthy, director of the Century-Fox advertising and publicity. Herman Wobber, general sales manager, will also attend. From the home office also will go William Sussman, Eastern division manager, McCarthy, Rodney Bush, Earl Wingert, William Chambliss and Edward Solomon.

**Alex Papand Dies**

St. Louis, July 8—Alex Papand, who was interested in the White Way, Powhattan and Avalon Theatres here, died last week while visiting relatives in Mexico, Mo. Papand, a native of Greece, was 57 and one of the veteran exhibitors in St. Louis. His widow survives.

**Barry Burke Honored**

MINNEAPOLIS, July 8—Approximately 100 theatre men, managers, city executives and others joined here in a midnight banquet honoring Barry Burke, who resigned as manager of the Twin Theatre district for the Minnesota Amusement Co.

**Schott and Son Drown**

DALLAS, July 8—Harry C. Schott, 32, and his 11-year-old son, Eugene, were drowned yesterday when an excursion boat carrying members of a film forwarding agency, capsized in Lake Dallas.

**Four of a Kind**

CHICAGO, July 8—Four Warner Theatre employes here will be tendered a bachelor dinner at the Warner Club rooms here on July 19. The four are: John Maloney, manager of the Chicago; Roy Dunn, Orpheum, Hammond, Ind.; Edward Hendrickson, assistant at the Stratford, and Richard Reed of the circuit tax department. Charles Ryan, district manager, and James Conlin, zone manager, will act as hosts.
**Feature Reviews**

"**Scatterbrain**"

(Republic)

Hollywood, July 8—"Scatterbrain," which introduces Judy Canova to screen as "the Jenny Lind of the Ozarks," is one of the year's funniest pictures. It takes a hillbilly girl, through mistaken identity, to Hollywood as a prospective film star, through the vicissitudes of studio politics, to emerge as a star. In her first film vehicle, Miss Canova demonstrates that she is a singer as well as comedienne.

She is given excellent support by Alan Mowbray, in one of his best screen roles as "Oz." Donald Meek, Wallace Ford, Isabel Jewell, Luis Alberni, Billy Gilbert, Emmett Lynn and Jimmy Star. Music was furnished by Cal Shrum's Gang and Matty Malneck and his orchestra.

Jack Townley and Val Burton, in writing the original screenplay, provided Associate Producer and Director Gus Meins with great opportunities to let comedy have full sway. The script was an ideal vehicle for writing of the type for which this is. It combines slapstick, burlesque, and dialogue and situation comedy into one of the most carefree entertainments items to come out of Hollywood in a long while.

Running time, 71 minutes. "G."**

**VANCE KING**

"**One Man's Law**"

(Republic)

This is a variation of a story that often repeated in outdoor action screen fare, that of a roving cowboying a community of unlawful elements. George Sherman shows expert direction in keeping the production true to Western tradition. Fisticuffs and pistol battles come in rapid fire succession.

The hero is Don "Red" Barry, who is heralded by his associate, Dub Taylor, as being a ruthless killer, and finds himself welcome with the members of Trailmen. He soon wins their favor, however, as the result of a fight in which he runs a gangster out of town. Thereupon, commissioned by the townfolk, Barry undertakes to restore peace, and by so doing have a railroad run through. His efforts prove successful, and prosperity comes to the town.

Janet Waldo is featured with George Cleveland, Edmund Cobb and Dicken Scott in support.

Running time, 57 minutes. "G."**

**"G" denotes general classification.**

"**Drive for Brazilian Production Failure**"

WASHINGTON, July 8—Efforts of the Brazilian Government to foster a domestic motion picture producing industry have so far proved unsuccessfull. The Department of Commerce has been advised in a report from the office of the American commercial attaché at Rio de Janeiro.

According to reliable information, the report stated, the local motion picture studios and laboratories making shots represented an investment of approximately $111,800, but at the present time the total value of the Brazilian industry, centered in Rio de Janeiro, amounts to only $50,000.

The commercial attaché also reported that the single studio located in Sao Paulo has been closed.

"**Globe Completes Coin Machine Prints**"

Hollywood, July 8—First group of short subjects for coin-operated automatic projection machines will be released this week by Mayer's Globe Productions. With Henry Henigson as production chief, Globe has completed eight subjects for Mills Electric, the only coin machine company so far. The film production of the films is now geared to about 400 machines weekly.

"**Club Charity Drive Begun in Pittsburgh**"

PITTSBURGH, July 8—The local Variety Club is attempting to raise $75,000 for its various charities this year, including the milk fund and Camp O'Connell, vacation spot for poor children.

The big charity event will be "Turtle Day," in September, when 250 turtles, each "bought" for $10, will compete. John H. Harris, national chairman, is general chairman; Harry Kalmine is in charge of advertising, and C. C. Kellenberg is "Keeper of the Turtles."

"**Wehrenberg Closing 2**"

ST. LOUIS, July 8—Edward Wehrenberg, co-owner of 25 neighborhood houses, has closed the Dakota and is preparing to close the Normandy because of a wage dispute with the operators' union, Local 143, and poor business. He plans to close the rest of the theatres by mid-July.

"**Korda Sets Leigh Film**"

HOLLYWOOD, July 8—"Woman Hunt," based on a novel by Mary Web, is scheduled as Alexander Korda's next film for Vivien Leigh. Korda has a commitment with Miss Leigh to one film. He retained when he sold his contract with her to Selznick International.

"**New Moon** $10,200"

IS MILWAUKEE HIGH

MILWAUKEE, July 8—The National Education Association convention coincides with the release of "New Moon" and "Florian" took $10,200 at Fox's Wisconsin. Estimated takings for the week ending July 4-8:

- "Your's Not So Tough" (Univ.)...$15,000
- "Sandy Is a Lady" (MGM)...$11,000
- "Strange" (MGM)...$7,600
- "The Last Remains of the Day" (Univ.)...$6,500
- "The Story of the Purple Orchid" (W. B.)...$5,500
- "The Mortal Storm" (M-G-M)...

"**New Moon** $10,200"
"Upon reading Motion Picture Herald"

- - - "LIKE MANY THEATRES, I NEVER KNOW JUST WHAT ISSUE OF THE VARIOUS NEWSREELS I AM ABOUT TO RECEIVE.

UPON READING MOTION PICTURE HERALD I NOTICED THAT ONE ISSUE OF THE PARAMOUNT NEWS CARRIED THE FIRST ACTUAL WAR SHOTS. I WATCHED FOR IT HAVING MY OPERATOR RUN THEM OFF FOR ME UPON ARRIVAL.

AS SOON AS THE RIGHT ISSUE CAME IN I HAD MY LOCAL PRINTER RUN OFF A DATE LINE ON SPECIAL FLIERS WHICH HAD BEEN PREVIOUSLY PRINTED.

BY NOON OF THE SAME DAY, THESE WERE DISTRIBUTED OVER TOWN IN EVERY HOUSE AND STORE. AND DID IT SHOW AT THE B.O. THAT NIGHT!"

BOB COX
PARK THEATRE
DEXTER, MAINE

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

MOTION PICTURE HERALD
ROCKEFELLER CENTER
NEW YORK
WASHINGTON, July 8—Issuance by President Roosevelt of proclamation setting up a coordinating body for communications as part of the national defense program may be expected in the near future, it was indicated in Government circles today, but the proclamation will involve neither Government operation nor supervision of broadcasting.

Assurances that there will be no interference with the normal activities of broadcasters were given today by FCC Chairman James L. Fly who asserted that there is not only any need for Government operation but that the “Government is not qualified to take over broadcasting.”

No Cause for Alarm, Says Fly

While refusing to make public any of the details of the proposed plan, Fly indicated that broadcasting, as in the past, will be used as a medium by which the Government can reach all the people, with little or no interference in radio’s general activities.

“There is no occasion now, and I hope there never will be, for the industry to be concerned,” Mr. Fly said. He explained that committees representing broadcasting as well as other communications methods had been set up and that the program “will leave private operations in private hands, as at present.”

Operations to Be Unimpeached

“It would be very unfortunate if the commercial operations of the broadcasters were at all influenced. There is no reason why the commercial operations should not go on absolutely unimpeached. Should we get into a war there are some things the Government would do but I should think they would be particular things rather than any action of sweeping character affecting the broadcasting industry,” Fly said.

Some FCC Requirements

A step leading toward the organization of the FCC is being studied to permit one official to be on hand at all times during summer months. The calendar is being revamped to permit immediate consideration of any problem which arises from the defense program. It is also announced that since many applications as possible during the next two months to prevent any accumulation in the fall.

Two More Louisiana Film Bills Withdrawn

NEW ORLEANS, July 8—Two more bills of an original dozen directed at the vaudeville trade withdrew in the Louisiana House. Representative Wilbur McCain has withdrawn his bill which proposed a tax of 4 cents per ticket on vaudeville admissions. He had withdrawn a similar measure in the Senate.

Columbus Exhibitors Facing Difficult Time

COLUMBUS, O., July 8—In addition to general economic conditions, the competition prevailing at this season, and with state and Federal tax laws, are causing some difficulties. The tax law is being proposed in an effort to reduce nearly 35,000 dollars in revenue, as the city’s exchequer is being depleted.

The exhibitors and managers, to which the office is available, are meeting the situation by the imposition of a tax of 10 cents on the dollar charged for admission to the showrooms.

Condemn ‘Wives’ Ban

The National Council on Freedom from Censorship, organized by the American Civil Liberties Union, has gone on record condemning the action of the New York State Board of Censors in banning the “Merry Wives,” Czechoslovakian film, distributed by Edgar E. Lloyd.

Further Inquiry Shows No Protest On Federal Levy

FURTHER reports from the field on box-office reaction to the new Federal defense tax follow:

Lewistown, Pa., July 8—Paul O. Klinger, manager of the Railto hotel, reports that there have been no objections to the new Federal levy on admission taxes. The house has reduced the tax to 50 cents on stage shows to 36 cents, so that the total with the four-cent tax passed on, amounts to 40 cents. The regular price is 30 cents, to which is added the three-cent tax.

No Spokane Objections

SPOKANE, Wash., July 8—There have been no adverse reactions to the new Federal admission tax, exhibitors report.

“None whatever,” replied Joseph J. Rosenfield, city manager of the Evergreen circuit, when asked if the public has shown any reluctance to paying the tax.

Minneapolis Pays Willingly

MINNEAPOLIS, July 8—Theatre managers here have paid their Federal admission tax, which has been passed along to patrons by all theatres in this area, have been paid by the public without protest.

Little Comment in Seattle

SEATTLE, July 8—The first few days of increased admission rates at local theatres, as a result of the new Federal tax, has failed to arouse much comment, according to theatrical audiences, who have paid the increased admission rates.

Boosted Prices Are Accepted by the public as a “necessary evil” and there is no indication that business will slow down.

Friede Passes Tax On

SAN FRANCISCO, July 8—With one exception, all local theatres have added 10 cents per admission charge, under the new law, regardless of whether the total makes even change. The lone exception is the United Artists, which absorbed the 10-cent tax from receipts and reduced the evening top price from 55 to 50 cents.

Detroitors Pay Willingly

DETROIT, July 8—Local film patrons have voiced little or no objection to the payment of the “defense tax” on their admission fee, theatre managers report. The added tax has not hurt business, a survey disclosed.

Tax Collections at

New High in Mississippi

JACKSON, Miss., July 8—Collections on the amusement tax in Mississippi during the first half of 1940 are at all-time peak for the “defense tax” on admission fee, theatre managers report. The added tax has not hurt business, survey disclosed.

Tax Collections at

New High in Mississippi

JACKSON, Miss., July 8—Collections on the amusement tax in Mississippi during the first half of 1940 are at all-time peak for the “defense tax” on admission fee, theatre managers report. The added tax has not hurt business, survey disclosed.

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Answers Exhibitors’ Plea
For Voice in Decree

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Lytell Denies Reds
Dominant in Equity

A blanket denial that either the Actors Equity or Screen Writers’ Guild is dominated by Communists was issued yesterday by Bert Lytell, president of the Screen Actors’ Guild. Mr. Lytell said that there is no evidence to support such a charge. Mr. Lytell also denied that the Red Forum is the only group that is attempting to organize the actors.

Canada Taxes Up, Business
Holding Own: Nathanson

Film business in Canada is holding up reasonably well, but the Government is taking a good deal more of the industry’s income in the form of taxes than ever before, N. L. Nathanson, head of Famous Players Canada, has found in a week on business, said yesterday.

Canada motion picture corporations, as do all others in the Dominion, pay approximately 35 per cent of their annual earnings to the Government in the form of Federal and Provincial income taxes. Nathanson estimated that the industry, which has had some effect on grosses in certain situations, but on the whole has not been a serious threat to theatre receipts, he said.

He characterized the gigantic war bond program as the biggest thing in Canada’s history, and the new clearance structure for the industry. Representatives have been named for a National Clearance Board by the independent exhibitors, circuits and exchanges. Nathanson expressed the belief that the new clearance setup would be practical and efficient in operation.

Facilities are not yet sufficient in Canada to make large scale production a practicable venture. Nathanson said (Continued on page 4)

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JOSPEH PATRICK KENNEDY, Ambassador to Great Britain and one-time film company executive, is offered by William Randolph Hearst to the Democratic Party as a candidate for the presidential nomination. Hearst suggested the nomination in a four-column editorial in his newspapers yesterday under the heading "Qualified—and Attractive." Hearst calls attention to Kennedy's knowledge of foreign affairs, his experience against our intervention in the European war, his long business and financial experience.

Republic Names Loy As Manager in Butte

E. M. Loy has been appointed branch manager for Republic in the Butte, Mont., exchange, by James R. Granger, Republic Pictures' president. Loy, replacing Robert Boomer, who resigned to take over a theatre interests in Montana, was formerly connected with Paramount and Fox in the Denver and Salt Lake territories.

'Island' Is Released

Warners' "Devil's Island," withdrawn in February, 1939, after protest by the French Consul in Los Angeles, will open Saturday at the Globe. Touching on life in the French penal colony, the film was considered exaggerated, and was withdrawn by Warners rather than offend the French Government.

ARRIVING on the TWA Stratoliner yesterday on its initial flight from the Coast were: HERMAN WINTER, 20th Century-Fox sales chief; ALEXANDRA KORDA, British producer; BASIL BURCH, assistant to Korda; BARNEY BRISKIN and GENE ST. CYR of Sol Lesser Productions; LARRY GUTZBERG and J. WATSON Web of 20th Century-Fox; NANCY KELLY, BRENDA JOYCE, PAULETT GODDARD and TREVOR POWELL.

THOMAS J. CONNORS, Eastern division sales manager for M-G-M, is in Washington.

ABRAM F. MYERS, general counsel of Allied States Association, is visiting in Atlanta from his headquarters in Washington.

BURT CHAMPION of the United Artists home office publicity department, will leave Friday for a three-week vacation on Long Island.

HAROLD BERNSTEIN, owner of the suburban Plaza, Cincinnati, and a director of the L.T.O. of Ohio, has returned from a vacation in Hollywood.

TOBY GREN, J. J. Unger, John W. HICKS, Jr., John DENIS, IRVING BERLIN and SOL BORSTEIN lunching at Nick's Hunting Room in the Astor for lunch yesterday.

JOSEPH LAMM, chief accountant for Monogram, is in New Hampshire on a two-week vacation.

WALTER AMERGANT, general manager and editor of The Pathé News, is the father of a daughter, weighing nine pounds, born to Mrs. AMERGANT Monday night at New York Hospital. It is the couple's first child.

WILLIAM SUSSMAN, Eastern sales manager for 20th Century-Fox News, left for Baltimore by plane yesterday to attend the premiere of "Maryland" there today.

EDWARD SCHIEBER, assistant treasurer for Monogram, and his bride, the former EVELYN L. KORPEL, left from New York by train for a two-week honeymoon trip.

JOHN ANCHER, head booker at the Warner Des Moines exchange, is on tour now for a two-week vacation in the Ozark Mountains.

HARRY BRANDT, TED LEWIS, HARRY LEW and MOLLY MOSKOWITZ at Lindy's (51st St) yesterday for lunch.

RUBE JACKER, WILLIAM MOSES ARE MONTAGUE, LOU WINBERG, MILTON BEBLE AND HARRY COSMAN at Lindy's (next to the Rivoli) for lunch yesterday.

J. ROBERT RUBIN, CHARLES SONN, CHARLES CASANAY, HAROLD OLRICK, JOHN D. HERTZ, J. VICTOR PAYNE JENNINGS AND SIDNEY PHILLIPS lunching at Sardi's yesterday.

KARL KARSTAD of the Lyceum, Redby, Minn., is a World's Fair visitor.

JOSEPH BEAN of the Durfee, Fall River, Mass., is in town.

LOYD LIND, head of the contract department at Monogram's home office, is vacationing at Westport, L.I.

JACK PEGLER, SAM SPRING, OSCAR A. DOERR, CHARLES BERNHARD, JOHN H. HERTZ, JASON PAYNE JENNINGS AND SIDNEY PHILLIPS lunching at Sardi's yesterday.

MAX SILVERWATCH of Warner's Strand, Waverly, Mass., and Mrs. Silverwatch were visitors here this week.

MR. AND MRS. SAM ABEYMAN observed their eighth wedding anniversary yesterday.

Crandlell, Stein Signed

Milton Crandlell and Ed Stein have been assigned by Cole MAU- rice BERGMAN, WILSON BARKER, CHARLES BONN, MACK LITTMAN, PAUL BENJAMIN and WILLIAM PITTEL- son at the Tavern for lunch yesterday.

MAX SILVERWATCH of Warner's Strand, Waverly, Mass., and Mrs. Silverwatch were visitors here this week.

MR. AND MRS. SAM ABEYMAN observed their eighth wedding anniversary yesterday.

Yorke's Mother Dies

HOLLYWOOD, July 9—Mrs. Amelia Yorke, 80, mother of Gable Yorke, died last night at her home here. The body will be shipped to New York for services.

BRITAIN'S preparations for the Nazi blitzkrieg and children refuges arriving here except that news stories are stories of importance in the new issues. The reels and their contents follow:


Ohio Censor Cuts Near Record Low

COLUMBUS, July 9—Except for July, 1938, the 46 reels reviewed by the Ohio censors in June constituted the smallest number in any one month since January, 1937. There were 20 eliminations ordered in June. Comparatively, there were 43 reviewed and 29 eliminations ordered in May, while the June, 1939, figures were 300 reels, 36 eliminations and 12 reels rejected.

M. J. Siegel to Coast

M. J. Siegel, Republic production chief, left for the Coast last night following two weeks of conferences here on new season films. George "Gabby" Hayes, Republic player, accompanied him.
THE NEATEST TRICK OF THE WEEK!
(it’s better than the old Indian Rope Marvel!)

2 RECORD-BREAKING M-G-M HITS IN A ROW!
(it’s an old M-G-M custom!)

"NEW MOON" HELD OVER!
topping mid-winter highs in mid-summer heat!

"ANDY HARDY MEETS DEB" SOCKO!
registering biggest grosses in several years and holding over!

MORE BIG ONES COMING!
("Pride and Prejudice" booked into Radio City Music Hall. "Boom Town" sensational! It’s another M-G-M Summer!)
Foresee U. S. Firms Using Money Quota

London, July 9—New British Government defense regulations, to be issued tomorrow, will institute the monetary quota to be used optionally by distributors as an alternative to the present quota based on footage.

The monetary quota, which is expected to be used by virtually all American distributors here, is expected to result in a sharp decline in the production expenditures here by foreign companies.

British support is assured for the monetary quota by reason of the inclusion of a clause requiring all quota product to have a minimum of £1 per foot of British labor cost. Under the monetary quota, all films must pass the quality and other requirements called for by the existing Films Act.

For every 100,000 feet of film registered the distributor must acquire one film, of at least 7,000 feet, fulfilling the cost requirements and other distributor’s quota stipulations.

Under the present system, a distributor registering 100,000 feet of film must acquire a minimum of 90,000 feet in six double-quota features at a labor cost of £100,000. The new plan reduces the figure to three films at a British labor cost of £35,000.

Films made here and acquired for sale abroad will be accorded extra quota credit.

The Board of Trade has instituted an insurance plan under which producers will be protected against losses which result directly from enemy attack.

The Board of Trade and the Ministry of Information may admit certain films, presumably of propaganda value, which may otherwise be disqualified under the distributor quota rules.

The quota arrangements result in too sharp a decline in the total number of films available in this country, the Board of Trade may consider an emergency reduction in the quota percentages.

The new measure is retrospective to April 1. The period in which bookings may be made abroad has been extended from the present six months to 12 months.

It is unofficially understood that the Treasury Department has a plan under consideration by which special credit will be given on American funds frozen in this country which are used for investment in British production.

Price Cut Costs Oriental Film, Clearance Shift Seen

(Continued from page 1)

in a state of doubt. There have been a few increases of a nickel to cover tax, a few decreases to escape its application. Most exhibitors, including circuits, are watching the situation realistically. They will continue to pay tax under normal circumstances, in particular situations, when they will, they say, reduce prices to whatever extent necessary.

Canadian Clearance Delayed by War Drive

Toronto, July 9—A halt has been called in the organization of a new clearing agency for Canada, because the whole industry has combined in its Win-the-War campaign to encourage the sale of war material in conjunction with a free show in all Canadian theatres next Monday. Film exchanges have made a generous allowance to exhibitors for performances in either rental rebate for the day or in providing an entirely different program for the occasion.

After a special meeting of the Film Section of the Toronto Board of Trade, on which Board a resolution was unanimously adopted in a move for clearance reform, the independent exhibitors have announced their support for the proposed National Clearance Board. The exchanges and circuits have agreed to select two representatives each but the trade’s patriotic drive intervened. It is expected that the clearance board will be established in time for the new year.

The nominees of the unaffiliated theatre owners include: Harry Alexander and N. A. Taylor. Alexander is president of the Independent Theatres Association of Ontario while Firestone is vice-president and president.

Changes, if any, would be primarily in clearances, it being pointed out that some concessions will have to be made in line with the desire to forestall a multiplicity of anti-trust suits.

Although a half dozen of such suits were introduced against Warners last year, none reached the court, outside settlements made in favor of the independent exhibitors in the cases.

In addition to the cases pending, at least another half dozen exhibitors have signified their intention of instituting anti-trust action against the circuit. It is believed, thus, that concessions in clearances would forestall much of the contemplated court action. And while changes in zoning rules are hardly expected, it is pointed out that one of the pending antitrust suits, case of David Milgrim, is based on inequality allegations because of a zoning situation.

A further situation that might motivate changes is the fact that the Carman Theatre, which has an anti-trust clause pending against Warners, was forced into receivership early in July.

Miami Clearance Remains the Same

MIAMI, July 9—Survey of Wometco and Paramount circuits and independent houses indicate no changes in clearance rules is being contemplated here. The Miami area has no zoning setup.

N. Y. and Coast Publicists Merge

The executive council of the Screen Publicists and Advertisers Guild of New York has taken affirmative steps which are evidence that the objectives of the Eastern unit would be attained, following the unanimous authorization for affiliation by the Screen Publicists Guild on the Coast.

The New York unit henceforth will be known as the Screen Publicists Guild of New York. Delegates will meet in Hollywood next month for a constitutional convention of the national guild.

We Need No Help in ‘Suit’, Declares U.S.

(Continued from page 1)

were always glad to receive the views of persons interested in matters before Congress.

The P.C.C.I.T.O. had telegraphed Assistant Attorney General Thaddeus Arnold requesting the privilege of sending suggestions and recommendations.

The wire said:

“We have read with great interest present consent decree negotiations based on the Government’s New York suit on the motion picture industry. We realize that conditions affecting exhibitors in different parts of the United States continue today. Our exhibitor organization represents seven states on the Pacific Coast and approximately 1,000 theaters, all of whom are independent. Therefore in effect it is decided to request recommendations or consultations with any exhibitor body represented. We would respectfully request the privilege of making constructive suggestions and recommendations.

“We are making the request because of our vital interest in the protection of our small independent theatre owners. We would be glad to have your consideration and early reply.”

Lawyers’ Wrangle Leaves Status of Quo

Meantime in New York, after one of the most fiery days of wrangling since settlement negotiations in the Government’s anti-trust suit started, Government and defense lawyers emerged yesterday from an all-day session without a solution or a day when discussions were re-continued.

With a full week to study and consolidate their positions, the attorneys started a very heated discussion of the course of the day. With the feelings cooled but no agreement was reached on any single point. As one counsel declared: “Our lawyer expressed it, “Well, anyway, now we know where everybody stands.”

Principal subject under consideration was discrimination, the problem of selling to affiliated and independent theatres. The subject drew heated discussion in both wadles.

When MOTION PICTURE DAILY reporters arrived at the Bar Association at 5 o’clock when the meeting adjourned until this morning, they found some of the attorneys hoarse and unable to speak above a whisper.

The meeting was attended, interspersed with scores of memoranda and private notes. One group of lawyers sat simmering over a table enjoying a brief respite before returning to their offices.

U. S. Helps on ‘Wings’

Hollywood July 9—The War Department will cooperate with Paramount in making “I Wanted Wings,” story of the training of an Air Corps officer. Location will be made at Randolph Field, San Antonio, Tex.
**Motion Picture Daily**

**Heaven’s Is Frisco Best, Hits $14,000**

**San Francisco, July 9.—**"All This and Heaven Too," single featured roadshow prices, drew $6,400 at the Branc-

**Warners to Make Annual Feature on ‘Lemp Family’**

Hollywood, July 9.—Warners are planning an annual Lemp family picture. Having announced last week the conclusion of its successful "Four Mothers," the studio reports that the following picture, to be made next year, will be "Four Families." The six babies to be seen in "Four Mothers" will be shown in the following picture as being a year old. The LAX flyer proclaims that the other "Lemp" regulars will appear in both pictures.

**Chris-Pin Martin and Robert Lowell have been cast in The Californian," 20th Century-Fox; that studio also placed under contract Laiba Czogar, who starred in a local production of "Oscar Wilde." Signe Hasso, Swedish film star, has been signed by the studio for a role. Day day displays the feminine lead in M-G-M's "Dr. Kildare Goes Home," featuring Lionel Barrymore and Lida Ayles. Alan Mowbray will have a featured role in "Touchdown" at Paramount.

**New Studio: Adams—Detroit**

EDWARD H. GRIFFITH, Paramount producer-director, planned to New York over the weekend preparatory to going to Charlottesville to start shooting "The Bluebeards."

**Earthy Bound,' $6,000)"**

WORLD—(40c) 7 days. Gross: $7,000. (Average, $935.)

**The Ghost Breakers** (Para.)

Lucky Cisco Kid (20th-Fox)

**Earthy Bound,' $6,000)"**

**St. Paul:**

"Earthbound," (20th-Fox) 7 days. Gross: $5,000. (Average, $714.)

**The Ghost Breakers** (Para.)

**Moon’s Kansas City Leader with $11,500**

Kansas City, July 9.—"Moon" took $11,500 at the Midland. "All This and Heaven Too" took $8,400 at the Orpheum.

**Six Takes for the week ending July 3**:

**Pop Always Pays** (RKO) GOLDEN GATE—(20c) 7 days. Gross: $7,500. (Average, $1,071.)

**Private Affairs** (Univ.)

"I Can’t Give You Anything But Love, Honey, Honey" (Selznick) ORPHEUM—(20c) 7 days. Gross: $5,500. (Average, $786.)

**New Moon** (M-G-M)

**One Million Doors** (B.W.)

**Safari** (Para.)

**WAS An Adventures** (20th-Fox)

**PARAMOUNT—(20c) 7 days. Gross: $6,500. (Average, $1,132.)

**One Million Boys** (B.U.)

**The Ghost Breakers** (Para.)

**The Baker’s Wife** (Fox)

**All This, and Heaven Too** (W. B.)

**The MAJESTIC CARLTON—(20c) 7 days. Gross: $6,500. (Average, $929.)

**The Bluebeats** (First National)

**Earthbound,' $6,000)"**

**St. Paul:**

"Earthbound," (20th-Fox) 7 days. Gross: $5,000. (Average, $714.)

**The Ghost Breakers** (Para.)

**Moon’s Kansas City Leader with $11,500**

Kansas City, July 9.—"Moon" took $11,500 at the Midland. "All This and Heaven Too" took $8,400 at the Orpheum.

**Six Takes for the week ending July 3**:

**Flight Angels** (W. B.)

**Eight Takes for the week ending July 3**:

**Bob Hope in Omaha**

OMAHA, July 9.—Bob Hope and his radio troupe have been booked for the Orpheum Theatre for a one-day appearance on July 14. Prices will be fixed at $2 to 75 cents for the only stage show to play Omaha since early this year.

**Five Companies Formed**

ALBANY, July 9.—Five companies all of New York, formed here, include: Prudential Pictures, Inc.; Met- sun Amusement Corp.; BSB Film Corp.; W. M. W. Theatre Corp., and Talk-A-Vision, Inc.
**Feature Reviews**

**“Wagons Westward”**

(Republic)

“Wagons Westward” is an ambitious outdoor action film. In the leading roles are such screen personalities as Chester Morris, Oma Munson and Anita Louise. Also prominent in the film are George “Gabby” Hayes and Buck Jones, extremely popular with Western audiences. Guinn “Big Boy” Williams and Douglas Fowley are in minor roles.

In directing the original screenplay of Joseph Moncreif March and Harrison Jacobs, Lew Landers has combined effectively the action and dramatic elements. Photography is superior to the average Western. Armand Schaefer was associate producer.

Morris has a dual role, as twins brothers, one, Tom, a hardened murderer, and the other, David, the direct opposite. The two are first seen as boys with the character of each firmly established, Tom ruthlessly killing an Indian while David attempts to prevent him from doing so. The story picks up later, David a Government agent. David tricks Tom into arrest and thenee poses as the latter so as to capture other criminals. Miss Munson and Miss Louise, as sisters, provide the love interest.

This is a wholesome and highly entertaining Western film, one that many patrons other than Western fans should enjoy.

Running time, 69 minutes. **G.**

**“Sporting Blood”**

(M-G-M)

Hollywood, July 9—Robert Young, Maureen O’Sullivan and Lewis Stone are the principals in this story of romance and horse racing in Virginia, and are aided primarily by William Gargan and Lynne Carver.

The screenplay by Lawrence Hazard, Albert Mannheimer and Dorothy Yost was written for an original by Grace Norton. It concerns the return to his ancestral home, fallen into disrepute, of a boy scorned by the community because his father had run away 20 years previously with the wife of the leading citizen.

In marrying one of the daughters of the man who had been wronged, the revenge motive gives way to love, and the girl’s horse, replacing one injured in a fire, wins a big race and brings reconciliation between the boy and his father-in-law.

Produced by Mary Loew and directed by S. Sylvan Simon, the picture was well received by the preview night audience.

Running time, 58 minutes. **G.**

**Moon’ at $17,000**

Cleveland Smash

Cleveland, July 9—“New Moon,” grossing $17,000, gave Loew’s State its best since “Rebecca.” “The Ghost Breakers” drew a good $6,500 in its second week at the Ohio.

Estimated takings for the week ending July 4:

- **Brother Orchid** (W. B.)
  - ALLEN—$3,000 (3/8c-87c) 7 days. Gross: $21,000. (Average, $3,000)

- **Acme of Windy Poplars** (RKO)
  - RKO PALACE—$3,000 (3/2c-99c) 7 days. Gross: $21,000. (Average, $3,000)

- **New Moon** (M-G-M)
  - LOBSTER STATE—$3,000 (3/2c-87c) 7 days. Gross: $21,000. (Average, $3,000)

- **Waltz’ with a Fox** (M-G-M)
  - RKO PALACE—$3,000 (3/2c-47c) 6 days. Gross: $18,000. (Average, $3,000)

- **A People’s Counsel** (M-G-M)
  - RKO PALACE—$3,000 (3/2c-99c) 7 days. Gross: $21,000. (Average, $3,000)

Waltz’ with a Fox and A People’s Counsel were the biggest draws in the theater’s history. A People’s Counsel established a new record for the week, grossing nearly $21,000.

**Rites for Bates Today**

Hollywood, July 9—Funeral services for Graville Bates, 58, character actor who died on the eve of the starting of his latest release will be held here tomorrow. Bates, who succumbed to a heart ailment in Hollywood Hospital, had been cast for “Meet John Doe,” a Frank Capra picture, at Warners.

**Ritter Plans Tour**

Tex Ritter, Monogram Western star, plans a personal appearance tour of the Mid-Western theaters, starting this week and continuing to Aug. 10.

**Reserves Tax Decision**

Morristown, Ark., July 9. — The Chancery Court has taken under advisement a demurrer of the city to a complaint filed by Malco Theatres, to obtain the city’s organis enforement of two city ordinances, one to limit the number of theatres which one owner may run and the other to levy a tax on circuits in addition to regular license charges.
"Ideas"

• • • "WE HERE AT THE STRAND IN GREEN BAY, ANXIOUSLY AWAIT THE ARRIVAL OF MOTION PICTURE HERALD EACH WEEK TO READ AND ASSIMILATE THOSE IDEAS AND SUGGESTIONS WHICH ARE APPLICABLE AND PRACTICAL FOR OUR USE" • • •

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

JOE BAISCH
Manager

STRAND THEATRE
GREEN BAY, WISCONSIN
Webs Primed On Democratic Meet Coverage

This story will be of interest to theatre men who found radio coverage of the recent Republican convention a competitive problem.

Experience gained at the Republican convention is expected by the three major networks to be a major aid in covering the Chicago convention of the Democratic party which gets under way Monday. The entire staff of commentators who were present in Philadelphia will also be on hand for next week's sessions but experienced newsmen will be drawn from the mid-Western stations instead of from New York.

The minute-to-minute schedule which was used successfully for the first convention will be adopted Monday. Friday's afternoon broadcast is expected to be aired and the broadcasts will be continued through Sunday.

If the format of the convention ends, the general CBS coverage plan for the Democratic sessions will be 9:15 to 9:30 A.M.—news from the convention; also at 3:30 to 3:45 P.M.; Bob Trout, 6:00 to 6:30 P.M., Monday, Wednesday and Friday, with other time slots brought in to fill different sections of the country at 11:00 and 11:35 P.M.; Paul Sullivan, 6:30 to 7:00 P.M. on Tuesday, July 16, and again at 7:15 P.M. and 1:00 A.M.; portions of the 6:45 P.M. "The World Today" programs, and Davis's 8:55 P.M. analysis.

Other broadcasts from the convention include: Monday, July 15, portions of the 10:30 to 11:00 P.M. program; Tuesday, July 16 and 17, portions of 11:00 to 11:30 P.M. program. Tuesday and Thursday, July 16 and 18, Bill Henry in Philadelphia, 6:30 to 7:00 A.M. Wednesday, July 17, portions of 10:30 and 11:00 P.M. program; and Thursday, July 18, portions of the 6:30 and 11:00 P.M. program.

NBC, which scored a beat at the Republican convention in Philadelphia by making Robert E. Farley, followed by John Hamilton, then national chairman of the party, as a commentator at the end of each session, will also have James A. Farley, national chairman of the Democratic party, as commentator in Chicago. Each time the convention recesses, Farley will go to the NBC booth to discuss the session.

Mutual's description of the convention will be carried exclusively by a number of leading Chicago hotels, including the Palmer House, Stevens and Witte. All programs will be heard over the public address system in the rooms of guests.

Rodagnotch to D. of C.

Des Moines, July 9—Des Moines, July 9—Joseph Rodagnotch, booker for the Universal service, is down with the flu, and change here, has resigned to join the Department of Commerce in Washington. Rodagnotch arrives in Washington to assume his new work today.

Off the Antenna

A NOVEL type of program to introduce station personnel to the listening public has been set up by Jerry Lansing, station announcer, at WTRY, Troy. On Friday mornings he broadcasts a quarter-hour of news, gossip and general information concerning the station.

Gillette, the founder of the corporation, interviews a performer on a regular show which is heard over the station or one of the directors of the station's specialized activities.

Purdy Personal: Walter Holmes, WRBNX staff announcer, and Harold Miller, WRBNX staff engineer, are vacationing in the Smokey Mountains.

Bob Lambert, formerly Eastern sales representative for Mutual and with NBC in Philadelphia, has joined the WNEW sales department. Ed Herlihy, WNW's advertising director, CBS, is vacationing for the latter's six-week vacation.

Elmer Davis' news show over 88 CBS stations on Tuesdays and Thursdays has been renewed by Gillette Safety Razor Co., for the Summer and Fall, Waldschmitt have joined the WOR engineering staff to specialize in FM broadcasting.

Arturo Toscanini and the NBC Symphony Orchestra will conclude their South American tour tonight with a concert at Rio de Janeiro. The concert will be carried by NBC-Blue at 9:30 P.M. Immediately after the concert the group will embark on the Uruguay and are expected to reach New York on July 15.

Automobile and portable radios have increased Summer radio audiences considerably but a further increase is expected that the audience even more. According to Charley Stookey who conducts "Country Journal" over CBS Saturdays at noon, a number of letters have been received from farmers who advise that they have installed their receivers and now listen to his broadcasts while in the fields.

Philo Corp. has acquired a controlling interest in National Union Radio Corp. for the extended manufacture of radio tubes, it was disclosed yesterday. The acquired company will continue as a separate unit.

WABC Transmitter Removal Approved

Washington, July 9—The Federal Communications Commission has granted authority to WABC, New York, to move its transmitter from Roslyn, L.I., to WABC-2, N.Y., and central Willamette Broadcasting Co. has asked a construction permit for a 1,216-kilocycle, 250-watt station at Albany, Ore. Applications also were filed by WITC, Hartford, Conn., for change of frequency from 1,220 to 1,370 kilocycles and extension of time from sharing to unlimited; WGNY, Newburgh, N.Y., for change of frequency from 1,220 to 1,370 kilocycles and extension of time from day to unlimited, and KFDA, Amarillo, Tex., for change of frequency from 1,500 to 1,200 kilocycles.

Southeastern Unit To Meet on July 21

Jacksonville, Fla., July 9—The Southeastern Theatre Owners Association will hold its annual convention here July 21-22, according to M. C. Moore, president. More than 300 theatre owners and their wives are expected to attend the meeting at the Cotton Club.

Although the convention will not officially get under way until Monday, July 22, an outdoor Dutch supper will be held on the eve of the convention.

Goldwyn in S. E. P.

In the current issue of the Saturday Evening Post, out today, Samuel Goldwyn has written an article titled, "The Music He Is Sick Of," in which he says that the major studios underwrite the entire industry's problems are discussed.

Metro Buys Mystery

M-G-M acquired film rights to "Whispering Cup, Crime Club novel.

Houses in Mexican City Ask Tax Relief

Mexico City, July 9—Pachuela, seat of the world's largest silver mines, 90 miles north of here, will be improvized of its four film houses unless the municipal authorities accept the exhibitors' petition that they suspend enforcement of increased taxes, doubling present imposts. The exhibitors served an ultimatum to the effect that if the tax boost goes into effect they will close their houses out of business because operations cannot be continued at a profit.

The municipal government contends that the houses are about to lose approximately $284,438. The charge is that they can well afford to pay more. The exhibitors claim that the new taxes will be the highest of their kind in Mexico.

Iowa Amusement Tax Total Near $300,000

Des Moines, July 9—It is estimated that the Iowa State amusement tax will bring in between $280,000 and $300,000 for the fiscal year ended June 30, last, although official figures have not been compiled as yet. The collection for the fiscal year ending June 30, 1929, amounted to $257,000.

The State Treasury Department has announced that special taxes for the fiscal year just ended brought the total over $327,000, a new all time high. Under the amusement tax fall all fairs, carnivals, skating, circuses, plays and film houses.

Bids Out for Conn. Golf

New Haven, July 9—Invitations have gone out for the fifth annual film golf tournament, sponsored by the Connecticut M.P.T.O., with Herman M. Levy, executive secretary, in charge. The event will be held Aug. 6 at Racebrook Country Club, Orange.

Legion Approves Thirteen New Films

The National Legion of Decency for the current week has approved all of 13 new films reviewed and classified, 11 for general patronage, two for adults. The new films and their classification follow:

Elvis Opens House

Chicago, July 9—Herk Ellisburg, former executive of Essaness Circuit, has opened his new theatre, the former Essaness, on the Studio, in the Loop. All shows will run for two hours, the last beginning at 60 P. M. Prices will be $5 cents to $1.75, $1.50 to $2.50, and $2.25 to closing.

Miss Russell Gets Pact

Hollywood, July 9—Rosalind Russell has been signed to a new long term starring contract by M-G-M.

Musicians Lift Pickup Ban Against NBC

The ban against the remote pickup of dance bands from restaurants, night clubs and hotels enforced by the American Federation of Musicians was withdrawn yesterday when the London, N. Y., Mutual, however, which feel WRVA, Richmond, are still unable to pick up outside bands because the latter station has not yet reached any agreement with the Richmond local.

The partial strike against the network was started June 28 when all bands from remote points were ordered by the union to cease broadcasting for NBC. The strike was extended to CBS on July 1 and against MBS the following day. Commercially sponsored bands and studio units were not affected.

Hearing on Brown Appointment Today

Washington, July 9.—A hearing on President Roosevelt's second appointment of Thad H. Brown for an other term as a member of the Federal Communications Commission will be held today by the Senate Interstate Commerce Committee.

Brown, has had two sessions before the committee at the insistence of Senator, Harmon W. Torrey, who is fighting the appointment. At both previous hearings, the FCC member has been advised by the Senate regarding both matters coming before the commission and, at the last hearing, about an alleged brawl a year ago at a New York night club.

Motion Picture Daily

Wednesday, July 10, 1940
British Quota Plan Attacked As Inadequate

Worried Exhibitors See Product Shortage

London, July 10.—The Government's new plans for film legislation, chiefly embracing a monetary quota as an alternative to the present quota on a footage basis, met with an unfavorable reaction in the industry here today, mainly because of what was termed the inadequacy of the proposals.

All sections of the trade were sharply critical of the plans, and warned that unless the quota is increased, the exhibitors are known to be seriously concerned over the possibility of a product shortage, which will discuss the situation at a meeting next week.

The executive council of the Producers Association will meet tomorrow.

(Continued on page 4)

Coast Flashes

Hollywood, July 10—Warner Bros. today announced its decision to abandon, at least temporarily, its historical short subject series for a new type of color series stressing national defense and preparedness, to be made in cooperation with the United States armed forces. Completed are "Young American Flies" and "Passing in Review." Next will be "March On, Marines," a navy subject, and "The Tanks Are Coming." Harry M. Warner is taking a personal interest in the production of these films, as he has with the historical shorts.

William F. Rodgers, M-G-M general sales manager, said here today that reports from 25 key cities show that "Andy Hardy Meets Debutante" is outgrowing previous Andy Hardy films and "Habes in Arms."

The Paramount studio today signed a revised bargaining contract for office employees with the Intraameral Paramount Employees Association. In addition to exclusive bargaining, the union receives two-weeks' dismissal pay, credit for holidays, extension of absence leave and two-weeks' vacation for all workers of more than a year's standing. All office workers must become members of the Association by Sept. 15, according to Carey S. Hall, president.

MOTION PICTURE DAILY

Vol. 48, No. 8

NEW YORK, U. S. A., THURSDAY, JULY 11, 1940

TEN CENTS

NBC Will Teleview Democratic Convention in RKO Pathe Tieup

In a tieup with RKO Pathe News, NBC television station W2XBS next week will present a 10-minute telecast of film clips from the Democratic convention in Chicago. Pathe will fly the day's shots to New York and they will be televised the following day, once in the afternoon and repeated in the evening. About 900 feet will be shown each day.

W2XBS covered the entire Republican convention from Philadelphia with the cooperation of the Bell Telephone System. A coaxial cable between New York and Philadelphia made the telecasts possible but no such facilities are available to Chicago. NBC officials are hopeful that similar coverage may be arranged on an experimental basis in the future.

Oriental Becomes Second Run In Loop

Chicago, July 10.—The 3,300-seat Oriental Theatre in the Loop here has been eliminated as a first run by major companies because of its price reduction to 25 cents matinees and 40 cents evenings, daily and Sundays, from a 65-cent top.

First run Universal and RKO contracts held by the Oriental will revert to the RKO Palace, now closed but expected to reopen July 26 or Aug. 2. The Palace originally had the product. The Oriental will become a "B" week house, as it was previously to booking five RKO films, only three of which were shown. Jones, Linick and Schafer intend to continue the low Oriental price as long as business warrants.

No price reductions will be made by Balaban & Katz at its first runs or neighborhoods, officials said. The Oriental action in instituting a second price cut in recent weeks, has created a sensation throughout the trade here, and repercussions are expected in the neighborhoods.

'Bfreezefout'

By Schine Is U. S. Charge

Particulars Bill Cites Alleged Monopoly

Buffalo, July 10.—In the bill of particulars filed by the Government here in its anti-trust suit against the Schine Circuit and major distributors, it is claimed that the circuit has forced out of business John Buchanan, Delaware, O., and "attempted" to force out Hubert P. Wallace, Auburn, N. Y.; Reliance Theatres, Inc., Lockport, N. Y.; Emerson W. Long, Mt. Vernon, O., and Carl B. Moore, Van Wert, O.

The Government also states that in instances in which it is claimed that Schine defendants threatened to build a theatre in opposition, another exhibitor relate to Leo Kessel of Lancaster, O., and Emerson W. Long, Van Wert, O.

Theatres which it is claimed Schine constructed in opposition to another exhibitor include the Auburn, Aurora, Riverside, Buffalo, Vernon, Mt. Vernon, O., and the Van Wert, Van Wert, O.

Further details in the bill of part.

(Continued on page 5)

Baltimore Acclaims 'Maryland' Premiere

Baltimore, July 10.—Maryland opened its arms in traditional hospitality today for Tyrone Power, Annabella, Brenda Joyce and Nancy Kelly, 20th Century-Fox stars, and Darryl Zanuck's newest color picture, "Maryland." Capacity audiences jammed the 2,600 seats of the New and Centre theatres tonight and gave the picture a huge ovation in its world premiere performances.

For two days Governor Herbert R. O'Connor and state and city officials.

(Continued on page 4)

Northwest Allied Revises Structure

Minneapolis, July 10.—Reorganization of the Owners of the Northwest, important unit of Allied States, got underway here today as the first step in a day convention of the group at the Nicollet Hotel.

For the first time since the state unit was organized, W. A. (Al)

(Continued on page 4)
Congressmen See Nazi Invasion Film

Washington, July 10.—Members of Congress last night secretly saw at the Capitol the film depicting Germany’s invasion of the Low Countries.

Their reaction today was chiefly one of resentment and conversation about “war mongers” and the like. It was characterized as “pure propaganda.” Invitations carried the name of Representative Ross Collins of Mississippi.

Weber Called in On W.B. Strike Talk

PHILADELPHIA, July 10.—Discussions between the Philadelphia local of the Musicians Union and Warner theatres here have been shifted to Atlantic City to permit Joseph N. Weber, past president of the American Federation of Musicians, to sit in on the session in an advisory capacity.

The date for the meeting will be set by Frank Phillips, Warner labor adviser, and the meeting will also be attended by James C. Petrollo, A.F.M. president, and A. Rex Riccardi, secretary of the Philadelphia local, Weber, who has been ill, now resides in Atlantic City.

‘Syracuse’ to Open There on Thursday

Joe Penner, Eric Blore, Constance Moore and Peggy Moran will head a Hollywood delegation coming East for the triple world premiere of Universal’s “The Boys from Syracuse” at the Paramount, Keith and Eddel Theatres in Syracuse, N.Y., next Thursday.

Mayor Marvin and members of the City Council will act as hosts to the visiting celebrities. Arriving here will go Lorenz Rodgers and Moss Hart, who wrote the original musical comedy. Alpert, Ischel and Pinter will visit with the Berenger, St. Louis, and Losee.

The opening will be broadcast.

Sidney R. Kent, president of 20th Century-Fox, leaves today for Alexandria Bay.

Sid Cerdic Hardwick is due back here tomorrow after a few days in Chicago.


Al Blumberg, Long Island and up-state booker for Warners, leaves for Florida tomorrow on a two-week vacation.

Kenneth Rockwell, manager of the RKO 14th Street, Manhattan, is on vacation in Providence, where he is formerly managed the RKO Albee.

Steve and Jane Panora of the Willimantic, New Milford and Stafford Springs, Conn., Theatres are at their summer estate in Niantic.

Maud J. Jacobson of the Strand Amusement circuit in Bridgeport, Conn., is in Detroit for a few days.

James Bracken of Warner Theatres in New Haven is vacationing in Philadelphia.

Robert Munson, assistant at the College, New Haven, is on a fishing trip at Lake Sagamore, Me.

Harry Hershfeld, manager of the Family Theatre, Hazelton, Pa., was honored with a party on his 10th anniversary as manager.

Fred Lea, manager of the Capitol, Wilkes-Barre, Pa., was called to Jacksonville, Fla., by the death of his father.

Jock E. Brown arrives from the Capitol tomorrow. He will appear in summer stock at Dennis, Mass.

David O. Selznick arrives today from the Coast with his family on the TWA Stratoliner and will leave Saturday for Connecticut, where he will spend the summer.

Thomas Comerford, son of the late circuit owner, H. Comerford, has entered the business, as assistant at the Strand and Hartford, Wilkes-Barre, Pa.

Leo Barrett, owner of the Ashley in Ashley, Pa., has been named a member of the borough Business Men’s Association.

Rosita Moreno, Spanish actress, who arrived from Buenos Aires the early part of the week, leaves for the Coast today.

J. E. Crocker, head of Crocker Theatres, Galatia, Mo., is in town visiting the Fair.

Madeleine Carroll arrives from London today on the Atlantic Clipper.

Max Weisfeld, Seymour Poe, Benny Davis and Abe Schennderi lunching at Sandy’s (next to the Rivoli) yesterday.

Apolf Zukor, Barney Balaban, Joseph Hust, Herman Weinberg, Ben Washier, Al Lewis, Toby Gross, John Byram, Ben Boyar, Morris Spring, Dave Blum and William Mielnicz at Sardi’s yesterday for lunch.

Harry H. Buxbaum, Max A. Cohen, John Denis and Maurice Bergman at Nick’s Hunting Room in the Astor for lunch yesterday.

Capt. George Baynes, Lou Pollock, Paul Benjamin, Harry Thomas, Fred McConnell, Ed Pesekay, Bud Rogers and Sam Citron at the Tavern for lunch yesterday.

Heleen Molur, secretary to Walter Reade, is vacationing at Delaware Water Gap, due back on Monday.

Al Mendelson, booker at the 20th Century-Fox New York exchange, leaves tomorrow for a two-week vacation.

Jean Miller of the Century Circuit accounting department will be married August 10 to Sam Oratz.

Miriam Musserbaum of the Century Circuit booking department, bride of Harry Pack, has returned to her desk following a honeymoon trip.

Korda Is Keeping British Unit Intact

Alexander Korda is retaining intact his British production organization, Alexander Korda Productions, Ltd., Basil Bleck, his attorney, declared here yesterday. Korda, said Bleck, is “marking time” with respect to his English production plans, waiting for a clarification of the situation in that country.

Bleck indicated that Korda expects to return to England, probably in early fall. Meanwhile, his American producing organization, Alexander Korda Films, Inc., plans three pictures for the new season. “The Thief of Bagdad” has been completed, and the next film, to star Vivien Leigh, will be ready for release in the middle of August. The title, “Womanhunt,” has not been decided upon definitely yet.

Among other properties which Korda is considering are: “Lady in the Dark,” “Cyrano de Bergerac,” “Jungle Book,” “Manon Lescaut,” “Greenmantle” and “The Conqueror.”

Korda and Bleck will return to England later in the fall. Vincent Korda, the producer’s brother, who arrived two days ago from Montreal, will go to the Coast tomorrow to be a producer-director for Korda’s American company.

Bleck indicated that although Korda has been giving consideration to the possibility of producing in Canada, he is of the opinion that technical facilities thus far are lacking in the Dominion for large scale feature production.

Receiver Appointed For John Barrymore

Federal Judge William Bondy yesterday appointed Samuel A. Miller as receiver for Barrymore in proceedings filed on June 5 in Barrymore in California for an arrangement. Miller will be held under the order before Referee Robert P. Stephenson. The petition states Barrymore’s property of New York consists of rights to profits of the play “My Dear Children.”

Von Zakobiel Dies

MILWAUKEE, July 10.—Richard von Zakobiel, president and manager of the Roxy Theatre here, died today. He is survived by his wife, three brothers and two sisters.

WHAT
Academy Award winner breezes life into his most colorful role!

MOVIE PICTURE DAILY
(No trade)
"ALL THIS"

BIGGEST JULY 4TH IN 8-YEAR HISTORY OF RADIO CITY MUSIC HALL!

RIGHT NOW

TOPS 'ROBIN HOOD' FIGURES AT RADIO CITY MUSIC HALL!

FROM WARNERS

HELD FOR 2ND WEEK AT RADIO CITY MUSIC HALL!

THE TIP-OFF

The largest theatre in the land had to double its playing time—triple time won't be enough for you!!

LATE FLASH!

PROVIDENCE SETS 3RD WEEK! DENVER THEATRE, DENVER OPENS BIGGER THAN 'OLD MAID' AND 'GATH'!! Whee!

BETTE DAVIS

AND

CHARLES BOYER

'ALL THIS, AND HEAVEN TOO'

From the story by Rachel Field

JEFFREY LYNN • BARBARA O'NEIL
Virginia Weidler • Henry Daniell • Walter Hampden • George Coulouris

ANATOLE LIVAK Production
British "Quota Plan Attacked As Inadequate"

(Continued from page 1)

row for a similar review of the situation. Michael Balcon and Sam Smith have been running their"quota" as giving privileges to American companies but no incentive to British producers.

The Association of Cine Technicians met last evening, and Evan O'Day, executive, said the organization was feeling the pinch tenor of the plans, although it was grateful for the redeeming feature, the requirement that all British labor be used on quota product. He foresees fewer films and a reduction in film employment approximating 22 per cent.

"Empire Film Loophole"
The technicians' group expressed doubt about what was described as the "Empire film loophole." The reference is to the clausule in the Government proposals permitting the Board of Trade, acting with the Ministry of Information, to permit the registration for the distributors quota of films made elsewhere in the British Empire except England. However, it is understood that this is not as broad a privilege as it at first appears. Not all films are included, and such Empire films must be sold vertically through the chain in an individual basis. Only after these films are approved by the Government may they be registered in the distributors' quota. It is believed probable that propaganda films will be given preferential consideration, including films made in the Empire which would have some value from an Empire propaganda viewpoint.

Quota Films in Canada?
It is also considered probable that American companies may avail themselves of the opportunity by making quota films in Canada, but it is apparent that the inclusion of ordinary small budget product thus made would not be permitted by the British Government for registration under the distributors' quota.

There is no indication here that American companies at present could or would consider production in Canada, since all inquiry into the situation reveals that Canadian technical facilities are inadequate at the present time to handle any sort of large scale feature production.

British Production To Start in Canada
OTTAWA, July 10.—First British film to be made here in years will start next week in Toronto. Director is Captain Agnes, Michael Powell, British director, said here today. Powell, who will produce the film, is here to make final arrangements with the Government, Raymond Massey, Elizabeth Bergner and Leslie Howard will be starred.

20th-Fox to Make Seven British Films
London, July 10.—Francis L. Pethick, 20th Century-Fox managing director in England today disclosed plans for production of seven British films, cost about $2,000,000. Max Milder, Warners' chief here, said that all Warner production here will be under the quota system, but was on line with the new ruling that this quota could be used as an alternative to that based on footage.

Plans Big Campaign On 'Thief of Baghdad'
An extensive advertising, publicity and exploitation campaign is planned on "The Thief of Baghdad," Alexander Korda color feature for United Artists release. Licensees manufacturing merchandise tied in with the film have appropriated $25,000 for national advertising, and Korda has appropriated $60,000 for a national magazine campaign on the film, and a $90,000 budget for newspaper advertising and billboards. A trade paper campaign also is included.

Forms Phila. Exchange
PHILADELPHIA, July 10.—Murray F. Banks, former head of Preferred Pictures here, has been granted a charter for his Ace Film Exchange, Inc. Incorporators, their shares and value, are: sulfide with. Murray F. Beier, 80 shares; Matilda Miller, 10; and Maurice A. Bank, 10, all of Philadelphia.

Baltimore Acclaims "Maryland' Premiere
(Continued from page 1)

they have been showing the visiting celebrities with attention. The welcome activities included a reception at City Hall, a fashion show at May's, a reception at Howard Jackson; a Paddock dinner given on the Alfred G. Vanderbilt estate, Sagamore Farm, last night, a feature of which was the commissioning of Miss Joyce as honorary Governor of the State; and a trip down Chesapeake Bay, followed by a Dance on the Governor's yacht, DuPont, to Annapolis for a state luncheon at the executive mansion where Miss Kelly was named deputy Secretary, and also to visit Miss Joyce in her official duties.

The stars made personal appearances at both theatres tonight. Governor O'Connor escorted Miss Joyce. Thousands of Marylanders lined the streets and gave the visitors an enthusiastic welcome. Prominent among them are William Sussman, Eastern division manager, and Charles E. Machover, advertising and publicity director, of 20th-Fox, District 1, Edgard Moss; Sam Wheeler, Washington branch manager, and Rosa Ponzi, opera star.

The activities were broadcast by station WFGR.

Korda Examination Delayed to Sept. 16
Examination before trial of Alexander Korda, last week in the New York Supreme Court against Samuel Goldwyn and Samuel Goldwyn, Inc., against United Artists was postponed yesterday under an order of Federal Judge William H. Younger to September 16. Korda is to be examined as a material witness in the dispute between Goldwyn and United Artists.

Northwest Allied Revises Organization Structure
(Continued from page 1)

The principal address of the meeting was by H. M. Richey, director of exhibiton relations for RKO. Richey told the exhibitors that with a 30 per cent drop in foreign revenue the producers will "go broke" unless American theatre men again prove themselves the "Empire film loophole." The reference is to the clausule in the Government proposals permitting the Board of Trade, acting with the Ministry of Information, to permit the registration for the distributors quota of films made elsewhere in the British Empire except England. However, it is understood that this is not as broad a privilege as it at first appears. Not all films are included, and such Empire films must be sold vertically through the chain in an individual basis. Only after these films are approved by the Government may they be registered in the distributors' quota. It is believed probable that propaganda films will be given preferential consideration, including films made in the Empire which would have some value from an Empire propaganda viewpoint.

21 Days' Grosses $7,900, Montreal
MONTREAL, July 10.—"21 Days Together," on a double bill at the Capitol, grossed $7,900. "Four Sons" registered $7,800 at the Palace, while the second week of "Susan and God" at Loew's grossed $6,300. Estimated takings for the week ending July 5:

"21 Days Together" (Col.)...CAPITOL (2,538)....$1,900 (W. 45c-55c-65c)....7 days....$3,200 (Average, $450)...."Susan and God" (M-G-M)....PACIFIC (2,258)....$900 (25c-35c-45c)....7 days....$7,100 (Average, $1,100)...."Leaves of Grass" (W. A.)....ORPHEUM—(Para.) (791)....$130 (25c-35c-45c)....7 days....Gross: $1,400. (Average, $200)...."One Million Kid" (A.)....ALADDIN—(W. A.) (774)....$900 (25c-35c-45c)....7 days....Gross: $1,400. (Average, $200)...."I Was an Adventuress" (20th-Fox)....PACIFIC—(2,086)....$900 (25c-35c-45c)....7 days....Gross: $1,200. (Average, $160)...."Princess" (2,275)....(25c-35c-45c-65c)....7 days....Gross: $1,300. (Average, $550)....

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Moon Indianapolis Leader with $10,000
INDIANAPOLIS, July 10.—New Federal didn't hurt first-run grosses. Independence was good. "New Moon" at Loew's led with $10,000. Estimated takings for the week ending July 5:

"Four Sons" (20th-Fox)....CIRCLE—(2,006)....$1,200 (25c-35c-45c)....7 days....Gross: $8,400. (Average, $1,200)...."New Moon" (M-G-M)....PACIFIC—(W. A.) (2,464)....$800 (25c-35c-45c-65c)....7 days....Gross: $5,600. (Average, $800)...."The Merry Widow" (WFBR)....LYRIC—(2,006)....$800 (35c-45c-65c)....7 days....Stark; Jewel; Follies, with Princess Chiro. Gross: $8,200. (Average, $1,170)...."
U.S. Charges ‘Freezeout’
And Threats By Schine

(Continued from page 1)

Particulars include the following competing theatres:


‘Unreasonable’ Protection

The Government states in its bill that the term “local competitive factors” in its complaint includes the price offered by an exhibitor for the privilege of exhibiting a picture, and not of a picture as a whole, but also disregarded such factors in licensing motion pictures.

Competing exhibitors referred to in another section of the complaint are listed as Hubert P. Wallace, Auburn; Sidney J. Cohen, Buffalo, Michael DeToto, New York; Hamilton Kemper, formerly of Shelby, O. and now of Buffalo; Carl Brinton Moore, Van Wirt, O. and Peter C. Vourak, Water¬town.

The Government alleges that Schine defendants announced the proposed construction and opening of a theatre in the neighborhood of another exhibit¬tor at Lancaster and Mt. Vernon, O., and that Schine took an interest in a theatre site in the neighborhood of another exhibitor at Malone, N. Y. and that the nature of such interest was an option to purchase real property.

Schine defendants, “or some of them,” is charged, acquired superi¬or title in a theatre controlled and operated by another exhibitor, and took over its control and operation in the instance of the Seneca, theretofore operated by Richard DeToto.

Cite Alleged Monopoly

Situations in which it is claimed Schine monopolized first and preferred runs of all the “high-class” features pictures distributed by distribu¬tors are: Odensburg, N. Y.; Newark, N. Y.; Delaware, O.; Auburn, N. Y.; Malone Falls, N. Y.; Lockport, N. Y.; Carthage, N. Y.; Malone, N. Y.; Mt. Vernon, O.; Norwalk, O.; Norwich, N. Y.; Van Wirt, O. and

Names of locations and theatres which it was claimed in the complaint that Schine kept closed are the Strand, Seneca Falls, N. Y. and the Lyric, Mt. Vernon, O.

Schine is alleged to have interfered with arrangements, financial, real estate, contractual, or otherwise, between other exhibitors and third par¬ties for the acquisition of the theatres or the acquisition, construction or operation of theatres at Mt. Vernon, O., and Seneca Falls, N. Y. and it is claimed that another exhibitor, Richard DeToto, was prevented from acquir¬ing a theatre or theatre sites by reason of such alleged interference.

Mrs. Johnson Film
Opens in Home Town

Osa Johnson’s Columbia film, “I Married Adventure,” will have a dual premiere at both theatres in Chanute, Kan., Mrs. Johnson’s home town, on July 21. Sponsored by the Chamber of Commerce, the mayor and city and state officials will participate in the opening celebration. The film will be shown at the Main Street, and the Fox People’s Theatre. Mrs. Johnson may attend the opening.
### MOTION PICTURE DAILY'S BOOKING CHART

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

<table>
<thead>
<tr>
<th>Date</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 14</td>
<td>Girls of the Road (D)</td>
<td>The Mortal Storm (G-D)</td>
<td>On the Spot (G-D)</td>
<td>Safari (G-D)</td>
<td>Grand Ole Opry (G-M)</td>
<td>Tom Brown's School Days (D)</td>
<td>Four Sons (G-D)</td>
<td>Sandy Is a Lady (G-C)</td>
<td>Fugitive from Justice (G-D)</td>
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<tr>
<td>June 21</td>
<td>Lola Lane</td>
<td>M. Sullivan</td>
<td>Frankie Darro</td>
<td>Weaver Bros. &amp; Elcy</td>
<td>Wagon's Westward (O)</td>
<td>F. Bartholomew Sir C. Hardwicke</td>
<td>Don Ameche</td>
<td>Baby Sandy</td>
<td>Roger Pryor</td>
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<tr>
<td>June 28</td>
<td>Helen Mack</td>
<td>Jimmy Stewart</td>
<td>Mary Korman</td>
<td>The Ghost Breakers (G-C)</td>
<td>Wagons Westward (O)</td>
<td>Chester Morris</td>
<td>Anita Louise</td>
<td>Baby Nyn</td>
<td>Lucile Fairbanks</td>
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<tr>
<td>July 5</td>
<td>Return of Wild Bill (O)</td>
<td>Wild Horse Range (O)</td>
<td>Last Alarm (A-D)</td>
<td>Queen of the Mob (A-D)</td>
<td>Carson City Kid (D)</td>
<td>Pop Always Pays (G-C)</td>
<td>Charlie Chan's Murder Cruise (D)</td>
<td>I Can't Give You Anything But Love, Baby (M)</td>
<td>Wayne Morris</td>
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<tr>
<td>July 12</td>
<td>Out West With the Peppers</td>
<td>Andy Hardy Meets a Debutante (C)</td>
<td>Golden Trail (G-D)</td>
<td>Way of All Flesh (G-D)</td>
<td>Three Faces West (D)</td>
<td>Millionaires in Prison (G-D)</td>
<td>Sailor's Lady (G-D)</td>
<td>Private Affairs (C-D)</td>
<td>Betty Davis</td>
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<tr>
<td>July 19</td>
<td>Military Academy (D)</td>
<td>Andy Hardy</td>
<td>Tex Ritter</td>
<td>Tamiroff Gladys George</td>
<td>Stagecoach War (G-O)</td>
<td>Manhattan Heartbeat (O)</td>
<td>James Ellison</td>
<td>All This and Heaven Too (D)</td>
<td>Charles Boyer</td>
<td></td>
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<tr>
<td>July 26</td>
<td>Tommy Kelly</td>
<td>Haunted House Young (D)</td>
<td>Tex Ritter</td>
<td>Tex Ritter</td>
<td>Cross Country Romance (G-C)</td>
<td>South of Pago Pago (D)</td>
<td>Black Diamonds (D)</td>
<td>Man Who Talked Too Much (D)</td>
<td>Richard Arlen</td>
<td></td>
</tr>
<tr>
<td>Aug. 2</td>
<td>Blondie Has Servant Trouble (C)</td>
<td>Bo Weevil</td>
<td>Tex Ritter</td>
<td>Tex Ritter</td>
<td>Stage to Chinatown (O)</td>
<td>Maryland (D)</td>
<td>Don Alphonso</td>
<td>You're Not So Tough (G-D)</td>
<td>Andy Devine</td>
<td></td>
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<tr>
<td>Aug. 9</td>
<td>It Happened in Paris (D)</td>
<td>Pride and Prejudice (G-C)</td>
<td>Tex Ritter</td>
<td>Tex Ritter</td>
<td>Stranger on the Third Floor (D)</td>
<td>Black Diamonds (D)</td>
<td>Black Diamonds</td>
<td>Ladies Must Live (D)</td>
<td>Bridegroom Misbehaves Rosemary Lane</td>
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<tr>
<td>Aug. 16</td>
<td>The Secret Seven (D)</td>
<td>Military Academy (D)</td>
<td>Tex Ritter</td>
<td>Tex Ritter</td>
<td>The Man I Maried (D)</td>
<td>Black Diamonds (D)</td>
<td>Black Diamonds</td>
<td>They Drive By Night (D)</td>
<td>Jane Russell</td>
<td></td>
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<tr>
<td>Aug. 23</td>
<td>The Durango Kid (O)</td>
<td>The Durango Kid (O)</td>
<td>Tex Ritter</td>
<td>Tex Ritter</td>
<td>Captain Caution (D)</td>
<td>Boys from Syracuse (A-D)</td>
<td>Boys from Syracuse (A-D)</td>
<td>River's End (D)</td>
<td>Brenda Marshall</td>
<td></td>
</tr>
<tr>
<td>Aug. 30</td>
<td>He Stayed for Breakfast (C)</td>
<td>I Love You Again (D)</td>
<td>Tex Ritter</td>
<td>Tex Ritter</td>
<td>Dance, Girl, Dance (D)</td>
<td>Dance, Girl, Dance (D)</td>
<td>Dance, Girl, Dance (D)</td>
<td>Sea Hawk (D)</td>
<td>Sea Hawk (D)</td>
<td></td>
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</tbody>
</table>

**BOX OFFICE TESTED**

100%
Short Subject Reviews

“A Way in the Wilderness” (M-G-M)
“A Way in the Wilderness” is an impressive, imaginative, and research-filled film by Joseph Goldberger, who conquered the dread disease, pellagra. His difficulties in determining that pellagra was simply a diet deficiency were graphically portrayed and shown in his difficulty in getting the medical profession to accept his findings. The film ends with the warning that, although the cute for pellagra has been found, it cannot be wiped out until the poor can be provided with a proper diet. Running time, 10 mins.

“Bubbling Troubles” (M-G-M)
Alafia gets into trouble by drinking too much “Seventy-First” powder and blowing his stomach up to balloon size. Our gang believes that he has swallowed a balloon and sets out to find it with Butch. This one should get laughs. Running time, 11 mins.

“Pacific Paradise” (Paramount)
The colorful and picturesque Hawaiian Islands prove a splendid subject for this “Color Cruise.” The camera visits Honolulu, Waikiki Beach, the suburbs, with stress on the colorful cottages and flowers. The congenial natives are photogenic. The deadpan driver and the natives singing “Aloha” is impressive. Running time, 10 mins.

“Sink of Swim” (Paramount)
This is a good Sportlight narrated by Ted Husing and demonstrating the proper methods of rescuing drowning persons. A group of 10 girls give exhibitions as to how to save a drowning person. Two comic comedians end the short in humorous fashion. Running time, 10 mins.

“Women in Hiding” (M-G-M)
This issue of the “Crime Does Not Pay” series deals with the somewhat lurid theme of young women who are expectant mothers but who do not wish their friends or relatives to know they are pregnant. The reel tells of the victimization of such girls by unscrupulous doctors who operate hideaway homes and compel the girls to permit adoption of the babies. Although the expectant mothers are referred to as being secretly married in some cases, the careful setting should prepare his exploitation material on this subject painstakingly and judiciously. The subject is obviously not for children. Running time, 22 mins.

Two Join RKO Exchange

Autry Will Appear At New York Rodeo
Gene Autry, singing cowboy, has signed with Madison Square Garden for three-week personal appearance engagement at the New York Rodeo this summer. Autry will have $4,600 weekly for the 18-day engagement. This will be Autry’s first personal appearance in New York.

Popular Science J9-6 (Paramount)
The latest issue of the Popular Science is divided into sections capable of holding the interest of the serious patrons. The short starts with a location for fossils in Utah. Following are clips on a giant mathematical device; the manufacturer of nylon stockings; an eccentric machine for scraping burnt toast, and the development of splints which save the lives of animals. Running time, 11 mins.

Dangerous Dollars (Paramount)
Heralded properly, this Paragonic on counterfeit money should attract merchants and all business people. Produced by authority of the Treasury Department, the short illustrates effective methods of detecting pseudo-currency. The subject is concluded in a dramatic episode in which an attempt is made to pass bogus money on Confederate agent, the latter summons the Secret Service and the offenders are caught. Running time, 11 mins.

What’s Your I. Q. No. 2? (M-G-M)
Pete Smith has prepared another audience quiz and it should prove as popular as the first. There are the “What is the capital of a couple of old time riddles. The audience is invited to keep its own score, but there will be few who chalk up a perfect 100 per cent. This is a real novelty. Running time, 9 mins.

“Nurse Mates” (Paramount)
The “Nurse Mates” herein are Popeye and Bluto, left by Olive to care for Sweetpea. The expected comedy is delayed and Popeye finds the baby rocking Popeye and Bluto to sleep. Running time, 7 mins.

“The Ugly Dino” (Paramount)
This Max Fleischer Stone Age cartoon is a variation of the “Ugly Duckling” fable, the characters here being dinoos instead of ducks. A brood of five dinos includes one black, abandoned by the family. However, when a huge tiger threatens the other four, the “Ugly Dino” saves the day. Average running time, 7 mins.

Open Summer Theatres
Sound View, Conn., July 10.—John S. P. Glackin has opened the Strand, one of the three Summer theatres in the West End section, and shows a program with one show nightly and matinees on rainy days. Admission scale is 15-30 cents. Adolph G. Johnson and Albert Follain are operating the former Cinema as the New Colony this season.
Para. and CBS Deal Is Aired At Brown Quiz

Washingtom, July 10.—That FCC Commissioner Thad H. Brown was "stumped" is explained by the fact that he had signed the observation made by Senator Charles W. Tobey of New Hampshire at today's hearing on the FCC's renomination to the FCC, held by the Senate Interstate Commerce Committee.

The report to which Senator Tobey referred was one in which it had been charged that a half-dozen CBS officials had made large sums at the expense of minority stockholders in the 1929 Paramount-CBS deal.

Today, members of the committee agreed that "stumping" was ambiguous in that transaction, following an analysis of the deal presented by Ralph Colan, general counsel CBS.

Colin Explains Transaction

Colin explained that in 1929 Paramount, in anticipation of television, sought to buy into CBS and a deal was made whereby outstanding stock was replaced by two classes, with stockholders selling the Class A stock to the film company, giving it a half interest and a right to name half the board. The agreement provided that if CBS earned an average of $1,000,000 or more in the succeeding two years, Paramount would pay the equivalent of $5,000,000 for the stock.

In the meantime, as security, it was transferred to the CBS stockholders $8,823 shares of Paramount stock.

Paramount Redeemed Shares

CBS made the required earnings, the stockholders then cancelled, and in March, 1932, Paramount redeemed 47,484 shares of its stock still in the hands of the 15 of the 19 CBS stockholders. To do this, however, it had to turn in its CBS holdings. CBS itself, out of surplus, bought 14,136 shares of its own Class A stock for 15 stockholders bought 49,094 shares for $4,036,017. Paramount then bought its stock and CBS paid $4,036,017 to the stockholders.

About half of the CBS stock in the hands of its stockholders was then acquired by two companies, a broadcast headed by Brown Bros. Harriman at a price of $82.21 per share, which led to the profits condemned in the FCC report.

Although the hearing was prolonged well into the Senate session, Senator Tobey said that he had no questions to ask Colin, and it was agreed to assume when Congress reconvenes.

NBC Adds Three Florida Stations

Three new 250-watt unlimited time Florida stations will join NBC Monday to bring the total number of affiliates up to 192. The stations will be WNFJ at Gainesville; WFRF, 1,420 kilocycles, Daytona Beach; and WJZ, 1,290 kilocycles, Jacksonville, owned by the Jacksonville-Ormond Beach Company, and WMEF, 1,420 kilocycles, Miami Beach, owned by A. Frank Katzenzie.

‘Rockne—All American’

"Knute Rockne—All American" is the new title given by Warners to the film formerly known as "The Story of Knute Rockne.”

Off the Antenna

INDICATIONS appear fairly definite at NBC that Niles T. Trammell, executive vice-president, will be elected to the presidency to succeed Lenox R. Lohr when the board of directors meets tomorrow afternoon.

It also appears that the present executive vice-president will be left vacant, at least until the fall. Frank E. Mullen, RCA vice-president in charge of advertising and publicity, who was frequently mentioned for Lohr’s post after the announcement of Lohr’s resignation, will not be named as Trammell’s successor, it was understood late last night.

• • •

Purely Personal: Bill Norris, trade press editor for NBC, left yesterday for Chicago to do some advance work for the Democratic convention. Let’s see, what’s he doing in Chicago? Oh yes, directing Muni's "In the New World," en route to Chicago, where he will handle the convention publicity for the network. . . . Niles T. Trammell, NBC executive vice-president, will address members of stockholders at Atlantic City Saturday. . . . Irving Robinson, managing editor of Advertiser Age, will be guest on "Men Behind the Mad" at WOR at 8:45 tonight. . . . Sam Taylor, who broadcasts "Hollywood Sound Stage" over WHN, is now hard nine times weekly over the station instead of three. . . . Alex Rosenzweig has been named syndicate manager for WCAU, Philadelphia. Bob Latham has been promoted to Rosenzweig’s post on the sales force and Joe Van Horne has been named assistant to the commercial manager. . . . David M. Anderson has been named CBS correspondent in Stockholm.

Radio engineers have been faced with quite a problem in the installation of individual microphones for each of the 53 delegations from the various States and territories at the national political conventions. The floors at convention booths are made of sheet cement, and holes cannot be drilled to anchor the microphones, or for wiring. Wooden flooring has to be laid through the aisles and spurs run to the chairman's seat. The wiring is placed under the boards and the microphone anchored to the end of the spur.

The hardest part of the task is the individual polling of each member of the delegation when the State's vote is challenged. The delegates are not seated alphabetically and the engineers must work frantically to pass the microphone from delegate to delegate.

• • •

Around the Country: A new 250-watt station will be constructed in Chattanooga by J. J. & J. L. Brothers. Construction costs will be about $25,000, it is said, and the frequency used will be 1,370 k.c., WJAX, Jacksonville, Florida, municipally owned station, has been remodelled at a cost of $6,000. . . . Grenco, Inc., has been organized at Greensboro, S. C., to operate a radio station and deal in radio advertising. It is capitalized at $15,000. Douglas Featherstone is president-treasurer and C. A. Mays, vice-president and secretary.

• • •

"Show of the Week" over Mutual will emerge in a new format when it is改革 Sept. 29. Instead of a different "name band" as guest each week, the show will feature Vincent Lopez' orchestra and a number of singers as steady attractions while top line comedians will act as guests. Included among the talent already signed for the show are Abbott & Costello, Jack Benny, Bert, Jack Pearl, George Jessel, Jack Benny and Willard United. Earnings for the future are $4,000 weekly.

Music Hall Talent In Fair Celebration

In celebration of Rockefeller Center Day at the New York World's Fair Saturday, the Radio City Music Hall, the Rockettes, the Music Hall's ballet, entire symphony orchestra, Jan Peerce, Doreen Maitland and Ray Bolger, who are to be on the television shows, will be heard in a special presentation at the Fair.

Since the United States Naval Academy Day the Rockettes have challenged 1,000 midshipmen from the Academy and a battalion of Marines to a drill duel. The drill team demonstrated its ability in precision marching, calisthenics and dancing.

Retitle Yiddish Film

"Her Second Mother" the new title of the recently completed film by Matilda Seiden for Cinema Service Corp. "Eli, Eli, is now in production at the firm's studio at Palisades, N. J.

Union Hearing Set On Brooklyn House

The New York State Labor Relations Board yesterday set next Tuesday as the date for a hearing on the petition filed by United Theatrical & Motion Picture Service Employees Association against the Brooklyn House, maintained by a discount advertising agency for projectionists at the Howard, Brooklyn.

In the association, United claims to represent the projectionists but Operators Union Local 366 is contesting the claim, and in order to sign a contract the operator must "clarification on representative agents," Levo Amusement Corp. is named in the petition as owner or operator.

Betty Field in Conn.

Betty Field, Paramount player, is the guest of honor this week at the inaugural "Victory Day" celebration completed by Mathilda Seiden for Cinema Service Corp. "Eli, Eli," is now in production at the firm's studio at Palisades, N. J.

Attendance at Coast Fair Is Booming

San Francisco, July 10.—While theatre business is below average here, attendance at the World's Fair here is booming, the 23,000,000th visitor has been fed up over the weekend. Attendance is 600,000 ahead of last year's figure, which was the same number of days, with July 4 admissions exceeding 133,000 for the highest total of the year, even surpassing opening day. Billy Rose's Aquadale is breaking all attendance records for shows, with 4,000 admissions of the fair's 2,000,000 total.

Mat to Have New Broadcast Booths

New booths for radio and television broadcasts will be constructed at the Metropolitan Opera House on the level now occupied by the grand stairway and will also be replaced by a circle of 144 seats, which will add 30 seats to the Opera House capacity.

Otherwise, only minor alterations will be made. The "Diamond Horse-shoe" and the remaining four levels of the 5,000-seat theatre will be lowered in the calendar for the next Pit, and members of the media are expected to be added.

World's Fair Shows Earnings of $696,118

The New York World's Fair Corp. showed net earnings of $696,118 for the first 56 days of the 1940 season, Harvey D. Gibson, chairman of the board of directors, has reported.

In that period the Fair had no bad debts, and may make a five cent profit on its debentures early next month.

Prepare Studio for WPEN, Philadelphia

Philadelphia, July 10.—Provisions for television broadcasting and frequency modulation will be included in the plans for the new WPEN studio, according to George Simon, station general manager. The location, the corner integrity Trust Building, will be ready for occupancy in the early fall.

Kuykendall to Speak At S.E.T.O.A. Meeting

Ed Kuykendall, president of the M.P.T.O.A., is scheduled to address the Southeastern Theatre Owners Association convention at Jacksonville, Fla., which opens July 21. He will speak on extending the Democratic National Convention to Chicago next week.

Book by Thomajan

P. K. Thomajan, publisher, feature writer and film historian, has just had published "Riften House," a humorous book about a "tough" young lawyer. The book, "The White Lie," is intended for both adults and juveniles. It is being offered for films.
Separate Peace With ‘Big 5’ Seen in Consent Decree

Government Offers Defendants ‘Escape’ Clause to Hasten Agreement Among All; Universal, Columbia, U. A. Holding Out

By SAM SHAIN

A separate peace between the Government and the Big 5, according to reports coming directly from armistice headquarters, is a distinct possibility. Sources show that Universal, Columbia, and United Artists continue to be adamant about an out-of-court settlement of the New York anti-trust suit, in which they are also defendants, and refuse to concur in a consent decree which is now being worked out.

NBC Prepares For Television

NBC expects to receive its new television license for the New York station within the next two weeks and is preparing the applications for Washington and Chicago stations for early filing, it was revealed yesterday.

[The FCC may hand down an order after Tuesday’s meeting which will grant the first batch of television licenses, according to reports yesterday from Washington.]

Heaven’ $110,000

Music Hall Smash

Despite the hot spell in which the city sweltered for the past two days, “All This, and Heaven Too,” with a stage show at the Music Hall, broke the house record for the week of July 4 with an estimated $110,000 for the first week. The gross exceeded by about $16,000 the previous record for the same week at the house.

The heat, which kept the temperature hovering around the 85-degree mark for two days, broke last night after a thunder storm. Business picked up.

(Continued on page 4)

Coast Rallies War Relief: W. B. to ‘Adopt’ Children

Hollywood, July 11.— Warner Bros. employees in the United States will bring over and care for from 2,000 to 3,000 children of Warner employees in England, it was disclosed today. Harry M. Jack L. and Albert Warner guaranteed to underwrite the financial requirements of the United States and British governments in bringing the refugees here for the duration of the war.

Hollywood, July 11.—The most extensive campaign for any charity undertaken by the industry will get under way in Hollywood on Monday and nationally next month for the Red Cross and the Allied Relief Fund.

With top executives and talent leading the drive, Monday noon studio streets will rally all employees to hear a radio program relayed from the M-G-M lot by KFWB and other local stations. The patriotic program, featuring Jeanette MacDonald and Robert Montgomery, will be followed by appeals by executives at each studio.

Exhibitors will meet either at the Ambassador Hotel or the Boulevard Theatre for a similar meeting.

These gatherings aim at a quick windup of the drive for funds to permit immediate preparation of a series of tours to be made by Hollywood players during which they will make appeals to audiences in theatres.

Loew’s N.Y. Houses Revamp Ad Setup

Loew’s Weekly, four-page booklet that has been issued weekly by Loew’s New York theatres for 21 years, will suspend publication with the issue of next Thursday.

This will mark a radical departure in the advertising setup of Loew’s Metropolitan circuit. A large portion of the cost of publishing and mailing Loew’s Weekly will be diverted into daily newspaper advertising, said Oscar A. Doob, advertising director of Loew’s.

It is planned to publish a complete directory of Loew programs in the New York daily newspapers. This would list all of the 70 or more theatres in the Metropolitan district. The directories will run five or more days a week.

A tentative, initial budget of about

Gus Schaefer RKO Northeastern Head

Gus Schaefer, formerly in the foreign sales department of RKO, was appointed Northeastern district manager yesterday by Ned E. Depinet, vice-president in charge of distribution.

Schaefer, who will have charge of New Haven, Boston, Albany and Buffalo, succeeds Herb MacIntyre. The latter moves to the Coast as Western district manager, covering Los Angeles, San Francisco, Portland, Seattle, Salt Lake City and Denver. Harry Cohen, formerly Western district manager, becomes manager of the Los Angeles territory, succeeding Newton Jacobs, who will be given a new assignment.

Schaefer’s headquarters will be in Boston, MacIntyre’s in Los Angeles.
British C.E.A. Cannot Meet Tax Demands

London, July 11—British exhibitors are holding rigidly to their insistence that they cannot meet the Government's expressed requirement of an approximate $19,000,000 annually in new taxation on the film industry to help meet Britain's war budget. Contrary to expectations, the meeting today of a trade delegation with a Treasury Department official brought no concrete Government proposal. The official merely inquired whether the industry had developed any practicable ideas, and Harry Mears, Cinematograph Exhibitor Association president, head of the exhibitor delegation, replied that they were awaiting Government leads toward a solution.

The Government officials tentatively suggested one or two methods, but Mears insisted none could be accepted without approval by the C.E.A. general council. The C.E.A. taxation committee will meet Tuesday, followed by a special meeting of the organization's general council on Wednesday, and probably another meeting with Government officials on Thursday. Exhibitors say they are willing to accept an appropriate share of the burden, but contend that war time conditions make it impossible for the industry to meet a demand for a specific amount. It is expected the exhibitors will attempt to formulate a completely new theatre tax scale, based on an analysis of the economic feasibility of an increase in admissions.

Hammons to Coast Today on Feature

Earle W. Hammons, former president of Educational and Grand National, will be here tomorrow to set details on his first feature pictures venture. Details of cast and the like will be set by Hammons on the Coast. He indicated yesterday that he may produce the film in the East. He said he expects to return here in about two weeks.

Lindy's

RESTAURANTS

1624 BROADWAY 1655
Closest to the Rivoli Theatre

For over 20 years the luncheon and dinner place for Motion Picture People

Full Card of Soups

1159 1/2 Market St. San Francisco, California

Personal Mention

W. G. VAN SCHMUS, managing director of the Radio City Music Hall, is showing improvement at St. Luke’s Hospital following a recent operation.

William P. Montague, jr., city editor for Paramount News, left for Chicago yesterday to make preparations for the coverage of the Democratic convention.

Mrs. Edward Cohen, the former Miss Minnie Cohen who is secretary to Norman H. Moray, Warner short subject head, became the mother of a daughter Wednesday night at Adelphi Hospital, Brooklyn.

Mary Louise Mahon of the Courier-foord home office booking department, Scranton, Pa., is engaged to Thomas J. Reagan, jr., of Binghamton, New York. The wedding will take place in the late Fall.

William Sorensen, M-G-M booking supervisor in Milwaukee, is nursing a broken leg.

Michael Gerard Crowley has joined M-G-M’s Boston booking staff.

Madeleine Carroll, who arrived from France by air yesterday, will leave next week for Charlottesville, Va., for location shots.

C. W. Alexander, assistant cashier at the Paramount home office, and Mrs. Alexander have left today for Santo Rosa for a Southern cruise.

Charles MacDonald, RKO division manager in New York, will sail today on the Santo Rosa for a 12-day cruise in Southern waters.

Nat Sanders, president of "The Baker’s Wife,” Inc., has returned from a three-day trip.

Herman Pinicus of the advertising department of Motion Picture Daily leaves tonight for Massachusetts where he will spend two weeks.

Sam Forsest of the M-G-M production department returns from his vacation Monday.

Joel Bezahler, assistant to E. M. Saunders at M-G-M, celebrates a birthday today. Sidney Glaser of the advertising department also is a year older today.

Shirley Handler is due here today from Chicago where she completed an engagement at the Hi-Hat Club.

A. W. SMITH, RKO general sales manager, returned yesterday from Boston.

Robert Mochrie, RKO Eastern and Southern division manager, will return over the weekend from Atlanta.

Maurice Silverstone, Arthur W. Kelly, Archie Mayo and William Brandt at Lindy’s (51st St.) yesterday for lunch.

Louis Astor, Abe Weissfeld, Lou Weinberg, and Harry Cosman lunching at Lindy’s (next to the Rivoli) yesterday.


Jack W. Freywell of the State, Hartford, Va., is a World’s Fair visitor.

Herbert Robbins, Tony Gruen, George Demow, Charles E. McCarthy, William A. Scully, Maurice Bergman and Max A. Cohen at Nick’s Hunting Room in the Astor for lunch yesterday.

Harry E. Wessinger of the Carolinas, Lexington, S. C., is vacationing here.


Three-Trailer Plan For ‘Correspondent’

Hollywood, July 11—Three trailers are being made by Walter Wang, for his “Partisan Correspondent,” to be released by United Artists. The first, 80 feet long, will incorporate scenes directed by Alfred Hitchcock; the second, 120 feet, will stress the film’s leading players, and the third, 265 feet, is a general one. They will be released three weeks, two weeks and one week prior to first run openings.

E. E. Webber Dies

Kansas City, July 11—E. E. Webber, exhibitor here for 10 years before his retirement in 1939, died this week at the age of 60. Webber, who formerly operated the suburban Colonial and Mary Lee, is survived by E. E. Webber, jr., a son, who was president of the local exhibitor organization two years ago.

No Appeal on Wives

Albany, July 11—The State Education Department’s law division, which handles New York State censorship problems, has shot down any appeal from the State’s ban on “The Merry Wives,” distributed in this country by Edgar E. Lloyd, it was said here today.

Slot Machine Films Subject to Censor

Albany, July 11—The New York State censor board plans to give closely the use of slot machine films in the state, it was indicated here today.

A motion picture film which is displayed with admission charge in New York State is subject to review and if it needs a state seal, Irwin Esmond, censor chief, told Motion Picture Daily today.

No Motion pictures that sell slot machine films has yet been submitted for review, he said.

Schne Suit Reply

Due in 40 Days

BUFFALO, July 11—The Schine Circuit and the major distributors, defendants in a Government antitrust suit in Federal court here, have 40 days in which to answer the bill of particulars which was filed early this week, according to U. S. Attorney George L. Grobe. Trial of the action is now expected early in November. The suit was filed against the Government by the bill of particulars, the U. S. attorney supplied a complete list of film theatres acquired by the Schine Circuit during the past several years. The list, containing the names of 135 houses, covers towns in New York, Ohio and Kentucky.

Smith Is Due From Europe on July 18

Harold Smith, European representative for the M.P.P.D.A., whose headquarters formerly were in Paris, is due here with his family next Thursday or Friday when the Mandatos is scheduled to arrive from Lisbon. The ship is scheduled to leave the Portuguese seaport today, after long delays, and is expected here as a gather of many refugees as possible.

It is believed that several other prominent European American film companies are on board, but an accurate check is impossible under the present circumstances.

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(Registered U. S. Patent Office)

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"NEW MOON"—2nd Week of S. R. O. Biz at Columbus, Cleveland, Baltimore, Harrisburg, Hartford, New Haven, Washington, D. C., Denver, Salt Lake, San Francisco, Spokane, Los Angeles (Playing 2 Theatres Day and Date). And More to Come!

"ANDY HARDY MEETS DEBUTANTE"—2nd Record Breaking Week at Columbus, Cleveland, Dayton, Hartford, Atlanta, Houston, Detroit, Chicago, Indianapolis, Kansas City, Louisville, Providence, Reading. And More Every Day!

Reunited! Jeanette MacDonald and Nelson Eddy! And the Cash Register is Red Hot!

Reunited! Mickey Rooney and Judy Garland. They're topping sensational "Babes in Arms"!

It's WINTER at the Box-Office when you play M-G-M's Summer Life-Savers!

"NEW MOON" AND "ANDY HARDY MEETS DEBUTANTE" ARE HOLD-OVER SENSATIONS!
Separate Peace With ‘Big 5’ Seen in Suit

(Continued from page 1)

Government attorneys acting as the go-betweens, but Universal, Columbia and United Artists are described as having been non-committal.

In the week's flurry of an "escape" clause by the Government to the Big 5, according to spokesmen, that suggests the possibility of a separate peace.

The means by which the Big 5 intend to bring about certain reforms are reported as:

(a) Trade showings before selling.
(b) Local buying.

Among the benefits to be derived from such reforms are:

1. Exhibitors will have the right of first refusal.
2. National and affiliated circuits will have to compete in booking pictures.
3. Product will have to be purchased in the respective exchange area of the theatres seized.

The possibility of a separate peace with the Big 5 comes on the heels of an earlier report which circulated through trade circles yesterday that the armistice talks were on the verge of collapse, because of the attitude of Universal, Columbia and United Artists.

In some circles, that belief still prevails despite the apparent progress which is reported towards an effective settlement.

Discrimination, overbuying, clearance will be subject to arbitration, it is asserted.

Today, representatives of the Big 5 meet again with Government attorneys. Later in the day, perhaps, the Government men may meet with lawyers of Universal, Columbia and United Artists.

In the meantime, it is planned that a further week's postponement of the date of trial until July 22 shall be sought on Monday from Federal Judge Henry W. Goddard.

Feature Review

"The Boys From Syracuse"

(My Fair-Universal)

To a motion picture public unquestionably groggy from scare headlines about defense, "Fifth Column," blitzkriegs and general world calamity, "The Boys From Syracuse" is the kind of screen entertainment the doctor ordered.

If the prime function of the screen is to purvey entertainment—and this is one time above all when it is needed—this musical item of delightful nonsense serves that function to perfection. Based on the Broadway musical hit by George and Ira Gershwin and Lorenzo Hart of the same title, its transformation to the screen has caused it to lose none of its pep and bounce and general all-around entertainment value.

It's a tuneful yarn of ancient Greece, of twin brothers lost for many years, who after two life-indie, likewise lost, of mistaken identity when the two from defeated Syracuse sneak into victorious Ephesos to search of their father, sentenced to be hanged. It's all a mixup, and all good fun, elaborately staged, climaxed with a cracking chariot pursuit, and played to the hilt, musically and otherwise, by Allan Jones and Joe Penner, in the dual roles of twin offspring, respectively: Martha Raye, Rosemary Lane, Charles Butterworth, Irene Hervey, Alan Mowbray, Eric Blore and Samuel S. Hinds. That's the whole cast, outside of a horde of armoured and long-gowned extras, but they all deserve mention.

The Jules Levey production was directed with a fine touch by Edmund Sutherland, from a screenplay by Leonard Spiegelgass and Charles Geyron. The tunes that helped to make the musical stage success are all here, rendered skilfully by Jones, Penner, Miss Raye and Miss Lane. Clever touches like the sale of frozen ice cream sticks from a bell-laden chariot, and the streetcar ride, will tickle the funny bones of any audience—and so will the rest of the film.

Running time, 73 minutes. "G**" denotes general classification.

Charles S. Aaronson

NBC Prepares for Television Soon

(Continued from page 1)

will soon act on 19 pending applications.

NBC has not yet decided on the starting dates for construction of the two new stations, it was said, but it is known that when the construction, and operation will begin. The network is looking forward to an agreement on television standards and permission for commercial programs before the end of the year, it was said. It pointed out that the FCC is now appointing a committee composed of engineers representing all phases of the industry and this group should come in with definite recommendations.

Loew's N. Y. Houses Revamp Ad Setup

(Continued from page 1)

$200,000 has been set up for the newspaper, ad of the print and of the press. The schedule will be expanded, if the experiment is a success, until a total budget of about $400,000 is used annually.

In the neighborhood, some neighborhood houses use newspaper, ad of the paper, this type of advertising has been used in any other major cities than in New York. Because of their large circulation, New York newspapers were hesitant in setting up such a campaign, but the local ad space rates. This test has been gradually hurried, opening the way for the New York neighborhood theatres to utilize newspaper ad space.

Small Plans Feast At 'Pago' Opening

Hollywood, July 11—Following the preview of the new feature for United Artists release, "South of Pago Pago," Edward Small will play host to the film stars of South Seas liaisons or feast, on Monday evening, when the film will be held out doors. The menu has been prepared by a South Seas food expert, with native dishes predominate. Samoan music and native dancing girls will set the stage.

War Impels Cutting RKO Fees: Schaefer

(Continued from page 1)

emus; and $97,229 in 1939, representing 81 per cent of foreign revenues, and 27 per cent of world revenues.

RKO's cash from all foreign territories is: by June 30, 1940, was $3,689,531 in comparison with $4,789,531 for the corresponding period of 1939. Maltby continued.

Furthermore, Schaefer said, the income from the United Kingdom, the greatest single source of foreign revenue, was $3,030,624 from June 5 to October 28, 1939, in comparison with the maximum possible cash receipts of $650,000 for the same period in 1940, because of the so-called "Embassy Agreement" on currency withdrawals, while auxiliary film companies are now operating in the United Kingdom.

As further evidence of the uncertainty of business in the British Isles, Schaefer said the "Embassy Agreement" would expire in October of this year and that there was no certainty that business could be continued with England during the next stages of the war.

It was also related that RKO had cut all employees' salaries in excess of $4,500 yearly from 10 per cent to 50 per cent. Normally, he said, RKO had been one of the more liberal of financial institutions to obtain essential working capital. However, since these developments, the domestic market for the entire remuneration of their loans, these concerns have been an extension of their credits. Moreover, of a total of $200,000 spent for additional theatre property and a substantial fee for the same company that was "problematical."

Heaven $110,000 Music Hall Smash

(Continued from page 1)

up during the evening as many turned to see film houses for amusement instead of the World's Fair, parks and the beaches.

Personal appearances will be made tonight at the Strand and Roxy where new films open. "My Love Came Back" will open at the Strand with Robert Walker and his band as the stage attraction. Jeffrey Lynn, who co-stars in the film, will make two stage appearances. At the Roxy, "Maryland" will bow, with Brenda Joyce making a stage appearance at the 9 o'clock show.

"Private Affairs," which ran eight days with a stage show at the Roxy, drew an estimated $25,000 for the period. "How God Opened the Capitol yesterday following a third week of "The Mortal Storm," which grossed an estimated $30,000.

After the holiday, "Gone With the Wind" jumped to an estimated $9,000 for its 9th week at the Astor, the highest grossing title four weeks in advance and no closing date has been set.

For their second year at the Strand, "The Man Who Talked Too Much," directed by Jack Conway, will be presented with Bob Crosby's band on the stage, grossed an estimated $17,000.
RKO to Reduce Cooperative Ads

Television Gets Films

Independent Hollywood producing companies have expressed considerable interest in renting old films to NBC for telecasting, an NBC official disclosed yesterday. Previously all film purchases were made from companies in New York.

A deal with Colony Pictures for four Ken Maynard Westerns which were produced in 1938 has just been closed. This is in addition to a number of Westerns previously obtained from Colony. Astor Pictures has also restated "His Double Life" with Roland Young to NBC. This film was originally released by Paramount in 1933.

NBC is looking forward to a new source of supply from producers of 16mm. three-minute shorts which are intended for use in coin motion picture machines. It was pointed out that a large number of prints will be available and the rental cost to television will probably be nominal.

These films are almost ideally suited for television because they can be used singly as 'fillers' or grouped in sequences.

(Continued on page 3)

Trammell New NBC Head

NILES TRAMMELL, who rose from RCA salesman to executive vice-president of NBC, this morning will assume his new duties as president of the broadcasting company, to which he was elected by the directors on Friday.

That Trammell would succeed Lenox R. Lohr was indicated when Lohr's resignation was announced June 7. David Sarnoff, RCA president and chairman of the NBC board, pointed out that Trammell, who joined RCA 17 years ago, had "risen from the ranks."

The new head of NBC, who is 46 and a native of Georgia, had Army service as lieutenant through World War I and until 1923, in that year joined RCA as commercial representative of the traffic department in San Francisco. In 1925 he was appointed assistant sales manager on the West Coast.

He held this position until March, 1928, when he joined NBC in New York. Two months later he was transferred to Chicago as manager of the Central division. In March, 1929, he became a vice-president of NBC. He was appointed executive vice-president on Jan. 1, 1939, and came to New York.

(Continued on page 4)
Personal Mention

FRANK C. WALKER left last night for the Democratic National Convention in Chicago.

LEONARD GOLDBERG and SAM DEMROW, Jr., of the Paramount theatre department, returned over the weekend from the Paramount theatre partner’s meeting in Chicago.

Mr. and Mrs. John Moroney are in town from Dallas.

LADY MARGARET, M-G-M head in Continental Europe, with her wife and child, now are due on the Clipper from Lisbon today. They were left behind when the Clipper which left Lisbon on Friday had to be lightened at the last moment on orders from the U. S.

EDWARD GREENBERG of the Warner home office advertising staff is vacating at a dude ranch.

JACK ROSENZWEIG, manager of the Manchester, St. Louis, is in town.

PHIL DUGAN of the Warner Theatre contact office, New Haven, is at the national Good camp at Fish’s Island.

JAMES CASEY of the Colonial, Caman, Conn., is vacationing in Boston.

N. M. Schenck Back From Visit to Studio

Nicholas M. Schenck, president of Loew’s, Inc., returned from the Coast over the weekend after several days viewing new product with William F. Rodgers, general sales manager.

Rodgers left Hollywood over the weekend. After visiting San Francisco and Seattle, he will return to the home office next Monday.

Buffalo Suit Charges Illegal ‘Nation’ Prints

BUFFALO, July 14.—Epooch Producing Corp. of New York and Thomas Dixon in a suit filed in Federal Court here charge Charles H. Tarbox and the Film Classic Exchange with making copies of “Birth of a Nation” without the knowledge or consent of the owner, which claims to hold all rights to the film.

The complaint is signed by Henry E. Aitken of New York, president of Epooch and long associated with the distribution of the David M. Good films. Aitken seeks damages and an injunction against alleged rental, sale and distribution of the printed version.

The history of “Birth of a Nation” is recounted in the complaint. Rights and title were assigned to Epooch in 1915 by the Majestic Motion Picture Co., the complaint says. Howard R. Sturtven is attorney for the plaintiffs.

Henigson Due Today

Henry Henigson of Globe Pictures Corp., accompanied by David Diamond, Coast representative for Fortrade Corp., Chicago, is due here by plane today for conferences with executives of Fortrade concerning two productions to be made for James Roosevelt.

Duvivier, Clair Arriving

Julien Duvivier and Rose Clair, French directors, will produce and direct two films each for Transcontinental Films in Hollywood, it was announced by Paul Graetz, head of the company. Duvivier is due from Europe today and Clair next week.

Monogram Meeting
Here on Thursday

Seven Monogram exchanges will be represented by their top sales personnel at an Eastern district regional meeting at the Barbizon-Plaza Hotel here next Thursday and Friday. Edward A. Golden, general sales manager, will preside.

The seven exchanges are: New York, Philadelphia, Boston, New Haven, Albany and Buffalo. W. Ray Johnston, president, is expected to fly here from the Coast to address the meeting.

Represent 35 Per Cent of Gross

Golden pointed out that the seven exchanges represent 35 per cent of the company’s national gross business. Sales policy for the new season will be the chief topic of the two-day session.

Harry H. Thomas, general manager of the company-owned New York, Philadelphia and Washington exchanges, will bring the complete personnel of his branch to the meeting.

From the home office the following will attend: Thomas P. Loach, vice-president and treasurer; Norton V. Schenck, manager of the New York office; Louis S. Lifton, director of advertising and publicity; Edward G. Schieber, assistant treasurer; Lloyd L. Head, head of the contract department; John S. Harrington, print and accessories manager; Joseph Lamm, chief accountant; H. W. Davis, personnel and office manager.

Those Attending from Field

Representing the New York exchange, in addition to Thomas, will be: Joseph J. Felder, manager; William C. Foster, assistant manager; Lester Tobias, Richard Perry, Sol Kravitz and Jules Chapman. Philadelphia will send Sam Rosen, manager; Moe Sherman, Samuel Palan and W. Z. Porter. From Washington will come Harry Brown, manager; Harry Tool, Arthur J. Hansen, and D. Price.

The Boston and New Haven delegations include Steve Brody, manager and member of the Monogram board of directors, Leo F. Britton, Nat Turst, Eugene J. Gross and Herman Konnis. The Albany delegation consists of Nathan R. Sodleman, manager, and Mitchell Panzer. From Buffalo will come Harry Berkson, president and manager, and Howard W. McPherson.

Exploitable!

the story of those 5 sisters in search of husbands!

PRIDE AND PREJUDICE
(M-G-M hit starring GREER GARSON & LAURENCE OLIVIER)
Coming Soon!
FOR THE EXCLUSIVE FIGHT PICTURES of the big bout to be held at the Polo Grounds New York, Wednesday, July 17, between WORLD'S LIGHTWEIGHT CHAMPION LEW JENKINS and WORLD'S WELTERWEIGHT CHAMPION HENRY ARMSTRONG WIRE LOCAL BRANCH OR HOME OFFICE NOW BOOKING! RKO RADIO PICTURES Prints available in Metropolitan area Thursday, July 18th Everywhere else, Friday, July 19th
Television

Getting Films
From Coast

(Continued from page 1)

for a pleasant half-hour variety show, it was said. If the film coin machines prove popular there will probably be a steady source of supply. In addition to the new feature films of the Million, there are not likely to fear complaints from theatre owners, it was said, and the bar and dance hall proprietors are not likely to find a one-time show in television competition for their machines.

At present, most of NBC feature films are Westerns, and there is little effort being made to find better product. This was explained yesterday on the ground that the Westerns are receiving a rating of "two" from the audiences which rate the attractions each week. "Two" is equivalent to "good," and as long as this type of entertainment continues to please, there is a reluctance to spend more money on the production of Western features. It was explained, even if major product were available. At theatres and bars, where a great many receivers have been installed, the long film features are not popular and better product would result in only a slightly increased audience rating, it was said.

Meanwhile, NBC intends to continue its regular service of five matte- nee and five evening programs weekly over W2XBS, the New York station. Although costs have been cut by the elimination of most of the extended studio productions the 10 periods will be filled with outside pickups of sporting events and national studio shows. Until there is some definite decision on standards and commercialization, no effort will be made to return to the old schedule which sometimes ran up to 15½ hours a week during the Republican convention.

RKO to Reduce
Cooperative Ads

(Continued from page 1)

has correspondingly placed on the producer and distributor, the latter has had to act in self-protection.

RKO, in the future, it is asserted, intends to do cooperative advertising only in special situations, as the individual circumstances require.

Other major company executives assert that the cooperative advertising problem has become increasingly worse over the years, not from the standpoint that the distributors and producers have been unwilling to cooperate this way, because they have, but because the exhibitor has been short-sighted enough to trim his own advertising and to expect the distributor to carry most of the load.

Publicity for Publicist

Charles Einfeld, director of advertising and publicity for Warners, is the subject of an article in the April 27 issue of the weekly magazine, Friday. Considerable space is devoted to Einfeld on the Einfeld campaign for the "Oomph Girl," Ann Sheridan.

Hollywood Reviews

"Young People"

(20th Century-Fox)

H O L L Y W O O D , July 14.—"Young People" is Shirley Temple's "swan song" at 20th Century-Fox, and is the story of a little girl growing up in vaudeville with her foster parents, to their retirement and life on a New England farm. By use of portions of musical numbers from three of her earlier films, the transition of the girl up to the present is shown. Acting as her foster parents are Jack Oakie and Charlotte Greenwood, both of whom give excellent humorous characterizations. Chief love interest is supplied by Arleen Whelan and George Montgomery. Harry Joe Brown produced the film, with Allan Dwan as his director. Edwin Blum and Don Ettlinger wrote the screenplay. Music and lyrics for five additional numbers were supplied by Mack Gordon and Harry Warren. The preview audience at the Westwood Theatre applauded uproariously, and gave every indication of being thoroughly entertained.

Running time, 78 minutes. "G."

"We Who Are Young"

(M-G-M)

H O L L Y W O O D , July 14.—There will be varying audience opinion on "We Who Are Young," a grim portrayal of the struggle of two young newly married people against present-day loam sharks, loss of film interest, going on relief, and impending childbirth in the face of dire poverty. The scene is New York. The couple, just married, run up against money troubles their first week. On relief for three months, and with his wife expectant, the man in a frenzy starts work at a construction job, "just to be doing something" without pay when the foreman has him arrested for trespass. The head of the construction company bails him out, gives him a job, the young man's former employer realizes that money isn't everything," and twins are born.

Marilyn Monroe and Charlie Chaplin in "We Who Are Young." Miss Turner doing a dramatic characterization which excites interest and Shelton, a newcomer, showing promise. Gene Lockhart, Grant Mitchell, Henry Armetta and Jonathan Hale head the supporting cast.

This M-G-M picture is the first American production effort by Seymour Nebenzahl, who produced "Meyerling," "M" and others. Harold S. Bucquet directed from an original screenplay by Dalton Trumbo. Running time, 79 minutes. "A."
EDWARD SMALL presents

SOUTH OF PAGO PAGO

with

Victor McLaglen • JON HALL • Frances Farmer

OLYMPE BRADNA • GENE LOCKHART • DOUGLAS DUMBRILLE

Screen play by GEORGE BRUCE • Directed by ALFRED E. GREEN

Released thru UNITED ARTISTS

THRILLS TO SELL...

• the battle of the lagoon...white men dynamiting native war canoes! • the undersea adventures of the daring pearl divers! • the sinuous measures of the luau, native dance of love! • the sailing ship adrift in the tropic seas...manned by a dead crew! and especially...the romance of Jon (Hurricane) Hall and Shanghai Ruby (Frances Farmer) as they find love beneath those torrid tropic stars!
U.S. Pictures

Schine Growth
In Five States

BUFFALO, July 14.—A picture of the Schine pictures' distribution to 545 cities in the United States this year is given by the Government in a bill of particulars filed in U.S. Dist. Court here in connection with an antitrust suit against the company.

The major growth of the houses in the New York and New York, with a number of theaters in Pennsylvania and Delaware. The Government lists 135 theatre acquisitions, as follows:

Regent, Rialto and Strand, Amsterdam, N.Y.; Opera House and Palace, Ashland, O.; Athene, Court and Ohio, Athens, O.; Jefferson, Palace, Strand and Auburnd, Auburn, N.Y.; Capitol, Ballston, N.Y.; Babcock, Bath, N.Y.; Court, Holland and Strand, Bellefontaine, O.; Southern, State, Ohio and A., Bucyrus, O.; Granada, Jubilee and Riverside, Buffalo, N.Y.; Arcade and Grand Opera, Columbus, Md.; Playhouse, Canandaigua, N.Y.; Strand, Carthage, N.Y.; Hippodrome and Kentucky, Corbin, Ky.;

Theatres in Small Towns


Institutional Listings

Russel, Maysville, Ky.; Princess, Medina, Mass.; Massena, Massena, N.Y.; Plaza, Millford, Del.; Lyris, Vine, Ohio and Vernon, Mt. Vernon, O.; Capital, Newark, N.Y.; Moor and Forum, Norwalk, O.; Colonial and Snally, Norwich, N.Y.; Star, Stroudsburg, O.; Atlantic, Ogdensburg, N.Y.; Oneonta, Palace and Strand, Oneonta, N.Y.; Capital, Richardson, Strand and State, New York, N.Y.;


Baker, Falls, N.Y.; Castamba, Shelby, O.; Eckel, Paramount, Keith and Strand, Sidney, O.; New Tiffn, Ritz and Grand, Tiffn, O.; State, St. Louis, N.Y.; Strand and Van Wert, Van Wert, O.; Avon, Olympic and Palace, Watertown, N.Y.; Capital, Whitehall, N.Y.; and the Wooster, Opera House and Wayne, Wooster, O.

Feature Reviews

“Carolina Moon”

(Robert)

GENE AUTRY, Smiley Burnette, June Storey and Mary Lee shift their activities to the run down plantations in the Carolinas where there are just as many men as on any Western plain. There are several renditions of that popular hit tune, “Carolina Moon” as well as “Me and My Echo,” “Say Si Si,” “Dreams That Won't Come True,” “At the Rodeo” and some spirituals by the plantation darkies.

Mary Lee, who is coming up fast as a popular juvenile, joins in the singing and it seems to work, and would increase her popularity with audiences by this performance. Gene and Smiley have not a single line where they find that Miss Storey is trying to compete with a thoroughbred horse as her mount. Gene advises her against entering so sensitive an animal but she insists. Later, Gene purchases the thoroughbred but is somewhat surprised when he learns that Miss Storey and her family have returned home without delivering the animal.

He traces them to their Carolina home where he discovers that all the plantation owners are in danger of being swindled out of their land by speculators who seek the rich pine forests. Gene stops the swindle and the windmills stop the royal between cowhands and lumberjacks with both sides swinging axes.

Frank McDonald directed and William Berk was producer. William Milliner wrote the story from an original by Connie Lee.

Running time, 65 minutes. “G.”

Edward Geisz

“Tengo Fe En Ti” (“I Believe in You”)

(Victoria-RKO)

A Spanish musical drama, this was produced in Hollywood by Victor Films for RKO release. Rosita Moreno is starred, with Jose Crespo, Romualdo Tirado and Franco Puglia, popular with Spanish audiences, in top roles. John Reinhardt directed.

Told in first person fashion, Puglia, as an aging dancer professor, recounts the episodes of the story. Miss Moreno is a noted ballet dancer who dies in the early sequence. Following her death, Puglia finds the dancer's daughter in Paris and like her mother, the child is taught the intricacies of the ballet by him. Picking up years later, the girl, also portrayed by Miss Moreno, and her teacher go to Hollywood. There she impresses Crespo, a film producer, and becomes a star. Tirado is effective as an amusing booking agent.

Running time, 70 minutes. “G.”

“G” denotes general classification.

16mm: A Problem Upstate

But Not Serious Elsewhere

Following are additional reports on the extent of 16mm. competition to theatres which has been subject of protest by exhibitor organizations:

Albany, July 14.—Near Canton and Watertown, in upper New York, specifically around Fault, St. Regis, Brasher Falls and near Potsdam 16 mm. films have a good foothold and are known to have taken some part in forming large towns and small cities in that vicinity. Recently, however, a Utica exhibitor has announced his intention of opening in one or two of the towns where no theatre now operates.

Northwest Is Untrodden

Seattle, July 14.—The Pacific Northwest territory at present is almost entirely unexploited by the competition of 16 mm. films, according to a check by James M. Hone, executive secretary of the Washington state independent theatre.

In anticipation of future competition, however, the exhibitors of this district have joined with the Pacific Coast Conference of Theatre Owners in adopting a resolution against the distribution of 16mm. film by major producers, or the showing of such films by non-theatrical competition.

No Problem in Iowa

Des Moines, July 14.—A check reveals that there is very little 16 mm. film used in Iowa. Those that are in operation for the most part are with the use of portable machines during the Summer months in situations where there are no theatres. A good deal of the material thus shown is of an educational nature. Exhibitors have had no competitive problem with the 16 mm. shows.

No Scranton Competition

Scranton, Pa., July 14.—No competition has been reported from 16 mm. films here, although nearby government parks have been announcing free old time films once a week. An increase in non-theatrical showings by civic, religious and school groups has been reported. Virtually the same situation exists in the Wilkes-Barre area.

Showmanship Flashes...

Hardy Congratulations

On “Andy Hardy Meets Debutante” the Loew-Poli New England circuit arranged to have the mayors of six large towns in the state extend congratulations to the Hardy Family on their third anniversary. The greetings were delivered in a 15-min. film over the community and theatre credits. They were played over local stations.

Haunted House Search

Aids ‘Ghost Breakers’

Superior, Wis., July 14.—An appeal to local residents in his search for a haunted house, even though it was fruitless, provided a good gag for Harvey Buchanan, manager of the Palace, in his exploitation of “Ghost Breakers.” Buchanan said he knew a reporter and photographer who would spend a night in such a house, if one could be found.

Edison Models Used For Film in Philadelphia

Philadelphia, July 14.—In conjunction with the showing of “Edison, the Man” at the Jackson Theatre here, Bud Freeman, exploitation director of the lobby exhibit of the inventions and models of Thomas A. Edison. The display was arranged with the cooperation of the Franklin Institute here and Thomas A. Edison Inventions of West Orange, N. J.

Tax All Admissions, St. Louis Unit Urges

St. Louis, July 14.—The M.P.T.O. of St. Louis, Eastern Missouri and Illinois, of which Fred Wehrenberg is president, has passed and forwarded to Congressmen a resolution urging there be no exceptions made to the recent Federal admission tax, which set the exemption at 20 cents.

Citing among the undesirable results of the 20-cent exemption in the amended law, the M.P.T.O. notes the policy of some exhibitors in lowering admission prices below the exemption figure, thus obtaining an advantage over the exhibitor who “patriotically” respects the Government's small call.

“Price cutting begets price cutting,” the resolution said, and foresaw “a general collapse of the show business” as well as defeat of the Government's objective.

“The law seems to place a premium on ‘cheating’ by unfair business men —action that threatens the entire price structure of the theatre industry,” the resolution declared.

Ed Kuykendall, president of the M.P.T.O.A., in a recent bulletin to members recalled that a move is under way to extend the State and Federal tax structure, which will probably include a tax on all admissions of 10 cents or more. Legislation to this effect may be introduced in the January sessions of Congress.
**'Earthbound,' Show $23,000, Milwaukee**

**Fights Louisville Sound Truck Band**

Louisville, July 14.—Sam Maupin, local sound truck operator, was back in Circuit Court today, seeking a temporary restraining order against the city's new anti-noise law. He's filing a suit against the city, claiming the playing of "suitable music is the right of all citizens who love music, which serves as a tonic to overworked nerves."

**Critics’ Quotes**

"ALL THIS, AND HEAVEN TOO" (Warners)

Rich for the sake...a lot of movie; a lot for your money; heavy, solid and satirical—Cecelia Alger, PM.

An otherwise searching and absorbing, albeit lengthy, film which is lifted to great heights at times by the acting of the incomparable Bette Davis—William Beaudel, New York World-Telegram.

A handsome production...lavishly mounted and spun out with a careful attention to detail in the matter of the custom and costumes of the period...Boyer does another "Mayerling".—Rose Pelischak, New York Journal American.

The Davis and Boyer performances are as splendid as you would expect...No pains have been spared to make this production one of the year's leaders.—Archer Winsten, New York Times.

A strange picture, heavy with suppressed emotion, as tight-lipped as the performance of its star...a curious literary quality to the entire production...production is handsomely set and costumed. The musical score, by Max Steiner, excels...Frank S. Nugent, New York Times.

A dramatic, beautiful picture that the film industry may well acclaim...Miss Davis gives the best performance of her career...Boyer is superb.—Lee Mortimer, New York Daily Mirror.

A respectful, painstaking adaptation of the first part of Rachael Field's best seller...Earnestly acted, zealously directed...bound to attract crowds and more than satisfy those who can appreciate its abundant artistry and, at the same time, forgive its length.—Wanda Hale, New York Daily News.

A tear-laden old-fashioned drama—and a very heavy one, too.—Roxley Croscher, New York Times.

If ever there was what the showmen—in joyous anticipation of big profits—are clamoring for, here is a picture that combines all the right elements of a true motion picture. Miss Ballard's performance is notable...the film is a compelling and definitely entertaining strip of celluloid that warrants your attention.—Garrett D. Byrnes, Providence Journal.

**SUSAN AND GOD** (M-G-M)

A lot of good stuff in this picture if you can find it between the long winded and somewhat hackneyed dialogue. Miss Ballard has strong support in this film that glitters with glamour and handsome sets.—Wanda Hale, New York Daily News.

Joa Claudford's first appearance as a stellar comedienne is a spectacular success. He is a completely new force in the film and the film is a compelling and definitely entertaining strip of celluloid that warrants your attention.—Garrett D. Byrnes, Providence Journal.

"THEY DRIVE BY NIGHT" (Warners)

The most surprising performance of the year is given by Ida Lupino...dialogue is scintillating and unusually witty...entertaining drama and a credit to Warner Brothers.—Lowella A. Parsons, Los Angeles Examiner.

A good stout entertainment affair, with plenty of rough and ready dialogue...but that proceeds very interestingly all the way.—Edwin Schollert, Los Angeles Times.

Commands attention...plenty of smart, wise-cracking dialogue...a really distinguished performance by Ida Lupino...a picture that has plenty of punch.—Harriman Correll, Los Angeles Herald Express.

"NEW MOON" (M-G-M)

Full of romance—very colorful romance...a typical MacDonald-Eddy romance...just the right number of songs...moves fairly fast, is a spectacular and lavish production and should find considerable favor with the movie-going public.—Pence James, Chicago Daily News.

A gay and romantic film...as light-hearted and enjoyable you can have...—Cuba Gooding, Chicago Herald American.

"BROther ORCHID" (Warners)

It's amusing—not uproariously funny—but it will keep a pleasant look on your face all the way through...it has what it takes—laughs, excitement and even some tenderness.—Pence James, Chicago Daily News.

One of the most novel and picturesque to pop up in weeks. The show is fast, funny and a truorial to trite situations...it's a good fun.—Chicago Herald American.

**‘HARDY’ Pulls Good $31,900, Los Angeles**

Los Angeles, July 14.—"Andy Hardy Meets Debutante" and "Lucky Cisco Kid" drew $31,900 at two downtown theatres yesterday. "Safari" brought $17,500 at Loew's State. "My Favorite Wife" and "Beyond Tomorrow" drew $8,100 at the Hillstreet and $15,400 at the Central.

Estimated takings for the week ending July 10:

<table>
<thead>
<tr>
<th>Title</th>
<th>Theater</th>
<th>Days</th>
<th>Week Gross</th>
<th>Average Week Gross</th>
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<tr>
<td><strong>All This, and Heaven Too</strong></td>
<td>W. B.</td>
<td>7</td>
<td>$2,900</td>
<td>$414</td>
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<td><strong>Andy Hardy Meets Debutante</strong></td>
<td>M-G-M</td>
<td>7</td>
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<td>$328</td>
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<td><strong>My Favorite Wife</strong></td>
<td>RKO</td>
<td>7</td>
<td>$1,800</td>
<td>$257</td>
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<tr>
<td><strong>Beyond Tomorrow</strong></td>
<td>RKO</td>
<td>7</td>
<td>$1,700</td>
<td>$243</td>
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<td><strong>The Man Who Talked Too Much</strong></td>
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<td>W. B.</td>
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<td><strong>Safari</strong></td>
<td>W. B.</td>
<td>7</td>
<td>$1,200</td>
<td>$171</td>
</tr>
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</table>

**Safrai" at $4,000; New Haven is Slow**

**Sues for Million Over 'Smith' Story**

Hollywood, July 14.—Norman Houston, a writer, has filed a $300,000 damage suit against Columbia Pictures and others charging unauthorized use of his material in Mr. Smith Goes to Washington. He alleged that he was employed in 1936 to develop his story, "Clown in Congress," and upon discharge bought back all rights to the material which, he said, was used without his consent in the Frank Capra film.
Motion Picture Daily
Monday, July 15, 1940

Homes Minus Phones Listen More to Radio

Families without telephones listen to the radio an average of 39 hours daily, while telephones devote an average of 3.5 hours a day to broadcasts, according to a survey of 1,500 radio families made by the Wayne University Broadcasting Guild and released by the CBS division of the network.

The survey, taken with an average of 4.5 hours, is the peak listening day. Saturday is the lowest, with 3.2 hours, the average at night.

The inquiry determined that WJR, the CBS outlet, and WWJ, the NBC Red affiliate, receive 71.5 per cent of the listening time, with eight other stations sharing the remaining 28.5 per cent.

Of the daytime serial surveys, eight of the most popular were on CBS and one on NBC Red. In the evening, 14 CBS shows, nine NBC Red, one NBC-Blue and one Mutual program led the survey, according to the survey.

The University made the study through the Detroit school system, checking 4,500 families on the telephone. This is the equivalent of 900,000 coincidental checkups, officials said.

Northio Set Up New Operating District

CINCINNATI, July 14.—Tracy Barron, manager of the Paramount, and Louis Libman, manager of the Northio, Inc., has created a new operating district for northern Ohio, where the company recently took over a number of Shea houses.

In the new setup, George Planck, city manager at Marion, becomes district manager, retaining his Marion headquarters. He is succeeded as manager of the Palace by Eldon Dow, and as manager of the Paramount, Strand and Opera House, Glen Reitz, manager of Shea's Ohio, at Bellevue, has been appointed city manager there in charge of the Strand, Paramount, Strand and Opera House.

George Fettick, district booker here, will book all of the 18 houses in the circuit. Northio, as a Paramount affiliate, started 26 years ago with the Palace and Marion, at Marion, as the nucleus of the present circuit.

Charter Four Companies

ALBANY, July 14.—New companies chartered here include: New England Phonovision Co., by Samuel Stirrat, Samuel Geffen and Josephine J. Coman
tota, Springfield, Mass.; King-The
atre, Inc., by Simon Rosenberg, Leon
d and Josephine J. Coman

Off the Antenna

WTH RKO-Pathé newscasts of the Democratic convention featured on W2XBS, NBC television station, for the current week, there will be four hours and twenty minutes of films of the total of 12 hours and twenty minutes of programs during the week. Two hours of boxing and three hours of the Eastern Clay Court championships will be picked up by the mobile camera.

There will also be two variety shows and two Sunoco news-broadcasts from the studio.

Featured films for this week include "Song of Freedom" with Paul Robeson; and "The Curtain Falls" with Henrietta Crosman.

Purely Personal: O. B. Honson, NBC vice-president and chief engi

eer, has departed on a two-week vacation along the Atlantic Coast.

... Jean Leiman, who is with Carlton Alop's office, will leave today for the South to hand deliver his book "Theatre Management," according to Jean Leiman, of the "All This, and Heaven Too" cast has joined the cast of "The Corner of Alice Blair"...

Bob Hawke has been signed until the end of the year by Evertsh for the "Tale II or Leave It" series over CBS Sunday nights. Theodore C. Streibert, vice-president and general manager of WOR, and Mrs. Streibert left over the weekend for a one-month trip.

Herbert L. Petty, WHN director, is in Chicago for the Democratic convention... Frank Raschenbeek, WHN general manager, returns to his desk today after a two-week vacation.

Fearing a loss in tourist business because of the war, the Canadian Railway Association has launched a new series, "Canadian Holiday," over 42 NBC-Blue stations. The programs will be heard Thursdays from 8 to 8:30 P.M. under a 13-week contract. It has been reported that a number of "tourism" films are being made for showing in this country.

DuMont has developed a portable television camera which is said to be easy to use as a motion picture sound camera. It weighs 45 pounds, it measures 8% by 25 inches. Seven other limits required for operation of the camera weigh only 314 pounds, the entire group weighing 359 pounds. Two operators are required for the equipment, one for the camera and the other for the power supply, amplifiers and monitors.

Program News: The second of the new "Forecast" series over CBS on July 28 will have Alfred Hitchcock, the director, and Herbert Marshall in a projected series of mystery shows, as the Hollywood half of the program, and Danny Kaye, Joan Edwards, Ruth Hughes, the Four Clubmen and the Lyn Murray Orchestra in a projected series as called "When You Were 21.... Colgate-Palmolive-Peet has renewed "Ask-A-Question" over 63 CBS stations.

WKAT of Miami Beach, Fla., this morning will deliver to time buyers in New York a kitten with fur fur the novel promotional stunt is on the occasion of the station's becoming a part of the NBC-Blue network.

News Guild Elects Martin, Sullivan

MEMPHIS, July 14.—Harry Martin, film critic of the Memphis Communi
cal Appeal and president of the Newspaper Film Critics of America, was re-elected by acclamation on the 11th year as president of Region 2 of the American Newspaper Guild at its convention here.

Martin was the leading presidential nominee of the anti-administration group in the early caucuses. An administration candidate, Donald Sal

live, editorial writer for the Boston Globe, was elected president, defeating Kenneth Crawford of PM, New York. Crawford had succeeded the late Hey

wood Broun.

Cincinnati's Bingo Gross Off in June

CINCINNATI, July 14.—Bingo de

creased here in June from the record $1,500,000, although it was above the previous months of this year.

The June report compiled by the bingo managers at the Cincinnati post of 241,923 at 232 parties, at which gross was $185,029.47. Prizes totaled $21,868.20, leaving $163,161.27 to sponsoring organizations. Average net cost per person was 8.5 cents. May figures were 263 parties, attended by 24,778 players with costs of $214,994.97; prizes, $52,025.14, and net, $162,986.83.

G. N. Trustee Sues Skibo and Maguire

Harry G. Fromberg, trustee in bankruptcy of Grand National Picture

tures, Inc., filed suit Friday in the New York Supreme Court against Skibo Productions, Inc., and Skibo Pictures, and Jeremiah D. Maguire for $3,874 and an accounting.

A judgment in favor of another defendant, Skibo Productions, was held, in the opinion of attorney Fromberg alleges that Skibo failed to pay a loan of $2,874 from Great Northern Bank and that the defendants owe $10,000 for accounting, storage and legal services rendered by Grand Na
tional.

The suit seeks repayment of an a

leged loan of $3,874 to Maguire and also an accounting of receipts from the distribution of additional pictures assigned to Grand National and sub
sequently allegedly turned over to Maguire.

RKO Closes Deals On 1940-41 Product

RKO has closed several deals on 1940-41 product, Ned E. Deinport, vice-president in charge of distribution, disclosed. One with John Ford is for all features and shorts for 28 houses. A. W. Smith, sales manager, has signed Ross Crouper, Boston branch manager, and Gus Schaefer, North
central district manager, handled the deal for RKO.

Other deals include Loev-Poli circuit; Rialto, Salt Lake City, and the Indiana and Circle, Indianapolis.

Webs Lead in Scripts Read By the F.T.C.

WASHINGTON, July 14.—Nationwide networks led by a wide margin in the percentage of commercial continuity witnessed by the Federal Trade Commission for further examination, as compared with regional networks, and individual stations, it was revealed today by a survey of 1939 programs.

A total of 22.2 per cent of national network scripts were marked for further investigation compared with 6.5 per cent on regional networks, 13.4 per cent for transcriptions, 2.3 per cent was 100 watts, 1.7 per cent for 1,000 watts, 4.4 per cent for 10,000 watts stations, and 7 per cent for 50,000 watts stations.

The marking by the F.T.C. does not mean that there was anything wrong with the continuity but merely indicates that the commission felt that some investigation should be made on the commercial.

Commenting on the survey, the commission observed that the commercial continui
nes on nationwide network broadcasts were about seven times the script length of those rendered for individual station commercial announcements. A total of 15,390 national network scripts were compared with 1,251 regional network, 305,787 from individual stations, and 4,127 from transcriptions.

Begin Shooting on Canadian Feature

OTTAWA, July 14.—Production got under way over the weekend on Or
cus Films' "Forty-ninth Parallel," under the direction of Michael Poul
eill. Raymond Massey will play the lead in the English company's film, for which scripts were made on Para
liament Hill here.

The film, produced under agreement with the British Ministry of Informa
tion, will stress U. S. and Canadian friendship, Leslie Howard, Vincent Massey, Canadian High Commission
er to London, and brother-in-law of Ray
mond, and Elisabeth Bergner, are fea
ured in the cast. After shooting here, the studio work on the film will be finished in England.

Nick Asks to Quash St. Louis Indictment

ST. LOUIS, July 14.—Motion to quash the indictment against John P. Nick, former vice-president of the I.A.T.S.E., charged with violation of the anti-trust and the anti-racketeer
ing laws, will stress U. S. and Canadian Trade Court here by Sigmund Bass, defense attorney. A move also was made to dismiss several sections of the in
dictment.

Mo. Legislation to Convene on July 22

JEFFERSON CITY, Mo., July 14.—A special session of the Missouri legislature, which will meet regularly on Jan. 1, 1941, was continued until July 22. Governor L. C. Stark for July 22. The object is to provide funds for direct relief, which funds are available. No legislation except what is essential to that purpose is looked for.
“The Man I Married” [20th Century-Fox]

HOLLYWOOD, July 15.—Twentieth Century-Fox’s “The Man I Married” was released to the nation’s Cinemascope screens on its nation-wide pre-release tour, and the film is expected to have a far-reaching effect on the motion picture industry.

The story of a German Jewish family during the war, the film is directed by Vincente Minnelli and stars Marlene Dietrich, Robert Taylor, and Claire Trevor.

War Benefit Costs Canada Theatres $300,000 Loss

TORONTO, July 15.—Tonight’s National Theatre Party, staged by the Canadian film industry to stimulate the sale of War Savings Stamps, is estimated to have cost the Dominion’s theatres about $200,000 in direct loss through the cancellation of the regular night’s performance.

However, theatre men have expressed the belief that the loss was more than made up by the goodwill gained.

Approximately 975 theatres participated in the drive, which covered the entire Dominion. Preliminary estimates late tonight indicated that the estimated goal of $1,000,000 had been reached.

In this city, Vivien Leigh, Laurence Olivier, and Merle Oberon appeared at a number of engagements.

50 Television Stations Seen By Next Year

FCC Will Grant Licenses To Spur Development

WASHINGTON, July 15.—More than 50 television stations will be in operation by early next year, placing this country definitely in world leadership, it is authoritatively asserted here, with the expectation that the Federal Communications Commission tomorrow may grant licenses to a number of stations.

The licenses are expected to cover transmitters in widely separated parts of the country. They will be issued under the new policy of the Commission to encourage the establishment of a number of stations on an experimental basis in anticipation of the quick development of standards which will permit commercial operation.

First steps toward chain television broadcasting will be taken by NBC with the establishment of its proposed series of transmitters along the East Coast. Commission officials believe that the facilities to be created this year will be followed by others which will bring television programs to a larger part of the country.

Among those who have the establishment of television stations in view are CBS and DuMont in the East, Balaban & Katz in Chicago and Don Lee (Mutual) in Los Angeles. Paramount is interested in both DuMont and Balaban & Katz.

Renew Relief Fund $10,000 Week Show

The Motion Picture Relief Fund again will receive $10,000 weekly for the Screen Actors Guild radio show during the next season, beginning on the first Sunday in October, as a result of the renewal of its contract with Gulf Oil Co., it was disclosed yesterday by Jack L. Warner, president of the utility. The agreement is for a new three-year period.

Studios Mobilize 32,000 for Relief

Hollywood, July 15.—Hollywood mobilized today for the greatest charity drive in its history as an estimated 32,000 workers gathered at noon at their studios to hear industry leaders appeal for support of the Red Cross and Allied Relief Funds.

A new fund-raising appeal was a radio program carried over all local stations from KFWB on which Samuel Goldwyn, chairman of the drive; Jeannette MacDonald, Robert Montgomery, Louis B. Mayer, Irene Dunne and Dr. A. H. Giannini, chairman of the Los Angeles Red Cross Chapter, appeared.

It has been suggested that voluntary donations of a percentage of all salaries be sought. Carf Grant has

Gene Buck Talks on Ascap And Montana Happenings

By SAM SHAIN

“T’m sensitive. I wasn’t going to give you a sales talk, but you gentlemen are nice to come up here, and I’ll tell you what Irving Caesar means, because if he hadn’t brought it up, I wasn’t going to talk about it.”

Gene Buck, president and leader of Ascap for nearly a score of years, was speaking.

The gentleman he was addressing were of the press; the place, the Ascap headquarters in Rockefeller Center; time, last evening. Song writers were present.

A. P. Waxman had arranged the party, with cocktails and refreshments, in the usual manner, and for the first time, some of those radio reporters and members of the metropolitan press heard what Ascap was all about that it was a mutual protective society.

Universal Releasing ‘Daltons Rode’ Ahead

“When the Daltons Rode” has been completed by Universal ahead of schedule and will be released the last week of July as part of this season’s program instead of next season’s, in place of “Hired Wife.”
**Personal Mention**

WILL H. HAYS left for the east by train on Sunday for his customary summer stay of several months.

FRANCIS HARLMON, Eastern head of the Production Code Administration, will leave for the Coast on Friday.

COL. WILLIAM J. DONOVAN left Sunday by Clipper for London via Lisbon on private business.

LEOPOLD DAMBACH MANNES, co-inventor of Kodachrome and Evelyn Salen of Rochester are to be married here today. MANNES is with Eastman Kodak.

JOHN A. SCHWALM, manager of the Norlo Radio, Cincinnati, is in Chicago attending the Democratic National Convention.

PATRICIA ELLIS and William K. Howard, producer, were in Cincinnati over the weekend.

EDWARD FITZPATRICK, manager of the Loew-Poli, Waterbury, Conn., will undergo a tonsil operation at the Johns Hopkins Hospital in that city during his current vacation.

JOSEPH DEACON, manager of the Dixie, Rochester, and Mrs. DEACON are the parents of a son, Ross.

WALLACE FOLKINS, manager of the State, Rochester, has returned from a week's vacation in hometown, N. Y. V.

T. E. STANZELL, booker at the 20th-Century-Fox Des Moines office, left yesterday with his family for a vacation trip to Los Angeles.

ELMER HOLLANDER, manager of the Stanton, Philadelphia, has left on a vacation trip to California.

WILLIAM MARSH, M-G-M auditor, celebrates a birthday today.

**English Credit Bank**

**Plan Not Abandoned**

London, July 15.—It is authorita-
tively understood here that the plan for a Film Credit Bank, proposed many months ago, and since apparently abandoned, actually has been placed on the shelf, but not completely dropped.

The Board of Trade has developed a plan replacing the Credit Bank plan, which is believed to be ready for operation if the international situation cases. Also understood to be almost ready is a plan for a Films Commission, under which the membership, composed for the most part of industry representatives, would collaborate with the various Government ministries in the application of procedures attendant upon the Credit Bank scheme.

**Warners, O'Brien Dicker**

Hollywood, July 15.—Warners and Pathe News have agreed upon a contract for three films a year. Warners have dropped him from the contract list over differences on a stipulated option clause.

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**Begin Convention**

**Television Today**

As arranged with RKO Pathe News, the first of two daily 10-minute programs television films taken at the National Democratic convention in Chicago will be transmitted at 3:30 P. M. today over W2XBS, NBC's television station. The second program is set for 9 P. M.

The programs will offer a pictorial account of activities the preceding day and will continue twice daily for the duration of the convention.

**Rosenblatt to Chicago**

Sol Rosenblatt of Rosenblatt & Jaffe left yesterday with Mrs. James Farley for the Democratic convention in Chicago and will meet with the Postmaster General. From Chicago Rosenblatt will go to Hollywood on business.

**Grainger on Tour**

James R. Grainger, president of Republic, left yesterday for a tour of exchanges in Toronto, Chicago and Detroit. He will return next Monday.

**Para. to Enlist Independents In U.S. Defense**

Efforts will be made by Paramount theatre operators to enlist independent exhibitors in their cooperative activities for the Government's defense program, which will be carried out systematically throughout the Paramount theatre organization.

A. H. Blank, who was designated coordinator of defense activities for Paramount's Midwest and Western houses, will arrive in New York from Des Moines at the end of this week to confer with Paramount circuit heads here and then will go to Washington to discuss cooperative activities by theatres with officials there. Similar conferences have been held already by R. C. Wilby of the Wilby-Kincey circuit, which has been designated chairman of the defense activities for the Paramount theatres in the South.

All arrangements for defense program activities for Paramount and cooperating theatres will be cleared through Blank and Wilby.

**Jacobs Heading RKO San Francisco Office**

N. P. Jacobs, formerly head of the RKO Los Angeles exchange, has been appointed manager of the San Francisco branch, effective immediately. William Wolber, former manager at San Francisco, will be given a new assignment to be announced at an early date, according to Ned E. Diamond, vice-president in charge of distribution.

**SPORTS FILMS FORMED**

DOVER, Del., July 15.—Sport Films, Inc., has been incorporated here to do a general motion picture business with a capital of $30,000. The incorporators are C. S. Peabody, L. H. Herrman, and Walter Lenz of Wilming- 

**Plan Schine Regional**

ROCHESTER, July 15.—Regional con-
ference of Schine managers from Buf-

dalo and Rochester will be held here late this month.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

More than 20,000,000 people have read about "I Married Adventure"... the fabulous story of Osa Johnson's fabulous life!

Now Columbia brings it to the screen...
The camera whisks you from swank Park Avenue to Timbuctoo...from civilization to the jungle's snarling terror...for this is Osa's story!
OF THE MONTH
becomes
THE ADVENTURE PICTURE
OF THE YEAR!

OSA JOHNSON'S
(MRS. MARTIN JOHNSON)

I Married Adventure

Based on the great Book-of-the-Month-Club Selection

PRODUCED BY OSA JOHNSON

Edited by RALPH DIXON
Narration Written by DON CLARK and ALBERT DUFFY
Narrator JIM BANNON

A COLUMBIA PICTURE

Expeditions...lecture tours...films...books...articles...and now her great Book-of-the-Month-Club autobiography...have made Osa Johnson's name the symbol everywhere of adventure...thrills...achievement...among action-lovers by the million, and the most distinguished of audiences!
THESE POSTERS TELL THE STORY THAT WILL SELL THE TICKETS!

PICTORIAL TWENTY-FOUR SHEET

FOR A HUNDRED ADDITIONAL HELPS IN SELLING A BIG SHOWMANSHIP PICTURE, SEE THE MAGNIFICENT PRESSBOOK!
“The Man I Married”

[20th Century-Fox]

(Continued from page 1)

played by Lloyd Nolan, who aids and comforts Miss Bennett, and whose dialogue is the medium for much of the scathing indictment of Hitler. Others in the cast include Otto Kruger, Maria Ouspenskaya, Ludwig Clossell, Johnny Russell and Egon Brecher.

Irving T. Fisch directed a screenplay by Oliver H. P. Garrett, based on the magazine story by Oscar Schissgall. Raymond Griffith was associate producer.

Running time, 77 minutes. *A*/*A* denotes adult classification.

Trust Action Again

 Delayed One Week

(Continued from page 1)

five theaters operating defendants on an out-of-court settlement of the suit. However, Government attorneys indicated yesterday that in the event the status of the settlement negotiations appears to be hopeless on Monday only a short adjournment will be asked in order that future procedure may be determined before Judge Goddard leaves on vacation at the end of the month.

It was definitely indicated that the period of adjournment to be sought next Monday will disclose the status of the settlement negotiations at that time.

After granting the one-week adjournment, Judge Goddard conferred privately and at some length with J. Stephen Doyle, special assistant to the Attorney General, and on the progress of the case. One of the reasons believed to be the refusal of Columbia, United Artists and Universal to accept a consent decree as a settlement of the suit was a part of the discussion.

Defense and Government attorneys will resume the settlement negotiations today.

Agents Agree with Philadelphia AGVA

PHILADELPHIA, July 15.—The Entertainment Managers Association, organization of booking agents here, have come to terms with A.G.V.A. on the question of commissions and it is expected that the group will accept a blanket A.G.V.A. booking franchise this week. While the State licensing law permits agents to collect up to 50 per cent in commissions, the E.M.A. has agreed to accept 33 1/3 per cent, with 10 per cent, which A.G.V.A. originally demanded for all bookings, restricted to theaters. The agents also agreed to accept the minimum commission fee.

To Produce ‘Mohammed’

William Carol will leave for the Coast shortly where he will produce for production of a film based on the novel, “Mohammed,” by Issad Bey.

Nazis Make Newsreel Coverage

Of Continental Europe Useless

Newsreel operations of any significance in France and elsewhere in Continental Europe will be subject to regulations imposed by Germany in the event the Nazis are successful in their attempt to take over there. He believes there is little likelihood of newsreel coverage of any significance by American reeels for a while, according to the future development, permit an accurate view of the scope of coverage which will be permissible in the future.

Buddy said his future plans will not be determined until he has completed a report to John W. Hicks, Paramount vice-president and foreign manager.

War Benefit Costs

Theatres $300,000

(Continued from page 1)

Sunset Closing

for Few English Houses

LONDON, July 15.—A number of English houses, in certain coastal areas of England not close to safely after the first set, under new curfew regulations imposed by the military authorities. Films are being shown on the eastern coast, the film houses on one side of the principal street remain open, while those on the other side are required during which pellmell they ordered houses will be adjusted as the fall approaches, and darkness comes earlier, the authorities have indicated.

Only Two Foreign

‘Pinocchio’ Editions

Hollywood, July 15.—The extent of the loss of foreign markets for American films is gauged by the fact that only two foreign versions—Spanish and Portuguese—of Walt Disney’s “Pinocchio” have been issued thus far.

In contrast, during the first six months of “Snow White” release, at least nine foreign versions have been released.

The Disney studio during the past several months has increased the number of its employes by 200, due to combining in its Burbank plant several overlapping departments and to the decline in foreign grosses.

Legion Approves

Of 7 New Features

of the seven films reviewed for the current week by the nail of the National Legion of Decency, two were found objectionable, for general public showing. Two of the objectionable for adults, two objectionable in part, one was the only film in the group and their classification follow:

Class A-1, Unobjectionable for General Patronage—"I Married Adven-

32 New Films Now on Coast

Sound Stages

Hollywood, July 15.—Thirty-two pictures were before the cameras this week, as 13 were started and 13 were finished. Twenty-five were being prepared, and 81 were being edited. Universal was busiest, with seven before them.

The tally by studio:

Columbia

Finished: "Wizard of Death."

In Work: "Arizona," "Before I Die."

M-G-M

Finished: "Duely," "Golden Fleecing."


Startled: "Dr. Kidlare Goes Home."

Monogram

Finished: "A Million to One Man."

Startled: Untitled western.

Paramount

Finished: "Cherokee Strip."


RKO

Finished: "Lucky Partners," "Dance, Girl, Dance," "Wildcat Bus."

In Work: "Too Many Girls."

Startled: "How about That? They Knew What They Wanted."

Republic

Finished: "King of the Royal Mounted," "Ride, Tenderfoot, Ride."

Startled: "Colorado."

Roach

Startled: "Roadshow."

Small

In Work: "Fair of Monte Cristo."

20th Century-Fox

Finished: "Bringham Young."

The Great Profile.

In Work: "Down Argentine Way."

Startled: "Youth Will Be Served."

Yesterday’s Heroes.

Universal

In Work: "All For Glory," "Parade," "Argen-

Startled: "The Leather Pushers," "Seven Sinners."

Warner

Finished: "Flaming Gold."

In Work: "City for Conquest."

Startled: "The Letter."

Startled: "Meet John Doe."

Photophone Shows

Big English Gains

Shipments of RCA Photophone sound equipment to England during the first six months of 1940 were about 50,000 units greater than in the first half of 1939, according to Van Hees, chairman of the board, charge of international activities.

He attributes the increase to blackouts and war strain, which brought more than usual demand for screen entertainment. During the first half of this year, according to Philip, 65 per cent of all British films were recorded on RCA equipment, which compares with 40 per cent in the first half of 1939.
White House
To Set Radio
Defense Role

WASHINGTON, July 15.—Participation of the broadcasting industry on the Communications Co-ordinating Committee under the National Defense Program lies with the White House, and the National Commissions, Chairman James L. Fly of the F.C.C. said today.

The Commission head said that announcement of the membership of the committee would come from President Roosevelt and admitted that he was without any information as to when it would be made.

Fly indicated that in the near future the commission would give consideration to the reallocation of stations and a denial of a reassuring by agreement, but explained that matter is still with the staff which is preparing the new assignment. No date has been set for the introduction of the reallocations but the licenses of all stations have been set to expire Oct. 1, so that they may be adopted if it completed.

The commission this week will consider its permission to file a brief on the monopoly committee's recent report. If allowed, the brief will be along the lines taken by Ralph Colin, CBS general counsel, at the hearing before the Senate Interstate Commerce Committee last Wednesday. The commission's committee with errors in both the facts of the Columbia-Paramount stock deal and the conclusions drawn.

Ascap Asks Neb.
Appeal Dismissal

Ascap filed a brief with the U. S. Supreme Court yesterday asking the dissolution of the Nebraska Commission in connection with its Ascap legislation. A decision on the appeal is expected in the fall.

The Nebraska appeal, it was learned, is not directed at the decision of the Federal statutory court holding its anti-Ascap law to be unconstitutional but, rather, at the court's later decision denying the state a rehearing of the case.

Ascap's brief, filed by its counsel, Schwartz & Frobich, seeks the dismissal of the appeal on the ground that the Federal statutory court cannot be appealed.

Monogram to Handle International's Film

Hollywood, July 15.—W. Ray Johnston, president of Monogram, and David Biedermann, vice-president in charge of the newly formed International pictures, have closed a deal under which Monogram will release "Gypsy Cavalier." It will be made in color, with Gilbert Roland playing the title role.

Others signed include Bert Roach, Pedro de Cordoba and Jeanne Kelly. Also under contract, of course, is American International, which will direct from an original screenplay by Edith Watkins. A Spanish version will be made for the South American market.

Gene Buck Talks on Ascap
And Montana Happenings

(Continued from page 1)

society of all the authors, composers and publishers of music—not an organized collection agency or industrial firm. Its membership comprises 1,100 songwriters.

Both in his own and familiar manner outlined the Ascap's aims, in a straightforward manner, the kind most of those present may never have heard before. When he finished, Caesar arose and stated that Buck was underestimating the Ascap case. He was referring to the FBI, B.M.I. controversy with Ascap.

They Are Creators Like Us'

"Tell them about the nefarious campaign by the broadcasters against us. Caesar urged, because, after all these are newspapermen who are here; they are creators like us, and I'm sure they can't help but feel for us.

Caesar added that he was using the word—nefariously—advisedly, and knew its full meaning.

"Well, I'll tell you," Buck began. "I've been working hard. Suddenly, the doctor said:

"Buck, you have got to go away.

"Go away," said I, Go away—where and when?

"There—right away—away from all people, or you'll be a very sorry man. You need a rest, the doctor says.

"Well, give me Christmas Day, and then I'll go.

"So, what happens? On the day before Christmas, mother calls me on the stairs and breaks her hip, and I spent the holidays waiting in the hospital. She passed away.

"Now, it's February and it's Washington's Birthday, and I have gone to Arizona to spend some time with Bud and his old gal. She gets a stroke and dies, and then in the afternoon, a legal holiday, and Mrs. Buck and I are sitting on the terrace at Palm Springs enjoying the sun. Suddenly, a man appears who says he's the sheriff and he wants to talk to me.

Sheriff Had Badge But No Horse

"Well, he was the sheriff, with guns, and everything but a horse, and he had a badge to prove it.

"I have a warrant for your arrest, a fugitive from justice, from Missoula, Montana," he said.

"Now, how can I be a fugitive from a place I've never been to in my life?" asked I.

"So, the sheriff said, it would only take a small bond and would I accommodate him? How much is a small bond? I asked him.

"$500.

"So, went over to the hatstile, with the sheriff, and the circus was on. I could see the circus was on. The broadcasters were getting ready, as usual, to make the small town talk. There was a cameraman and several newspapermen at the jail when I got there, and they held me up for five hours. Soon the sheriff said:

"Too bad, too bad, the bond will have to be $1,100.

"Now, I knew the fix was. Because nobody but crooks, thieves and racketeers have $1,000. I knew who put the fix in, too. A —— broad-
caster who owns a small station in Montana.

"The next day, 700 broadcasting stations put on the big smear and announced my arrest.

"But soon, the sheriff is worried. He begins to get calls from all parts of the Union. Edgar J. Hoover, from Washington, and Ed W. Mullin, former New York Police Commissioner, calls, and Frank C. Walker calls. He's from Montana, too, and says:

"'Well, we get the bond money, and what do you think? The sheriff wouldn't accept a certified cashier's check drawn on the Chase National Bank of New York for $9,000 and $1,000 in cash, because he didn't know anything about the Chase Bank. He said. It wanted it in cash.

"I told them that that's how the broadcasters are fighting. We're taxpayers, and what do the broadcasters do? They lobby in Washington and instigate lawsuits, which cause them a lot of money for legal purposes, and they even try to use the Department of Justice, if necessary.

"We've Won Every Suit'

"And a lad who used to work in the Department of Justice used its confidential files to bring suit against us. He's a lawyer, well, we've won every suit against us. That's our record.

The broadcasters think it's big business to do what they're doing, and think they can manufacture art like a can of beans or spinach off a shell—but they can't. You can't treat creative work or human beings like that.

They've said we made $6,000,000 from this song last year. We got $4,100,000. Our total gross is $6,000,000, of which from 15 percent to 20 percent goes toward expenses, and the remainder is split 50-50 between the publishers on the one hand and the authors and composers on the other. We give them the time to distribute their money and the writers theirs according to their own classifications.

Billy Rose Breaks In

At this point about Billy Rose broke in:

"The Ascap membership is the most valuable estate I own, and if the BMI, which reminds me more of the BMI, because it's more easy to remember as a subway, thinks it can haggle up proper payment without consideration of the composers' and authors' rights and privileges, it has another guess coming.

"Maybe Metro will sell its catalogues to BMI, but I don't believe it. Because BMI will never come to our terms, as they are already ready to have my lawyer, Arthur Garfield Bayes, act if neces-

sary to protect our rights, and if he's not enough, I'll personally get Max Steuer and even Charles Evans Hughes.

"But we can do no better than to get $1,100, so if BMI figures it can get away with what it is trying to do to us. We'll all fight, every one us," echoed Caesar, as the session ended.
Permit Use of Foreign Funds To Buy Films

Payment in Dollars Is Not Required

London, July 16—The Board of Trade issued an order today which, in effect, one American film company has the right to use “frozen” monies here for the acquisition of copyrights and negatives of British pictures for foreign release. Under the order, payments in dollars are no longer required for the purchase of films here for exhibition in the United States. The British companies are entitled now to sell their pictures to American distributors and to accept payment in pounds.

The new regulation solves the problem created by the Treasury order of last month which, at first, was interpreted as requiring payments in dollars for British films acquired by any “foreign” interest, regardless of whether or not a maintained a distribution organization here and had “frozen” pounds to their credit.

N. Y., Coast Groups On ‘Syracuse’ Flight

Broadway and Hollywood delegations to the Syracuse premiere of Universal’s “The Boys from Syracuse” tomorrow evening will make the trip to the upstate city by chartered American Airlines flagships. The premiere will be at RKO Keith’s.


From Hollywood will come Joe Penner, Eric Blore, Constance Moore, Peggy Moran and Francisca Gaal.

The delegations will be guests of Mayor Roland Marvis at dinner preceding the premiere. They will return to New York and the Coast by plane on Friday.

Laurence of Lisbon

Laudy Lawrence, M-G-M Continental manager, is liable to become known as the Jinx of the Industry. Trying to get here with his family from Lisbon, last week he was “dumped” off at the last moment when word came from the U. S. to lightening the plane’s load. Yesterday the ship started, then turned back to Lisbon with motor trouble and is now not due until tomorrow. Lawrence is still waiting.

IA Group Working

On Coast Dispute

Hollywood, July 16—After conferring with I.A.T.S.E. officers, a committee appointed by George E. Browne, president, today started a survey to iron out jurisdictional disputes caused by the formation of five new local unions last year. The former Studio Technicians’ Local 37 was dissolved.


Browne’s representatives will attempt to straighten out craft lines among the five units, demarcation of which never was made clear since the locals were created. Consolidation of several units may be recommended. Appointment of the adjudicating committee was authorized by the L.A.’s convention.

Coast Sets Relief

Goal of $250,000

Hollywood, July 16—An unofficial goal of $250,000 was set today in the industry’s relief drive for the Red Cross and Allied Relief funds as the campaign swung into high gear. Republic is the first studio to report an unofficial quota of $2,500, exceeded by 100 per cent. Exchange employees, circuit and independent theatre men have decided on a voluntary contribution of $5 per cent of their weekly salary for four weeks.

Hoyts, Greater Union To Combine Shortly

Operating merger of Hoyts and Greater Union circuits in Australia, which has been in work for a year, is scheduled to be closed this summer. The directors of the companies concerned have given their approval, and the matter will go to shareholders.

Duvivier Believes He Can Produce at Low Cost Here

By SAM SHAIN

Julien Duvivier, French director, whom Samuel Goldwyn admires and others in Hollywood who would like to work for him, thinks he can make pictures in America comparatively as economically as some of those he had made in France. And so he expects to embark on an American production in about a month under the sponsorship of Paul Graetz of Transcontinental Films.

Duvivier is not a stranger in Hollywood, for he made “The Great Waltz” for M-G-M, but now he expects to make a longer stay in America, as soon as Transcontinental concludes a distribution deal for the pictures Duvivier will make. There will be two, the titles of which and the subject matter of which are as yet unrevealed.

Perhaps Duvivier’s best known French work is “Carnet de Bal,” Transcontinental, Graetz’s company, with whom Duvivier also was connected in France, was an affiliate of Columbia Pictures and for Columbia Duvivier and Graetz made two pictures, “Phantom Carriage” and “Cavalcade of France.” Graetz, who has been here for some time, has been discussing the possibility of a release (Continued on page 7)

The DAILY PICTURE

Permit Use of Foreign Funds To Buy Films

Payment in Dollars Is Not Required

London, July 16—The Board of Trade issued an order today which, in effect, one American film company has the right to use “frozen” monies here for the acquisition of copyrights and negatives of British pictures for foreign release. Under the order, payments in dollars are no longer required for the purchase of films here for exhibition in the United States. The British companies are entitled now to sell their pictures to American distributors and to accept payment in pounds.

The new regulation solves the problem created by the Treasury order of last month which, at first, was interpreted as requiring payments in dollars for British films acquired by any “foreign” interest, regardless of whether or not a maintained a distribution organization here and had “frozen” pounds to their credit.

N. Y., Coast Groups On ‘Syracuse’ Flight

Broadway and Hollywood delegations to the Syracuse premiere of Universal’s “The Boys from Syracuse” tomorrow evening will make the trip to the upstate city by chartered American Airlines flagships. The premiere will be at RKO Keith’s.


From Hollywood will come Joe Penner, Eric Blore, Constance Moore, Peggy Moran and Francisca Gaal.

The delegations will be guests of Mayor Roland Marvis at dinner preceding the premiere. They will return to New York and the Coast by plane on Friday.

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Namesake

R. J. O'DONNELL of the Interstate circuit, Dallas, is in town.

A. A. SCHUBART, manager of RKO exchange operations, left yesterday to visit branches in Cleveland, Cincinnati, Memphis and New Orleans.

HARRY MANDEL of RKO Theatres will return from a vacation in the South early next week.

MATTHEW J. FOX will leave for Syracuse tonight for the premiere of "The Boys from Syracuse" there tomorrow.

LOU BROCK, RKO producer, will remain here another 10 days before returning to the Coast.

MRL CONNHEIM, manager of the Ritz, and ANDREW ROY, manager of the Strand, both Albany Warner houses, have returned from vacations in New York and Cleveland, respectively.

LAWRENCE C. CAPLAN, executive secretary of Allied of Connecticut, is spending a week in New Hampshire with Mrs. Caplan.

EDWARD SOKOLOWSKI, former manager of the Capitol, Lowell, Mass., is accompanying MICHAEL DAILY'S Polytropic, Plainfield, Conn., on full summer schedule.

EMANUEL SILVERSTONE, SOL EDWARDS and ABE MONTAGUE lunching at Lindy's (next to the Rivoli) yesterday.

WALTER WANGER is expected from the Coast tomorrow, Joan BENNETT is accompanying him.

Warner Theatres' managers in Connecticut area who start vacations this weekend include: J. H. MELNICK, Warner, Lawrence; C. M. McHale, Brothers; Lawrence; T. STURGIS, Circle, Manchester, and R. MALLER, Strand, New Britain.

JUDES CULLEY Warner Theatres' upstate New York advertising manager, is visiting the World's Fair this morning.

JAMES MULVEY, HARRY BUCKLEY, Manager; ARTHUR KELLY and L. J. SCHLAFITZ lunching at Lindy's (51st St.) yesterday.

HERMAN WOBBER, HARRY BUXBAUM, JOHN BYRAM, BARNEY BALAVAL, ANGELI ZUKOR, SAM SHAIN, JOSEPH LE, EDDIE DOWLING and GUY BOTLOS lunching at Sardi's yesterday.

HOWARD DIETZ, CHARLES E. MCCARTHY, TONY GRUES, JOHN W. HICKS, TOM CONNORS, SIDNEY PHILIPS and MAX A. COHEN at Nick's Room in the Astor for lunch yesterday.

ABE VAN DEUSEN, RKO booker in Albany, has returned from a vacation.

EDWARD DUNN, manager of Tri-States' Paramount, Des Moines, is spending a vacation at home, his youngest recuperating from scarlet fever. JACK CAIRN is manager in DUNN's absence.

EDWARD RICHARDSON, assistant manager at Loew's Orpheum, Boston, has completed a vacation here.

Levy in Chicago on Kent Drive Campaign

M. A. Levy, 20th Century-Fox Minneapolis district manager and Kent Drive leader, arrives in Chicago today on his tour of branches in conjunction with the drive. Rallies are being held at each exchanger. Levy is accompanied by Roger Ferri, sales promotion manager.

Final panel of the drive will be held at the New York exchange Aug. 2.

Canan Chase Dies

Canan William Sheafe Chase, 82, long a foe of Sunday films and Sunday baseball and for 50 years a crusading reformer, died suddenly yesterday in his study. He was a familiar figure at hearings in Washington on anti-block and censorship legislation, although he had been inactive in recent years. He was rector of Christ Episcopal Church in Brooklyn for 37 years, until his retirement in 1932.

Van Schmus Improving

W. G. Van Schmus, managing director of the Music Hall, is steadily improving after a recent operation at St. Luke's Hospital, where he had been several weeks.

George Wiley Dies

BUFFALO, July 16—George Wiley, local film pioneer, died here today.

PM Starting Free Theatre Directory

Three a Year for O'Brien

Hollywood, July 15.—Pat O'Brien, who recently severed his ties as an exclusive Warner contract player, will make three films a year for Warners and be permitted outside pictures.

CALIFORNIA
TEXAS * ARIZONA

4 FLAGSHEIPS DAILY COAST-TO-COAST

It's a delightfully cool overnight skysleeper trip to Los Angeles via American's Southern All-Year Route! Delicious meals aloft! Stewardess service. For reservations, call your Travel Agent or Havemeyer 6-5000. Ticket Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

AMERICAN AIRLINES, Inc.
ROUTE OF THE FLAGSHEIPS

MOTION PICTURE DAILY

Wednesday, July 17, 1940

Newsreel Parade

THE mid-week issues are distinguished by the absence of war news—unless the Democratic National Convention in Chicago may be classed as such. That convention will take place in the Windy City this week. Will the Chicagoans vote for the "Willkie"s in the west? It's domestic news all the way. Here are the contents:

MOVIEPIONEER NEWS, No. 82—Polo stars planning to have their careers cut short by the war. Press conference in Chicago, attended by over 200 yards of dance to the music of "Knock on Wood." New air school in California, headed by Ralph Forbes, is training "Lone Ranger" for Los Angeles. Lew Lehr, charity polo on Lone Island, on Sunday. Olsen turns pro. Toboggan racing in Maine.


Kreisler Names 'U' Prize Candidates

WASHINGTON, July 16.—B. Bernard Kreisler, manager of Universal's branch here, announces that exhibitors and bookers eligible for prizes on the basis of standings in the exhibitor's appreciation award contest, conducted by his company ever since its founding.


MOTION PICTURE DAILY

(Registered U. S. Patent Office)
Boston, July 16.—"Edison the Man" and "Fabian" held in two Loewen houses, led here. The Orpheum took $18,000 and the State $13,000. Estimated takings for the week ending July 15:

- **Id of Boden Men** (Col.)
  - Keith Boston—2,120
  - Average, $5,000
- **Golden Id** (RKO)
  - Private Affair (Universal)
  - Kettle Memorial—2,900
  - Average, $6,000
- ** ignorant, Id** (Para.)
  - Gambling on the High Seas (W.B.)
  - Metropolitain—1,460
  - Average, $4,500
- **The Man Who Talked Too Much** (W.B.)
  - Manhattan Heartbeat (Fox)
  - Paramount—7,290
  - Average, $7,500
- **The Man Who Talked Too Much** (W.B.)
  - Manhattan Heartbeat (Fox)
  - Fenway—1,200
  - Average, $5,000
- **The Safari** (Para.)
  - The Man Who Wanted the Days (Para.)
  - SCOLLY—1,500
  - Average, $3,000
- **Flowers** (M-G-M)
  - New York State—1,200
  - Average, $5,000
- **Flowers, the Man** (M-G-M)
  - LOEW'S ORPHEO—2,000
  - Average, $5,000

Boston, July 17.—"Mortal Storm," a double feature, played to capacity, the nickelodeon, 2,400 days ago. The public no longer 'goes to the movies'; it goes to see a picture. It is attracted or repelled by the quality of the picture or pictures currently on display. The industry can no longer produce enough 'A' pictures to warrant showing two or three on one program, and the public is beginning to force the production of the kind of pictures that is driving the public into the theaters. It is trapped by the situation, but says they are not caused by block booking. Myers says the article is “substantially correct.”

**Kuykendall, Myers State Views on Goldwyn Article**

ED KUYKENDALL, president of the M.P.T.O.A., and Abram Myers, general counsel of Allied States, here state to MOTION PICTURE DAILY their written views on Samuel Goldwyn's recent Saturday Evening Post article attacking double features and attributing them to block booking. Kuykendall endorses the Goldwyn opposition to double bills, but says they are not caused by block booking. Myers says the article is “substantially correct.”

**Text of the two statements follows:**

Ed Kuykendall:

"With reference to Samuel Goldwyn's article in the Saturday Evening Post, Kuykendall says he has no objection to double features, but opposes the power of the distributors to force booking on the public. "I naturally honor what Mr. Goldwyn has to say because it is the expression of two problems, the nickelodeon and the elimination of block booking. The present situation is because of keen competition and because in too many pictures we make each year—and too high a percentage of those made are poor box-office. "If we as an industry stop our production and give more effort to better but fewer pictures, we will find our theater owners are the nickels as a few days. Fewer and better pictures naturally will bring longer runs and better exploitation. "The public does not demand double bills. Everybody knows that."

Abram Myers:

"Sam Goldwyn probably will be kicked around for his bold utterance, but time will prove that his article was substantially correct. The view that the public is now demanding for run-of-the-mine pictures. The public no longer 'goes to the movies'; it goes to see a picture. It is attracted or repelled by the quality of the picture or pictures currently on display. The industry can no produce enough 'A' pictures to warrant showing two or three on one program, and the public is beginning to force the production of the kind of pictures that is driving the public into the theaters. It is trapped by the situation, but says they are not caused by block booking. Myers says the article is “substantially correct.”

**Calls for Action**

"The only fault I find with the Goldwyn article is that it gives full faith and credit to the protestations of the producers that the companies are today responsible for the conditions which Goldwyn deplores. If we do not, W. W. Garner's sentiments, but will by-pass these people and use his influence in Paramount to correct the horrible conditions of affairs in Chicago. Then I would come to the others, who will follow. The industry now has a golden opportunity to set its house in order, but the headlines reflect only discouragement, lack of leadership and selfishness. The trade press has not been doing its job against efforts to harm the film industry."

"The organization also asks that the alternative quota be made available and that the distributors' quota under certain restrictions and limitations."

**British Offer CEA New Tax Schedule**

LONDON, July 16.—It is understood on reliable authority here today that the British government has asked the exhibitors to accept a new scale of taxation.

"The new scale levies a tax of a half-penny on admissions of two pence and less; one penny on tickets up to four pence, and three half-pence on tickets between five and six pence. Higher admissions are taxed proportionately on the same basic scale."

**English Group Fights for Film Act Revision**

LONDON, July 16.—The film employees' union, representing British studio and theater employers, is challenging every member of Parliament in a determined effort to bring about amendment of the Films Act. Contending that the recent institution of the monetary quota as an alternative to that based on footage is an attempt to secure the abolition of the new ruling which permits films made elsewhere in the British Empire to be exhibited by distributors' quota under certain restrictions and limitations.

"It is pointed out in New York distributors' company that the proposal to the possible use of the Empire clause by American companies in the fullfilling of quota obligations, that the ruling to restrict the Empire-made films quota use as to make it extremely unlikely that quota obligations will use the provisions of the clause to any appreciable extent.

The organization also asks that the alternative quota be made available and that the distributors' quota under certain restrictions and limitations."

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The council memmbers and the new plan as contributing nothing to American production, and as likely to mean a 25 per cent decrease in film industry employment. They also express their fear that the new plan is likely to lead to a new plan of distribution of which they believe American companies through the exploitation of the British Empire film clause in the revised film regulations.

"The new plan will also mean a tax of a half-penny on admissions of two pence and less; one penny on tickets up to four pence, and three half-pence on tickets between five and six pence. Higher admissions are taxed proportionately on the same basic scale."

Informed circles expect the Cine- matograph Exhibitors Association will accept the tax on the higher priced admissions, but exhibitors will claim themselves unable to operate under the tax levied on lower admissions. The C.E.A. will meet tomorrow and the General Council on Thursday. The C.E.A. will send a deputation to discuss the situation with the Treasury Department on Thursday evening.

**Delay Howard Hearing**

The State Labor Relations Board hearing involving the Howard Theatre and Local 306 of the operators union, scheduled for today, has been postponed for one week, to July 23.

**Milwaukee Weighs New Censor Board**

MILWAUKEE, July 16.—Reported ready for introduction to the Common Council is a bill calling for the establishment of a new motion picture commission having far broader censorship powers than the present advisory board. The plan is said to call for a three-member paid commission, funds for which would be obtained by a $2 charge for each film previewed. The commission proposed, created in 1913, has 10 members of whom only the secretary receives any pay. The present commission has been under fire by Mayor Carl F. Zeidler since 1926. It is against "The Primrose Path" at the time of its showing at Fox's Palace here.

**Shift 'Mesquetes' Cast**

Hollywood, July 16.—Republic has signed Rufe Davis and Bob Steele to replace Raymond Hatton and Duncan Renaldo, stars of the "Seven Mesquetes" series. Bob Livingston continues to head the cast.

**Circuits Book 'Mill'**

World Pictures Corp. has booked "Mill on the Floss" to the Warner, RKO, Fabian and Netco Circuits in upstate New York.

**Korda Will Start on 'Cyranos' August 15**

Hollywood, July 16.—Alexander Korda's production of Rostand's "Cyrano de Bergerac" will go into work on Aug. 15. He will direct the film himself, with his brother, Vincent, as art director. Vivien Leigh and Laurence Olivier will be starred. Ben Hecht did the screenplay. United Artists will release.

**3 Companies Formed**


**Fight Roller Derby**

SAN FRANCISCO, July 16.—Local theatre men are considering a protest to the Board of Supervisors against a plan to extend the engagement of the Roller Derby Company which opened here yesterday, from a two-week to a four-week run. For the past several years the Derby has been a thorn in the side of local theatres, attracting large crowds through medium of wide distribution of passes.

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IT'S 20 DEGREES COOLER AT M-G-M

Our Summer Release Schedule. Each Show is a Honey!

"ANDY HARDY MEETS DEB"
Lewis Stone • Mickey Rooney • Judy Garland

"SPORTING BLOOD"
Robert Young • Maureen O'Sullivan
Lewis Stone

"WE WHO ARE YOUNG"
Lana Turner • John Shelton

"GOLD RUSH MAISIE"
Ann Sothern

"PRIDE AND PREJUDICE"
Greer Garson • Laurence Olivier

"BOOM TOWN"
Clark Gable • Spencer Tracy
Claudette Colbert • Hedy Lamarr

"GOLDEN FLEECING"
Lew Ayres • Rita Johnson

"I LOVE YOU AGAIN"
William Powell • Myrna Loy

"BUSMAN'S HONEYMOON"
Robert Montgomery
SINGING IN THE SHOWER!

LISTEN to that guy yodel!
SURE he's an M-G-M exhibitor!
HE'S got hair on his chest!
MAYBE he doesn't sing so pretty, but he sings LOUD!
"NEW Moon" is one reason—
"ANDY Hardy Meets Deb" is another reason!
THE customers are delighted to see JEANETTE MacDonald and Nelson Eddy together again!
AND the combination of MICKEY Rooney and Judy Garland is sure-fire!
HOLD-OVER business—so watch your bookings please!
KEEP on singing Mr. M-G-M Exhibitor—
YOU'RE doing your share to bring COMFORT and relaxation to the public!
IT helps keep America sane and sensible.
M-G-M is singing too!
"PRIDE and Prejudice" is another sweetheart GREER Garson, Laurence Olivier are great in it.
"BOOM Town" exceeds the rosiest hopes. It's terrific!
GABLE, Tracy, Colbert, Lamarr—what a cast!
ALL summer long we've got GREAT entertainments for your eager public.
AND what a Fall line-up!
ISN'T it just plain common sense TO get set with M-G-M for 1940-41 and enjoy THAT happy feeling!
Philadelphia, July 16.—Aided by rain on July 4, downtown houses did unusually well, Filt Pantaloons at the Boyd drew $20,000, "The Ghost Breakers" at the Fox did $18,000.

Estimated takings for the week ending July 10-12:

- "Waterloo Bridge" (M-G-M) Average, $3,300.
- "New Moon" (M-G-M) Average, $3,200.
- "An Angel From Texas" (W. B.) Average, $2,800.
- "The Merman" (M-G-M) Average, $2,800.
- "Sailors" (Para.) Average, $2,800.
- "The Coast Breakers" (Para.) Average, $2,800.
- "KARLTON" (1,000) Average, $2,800.
- "21 Days Together" (Col.) Average, $2,800.
- "Symphony and God" (M-G-M) Average, $2,800.
- "I Had My Way" (Universal) Average, $2,800.
- "Hit of the Week" (M-G-M) Average, $2,800.
- "Kildare's Rooms" (W. B.) Average, $2,800.
- "3 Women" (M-G-M) Average, $2,800.

PHILADELPHIA’S BEST, $20,000

Hollywood, July 16.—Republic has signed Benny Goodman and his band, Frances Langford, Anna Miller, Hugo Herbert and Kenny Baker for the biggest musical in its history, "The Giant," shooting Aug. 5. Sol Siegel will produce and John H. Auer direct.

Jack Murton has been set as casting director for Boris Morros-Robert Styllman’s National Pictures "The Man Who Would Be King," and Nicholas Ray has been signed for "Two Many Girls," George Abbott production for RKO.

Warners now has Ira Luftin under contract for three plays a year because of her work in "They Drive by Night." MGM has given Donald Crisp a contract, "Bee Man" in the Nick Carter series, a term contract. Jane Withers, next picture at 20th Century-Fox will be "Graffiti U!" story of racing written by Thomas Langsam and Roy Chanslor. Oliver Morosco and Walter Dietrich will produce.

William Gargan gets a term contract at RKO. "Chad Hanna," a film which will be one of Fox’s big pictures, will be directed by Henry King. New 20th Century-Fox Pictures: Arleen Whelan to "Charter Pilot," and Russell Gleason to "Yesterday’s Heroes." At Litov, M-G-M producer, has left the 20th Century-Fox contract.

William Holden and Ray Milland will share top honors in Paramount’s "I Wanted Wings," which Arthur Hornblow, Jr., will produce.

ALBERT MANHEIMER, writer, has been given an M-G-M term contract. "South of Suez," co-starring George Raft and Geraldine Fitzgerald, will be shot shortly at Warners.

Lee Patrick has been added to the cast of "Homozygous for Three," starring George Ikard, for Samuel Goldwyn’s "Sheridan at Warners. ... Basil Rathbone and Gale Sondergaard join "The Californian" troope at 20th Century-Fox. ... The Ghost of the Cisco Kid," which was suspended because of Cesar Romero’s illnes, will resume shooting Aug. 1.

M-G-M Producer Arthur Freed, now making "Strike Up the Band," has received a new contract.

"That Gang of Mine" will be produced with Sana’s "Lady's Secret." Sana’s next picture for the East Side Kids at Monogram.

First of the eight "Range Dusters" serials, plans for Monogram release under way, with Crash Corrigan, Dusty King, Alta Tureti and Luana Walters in a contract. Nick Paterson, Monogram producer, has purchased "My Home Town," Lester Friedman’s original, as a Frankie Darro vehicle.

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Republic Signs Goodman For Its Biggest Musical

Sandy," Show Loop Winner With $21,000

CHICAGO, July 16.—"Sandy Is a Lady," a "variety" stage unit at the Oriental, drew a strong $21,000. "Brother Orchid" at the Chicago, with Rochester and the De Maros on the stage, drew $21,000.

Estimated takings for the week ending July 12:

- "Susan and God" (M-G-M) Average, $3,600.
- "The Awful Truth" (Col.) Average, $3,400.
- "Saturday’s Children" (W. B.) Average, $3,400.
- "Sailor’s Lady" (20th-Fox) Average, $3,400.
- "Andry Hardy Meets Danton" (M-G-M) Average, $3,400.
- "The Mortal Storm" (M-G-M) Average, $3,400.
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‘Moon’ Takes Strong $8,100, High in Seattle

SEATTLE, July 16.—“New Moon” led the parade at the Pantages here with $8,100, at the Fifth Avenue. “Turnabout” took $6,000 at the Liberty. The weather continued warm.

Estimated takings for the week ended July 12:

Our Town” (U. A.)

The Girl in Red Stockings” ($3,000)

Blue Mouse” (20th-Fox)

“New Moon” (M-G-M)

“Third Avenue” (2,000)

MUSIC HALL—2,000

Lyric—1,500

“Mortal Storm” (M-G-M)

“Pop Always Pays” (M-G-M)

Saloon Lady” (Univ.)

“The Saint Strikes Back” (RKO)

Oriole—629

Palomar—1,500

A Night in Havana”

“Sandy is a Lady” (Univ.)

Paragon—629

“Hardy” Is $12,000 Hit in Indianapolis

INDIANAPOLIS, July 16.—‘Andy Hardy Meets Debutante” and “The Captain Is A Lady” took a strong $12,000 at Loew’s in a week of hot weather.

Estimated takings for the week ending July 15:

“Unamied” (Para.)

The W costs (Para.)

CIRCLE—2,000

Andy Hardy Meets Debutante” (M-G-M)

“The Captain Is A Lady” (M-G-M)

Loews—1,028

“Hot Steel” (M-G-M)

Lyric—2,000

SSangis: Ben Weiser and show. Gross: $11,000. (Average, $900)

‘Breakers’ Scores Big $8,100 in Omaha

OMAHA, July 16.—“Ghost Breakers” soared to a record here. “O. C. of the Yukon,” which Paul Malvern is producing for Monogram,

Weiser to Kansas City

HOLLYWOOD, July 16.—Martin Weiser, assistant exploitation man for Warners here for the past year, has been transferred to handle exploitation in Kansas City.

Nigh Directs ‘Yukon’

HOLLYWOOD, July 16.—William Nigh has been assigned to direct the Jack L. Warner production “Queen of the Yukon,” which Paul Malvern is producing for Monogram.

Theatre Changes

RKO to Drop House

CINCINNATI, July 16.—RKO will relinquish Title to the 1,200-seat suburban Orpheum Aug. 31, upon expiration of the lease, which was negotiated in 1927. It is understood that the owners, Jack and Chester M. Martin, will improve the house and reopen it as a subsequent run.

To Rebuild Two Houses

ALBANY, July 16.—Two theatres which burned in the past few months are to be rebuilt at this western New York town. The Little Bennington, Vt., exhibitor, who has a 21-year lease for Fabian rental of Harman Bleecker Hall here, has given permission to rebuild the fire-damaged house. The theatre was leased by the permitted the lease. Teddy Berkley, whose Capitol, Harrisville, N. Y., burned recently, will start to rebuild shortly.

Two Houses Taken Over

ALBANY, July 16.—Fallal Circuit, Onceda, N. Y., has taken over the Paramount, Schroon Lake, and Harry Savett is now operating Charles Girard's Lyceum at Tupper Lake Junction.

Activity in St. Louis Area

Sr. Louis, July 16.—Following are latest developments in theatre activity in this territory. The Variety theatre, the newest house in the Rodgers Circuit, has opened at Carbondale, Ill. George Hayes is the manager. Bizee expects to open his new theatre in Gonda, Ill., this month. The Fox Ovark Theatres Corp., an affiliate of the Fox Midwest Amusement Co., has let a contract for a new house at Sedalia, Mo. The Majestic in Marshfield, Ill., has been renamed the Little River, after $20,000 worth of alterations and improvements are completed. Eben Hayes will own and operate the theatre. New equipment has been purchased by the Hall theatre, Columbia, Mo., by Homer Woods, and by T. C. Deusenberry, the only theatre in Red Bud, Ill. Alterations have been completed in the theatre in Carrollton, Ill., by the C. O. T. Wealdy of Shelbyville, Ill., has purchased the Okaw in Findlay, Ill., from J. F. Jansen. Jansen then closed his large theatre in New Baden, Ill., from Fred Hocker.

Remodel Missouri House

KANSAS CITY, July 16.—The Associated Theatres of Independence, Mo., will complete the $50,000 remodeling of the Grand by Aug. 1, according to J. A. Becker, and it will reopen as a 300-seat house.

Buys California House

ST. HELENA, Cal., July 16.—L. A. Schelling has purchased the Liberty Theatre from Jack Wilson.

Remodel Theatre on Coast

TURLOCK, Cal., July 16.—Approximately $15,000 is being spent to remodel the Turlock Theatre here.

Manages Frisco Larkin

SAYRE, Pa., July 16.—R. A. Lloyd of Kansas City has been appointed manager of the Larkin, operated by Herbert Rosen, Inc.

Delay Canada Opening

TORONTO, July 16.—The construction of the Senetan theatre Civil, Ont, by Famous Players Canadian Corp. has not proceeded as scheduled because of war difficulties and the opening of the new house has been postponed until September.

Gets Rochester Post

ROCHESTER, July 16.—New manager of the Riverside in Buffalo is Robert Emory, who was transferred to that post from the assistant managership of the Bahcock in nearby Bath.

To Close Part Time

WINFIELD, Ks., July 16.—E. S. Tompkins will close the Winfield Theatre on Sunday and Saturday nights until the first of September.

Open Kansas House

KANSAS CITY, July 16.—The new theatre at Caney, Kan., practically rebuilt from the old liberty by Larry Larsen, architect and builder, will be opened shortly by C. R. Gregg. The new house, renamed the Gregg, has been closed for two months.

Photophone Deals Closed

RCA Photophone has closed deals for equipment in the following theatres:

Island, Caney, Kansas; Vandalia, Palmyra, Indiana; Oneida, New York; Malvern, Pennsylvania; Palmer, Kansas; Salisbury, New Hampshire; Muncie, Indiana; Paterson, New Jersey; New Orleans, Louisiana; Chicago, Illinois; and several old theatre owners.

Plan New Illinois House

SANDALO, Ill., July 16.—Robert Clutter, Salem, Ill., is planning a new theatre here. The town has no picture theatre at present.

Two Get New Equipment

COLOMBUS, Mo., July 16.—Homer Woods, manager of the Hall Theatre here, and T. C. Deusenberry, owner of the Red Bud Theatre, Red Bud, Ill., have called new equipment in their houses.

Duvivier Says Pictures Less Costly Here

(Continued from page 1) for his and Duvivier’s pictures with several companies. So far no deal has been made.

Both Duvivier and Graetz believe that there is a place in America for the kind of pictures which Duvivier knows how to make. In France his product has averaged around $160,000 to $170,000 a picture and in America, of course, they would average higher, but not quite as high as many American productions. It is Duvivier’s feeling, and also Graetz’, that foreign language pictures have not much chance in America, although there have been one or two exceptions like “Mayerling,” which may have grossed in the neighborhood of $100,000 and which is considered the top figure for any foreign language picture, “Carnet De Bal,” about which he has raved, grossed $15,000 to $18,000.

These figures have impelled Graetz and Duvivier to come over personally and try to establish themselves in America and make that type of picture here which they have made successfully in France, but in English and thus enter the larger world market.

Duvivier has been in production for 24 years, although he is only 44 now. And he sums up the difference between American and French production with the word “retake.” He says in France they never had enough money for retakes and so the picture had to be ready for the screen when it was first completed. No second guess could be financed.

Terry-Toons Reopens

The Terry-Toons cartoon studio at New Rochelle, N. Y., has reopened after a vacation shutdown of several weeks.

Don’t be a wallflower! Learn how to attract men! See PRIDE AND PREJUDICE

(M-G-M hit starring GREER GARSON & LAURENCE OLIVIER)

Coming Soon!
Off the Antenna

NBC yesterday began its twice-daily telecast of the Democratic National Convention in Chicago, using clips from the KKO Pathé newsmen as source material. The mesh was necessary, as the convention is too far from transmission headquarters here. In the case of the Republican meeting in Philadelphia, the use of the coaxial cable made on-the-spot coverage possible.

Yesterday's telecast was satisfactorily clear, both visually and audibly, but it necessarily lacked the dramatic effect of being a direct broadcast of the meeting. It was, in effect, like looking at a newsreel brought into the home on a miniature screen—and one day late.

Purely Personal: Niles Trammell, newly elected president of NBC, will attend the National Association of Broadcasters' annual convention in San Francisco via Aug. 4 (Fl) Frank Broderick, vice-president in charge of sales for WOR, is vacationing, but no one knows where.... Helen Baylis, WOR receptionist, was married last week to Raymond R. Withey, air conditioning engineer.... Diah Shore will be the guest performer on the Schafer Summertime Revue over WFAF tomorrow at 7:30 P.M. .... Wilbur Edwards, associated for the past three and half years with WBT, CBS station in Charlotte, N. C., has joined the sales staff of WABC.

In the opinion of Kansas drugstores and grocers, radio is by far the most effective advertising medium, according to a survey conducted by the Kansas State College and presented to CBS.

Program News: Responding to requests of advertising agencies for one-minute spot commercials, WOR has developed a program as a vehicle for them. It will include electrically transcribed music, plus the chatter of Henry Morgan, master of ceremonies, and will be heard Mondays through Fridays, 10:30 to 10:45 P. M., beginning July 22.

What is probably the first example being hired as the result of a television program—and not performer—occurred the other day. Jack Popple, chief engineer of WOR, was tuned in at his South Orange, N. J., home, on the television spelling bee conducted by Paul Wing. Norma Miller of Paterson, N. J., and the Katherine Gibbs School, was a contestant. Popple was so impressed with Miss Miller's speed (she won the spelling bee) that he communicated with the Gibbs School and hired Miss Miller, to the satisfaction of everyone concerned.

The board of directors of Broadcast Music, Inc., yesterday elected Niles Trammell, new president of NBC, as a member of the board, succeeding J. J. Lohr, who resigned recently as NBC head. Trammell was present at yesterday's session.

The board discussed several deals on music, with two currently in process of negotiation, and gave detailed attention to the revised allocations of payments by station members of B.M.I.

Radio Coordination Not Yet Worked Out

WASHINGTON, July 16.—Organization of the Radio Coordination Committee for Communications has not yet been worked out, it was indicated today by President Roosevelt. The National Defense Advisory Commission is working with the Federal Communications Commission and the National Defense Advisory Commission, the President explained, and no details have yet been laid before him.

Platform Ends July 20

The CBS “People's Platform” series, broadcast 7 to 7:30 P. M. on Saturday and Sunday will end July 20. The final program will come from Havana where delegates to the Inter-American conference will discuss Pan-American unity.

 Renew 'Beauty Explorer'

"Beauty Explorer," sponsored by the Colonial Dames, and heard Fridays 8:35 to 9 P. M., over seven stations—four Pacific network, has been renewed for 13 weeks.
U.S. Concerned at 'Frozen' Fund Use For Only 3 Months

LOS ANGELES, July 17—American interests are greatly concerned that the new British Government authorization for the use of "frozen" funds for British product will be effective only until Oct. 31, it is understood here. That is the date on which the new agreement between American distributors and the British Government expires.

The short time limit on the new authorization virtually sanctions the continuance of major British production for the Government's American funds.

There has been no consideration given by the British Government to an extension of the new arrangement beyond Oct. 31. It is understood that no conversations have been held by the Government with American distribution representatives.

First Decree Draft May Be Delayed

Negotiators Coordinating Various Proposals

Defendant company negotiators and the Government attorneys have taken up the first draft of the consent decree in settlement of the Government's New York anti-trust suit now consider it probable whether any unified draft will be possible by the end of this week.

This was learned following conferences yesterday. Company executives met with their negotiators and discussed the collection of all drafts of the various isolated suits taken up so far with the Government attorneys.

Later there was another meeting at the Bar Association between the negotiators and the Government lawyers.

The discussions between the negotiators and the company executives revolved about progress which has been made to date in the negotiations. None of the isolated suits have been reduced to final and connected form, it was learned. They are in no sense complete.

There was further discussion on the "escape" clause, and insofar as could be learned there was no further agreement on any vital settlement proposal reached yesterday.

Coast Flashes

First in Film and Radio News Brief, Accurate and Impartial

HOLLYWOOD, July 17—Leo Katz, inventor of a self-heating food container, today filed suit in Superior Court here seeking $15,000 damages from 20th Century-Fox for alleged libel and invasion of property rights. He charges that the film, "Jones Family on Their Own," and a character who had a chemical food heater similar to his which was portrayed as causing poisoning of fumes, and that as a result his business suffered.

Will H. Hays is expected here Friday. He will spend the weekend at his ranch before taking up his office duties Monday.

B. G. DeSylva today was signed by Paramount as an associate producer. He will report to the studio after launching the new Cole Porter-Herbert Fields show on Broadway. His most recent work was the production of "Bachelor Mother" for RKO.

FCC Authorizes Lee Television Station; First Step in New Setup

WASHINGTON, July 17.—Construction of a television station in San Francisco by the Don Lee Broadcasting System, with 1,000 watts power for both aural and visual service, was authorized today by the Federal Communications Commission as its first definite step toward the country's new television structure.

The commission announced that the new station, as well as the Don Lee station, WJXTV at Los Angeles, and the NBC station, W2XBS, New York, will serve the nation's No. 1 channel.

Plans for the experimental work of the stations call for continuous transmission by the Radio Manufacturers' Association standard with an increase in the number of frame lines from 441 to 507, while the two Don Lee stations will experiment with 225 lines, 30 frames interlaced, or 441 lines, 30 frames interlaced, and possibly other combinations, it was said.

'BOOM TOWN' WILL GET HIGHER SCALE

Exhibitors Responding To Schenck Plan For Increasing Revenue

By SAM SHAIN

Metro's "Boom Town," with Clark Gable, Spencer Tracy, Hedy Lamarr and Claudette Colbert, company officials here decided to do on August 12 and good enough to warrant asking exhibitors throughout the country to consider raising box-office scales by one-third when showing this film late in August. It is understood that Nicholas M. Schenck, president of the Metro, was the first to back this view from Hollywood, where he recently had gone especially to see the picture.

Metro does not contemplate any alteration in the terms under which "Boom Town" already has been sold, it is asserted. The terms stay as is.

Metro, according to company advice, is putting the matter up personally to exhibitors and has offered unprecedented cooperation for a hidden effort to test a rise in admission prices. Nicholas Schenck is said to be the father of the plan and it is said that his views are based on the premise that if the principal companies of the industry every year were to proffer one picture big enough and good enough to warrant such an upward revision of scales, the industry could recover more from the $20,000,000 to $25,000,000 of hidden revenue in this country and thus make up for the tremendous losses suffered in for-

(Continued on page 7)

Expect Settlement of Philadelphia Strike

PHILADELPHIA, July 17.—A meeting of the American Federation of Musicians, president, to settle the eight months' strike of the Philadelphia musicians union against Waverly theatres.

Frank Phelps, Warner labor contact, will attend the meeting. Although Petillo will not be present, it is expected that Joseph N. Weber, recently retired president, will attend. A. Rex Riccardi, secretary of the local here, said all indications point to a final settlement. However, if the bargaining effort fails, it will be left to Petillo to decide whether to drop the matter entirely or adopt a different course of action.

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Harry Brandt was reelected president of the New York I.T.O.A. at a meeting at the Hotel Astor yesterday for his seventh term as head of the organization.

Other officers reelected on an unopposed slate included: David Wein- stock, vice-president, and Leon Rosen- blatt, treasurer. Frances Bergman re- placed Maurice Brown as secretary.

The board of directors, also re- elected, includes: Leon Brecher, Laurence Bolognino, Bernard Brooks, Samuel Burewski, Jack Burewski, Jack Hattum, Otto Lederer, Hyman Rachmil, Ray Rhineheimer, Abraham Shenk, Rudi Sanders, Samuel Straus- berg, Frank Moscati, Joshua Goldberg and Irving Remer.

At yesterday's meeting, film buying, double features and the new defense tax on admissions were discussed, but no action was taken on any of the matters under discussion.

**Gross to Red Cross**

Philadelphia, July 17—Anthony Wayne Theatre in the suburban Wayne section, commemorating its 12th anniversary today, gave its entire proceeds to the Red Cross.

**Personal Mention**

R. A. RADWELL, L. SEARS, Warners general sales manager, arrived from the Coast yesterday following product conferences at the studio.

ROBERT SCHLES, Warner European man- ager, originally scheduled to return to the Continent this week, has postponed the trip indefinitely.

W. J. CURRY, paramount's head booker at Des Moines, is vacationing.

HAL SEIDENBERG, manager of the Fox, Philadelphia, is vacationing in New Hampshire.

Ben Freedman, assistant manager at the Will Rogers Theatre, St. Louis, and CLARE S. ROCHFELD of that city are to be married soon.

J. K. ROBERTSON, manager of the Times-Square Theatre, New York, and Mrs. ROBERTSON will arrive here tomorrow on the Santa Paula from a 12-day Southern cruise.

S. S. HOBEN, managing director for 20th Century-Fox in Argentina, has cancelled his plans for a visit to this country.

LESTER KRIEGER, film buyer and chief booker at the Warner exchange in Philadelphia, is the father of a boy born to Mrs. Krieger early this week.

HAROLD MARSHALL, M-G-M's exploitation representative out of the In- dianapolis exchange, has flown to the Coast for a vacation, visiting his family in Los Angeles.

WALTER WANGER and JOAN BENNETT arrived from the Coast by plane late yesterday.

**Film, Radio Censorship in Past Year Reported Less**

Interference by public officials with motion pictures, plays, radio and books has declined sharply during the past year, the American Civil Liberties Union reports in its annual survey of civil liberties in the United States.

"Since most of the censorship is based upon so-called moral grounds, it indicates an increasing tolerance of themes which a few years ago aroused hostility and official interference," the report declared.

Of the six pictures cited as having had difficulty with the censors, most trouble was encountered by the German film originally titled, "Hitler, Beast of Berlin." It met censor bans in Virginia, New York, Chicago, Providence and Maryland. Other films banned during the year were: "Harvest," French film; M-G-M's Strange Cargo; "Primrose Path," RKO release; and the controversial banned "the U. S. Film Service mat- rial welfare film, "Fight for Life." In New York a ban on "Birth of a Baby" was upheld and in Denver a theater owner was convicted for showing "The Birth of a Nation." "Mudlark," "The Women," "Of Mice and Men" and "Children's Hour" were the plays which encountered cen- sor difficulties in one or more cities during the year.

Relative to radio, the organization reports, "Freedom on the radio has shown marked improvement during the year. The new personnel of the Fed- eral Communications Commission has refrained from preemptions concern- ing programs which marked the commission a year ago. Station pro- duction managers, under the influence of the new code adopted by the National Association of Broadcasters, have shown a far greater appreciation of radio's function in presenting all sides of controversial issues. Under the code, no time can be sold for a dis- cussion of public issues, and equal facilities must be granted to all sides of a controversy. The public forum type of discussion has become widespread."

Following a study of the workings of the N.A.B. code on all types of stations, the National Council on Cen- sorship, affiliate of the Civil Liberties Union, reached the conclusion that the code has promoted "a far larger and fairer degree of dis- cussion of public issues."

**Expect Australian Merger Approval**

Ratification of the long-pending merger of Hoyts and Greater Union circuits, Australia, was scheduled to occur at a mergerholders meeting calling for the latter company in Sydney yesterday.

Results of the meeting were not known at the home office of National Theatres, which owns a controlling interest in Hoyts, at a late hour yester- day.

The merger, which has been in work for the past two years, would place complete control of the two largest Australian circuits with Gen- eral Theatres Corp, a new parent company organized for the purpose, and Noel E. Depinet, vice-president in charge of distribution. The deals involved 157 theatres and the number of theatres included in each deal are: Skouras Metropolitan Theatres, 46 houses; RKO Radio-Paramount circuit, 32 houses; Interboro Circuit, 39; Island Thea- tres Circuit, 12; Loew Metropolitan Circuit, 18.

**Set Dual Baltimore ‘Syracuse’ Opening**

Universal's "The Boys from Syra- cuse" will have a double opening in Baltimore, at the Hippodrome and Keith, on Aug. 9. The world premiere of the film will be held this even- ing at Syracuse, N. Y., with the New York opening scheduled for the Paramount, July 31.

N. J. Allied Sets Outing

N. J. Allied will hold an outing at the Hollywood Hotel, West End, N. J., Wednesday, July 19, preceded by a golf tournament in the morning, luncheon, a meeting in the afternoon and dinner. The Allied trip is for the annual convention of the unit in September will be discussed.
ALL THIS, AND HEAVEN TOO is held over again at RADIO CITY MUSIC HALL!

(Week No. 3 for Providence too!)

"ALL THIS, AND HEAVEN TOO" is running for a 3rd TERM.

The only company delivering this kind of business in this kind of weather is WARNER BROS.
WHAT REVIEWER, WHAT PAPER DO YOU READ?

THE

BOYS from SYRACUSE

ALLAN JONES • MARTHA RAYE
JOE PENNER • ROSEMARY LANE
IRENE HERVEY • Chas. Butterworth
Alan Mowbray • Eric Blore • Samuel S. Hinds

Six Hit Songs
"This Can’t Be Love" "Falling In Love" "Sing For Your Supper" "He And She" "Who Are You?" "The Greeks Have No Word For It"

Screenplay by LEONARD SPIEGELGASS, CHARLES GRAYSON & PAUL GERARD SMITH
Directed by A. EDWARD SUTHERLAND • A MAYFAIR PRODUCTION

A UNIVERSAL PICTURE
THEY'RE ALL WILD ABOUT "SYRACUSE"!
The HIT that WOWED BROADWAY for a year at $5.50 a ticket!

"A double feature in itself! ... One of the surprise pictures of the year!"
—Showmen’s Trade Review

PREVIEWED IN NEW ROCHELLE ...WHERE THEY HOWLED!"
—WALTER WINCHELL

"Serves function of entertainment to perfection ... Will tickle the funny bones of any audience ... clever, tuneful, played to the hilt!"
—Motion Picture Daily

"The picture is exactly what the doctor ordered for a public fed up with war, taxes and other things!"
—Film Daily

COMEDY?

HIT SONGS?

BOX OFFICE?

"There are screams to satisfy the patron and send him home happy!"
—HOLLYWOOD REPORTER

"Rodgers and Hart music ... 'This Can't Be Love!', 'Falling In Love', 'Sing For Your Supper' and 'Who Are You?'...brilliantly sung!"
—LOS ANGELES NEWS

"LEVEY'S FIRST ... A SOLID HIT!"
—BOXOFFICE

"IT'S HEADED FOR SMASH BUSINESS!"
—VARIETY

"B. O. NATURAL FOR EXHIBS!"
—FILM DAILY

"SHOULD DO TREMENDOUS BUSINESS!"
—SHOWMEN'S TRADE REVIEW

PRODUCTION?

"Movie version far more elaborate than stage play!"
—LOS ANGELES EXAMINER

"Something bright and new!"
—LOS ANGELES TIMES

ROMANCE?

WORLD PREMIERE
Keith, Paramount and Eckel Theatres, Syracuse, N. Y., Thursday, July 18th.

Opens PARAMOUNT Theatre
N. Y., July 31st—FOR AN INDEFINITE RUN! (First outside picture in three years to play the Paramount Theatre!)

NATIONAL RELEASE Aug. 9
## MOTION PICTURE DAILY'S BOOKING CHART

**[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]**

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<th>20TH-FOX</th>
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<td>June 21</td>
<td>Girls of the Road (D) Lola Lane Helen Mack</td>
<td>The Captain Is A Lady (G-D) Virginia Grey Billie Burke</td>
<td>Wild Horse Range (O)</td>
<td>The Ghost Breakers (O) Bob Hope P. Goddard</td>
<td>Wagons Westward (O) Chester Morris Anita Louise</td>
<td>Pop Always Pays (G-C)</td>
<td>Charlie Chan's Murder Cruise (D) Sidney Tolmer</td>
<td></td>
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<tr>
<td>June 28</td>
<td>Return of Wild Bill (O) Bill Elliott Iris Meredith</td>
<td>New Moon (G-M) Nelson Eddy J. MacDonald</td>
<td>Last Alarm (O) Warren Hull Polly Ann Young</td>
<td>Queen of the Mob (A-D) Ralph Bellamy Blanche Yurka</td>
<td>Carson City Kid (O) Roy Rodgers One Man's Law</td>
<td>Anne of Windy Poplars (G-D) Anne Shirley James Ellison</td>
<td>Lucky Cisco Kid (G-O) Cesar Romero Evelyn Venable</td>
<td></td>
</tr>
<tr>
<td>July 5</td>
<td>Out West With the Peppers Edith Fellows</td>
<td>Andy Hardy Meets a Debutante (C) Mickey Rooney Lewis Stone</td>
<td>Golden Trail (O) Tex Ritter</td>
<td>Way of All Flesh (G-D) Tom Moffat Gladys George</td>
<td>Stagecoach (G-O) Bill Boyd Russell Hayden</td>
<td>Three Faces West (D) Carolina Moon (O)</td>
<td>Manhattan Heartbeat (G-D) Robert Sterling Virginia Gilmore</td>
<td></td>
</tr>
<tr>
<td>July 12</td>
<td>Military Academy (D) Tommy Kelly Bobby Jordan</td>
<td>We Who Are Young (A-D) Lorna Turner John Shelton</td>
<td>Haunted House (G-D) Marcia Mae Jones Jackie Moran</td>
<td>Untamed (G-D) Ray Milland F. Morgan A. Tamiroff</td>
<td>Girl From God's Country (O) Morris-Wyatt</td>
<td>Stage to Chino (O) George C. Scott Virginia Vale</td>
<td>Maryland (G-O) Walter Brennan Fay Bayner</td>
<td>South of Pago Page (D) V. McGleagan Jon Hall</td>
</tr>
<tr>
<td>July 19</td>
<td>Blondie Has Servant Trouble (C) Singleton-Lake</td>
<td>Pride and Prejudice (G-C) Greer Garson L. Olivier</td>
<td>Boys of the City (D) East Side Kids</td>
<td>Golden Gloves (D) Richard Denning Robert Paige</td>
<td>Stranger on the Third Floor (D) Peter Lorre John McGuire</td>
<td>The Man I Marreid (D) Joan Bennett F. Lederer</td>
<td>You're Not So Tough (G-D) When the Daltons Rode (O)</td>
<td></td>
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<tr>
<td>July 26</td>
<td>The Lady in Question (D) Brian Aherne</td>
<td>Gold Rush Maisie (C) Ann Sothern Lee Bowman</td>
<td>Orphans of the North (D) Rainbow Over the Range (O)</td>
<td>Golden Gloves (D) Richard Denning Robert Paige</td>
<td>Messenger (D) Roy Rogers</td>
<td></td>
<td>Captain Caution (G-D) Victor Mature Lanise Plats</td>
<td></td>
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<tr>
<td>Aug. 2</td>
<td>The Secret Seven (D) Bruce Bennett Florence Rice</td>
<td>Boom Town (D) Clark Gable Spencer Tracy</td>
<td>Doomed to Die (D) Chamber of Horrors (O)</td>
<td>Mystery Sea Raider (D) H. Wilcoxon Carole Landis</td>
<td>Queen of Destiny (D) Anna Neagle Anton Walbrook</td>
<td>One Crowded Night (D) William Hoadle Billy Stuard</td>
<td>Return of Frank James (O) Henry Fonda Jackie Cooper</td>
<td></td>
</tr>
<tr>
<td>Aug. 9</td>
<td>The Durango Kid (O) Chas. Starrett Luana Walter</td>
<td>Golden Fleece (D) Lew Ayres Riko Johnson</td>
<td>All Around the Town (D) Range Busters (O)</td>
<td>Comin' Round the Mountain (C) Burns-Merkel</td>
<td>Lucky Partners (D) Wildcat Bus (D)</td>
<td></td>
<td>Girls From Ave. A (A-D) Jane Withers C. Aldrich</td>
<td></td>
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<tr>
<td>Aug. 16</td>
<td>He Stayed for Breakfast (C) Loretta Young Melvyn Douglas</td>
<td>I Love You Again (D) William Powell Myrna Loy</td>
<td>Missing People (D) Arizona Frontier (O)</td>
<td>The Great McGinty (O) Brian Donlevy Muriel Angelus</td>
<td>Dance, Girl, Dance (D) Maureen O'Hara Louis Haywood</td>
<td>The Great Profile (C) John Barrymore Mary R. Hughes</td>
<td>Pier 13 Lynn Bari Final Mission</td>
<td></td>
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<tr>
<td>Aug. 23</td>
<td>The Durango Kid (O) Chas. Starrett Luana Walter</td>
<td>Golden Fleece (D) Lew Ayres Riko Johnson</td>
<td>All Around the Town (D) Range Busters (O)</td>
<td>Comin' Round the Mountain (C) Burns-Merkel</td>
<td>Lucky Partners (D) Wildcat Bus (D)</td>
<td></td>
<td>Girls From Ave. A (A-D) Jane Withers C. Aldrich</td>
<td></td>
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<tr>
<td>Aug. 30</td>
<td>Swing With Bing (M) Bing Crosby</td>
<td>Rhythm on the River (M) E. Montgomery C. Cummings</td>
<td>Queen of the Yukon (D) Chas. Bickford Irene Rich</td>
<td>The Great McGinty (O) Brian Donlevy Muriel Angelus</td>
<td>Dance, Girl, Dance (D) Maureen O'Hara Louis Haywood</td>
<td>The Great Profile (C) John Barrymore Mary R. Hughes</td>
<td>Pier 13 Lynn Bari Final Mission</td>
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<tr>
<td>Sept. 6</td>
<td>Motion Picture Daily's Booking Chart</td>
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</table>
Short Subject Reviews

“Hawaiian Rhythm” (Universal)

The pleasant rhythmic style of the native Hawaiian vocal and dance specialist is evidenced here as an extending array of two American and Hawaiian performers in a Sr.. Sea setting. A highlight of this short is the rendition of a typical Fijian song by Kini Rua. Among the performers are Don and Sally Jennings, Stearns and Dean, the Royal Singers, and Bessie Allen and “The Royal Hawaiian Sweethearts.” This is an entertaining departure from the numerous swing musicals. Running time, 17 mins.

“Screen Snapshots, No. 9” (Columbia)

Ken Murray, from his Hollywood sporting goods store, attended ceremonies in this tour of Hollywood sports as indulged in by some of the notables of the seen screen as spectators and in action are numerous players in golf, tennis, polo, pigeon racing, ping pong and swimming. “Development” for film fans. Running time, 10 mins.

“Going Places, No. 79” (Universal)

Four items of a curious nature are shown in the Pacific Northwest for this average addition to the series. Shown are a cove in which hundreds of sea lions live, a dolphin in a harbor; a man is clung as an occupation; spherical stones formed by the sea, and colorful agates found on the shore, which are cut and polished in a nearby shop. Running time, 9 mins.

“Going Places, No. 80” (Universal)

This concentrate on El Paso, Texas, outlining the scenic beauty, colorful re-living of the ranchero days and the fascinating aspect of the picturesque city. Visitors greeted in Wild West style, by cavalier maneuvers, front herdsmanship, candy containers, manufacturing too. All, all are shown, making for an enjoyable show. Running time, 9 mins.

‘Breakers’ $4,500

In Cleveland Slump

CLEVELAND, July 17.—Fourth of July left Cleveland with its worst week in many months. The “Ghost Breakers” in its third week at the Stillman took up $4,500, the only bill to reach that figure.

Estimated takings for the week ending July 11:

“Flight Angel” (W. B.)

AFLIC—(8c-9c-9c-7c) 2 days. Gross: $350. (Average, $110.)

“ cared Brown’s School” (Colpix)

WARNERS’ HIPPODROME—(8c-8c-8c-9c-8c) 2 days. Gross: $500. (Average, $125.)

Private Affairs” (U. A.)

RIO PALACE—(8c-8c-8c-9c) 2 days. Gross: $350. (Average, $115.)

“New Moon” (M-G-M)

LOEW’S STATE—(8c-9c-9c-9c-7c) 2 days. Gross: $400. (Average, $200.)

“The Ghost Breakers” (Para.)

LOEW’S STILLMAN—(8c-9c-9c-9c-7c) 2 days. Gross: $400. (Average, $200.)

Feature Review

“Boys of the City” (Monogram)

Bobby Jordan and Leon Gorcey of “Dead End” fame, along with other members of the screen’s mischievous juvenile set, provide ample cause for laughs in their attempt herein to track down a killer. Basically the film is a tense melodrama but the antics of the boys offset the seriousness of the story to a marked extent.

En route to a Summer camp, the boys meet a judge, his niece and a bodyguard stranded on a lonely road and agree to give them a lift. In the course of the judge’s conversation, a spooky place with a glaring housekeeper, secret panels and underground passages. The judge is murdered and the boys, with the aid of a detective, capture the killer.

The supporting cast includes Dave O’Brien, George Humbert, Hally Chester and Frankie Burke. The screenplay by William Lively was directed by Joe Lewis. Sam Katzman produced.

Running time, 63 minutes. “G.**”

Ellis Foresees Australian Theatre Gains After War

Greatly improved business conditions in Australia after the war are anticipated by business leaders in the Commonwealth and are certain to be reflected in increased theatre attendances. George Gordon, managing director of Associated Distributors, Sydney, said yesterday before leaving for the city that the theatre trade will be back to Australia at the end of a six months’ visit here. Ellis said that general conditions in Australia are not as good as they could be at the moment. However, there is little indication at this time that monetary regulations will be liberalized so as to permit increased withdrawals of blocked currency, he believes.

Ellis pointed out that since the war new industries have been established in Australia which business leaders believe will provide a post-war foundation for industrial expansion and development of natural resources which long have been lacking in the Commonwealth.

Ellis, whose organization is affiliated with Greater Union Theatres in Aus- tralia, was given a farewell luncheon by Capt. Harold Auton, American representa- tive for Greater Union, at the Hotel Grand Pacific yesterday. During his stay in New York, Ellis transacted business for Norman B. Rydhe, head of Greater Union and affiliated distributing-producing companies, and lined up product for the circuit. He will sail for Australia from San Pedro next Wednesday.

Wife, Stage Show Get $12,000, Buffalo

BUFFALO, July 17.—“You Can’t Fool Your Wife,” aided by Little Jack Little and his orchestra and Fifi D’Orsay, had a record sale of $12,000 at the Twentieth Century. “Andy Hardy Meets Debutante” brought $4,100 to the Buffalo.

Estimated takings for the week ending July 13:

Andy Hardy Meets Debutante” (M-G-M)

BUFFALO—(10c-8c-9c-9c) 7 days. Gross: $4,000. (Average, $571.)

My Love Came Back” (W. B.)

The Man Who Talked Too Much” (W. B.)

“If You Don’t Want Your Wife” (RKO)

Trend” (UA)

RIPPLE—(8c-8c-9c-9c) 2 days. Gross: $500. (Average, $250.)

Petticoat Fever” (M-G-M)

“Stand Up and Fight” (M-G-M)

Coie Cautions On Blaming New Tax

DALLAS, July 17.—Theatres which have raised prices far in excess of the Federal defense tax and blame the increased admissions on the tax are not only slackers during time of national peril but are subject to prosecution which carries a maximum fine of $1,000 and imprisonment not exceeding a year, according to Col. H. A. Cole, president of Allied States.

Quoting from a warning issued by Internal Revenue Collector W. A. Thomas of Dallas in which prosecution was threatened, Cole, Col. pointed out it was a violation of the internal revenue laws to raise prices in excess of taxes and then blame the tax for the increase.

“I do not believe that this practice is prevalent,” Col. Cole said. “But I have found some instances of it. I have, for example, received a handbill put out by a south Texas theatre belonging to a fairly large chain, in which admission prices were raised from 15 cents to 20 cents. The circular puts the blame on the new tax. When, as a matter of fact, admissions of 20 cents carry no tax increase.”

(Continued from page 1)

'Boom Town' To Get Higher Admissions

(Continued from page 1)

eign trade. According to these sources, it would require not more than six or eight films yearly to accomplish this goal.

Since experience has shown that exhibitors stand to retain fully 60 per cent of this increase themselves, the Metro plan is not unpopular by its sponsors as most practical.

Exhibitors Assure Support

Although the suggestion only went forward to exhibitors following Schenck’s return from the Coast with his goodwill tour, according to industry publicity director, on Monday, company officials are understood to have been assured of country-wide exhibitor support. Metro has sent out the following: “For three days has made a person-to-person survey and company officials report that the exhibitor tour has been more favorable than expectations. Dietz, it is asserted, is planning a large and comprehensive advertising campaign on the picture to the trade to close the tour.

Unlike any previous effort which may have been tried in the industry, Metro is letting exhibitors decide what to do, and additionally is cooperating in helping exhibitors make up their minds.

This, a series of special roadshow shows to meet engagements is contemplated in perhaps a dozen selected spots, which will prove the advisability of higher back-up.

Not to rush the exhibitors into deciding, although the response from Coast to Coast has already been beyond expectations, according to inquiry, Metro may put off the release date of “Boom Town” by a couple of weeks, and in its place permit exhibitors to review the new wire. William Powell-Myrna Loy film, “I Love You Again,” earlier than had been first planned.

Release Early in August

According to advices from the Coast, the studio heads are willing to have the release dates shifted so that exhibitors who will play “Boom Town” at higher scales can get the Powell- Loy picture early in August.

Raising scales by one-third, it has been estimated, should make it possible for as much as a gain of $2,500 - $3,000,000 in the national rentals.

All day Tuesday and yesterday, branch managers, district managers, salesmen and even home officials of Metro have been busy contacting exhibitor sentiment, to sound out the possibility of the all and, because of that response, it looks as if the plan may be announced shortly.

Cameo Taken Over

Consolidated Film Enterprises has acquired the Cameo on 42nd St., formerly the showcase for Soviet films here, from its former owners only three months ago. Following renovation, including additional lobby space, the circuit will reopen the house about the middle of next month as the Bryant. No definite policy has yet been set.
Food Leading Industry on CBS, Mutual

Foods and food beverages led among industry classifications in the breakdown of billings for the first six months of 1940 for both the CBS and Mutual. On CBS the industry accounted for $6,098,834 of the half-year total. On Mutual of Minnesota foods accounted for $7,939,591 of the $20,312,323 total.

In both cases there were large increases in the same period in 1939. The 1939 half-year full billing total on CBS was $16,952,973 and on Mutual $15,224,943.

Following is the CBS breakdown by industries for the first six months of 1940 compared with the corresponding 1939 total:

<table>
<thead>
<tr>
<th>Industry</th>
<th>1940</th>
<th>1939</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food, Food Beverages</td>
<td>6,068,834</td>
<td>4,645,334</td>
</tr>
<tr>
<td>Drugs, Toilet Goods</td>
<td>4,895,451</td>
<td>3,945,998</td>
</tr>
<tr>
<td>Cigars, Tobacco</td>
<td>3,176,081</td>
<td>2,277,715</td>
</tr>
<tr>
<td>Automotives</td>
<td>946,742</td>
<td>1,153,657</td>
</tr>
<tr>
<td>Building Materials, Paper</td>
<td>1,030,032</td>
<td>627,000</td>
</tr>
<tr>
<td>Confections, Soft</td>
<td>964,781</td>
<td>310,877</td>
</tr>
<tr>
<td>Finance, Investment</td>
<td>436,082</td>
<td>393,968</td>
</tr>
<tr>
<td>Rubber, Synthetic Materials</td>
<td>1,153,632</td>
<td>1,196,241</td>
</tr>
<tr>
<td>Radio, Photographs</td>
<td>25,176</td>
<td>67,759</td>
</tr>
<tr>
<td>Fur, Leathers</td>
<td>466,095</td>
<td>629,625</td>
</tr>
<tr>
<td>Travel, Hotels</td>
<td>290,885</td>
<td>306,497</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>720,404</td>
<td>698,155</td>
</tr>
</tbody>
</table>

Wife difference indicates some groups placed in miscellaneous grouping last year, gaining this classification in 1940.

Following is the Mutual breakdown by industries for the first six months of 1940, as compared with the same period in 1939:

<table>
<thead>
<tr>
<th>Industry</th>
<th>1940</th>
<th>1939</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automotive Industry</td>
<td>8,278,811,444</td>
<td>4,645,334</td>
</tr>
<tr>
<td>Building Materials</td>
<td>89,091</td>
<td>60,534</td>
</tr>
<tr>
<td>Cigars, Cigarettes</td>
<td>465,518</td>
<td>419,590</td>
</tr>
<tr>
<td>Clothing &amp; Dry Goods</td>
<td>80,164</td>
<td>73,855</td>
</tr>
<tr>
<td>Confectionery, Furniture</td>
<td>8,340</td>
<td>36,151</td>
</tr>
<tr>
<td>Drugs &amp; Toilet Goods</td>
<td>172,650</td>
<td>427,553</td>
</tr>
<tr>
<td>Florists, Paints</td>
<td>125,891</td>
<td>122,842</td>
</tr>
<tr>
<td>Food, Food Beverages</td>
<td>739,991</td>
<td>284,021</td>
</tr>
<tr>
<td>Glass, Glassware, Paper</td>
<td>105</td>
<td>930</td>
</tr>
<tr>
<td>Linen, Curtains, Draperies</td>
<td>147,427</td>
<td>38,403</td>
</tr>
<tr>
<td>Mach., Farm Equip, Mechan.</td>
<td>327</td>
<td>1,041</td>
</tr>
<tr>
<td>Radios, Phonographs, Mirrors</td>
<td>28,472</td>
<td>16,125</td>
</tr>
<tr>
<td>Shoes &amp; Leather Goods</td>
<td>49,902</td>
<td>1,271</td>
</tr>
<tr>
<td>Laundry, Soap, Household Supplies</td>
<td>32,000</td>
<td>32,000</td>
</tr>
<tr>
<td>Stationery, Publishing</td>
<td>15,305</td>
<td>15,305</td>
</tr>
<tr>
<td>Travel &amp; Hotels</td>
<td>7,066</td>
<td>4,734</td>
</tr>
<tr>
<td>Wines, Beer, Liquors</td>
<td>32,574</td>
<td>5,000</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>284,168</td>
<td>226,847</td>
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</tbody>
</table>

Mrs. Roosevelt in ‘Pastor’ Prologue

Mrs. F. D. Roosevelt turned thespian yesterday long enough to do the prologue for “Pastor Hall” before the cameras at Movietone Studio, Manhattan. American rights to the film, which is sponsored by the United States Office of Education, will be distributed by United Artists.

Kennebeck to India

OMAH$ July 17.—Frank E. Kennebeck, managing director for India, Burma and Ceylon, left here today for San Francisco after visiting with relatives. He will sail for the Far East Saturday to resume his post after an extended visit at both the Paramount studio and home office.

Off the Antenna

A REPORT on打猎 at the Democratic convention in Chicago is given by Karl Myers, Mutual’s director of technical arrangements. Despite advice to the contrary, Myers reports, the speakers continue to utilize full lung power, thus sending the volume indicators to new heights. Just a level tone of voice, however... Also on the convention: "About 2,000 delegates and officials were each presented with a gold carnation Tuesday night. "With love from Mutual."

Purely Personal: Artopo Toscanini returns from his two-month tour of South America next Tuesday accompanied by the NBC Symphony Orchestra. ...All the important city retail drug dealers at the annual meeting of the Twin City Retail Drugmen’s Association in Minneapolis yesterday. ...R. G. Nelson of Leighton & Nelson, radio advertising firm in Schenectady, has returned from a Cape Cod vacation.

Program News: A new series of musical programs will be presented daily next week over CBS, 10:45 to 11 P.M. The shows start Monday with Ber- ger & Hermann conducting a concert orchestra "In Chicago Tonight," a variety show featuring Harold Strode’s orchestra and guest stars, replaces the "Romance and Rhythm" programs on Mutual Thursday nights, 10:30 to 11, starting tonight. Ken Murray and Cortina Mura will appear on the initial network show. Every country in the Western Hemisphere is slated to participate in the CBS “School of the Air” series which returns Oct. 7. ..."Second Husband," dramatic serial sponsored by the Bayer Co. has been renewed for another year. Starring Helen Menken, the show is presented by the Famous Actors’ Guild over CBS, 7:30 to 8 P.M. Tuesdays.

BML Adopts New License Fee Plan

The board of directors of Broadcast Music, Inc., has adopted a new formula for license fees to go into effect at the end of the initial license period. The new fees are based on a sliding scale and will reduce payments by stations in the lower income brackets.

Networks will pay regular rates on their own stations, to be computed on the amount that would be paid if the networks to these stations if they were independently owned and operated. The networks in addition will make other payments on network revenue from sale of time, deducting station payments.

Transactions of 50 compositions will be distributed to all B.M.I. licen- sers free of charge within the next week. Plans have been set for making additional selections available to B.M.I. subscribers without charge before the end of the year.

The progress report showed the total number of subscribers as 311, and that the first call on subscribers for an amount in excess of $150,000 will be made with virtually 100 per cent response.

U’ After Fairbanks For ‘Street’ Remake

HOLLYWOOD, July 17.—Universal is reported seeking Douglas Fairbanks, Jr., or Cary Grant to play opposite Luise Rainer, borrowed from Selznick International, for a remake of "Back Street." Robert Stevenson, borrowed from Selznick and RKO, will direct. Irene Dunne and John Boles starred in the original screen version of the Fannie Hurst novel.

McCarroll Rites Held

MINNEAPOLIS, July 17.—The twin cities expect increased patronage during the nine-day Memorial Aquatennial which starts Fri- day. Minneapolis and St. Paul theatre and film men are active on the committees of the non-profit civic event.

British to Be Lenient On Exhibitors’ Quota

LONDON, July 17.—In the event British exhibitors are unable to fulfill their quota obligations, in view of the necessity of all of product, the Board of Trade is expected to take a lenient attitude, it is understood.

Sir Andrew Duncan, president of the British Film Institute, at a meeting of the Films Council today, is understood to have heard criticism of the claimed inadequacy of the allocation of monetary quotas, and has expressed concern over the danger of a product shortage.

Monogram Unit's 'Prints Ask Signs Foreclosure

Monogram Pictures Corp. of Illinois made application yesterday to Federal Judge John W. Clancy for an order authorizing it to foreclose on a lien which it has against 107 prints belonging to Grand National Inc., now in bankruptcy. The application was referred to Referee Peter B. O’Key, Jr., for hearing.

The board today that in November, 1936, it agreed to store the prints for Grand National at $50 monthly and that $2,263 is now due for storage charges.

Hardy, Pioneer, Dies

CAMPBELL, N. J., July 17.—Joseph A. Hardy, 66, pioneer motion picture the- atre operator of South Jersey, died Sunday evening. At the turn of the century, Hardy retired from the sea and started his first establishment as the ‘Pyne Point Theatre,’ later remodeling the theater as the "Pyne Point Theatre." Later he took over the operation of the Film Theatre. He leaves his wife, a son and two sisters.

Orders Union Vote At St. Louis Station

WASHINGTON, July 17.—The National Broadcasting Company, on Tuesday, ordered an election among all microphone-using employees of Station KXOL, St. Louis, except "hobbies," to determine whether they desire to be represented by the American Federation of Radio Artists as collective bar- gaining agents.

The union claims to hold applica- tions for membership signed by a sub- stantial number of station employees, but the company refused to recognize it without certification by the Labor Board.

Film Editors Guild Will Meet July 26

The Film Editors Guild, recently organized, will hold its first regu- lar membership meeting July 26 at the Capitol Hotel, with John Michon, president. The meeting was decided upon at a directors’ meeting Tuesday night.

Members of the guild will be installed at the meeting, and delegates attending upon the organization of the unit will be discussed and voted upon by the membership.
Enabling Law Considered In Peace Pact With ‘Big 5’

Government Intends to Prevent Minority Group From Obtaining Prejudicial Advantage in Consent Decree

By SAM SHAIN

Headquarters reports are that the Department of Justice in the present negotiations for an out-of-court settlement of the New York antitrust case has informed representatives of the Big 5 not to fear the consequences of a separate peace with them, as it is the intention of the Department of Justice to sponsor enabling legislation protecting the signatories to a consent decree from any supposed prejudicial advantage Universal, Columbia and United Artists might obtain by staying out of the decree.

In informing the negotiators of the Big 5, according to these reports, the Department of Justice representation Justice Solicitor General Mr. Farley also stated that such legislation which it would sponsor would be conceived and prepared in a manner specifically to except from the provisions of such legislation the signatories to the consent decree.

This would be accomplished, it is asserted, by suspending the consent decree until such legislation as may be deemed desirable and practical is to be enacted.

Thus, according to spokesmen, peace with the Big 5 has been clinched by the Government. And negotiations are proceeding harmoniously towards that end. (Continued on page 8)

Heaven’ in 2nd Hall Week Does $96,000

“All This, and Heaven Too” continued its strong pace, leading the Broadway parade with $96,000 in its second week at the Music Hall, ending Wednesday night. It is now in its third week.

“Maryland” drew $36,000 in its initial week at the Roxy with a stage show. The second and final week starts today, with “Turnabout” to follow next week. At the Capitol, “Susan and God” accounted for $30,000 on the week. “New Moon” started there yesterday. “My Love Came Back” with Rudy Vallee on the stage of the Strand was good for a $30,000 first week, the second week beginning today. “Gone With the Wind” grosses $7,200 in its 30th week at the Astor.

The Walt Disney Festival bill of “Snow White” and four Disney cartoons will open at Loew’s Criterion on July 27.

Frank Walker May Get Farley’s Post
Chicago, July 18.—Frank C. Walker, president of Com- foron, said that he had made no attempt to secure the appointment of President Roosevelt to succeed James A. Farley as chairman of the Democratic National Committee, and that he would not be seeking the post if it became available.

Walker’s decision was announced by Mr. Farley, who said that he would not seek the post. He added that he would not seek the post if it became available.

C. E. A. Says British Tax Plan Is Unjust
LONDON, July 18.—The Cinematograph Exhibitors Association general council, following a discussion today, declared that the British Government’s proposed plan of taxation, with no exemptions, is unjustified.

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Mr. Kaltenborn has written in defense of the technique and practice of which he has been the founder—taking the subject the while, more personally than Mr. Quigley indicates as the intent.

Mr. Kaltenborn’s letter and the reply of Mr. Quigley will be found on Page 6.

Enabling Law Considered In Peace Pact With ‘Big 5’

Frank Walker May Get Farley’s Post
Chicago, July 18.—Frank C. Walker, president of Com- foron, said that he had made no attempt to secure the appointment of President Roosevelt to succeed James A. Farley as chairman of the Democratic National Committee, and that he would not be seeking the post if it became available.

Walker’s decision was announced by Mr. Farley, who said that he would not seek the post. He added that he would not seek the post if it became available.

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Coast Flashes

HOLLYWOOD, July 18.—Warners today abandoned plans for a two-a-day roadshow of "The Sea Hawk" at the Carthy Circle in Los Angeles and will open the film first run continuous at Warners' Hollywood and Downtown Aug. 8.

Universal's "When the Daltons Rode" will have its world premiere July 25 at Coffeyville, Kan., where most of the Dalton gang was wiped out. The film will be shown at the city's two theatres, and the next evening will be given an opening at Fox Midwest's Esquire and Uptown in Kansas City. George Marshall, director of the film, and members of the cast will make personal appearances.

Picketing of the NBC studios here, which started last night, continued today as three A.F.L. unions sought to force unionization of the network's stagehands, janitors and electricians. NBC says the unions seek recognition and have been advised to petition the N.L.R.B. The stagehands have been attempting to obtain recognition since NBC's Radio City opened.

Gordon Mills of Mills Novelty Co., Chicago, arrives tomorrow to line up California distribution of the coin-operated projection machines for which James Roosevelt's Globe Productions is making shorts. The Chicago factory is now geared to turn out 400 slot machines weekly.

Australian Newsreel

ORDER BRINGS CRISIS

SYDNEY, July 18—Nation-wide protests and the prospect of a political crisis have been brought about by a Government regulation requiring theatres to play any film and radio stations to broadcast any announcement or news which the Director of Information deems "necessary or expedient" during the war. The newspapers would be compelled to publish any matter under the order.

Century Benefit Shows

Entire proceeds from the morning performances today and tomorrow at four Century Circuit houses in Brooklyn will be donated to the Brooklyn Chapter of the Red Cross. The benefit shows are scheduled for the Abbeville, Midwood, Marine and Mayfair. The poll of similar shows for the Red Cross are planned for other Century theatres in Queens, Nassau and Suffolk Counties.

Personal Mention

A. H. BLANK will arrive from Des Moines today and proceed to Atlantic City for the weekend conference of Paramount theatre associates and home office officials.

CRESSON E. SMITH, RKO Western sales manager, is scheduled to arrive from the Coast Sunday.

SAM E. Morris has returned from the Coast.

HAROLD SMITH, M.P.P.D.A. European manager, arrived yesterday on the Manhattan.

ARTHUR SILVERSTONE, MAX WEISFELD and LOU WEINBERG, lunching at Lindy's (next to the Rivoli) yesterday.

RUDOLF ALLEN, attorney, has returned from a three-week trip to the Coast.

C. F. DAVIDSON of Balaban & Katz, Chicago, is in town visiting the Fair.

JESS HOLLOWAY and J. M. MILLER of the Dixie, Cardova, Ala., are in town.

C. WALLACE MARTIN, operator of the Five Points, Columbus, S. C., is visiting here.

MARTIN QUESEY, JAMES CRON, WALTER FUTTER, JEFFREY BERNARD, HORTENSE SCHOR, HANK LITEX, HUM ROGERS, WILLIAM FITZPATRICK and Hal Horne lunching at the Tavern yesterday.

Robert Smeltzer, Central district manager for Warners, with headquarters in Washington, arrived yesterday to confer with Roy Haines, Eastern and Canadian sales manager.

LAUDY LAWRENCE, M-G-M head in Continental Europe, trying to get here by Clipper, and scheduled to arrive yesterday, now is not due until today. ARTHUR FIELD, his assistant, arrived on the Manhattan yesterday.

ARTHUR GREENBLATT of Alliance Films, is on a sales trip.

CHARLES LIEB, salesman for M-G-M, is in Chicago, Laos, the father of a boy, born this week to Mrs. Lieb.

SAL POPOLIZIO, 20th Century-Fox booker in New Haven, and GONZALO SORMA of Republic in the same locality, have left together on a two-week vacation.

HARRY BUCKLEY, JAMES MULVEY and AL J. MILSTEIN at Lindy's (31st St.) yesterday for lunch.

JACK BEERKIN, sales head for Mo- hamed Film Corp., has returned from a 12-day trip on deals for features acquired from the former Grand National. He will start another sales trip in about 10 days.

STANTON GRIFFIS, ARTHUR LOW, JOSEPH O'NEILL and R. O. GOLDEN and ARTHUR SCHWARTZ at Sardi's yesterday for lunch.

Monogram Opens

Meet Here Today

Monogram will open a two-day Eastern regional sales meeting at the Rockingham-Plaza here today, with Edward A. Golden, general sales manager, presiding. Representatives from the New York office and nine exchanges will attend.

Principal speakers will be Thomas P. Looch, vice-president and treasurer; Harald H. Thomas, manager in New York, Washington and Philadelphia; Norton V. Ritchey, foreign agent and director of advertising and publicity; Lloyd Lind, head of the contract department, and John S. Harrington, manager of the New York branch.

Talks will be made by these exchange executives: Samuel Brody, manager of the Boston office; Ben Velanskis, president of the Boston and Pittsburgh offices; Samuel Rosen, manager of the Philadelphia branch; J. L. Gruening and western managing editor and Harry Berelson, presi dent of the Albany and Buffalo offices.

Ampa Board Talks

New Meeting Place

The board of directors of Ampa met yesterday at the Tavern for a general discussion of a gathering place when regular luncheon meetings are resumed on Sept. 12. Jack Dempsey's Restaurant, where sessions were held until this Summer, has been closed.

Some discussion also was held of the plan to join with the Motion Picture Associate of America in establishing a relief fund for the Eastern section of the industry. The next board meeting will be held Aug. 12.

McCormick West Sunday

S. Barrett McCormick, director of advertising, asked for the cooperation for RKO, will leave Sunday via TWA Stratoliner for the Coast, McCormick will screen pictures and confer with studio executives.

Drive Plaques Go Out

Bronze plaques will go forward today to the winners of the three main prizes in RKO's recent Ned Dmap Drive. The plaques have been awarded to Buffalo, Milwaukee and New Haven.
WARNERS' 
Sea Hawk

THE 'ROBIN HOOD OF THE SEA IS COMING!
WILDWARD HO in the most fantastic tale of lawlessness ever recorded... of blood-streaked days when terrorism spanned the prairies... when mounted buccaneers signed bank checks with lead bullets... and laughed, loved and plundered to make burning pages in the history of the West...
Original Screenplay by Harold Shumate
Based on "When the Daltons Rode" by Emmett Dalton and Jack Jungmeyer, Sr.

Directed by GEORGE MARSHALL
who made "DESTRY RIDES AGAIN"!

NATIONAL RELEASE JULY 26th
Kaltenborn in Defense Of His Radio Technique

To the Editor, Motion Picture Daily:

I have just read the article by Martin Quigley in your issue of June 28th, entitled “Radio Responsibility.” This means me as having lately “been bear ing prominently Yours,” obviously saying that my talk is forensic. According to Webster, this means that it is an argument presented with some measure of rhetoric. Furthermore, I do object to having my discourse spoken of as imaginative. There can be no competent interpretation without the use of the imagination. But I don’t accept the conclusion that because I am forensic I cannot have imagination that I am unable to present the news and rates offered comment thereon.

And I particularly object to linking my name and mine alone with the implication that it is I who “disseminate rumor, gossip, unverified report, and they proceed nondiscursively to let the whole matter vanish thin air without correction and re-statement when the truth is learned.” This is exactly how I do not do; that is exactly what certain other people who broadcast news do. And the reason why I have won first place as an American prime time radio commentator in so many polls, including your own, is just because I know how to distinguish between rumor, gossip, and probable fact. I also object to your linking my name and mine alone with your statement, “with an absurd posturing they—the radio commentators—tell all—confidentially.” That obviously refers to a radio program calling itself “Paradise,” with which I have nothing to do.

I agree with almost everything that Martin Quigley says, and with his responsibility, but as the first man on the air to interpret news, the only man who has been at it continuously for eight years, I do not see why the other people who seems to have the largest following of the news commentators at this particular time, object to being branded as the one man who seems to be breaking what you think are the rules.

And while I am at it, I would just like to point out one absurdity that is contained in Quigley’s article and that is also contained in the code of the National Association of Broadcasters. I refer to the attempt to draw distinction between editorializing and news interpretation. Every Washington correspondent, every newspaper columnist, every man who writes in the foreign capitals, every man under a by-line is constantly editorializing in the sense that he is selecting, interpreting, and pointing up the news.

There is no such thing as completely dispassionate, disinterested reporting. If it were that, it would also be colorless, and to a large extent, worthless. The test, it seems to me, is whether a man has a conscience, a sense of fairness and the competence to do his job well. If he has three and they are supplemented by good radio technique, he can be effective as a commentator. As you and I both know, there is now current an attempt to turn even the most competent and best established commentators into intellectual experts. I expect to continue to resist this effort. When I no longer able to do so, I will go off the air. I hope, for the sake of radio and its great service to the American public in presenting intelligent news analysis, that the current impression in aipie eftiveness of radio commentators will not succeed.

And let me repeat that I heartily agree with Martin Quigley that every news listener should carry a keen sense of responsibility to the microphone whenever he approaches it.

H. V. Kaltenborn

Retain Present Net Status, MBS Urges

WASHINGTON, July 18—The Mutual Broadcasting System today urged the Federal Communications Commission to order that the status of station-network affiliations be maintained without change until such time as the Commission, in a report which is now pending before it. In a petition filed with the Commission, MBS stated that the national networks should be prohibited from accepting any new stations, and that no extension of contracts or changes thereon be permitted which would run beyond a date to be fixed by the Commission.

By the time such a specified date is reached, Mutual contends, the monopoly report could be acted upon and regulations as might be discovered necessary be necessary could be adopted. The monopoly report was submitted several months ago by a committee of its action on it by the Commission is expected in the near future. The Commission’s action on the report may affect all major networks, and NBC and CBS in particular.

Quigley Calls for Fact, Editorial Demarcation

To Mr. H. V. Kaltenborn:

This is the problem and the menace of radio practices, is the one important aspect of my editorial, your letter of response and this reply. The argument might be based on the assumption that the news reporting and facts with editorial discussion of the facts from points of view, positions of opinion. The radio commentator has the medium itself of functions of the press in but a new mechanism performing the same function of communication. The radio’s responsibilities are identical.

The reference to your distinguished name in my discussion has aimed not at designating you as a chief offender, but rather sharply to point out the progress of the practices concerned.

The fact is that radio broadcasting, and its news reports and commentaries take license from the fact that they are like words written on water, with no check for the correctness of their own faulty memory. This characteristic merely increases the responsibility of radio, calling for standards more exacting than those which may appropriately be insisted upon in any other means of communication. In assuming functions formerly served to the newspaper radio cannot escape the responsibilities inherent in the dissemination of news and comment. Rather it must be responsible to all of these and in addition to those which arise out of the nature of the medium itself of functions of the press in but a new mechanism performing the same function of communication. The radio’s responsibilities are identical.

I doubt that your reputation as America’s premier commentator is not an assigned ability to distinguish between unverified rumor and probable fact, for the reason that such ability is an attribute only of a few. There is no such ability to judge the human sense as an ability to determine what is and what is not a probable fact in the case of headline news developments. Many rumors may promptly be dismissed by a person of knowledge and experience as improbable but in many other instances it is perilous business to attempt to say what is a probable fact—especially in unverified news and emotions of the millions of the public are to be influenced by the pronounce.

Some writers have not always carried a distinction which I did attempt to draw is between editorializing and news interpretation. As far as I am concerned, the very thing that needs to be done is to carry with him a great deal more. He needs, I think, a policy which provides for stating the news, yet simply, factually—without the artifices of the stage or the political. (Continued on page 8)
WITH GOOD REASON

FROM long experience, cameramen confidently rely on Eastman negative films to more than meet today’s production requirements. Extra quality—reserve power—supports each film’s special ability; and each is firmly established as the raw-film favorite, with good reason. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., Distributors
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Enabling Law Considered
In Peace Pact With Big 5

(Continued from page 6)

Discussions are continuing on the phraseology of the conditions to be stated in an “escape” clause protecting the companies in the event that the government decree is found to be “unworkable.”

Government's Position Defined

This, according to spokesmen, depends on the government that the government position would be as against the three companies which have not participated in the present negotiations and which have additionally indicated that they will not concur in any consent decree. Although there have been opinions expressed among those participating in the negotiations that the government might proceed with the trial as against these three companies only, in the event of a peace with the Big 5, it is now felt by such persons that this new legislative angle revealed by the Department of Justice replaces that probability.

In discussing this legislation phase of the situation, some of the negotiators express doubt as to its practicability and the desirability. Others hold that the absence of constitutional defects of such legislation.

U.S. Attorneys to Washington

Yesterday Government lawyers and lawyers for the Big 5 again discussed matters pertaining to the decree and the settlement of the legal issues. The attorneys returned to Washington. There will be no meeting today. Representatives of the defendants, however, expect to have a meeting of their own on Monday but on Tuesday the defendants will have another session with Government attorneys leading towards the compilation of a final draft, inclusive of all the subjects discussed. So far no such draft has been formulated and the only drafts which have been made are for the separate items.

See Revisions Necessary

Company officials who are presently engaged in studying the maze of proposals in their unfinished form, already agreed that their opinion that much of that which has been so far compiled will have to be repaid and altered.

For wording of the “escape” clause, particularly, they assert, will require great care.

Arnold has been supplied with copies of the memorandums which have been distributed among ranking company executives. The memorandums are not so much suggestive as obtained and are in no sense final agreements. They have been given to company executives to obtain their reactions to the practicability of the proposals. Changes may be suggested, as a result, extended negotiations are still likely.

No Arbitration Agreement

Government attorneys reported yesterday that preliminary agreements have not yet been reached on arbitration proposals. While it has been agreed that production-distribution, exhibition and the public will be represented on arbitration boards, the special places brought most of the discussions have been determined. It was stated that the government is primarily concerned with the designation of arbitrators to represent the public, and is not inclined to dictate the selection of industry representatives on the boards.

Frisco Fair's Film Exhibit Is Closed

SAN FRANCISCO, July 18—Stage 9, the Hollywood exhibit at the Fair here, showing how motion pictures are made, has closed owing to lack of business. The fair, Treasure Island, including Billy Rose's Aquacade, Folies Bergere, Cavalcade of America, and Artists and Masters, are breaking attendance records.

Efforts to financially reorganize Stage 9, for a reopening in about two weeks, are under way. The production had been featuring Neil Hamilton and Dorine McKay, Hollywood playmates, in a series of short and second features made before an audience.

Para. Signs Pal for Six Animated Shorts

Paramount has signed George Pal to produce six one-reel animated character cartoons for the company's new season schedule. The series will be known as the “Merry Models”. Maurice and Margarette, the internationally employed three-dimensional plastic figures, instead of drawings, for his subjects.

200 Prints on Fight

More than 200 prints of the Armbrust-Jenkins fight Wednesday night were sent to accounts by RKO yesterday. The film, made by RKO Rate, runs 6 minutes.

Syracuse Acclaims 'Boys from Syracuse'

(Continued from page 7)

wood and New York personalities and local leaders.

The opening festivities were concentrated at the RKO Keith. This was said to be the first film premiere this city has had. This afternoon there was a parade through downtown streets, in which citizens sported togas of ancient Greece and drove chariots. Hollywood stars waded from elevated seats on open cars camouflaged to look like floats. Thousands participated in the welcome and celebration.

Special paragraphs about the formation of the Coast delegation, among them Joe Penner, Eric Blore, Peggy Moran, Constance Moore and Eddie Sutherland, who directed the film.

C.E.A. Says British Tax Plan Is Unjust

(Continued from page 1)

ficers with Treasury Department officials, it is understood Harry P. E. Meade, C.E.A. president, requested a personal interview with the Chancellor of Exchequer.

The C.E.A. has expressed itself in favor of the Government of the United Kingdom, but also of the Credit Bank, and has asked assurance that its members will not be held to quota defaults in the event of a shortage of product.

'Truth' Next for Hope

Hollywood, July 18—"Nothing But the Truth", the recent novel by Frederick Ibsen and the play by the same name, will be Bob Hope's next film for Paramount. Frederick Hazzlett Brennan will do the script and Arthur Hornblow, Jr., will produce.
Loew’s Policy
High Quality, Says Schenck

Outlines Company Plan
In View Foreign Loss

Maintenance of production quality and caution in operating procedure were described by Nicholas M. Schenck over the weekend as the substance of Loew’s future policy as a result of lost foreign markets. Schenck’s statement was made in response to inquiries as to the effects of the international situation on the company’s future plans.

“Our policy is this,” he said. “To proceed carefully, to economize where we can but never at the sacrifice of quality in production.”

“After all,” he observed, “our hope is to get the best returns from the markets open to us and it would be impractical to try to increase business in any other way.”

Net profit of $7,968,394 is reported by Loew’s, Inc., for the 40 weeks ended June 6. Story on page 4.

U.S. Consent Decree Draft Ready for Suit Settlement

Minority Firms
Still Hold Out

No change in their stand not to concur in any consent decree was indicated over the weekend by Universal, Columbia and United Artists. According to company spokesmen, the position of these companies and their attitudes towards the out-of-court settlement of the New York anti-trust suit remain unchanged. They want no part of it, it is stated.

Pact to Ban Wide
Theatre Expansion

That the Big 5 are ready to enter into a “non-aggression pact” on theatre expansion with the Government, in lieu of divorcement, is revealed in the present draft of proposals for a consent decree. This agreement is for three years.

Under it, the defendant companies (Continued on page 5)

By SAM SHAIn

‘Escape Clause’ and Arbitration to Be
Worked Out; No Mention of Conspiracy;
Executives Study Proposals

Except for the “escape clause” and a plan of arbitration, a tentative draft is ready on the proposals for a consent decree in the New York anti-trust suit. The proposals which are embodied in this draft are not final. They are subject to amendment and may be altered in future meetings between the negotiators. Industry experts and company executives studied the proposals over the weekend. In Atlantic City, Paramount’s principal theatre partners met over Sunday, at the call of E. V. Richards, Saenger Circuit chieftain, to discuss the proposals.

Meanwhile, Government inactive in the negotiations were conferring in Washington with Thurman W. Arnold, assistant United States Attorney General in charge of the case.

There is no mention of conspiracy in the draft. Spokesmen assert that the Government has concluded that for it to prove the existence of conspiracy among the defendants, would be well-nigh impossible, if the manner in which the present negotiations were conducted is taken as a criterion. These parties aver that there has been considerable difference of opinion among representatives of the defendant companies on all the proposals, tentative as they are.

The draft is, however, considered proof of the sincerity of all concerned in trying to reach an out-of-court settlement. No principal negotiator, when interviewed, felt qualified to predict when the matter might be finally agreed upon. Considerable alteration in the drafted proposals are anticipated by them, after their company experts on distribution and theatre operation (Continued on page 5)

Burden Is on Distributor

What may prove to be the seed of revolt against accepting the present decree draft, according to spokesmen, is the proposal which designates a run for every theatre and permits the taking away of product from one theatre in order that another may obtain that product. At the same time the burden of justifying the withholding of product from a complaining exhibitor is placed on the distributor.

This proposal, according to spokesmen, would be well-nigh impossible, if the manner in which the present negotiations were conducted is taken as a criterion. These parties aver that there has been considerable difference of opinion among representatives of the defendant companies on all the proposals, tentative as they are.

Reviewed in This Issue


N. Y. Allied Joins MPTOA

Allied Theatre Owners of New York, of which Max A. Cohen, head of Cinema Circuit, is president and chairman of the board, with a membership of more than 200, is now affiliated with the M.P.T.O.A. Decision to become part of the M.P.T.O.A. was made Thursday at a meeting of the executive board. The vote was unanimous. The unit formerly was an affiliate of Allied States, but severed its ties with that organization last year.

New York Allied’s move followed an invitation to join the M.P.T.O.A. by Ed Kuykendall, president. The matter was broached by Charles Hayman, head of the M.P.T.O.A.’s Buffalo unit.

New York Allied will retain its name and will be autonomous. It is the first M.P.T.O.A. affiliate in this territory, and probably the largest of them all.

Cohen led the break away from Allied States because of what he termed “unfair dealing” by national Allied both at Washington and at its Minneapolis convention, during the trade practice code negotiation era.
Personal Mention

D. L. GOODMAN, Far Eastern managing director for 20th Century-Fox, arrived in Tokyo over the weekend, and will remain there about two weeks before coming East.

WILLIAM C. GERRING, 20th Century-Fox Central division manager, has returned from Chicago and Detroit.

TERRY DILLARD, Loew's attorney, has returned from a fishing trip in Maine.

HERMAN PICH, RKO Pathe New music editor, and Jesse Lebson were married Thursday at the Hotel Pierre. They are on a motor trip to California, planning to return about the middle of September.

JAMES R. GRAINGER, president of Republic, is due back today after a sales trip to Toronto, Chicago and Detroit.

Mr. and Mrs. I. J. HOFFMAN (he is Warner Theatres New Haven zone manager) have announced the engagement of their daughter, Edith, to Gerald Steinberg, Bridgeport attorney.

LOU LITTON, Monogram director of advertising and publicity, is vacationing in New England.

TERRY TURNER, exploitation manager for RKO, returned to the home office Friday after three weeks in the field.

ARTHUR FELD, M-G-M assistant manager in Continental Europe, who returned from the late last week, left for the Coast Saturday.

MANNY REINER of Monogram returns today from a vacation in Miami and Cuba.

Among vacationers along Albany’s film row are: WINIFRED ALLEN, WAYNE CARNIGAN, MRS. DORIS SENSIEAL, 20th Century-Fox; JOSEPH WEINSTEIN, ELIZABETH HERRICK, RAY POWERS, JULIUS CURLEY, WATERS; ALEXANDER SAYLES, manager of Fadhan’s Palace.

THOMAS SPECK, assistant at the Trans-Lux, Philadelphia, has become engaged to Marie Kennedy, former cashier at the house.

WILLIAM PANCARE is celebrating his 25th anniversary as manager of the Knickerbocker, Columbus, O. 

JOHN MCMANUS, manager of Loew’s Midland, Kansas City, is vacationing with his family in Hollywood. Mr. McManus and his wife are taking his place at the theatre.

AL CORWIN, assistant to L. F. WHELAN, director of foreign publicity for 20th Century-Fox, left Saturday on a vacation trip to Nassau.

JIMMY SIBLEY previewed the Syracuse premiere of “The Boys from Syracuse” photographically.

Readers’ Say-So

Cooperative advertising and Samuel Goldwyn’s recent article in the Saturday Evening Post are discussed by prominent readers of Motion Picture Daily.

Editor, Motion Picture Daily: I read with great interest your article about RKO’s decision to replace cooperative ads with exhibitors, and I sincerely hope that they don’t change their minds, because the idea that these ads are beneficial to first-run houses in key situations is fallacious, and expensive to the exhibitor. I sincerely hope that all the other companies adopt the same general practice. You will find, however, that they won’t, because the exhibitors in the hinterland will be clamoring for the ads to continue, and the exchange managers and salesmen will ask that they be continued lest they will help the first-run theatres, but that they will help them sell pictures to the subsequent theatres and out in the country.

It is rather strange that the exhibitors seem to grade the pictures by the size of the first-run houses, as shown by the reviews or the actual results. Many times we run even bad pictures with great big ads, and they certainly don’t help our business. How do you like that?

Sincerely yours,

HARRY ARTHUR, Vice-President, Fanchon and Marco Theatres, St. Louis, Mo.

Advertising Manager Speaks

Editor, Motion Picture Daily: It has always been the Lincoln Theatres Corp. (J. H. Cooper-Paramount) policy on producer co-op ads that we take our regular house budget, 50 column inches weekly, and add 50% of the co-op print. In other words, if the distrib takes a 40 inch advertisement, we take our regular 50 and 20 inches additional.

It is very much in favor of co-ops, and we feel the public is genuinely impressed in most cases that a big picture is at hand and printing heavy. We help generate that feeling, by not going from a 3 col. 1 inch spread in 1941 to 1 col. 1 col. shot the day after. We keep the big ones going for three days.

Cordially,

R. E. VAUGHAN, Advertising Manager, Lincoln Theatres Corp. Lincoln, Neb.

Small on Goldwyn Article

Editor, Motion Picture Daily: I read the article “Hollywood is Sick,” by Sam Goldwyn, and I believe he defines the evils of the double bill in a very understandable manner. Goldwyn’s experience has been a long one in the business—both in production and distribution—and the article proves he knows what he is talking about.

Speaking for myself, now that the distributors are coming in line and the far and double bills are commencing to be a thing of the past, the exhibitor is coming to realize that the things to give away in addition to show programs, pottery, radios, and automobiles, I suggest they add to these things bowling, drinks and cigarettes, etc. After all, there is no limit to what can be done. With all the goods that are being concocted for the public, the theatre is becoming a combination of dance halls, gambling and auction rooms. We might come to wonder whether pictures are a major entertainment or purely side-line, and maybe if this continues, the greatest entertainment for the movie audience is the larger knick-knack talking film, that might get lost in the shuffle.

The situation which is facing the movie picture industry is a continuation of quality in pictures. The American public doesn’t recognize our industry’s problems. They are not interested in what pictures cost nor how broad the market may be. The great capital investment in this industry throughout the country cannot survive with inferior product and unless all parties concerned admit this condition and do something about it, the entire product coming out of Hollywood from January 1st on will be on the dole. As surely as this happens, you will find thousands of exhibitors in a turmoil and theatres thrown on the market at your own price.

Edward Small, President of Small Productions, Hollywood.

Wanger Concurs

Editor, Motion Picture Daily: I concur in what Samuel Goldwyn says about the evils of the double bill and the consequent collapse of Hollywood’s IIs so long as double features, giveaways, bank hights and other forms of racket-store show-business continue any cure for the ailment will be difficult. Producers are not supported by the market. Motion pictures are the legitimate business of the day. They must have individual consideration, exploitation and better distribution. Audience’s desire and without critical but for good entertainment. Producers must advance their standards in face of a most disheartening market. The exchanges help them by individual methods of selling and presenting pictures to the public. Now that there is a concentration on the American market they must have more help from American showmen! There must be greater unity in thought and action. Hollywood is sick as Goldwyn says. I think it is a serious breakdown brought about by too many kinds of showbusiness. Hollywood has a strong constitution and will regain sturdy health only if the producers and exhibition honest cooperation brings.

WALTER WANGER, Hollywood.

Georgia’s Governor Honors H. M. Warner

Harry M. Warner, president of Warners, will receive an honorary appointment as lieutenant governor of Georgia on the staff of Gov. E. D. Rivers of Georgia, in recognition of the company’s contributions to the state through film studies. The Georgia State Senate has adopted a resolution for consideration of the Georgia House of Representatives. In announcing the honor, Governor Rivers specifically mentioned the Warners’ motion picture, “Confessions of a Nazi Spy.”

Matter of Opinion

Cincinnati, July 21.—This double billing was on the menu of the suburban Cenovox:

“Two Girls on Broadway”  “And One Was Beautiful”

Laudy Lawrence Here After Much Delay

Laudy Lawrence, Continental European manager for Loew’s, arrived in New York Friday. The trip is the first one she has made since the American Clipper. After being given space on the Yankee Clipper, she returned to New York and was delayed by unfavorable weather and motor trouble.

Having left Paris the day the German army entered the city, Lawrence is reported to have made the entire trip from there to the Spanish border on foot and by bicycle. On his arrival in Spain his only possession were the clothes he was wearing.

Philadelphia Foot By W. B., Goldman

Philadelphia, July 21.—A pooling deal involving exchange of rights here has been completed between William Goldman, for the Bandbox and Warner Theatres, for the Germantown. The deal, billed as a plan for the second Century-Fox and Columbia product, with the Bandbox playing shows after the Germantown on a continuous run basis.

The Bandbox has been using 20th Century-Fox and Columbia product, with aty in the Century-Fox space which for the past, Goldwyn’s manager, who also headed the chain of theatres which he had founded, was active in independent exhibitor affairs and in various philanthropies.
A SAGA OF MODERN AMERICA
...and a picture every American wants to see

605 E. Saddle River Road
Ridgewood, New Jersey
July 11, 1930

The March of Time
369 Lexington Avenue
New York, N.Y.

Gentlemen:

My wife, ten-year-old son and I saw the surprise preview of "The Ramparts We Watch" at the Hawthorn Theatre last night. The questionnaire postcard doesn't give me room enough to express my enthusiasm.

It seems to me you have done a tremendous patriotic service in producing the picture.

My wife was in tears ... my son was absorbed and we all got a realization of the emotions, conflicting impulses, and deeper meaning of the years after 1914. In "The Ramparts We Watch" you come nearer to telling the whole truth than anyone I know about. He said as we left the theatre: "Well, I feel more hopeful. I didn't know our country was like that."

At any rate, I am most grateful for this picture.

Very sincerely yours,

Temple Burling

P. S. The Y.M.C.A. man saying, "Nothing is too good for our boys," was priceless.

• WORLD PREMIERE FOR OFFICIAL WASHINGTON
JULY 23rd at RKO KEITH'S

"THE Ramparts We Watch"
**Hollywood Reviews**

*"I Married Adventure" (Columbia)*

HOLLYWOOD, July 21.—At a time when even the "purpose picture block" in Hollywood is devoting its utmost energies to the production of "entertainment only" pictures—"escapist films," to use their genteel description, the good-naturedly comradeship of Martin and Osa Johnson into the African and island fastnesses answers all the current definitions of what the box-office doctor ordered.

Far removed from both the here and the now in subject matter and treatment, composed entirely of film shot by the Johnsons on their several notable expeditions, including the adventurings of Martin and Osa Johnson into the African and island fastnesses, it is without question the best of all the wild animal pictures to date and distinctly a departure from the flow of contemporary product.

Titled after Osa Johnson's book, currently on sale and display in the nation's bookstores, the film tells first-handedly of the series of Johnson expeditions, including the one that failed and was made, successfully, years later. In all of these, as the world knows, the camera was focused over the gun, with the result that the pictures brought back abound in rare shots of little-known animals, singly and in mass, caught in their native haunts and activities. As assembled here, in a masterly job of editing credited to Ralph Dixon, these reach high points of dramatic interest on several occasions.

Although the Johnson cameras were not equipped with sound recording apparatus, the scoring of the picture and the narration spoken by Jim Bannon, written by Don Clark and Alfred Dufty, supply the equivalent of dialogue, and add informative explanation. The film is an all-purpose item of merchandise suitable for all ages and classes of audience at all places and times.

Running time 77 minutes. "G."*  
ROSCOE WILLIAMS

**"South of Pago Pago"**  
(Small-United Artists)

Hollywood, July 21.—The South Seas is the locale, greedy white men and lazing natives the chief protagonists, and virgin pearl beds the motivating factor of Edward Small's "South of Pago Pago," produced for United Artists release. It tells the story of an incredible gang, headed by Victor McLaglen, blasting the idyllic existence of a small South Sea island by trucking the natives to divide into dangerous depths for giant pearls.

Starring with McLaglen are Jon Hall, as the son of the native chief, and Frances Farmer, as a dance hall lady who exercises her wills to lure the chief's son away from the island in order that the divers can be forced to break an imposed taboo. Chief among supporting players are Olympe Bradna, Gene Lockhart, Douglas Dumbrille, Francis Ford, Abner Biberman, Ben Weldon, and Pedro De Cordoba.

Among scenes that will be remembered are the thrilling underwater scene and the fight between the white men and the natives who rebel at their brutalities.

After the woman marries the chief's son in a native ceremony and spends their honeymoon, according to custom, on a neighboring isle, McLaglen, who had influenced the woman to get the youth, forces her to return to the sea. The son returns, after his father and other natives are killed, to lead the natives against the white men, killing them all. The woman is killed, in saving her husband's life, and peace returns to the isle.

Alfred E. Green directed from a story and screenplay by George Bruce and Kenneth Coman.

Running time, 98 minutes. "G."*  
VANCE KING

*"G." denotes general classification.

**Mexico Composers Ask Theatre Levy**

MEXICO CITY, July 21.—A new tax is in the offering for exhibitors. The national song writers union wants all film houses to pay an annual tax of two cents per seat in royalities. How long this levy will remain in effect is unknown, but in view of this levy apply when Mexican pictures are screened, it is thought the plan will not greatly affect exhibition after being changed, for Mexico is a small market and home pictures are far above the ordinary. Only a small number of the union's members, domestic films are few.

Fernando de Fuentes is the new president of the Mexican director's union. Other officers are Armando Vargas de la Maza, secretary, and Miguel Zacarias, treasurer.

Production of films exclusively for children is the object of a company founded by a syndicate of businessmen of Orizaba, Vera Cruz State including Dr. Francisco de la Maza and other interested groups. Child players only will be employed.

Benito Cardenas has ordered ratification of the Pan American agreement which extends educational motion pictures from import and export duty.

Monogram will make three pictures in the series and is handling the project through Howard A. Golden, general sales manager, disclosed at an Eastern district regional sales meeting at the Barbizon-Cosmopolitan Theatre in Chicago.

The three are: "Gypsy Cavalcade," starring Gilbert Roland, and two color adaptations of "Black Stallion" and "College Sweetheart," from the "Woman's Home Companion" story by Leona Dalrymple.

**Golden Reviews Production**

Harry H. Thomas, general manager, for the Cole-Dawson exchanges in New York, Philadelphia and Washington, introduced Golden, who presided at the sessions. Golden thundered on the hospital productions, pointing particularly to the success of the "Rain" action stories, Charles Bickford, and W. Z. Foster's Karloff are among the players who will be seen in next season's product.

Approximately 40 requests of several years were from the office discussed the new season's line-up of 26 features and 24 Westerns. Among those who addressed the two-day sessions were Thomas P. Loach, vice-president and treasurer; Norman R. Wilbur, office manager; Louis S. Littun, of advertising and publicity; Ben Welansky, president of the Boston and Pitts- field, Mass., Theatre Owners; and editor of the Boston office; J. L. Felter, New York; Sam Rosen, Philadelphia; William Moses, New York; Harry Brown, Washington; Mark Goldman, Pittsburgh; Harry Berkson, Buffalo; Max Schwartz, Albany, and Lloyd Lind, New York.

**Others Attending**


A luncheon was held at the hotel on Friday, at which representatives of the trade press were given. Golden left by plane yesterday for Jacksonville, Fla., where he will address the annual Summer convention of the southeastern Theatre Owners Association on Tuesday.
Tentative Consent Decree Draft Ready

Para. Associates Discuss Decree Effect on Theatres

Atlantic City, July 21—Changes in affiliated circuit operating methods suggested by current proposals for a consent decree in settlement of the Government's New York anti-trust suit were the principal topic of discussion by Paramount home office officials and theatre operating associates at a weekend meeting at Hotel Haddon Hall here.

Tentative decree proposals for decentralized buying of release films in groups of five without a cancellation right were studied by the theatre executives with a view to determining whether such restrictions were feasible or threatened to impose too severe problems on operations. Other consent decree proposals, such as open bidding for product, arbitration of clearance, also came in for study and discussion.

It was indicated at the meeting that numerous recommendations will be made by home office theatre executives to Paramount counsel as a result of these discussions, and these suggestions may be the subject of later negotiations between defense counsel and Government attorneys on the pending decree.

The meeting here was a continuance of the sessions recently held at Old Point Comfort, Va., and in Chicago.

The partners left tonight for New York where they will resume discussions. Meetings will be held tomorrow at which it is expected all home office officials will participate.

Among those attending the meeting here were: Barney Balaban, Paramount president; Austin C. Keough, Paramount general counsel, and Neil F. Agnew, general sales manager; Leonard Goldenson, Leon Netter and Sam Dembow, home office theatre executives; and Richards, head of Saenger Circuit, New Orleans; R. J. O'Donnell, Interstate Circuit, Dallas; A. H. Blank, Tri-States Circuit, Des Moines; R. E. Wilby and H. F. Kinney of Wilby-Kinney Circuit, Charlotte and Atlanta; E. J. Sparks, All-Florida Circuit, Miami; M. A. Lighty, Circuit Theatres, Memphis, J. Hunter Perry, Paramount-Virginia Theatres, Chariotissville; Julius Gordon, Paramount-Texas Theatres, Beaumont, and Fred Kent.

U. S. to Ask Court For Short Delay Of Trial Today

Paragon Corporation and rival theater owners in suit charging unlawful competition with its foreign film bookings will ask the Supreme Court Friday for short delay of the trial.

Government attorneys expect to ask this court to set aside the trial and to demand that the case be rescheduled.

The court is expected to rule on the request before the case goes to trial.

General admission of the trial was set for Monday, but it was expected that the court would grant the request for a delay of the case.

The trial is expected to last several weeks and is expected to draw widespread attention.

James Roosevelt Leaves for Coast

James Roosevelt left for the Coast over the weekend to start preparations for "Pot O' Gold," his new production for United Artists release. Henry Hinson, production manager for Roosevelt for Roosevelt today or tomorrow after supervising the recording of Mrs. Eleanor Roosevelt's prologue to "Pastor Hall," Roosevelt's first release.

Goes Back to Stage to Pay for Film

Mexico City, July 21—The case of a veteran stage actor having to go back to the boards to raise funds to complete his first motion picture is that of Roberto Soto, easily this country's most corpulent actor. Soto was half through the picture when he found himself without funds to continue, although it was reported, he had obtained a Federal Government subsidy for the film.

The comedian is now heading a revival company at the old Teatro Lirico here, where Lupe Veloz got her start.
Loew’s Policy
High Quality,
Says Schenck

(Continued from page 1)

ness with less worthy entertainment.”

“M-G-M’s position is strong,” he said. “Our future productions look most
encouraging. We are well
abreast of our schedule. Naturally,
we must face the future with some
flexibility in order to adapt our-
selves quickly to any sudden change.
Some of our pictures now in produc-
tion are being toned down so
that we have not let up yet, but we best have ever made. After all,
time and experience brings us ever
closer to the public taste.”

“Boon Town’ a Test

Referring to Metro’s plans for test
runs of “Boon Town” at advanced
admissions next month, Schenck
said the results of the experiment
would determine for the future
whether Metro could afford to con-
tinue to group outstanding stars in
different productions. Starring in “Boon
Town” are Clarice Salem, Spencer
Tracy, Claudette Colbert and Hedy
Lamarr.

“Tight public will tell exhibitors
whether it is wise to pay advanced
admission prices,” Schenck said.
“While our sales executives have
found out that various theatre man-
agers and circuit head believe that a
high admission price should be charged
for ‘Boon Town,’ nevertheless, we have
decided to conduct a few test ex-
periments in advance of the regular
release in order to make certain that
the course we recommend to those
who have contracted for the picture
is the wisest.”

“After all, an important question
is at stake, which is, whether we
can afford to repeat the process of
grouping stars in different pro-
ture such as we have done in ‘Boon
Town.’ The results in revenue alone
will determine this,” Schenck said.

‘Boon Town’ Openings

Atlantic City, New Orleans, Har-
rising, Reading and Indianapolis
have been set for “Boon Town” open-
ings, August 9 and 10. Other dates
are being set and will be announced
later.

The matinee prices are being in-
creased approximately 25 per cent.
The evening prices are being increased
approximately 33 1/3 per cent.

Equity Approves
One Actors’ Union

(Continued from page 1)

months. The council, asserting that it
is “in favor” of the one big union plan
for the Virginia circuit, reported
its realization, said that found many
of Reis’s posts “useful and ac-
ceptable to our staff.” It also
planned to continue its study of the
report and to bring in further recommenda-
tions. The council also asked the State
commission to hold hearings to let con-
tract clauses brought against Mir-
ami Hopkins by Bela Blau, producer.

Hollywood Reviews

“The Sea Hawk” (Warner)

HOLLYWOOD, July 21.—In preparation for production, and
promised to be a recreation of the Warner Brothers plant as the
company’s most expensive production of the year, this 1940 version of “The
Sea Hawk,” originally produced in 1924 and down in the exhibition
records as one of the top money attractions of that era, is Sixteenth
Century sea melodrama on the grand scale enacted by a cast crowded
with marquee names. Consensus of a highly expectant preview audi-
ence was that it is top box-office material.

Oldsters will recall that the story of “The Sea Hawk” is a stirring
account of the pirate-like activities of British seamen who, in 1585,
preyed on Spanish sea trade without permission of their queen but in
harmony with Henry the VIII. The period setting in the building of the Ar-
nameda which ultimately attempted to subjugate the “little tighe Is.
As such it abounds in swashbuckling, fighting in mass and en solo, on
land and sea, with always the broad ocean background and the tang of
the salt wind. The 1940 edition is as much bigger and better than the
1924 edition as the art of the cinema has progressed in the 16 inter-
vening years.

Personnel offered the customers include Errol Flynn, Brenda Marsh-
shall, Claude Rains, Donald Crisp, Flora Robson, Ahn, Henry
Danielli, Una O’Connor, James Stephenson, Gilbert Roland, William
Lamont, Philip Meric, Montagu Love, J. M. Kerrigan, David Bruce,
Clyde Cook, Fritz Lieber, Francis McDonald, Pedro de Cordoba, Ian
Keith, Jack LaRue, Victor Varconi and Robert Warwick, to name only
the better known among the hundreds present.

On the off-screen side the filming of the work of executive pro-
ducer B. W. Wills with the pocketbook wide open, Henry Blanke as
his associate producer, Michael Curtiz as director and Howard Koch
and Seton I. Miller as authors of the screenplay. Notable also is the
music score by Erich Wolfgang Korngold, and the camera accomplis-
ments of Sol Polito among the more memorable eye experiences
of the season.

Running time, 127 minutes. “G.”

ROSCOE WILLIAMS

“Haunted House” (Monogram)

Hollywood, July 21.—Monogram’s “Haunted House,” starring Jackie
Morgan and Marcia Mae Jones, is a story of a boy and a girl, anxious
to become reporters, solving a murder mystery in a small town. Utiliz-
ing familiar devices for creation of suspense and tension, the film tells
of their embarrassing mistakes in suspecting the wrong persons,
and their attempts at convincing their elders that they are on the right track
and of their adolescent companionship.

Supporting the pair are Christian Rub, George Cleveland, Henry
Hall, Mary Carr, Clarence Wilson, John St. Polis, Jessie Arnold and
Harley Keenermore.

Bob McGowan directed from a screenplay by Dorothy Reid, who
adapted a story by Jack Leonard and Monty Collins. William Lackey
produced.

Running time, 66 minutes. “G.”

VANCE KING

Trade Peace Coming Soon

SECTO Told

JACKSONVILLE, July 21.—Historic
trade practice problems in exhibition
are to be solved soon, either by a
consent decree in settlement of the
Government’s New York anti-trust
suit against a major.

M. Richmond, director of exhibitor
relations for RKO, told the annual con-
vention of the Motion Picture Theatre
Owners Association here today.

Richmond asserted, however, that in
his opinion, the trade practice changes
will not be made in 1940, but at
least, “even if a consent decree was to be
signed tomorrow.”

Richmond urged exhibitors to get their
next season’s product deals with
both RKO and Loew’s, as one coopera-
ting effort, and then to concentrate on
getting “every last cent” out of each
picture, leading producers to agree on
his task of continuing quality picture
making unhindered by internal strife
on top of the inescapable problems
stirling in some markets.

Ed Kuykendall, M.P.T.O.A. presi-
dent, and Edward A. Golden, Mon-
ogram general sales managers, will also
address the convention, which will
continue through Tuesday.

M. C. Moore, president of S.E.T.O.A.,
is president.

Ticket Brokers Sue
On Fee Legislation

Six Broadway ticket brokers filed suits
Wednesday night against the New York
Ticket Bureau Friday attacking the validity of the state legis-
lation of last April placing a 75-cent surcharge limit on theatre ticket
brokerage fees.

The action, which charges that the
legislation is unconstitutional, also
addresses the validity of rules giving
effect to the statute which were pro-
mulgated by License Commissioner
Paul McGee. Both measures were in-
vestigated by the League of New York
Theatres and Actors Equity Associa-
tion after they encountered difficulties
in enforcing their own code.

The action served notice that the
plaintiffs would apply on July 29 for
a ten-day temporary restraining
enforcement of the regulatory measures
from Justice Sidney Bernstein.

Set New Haven Opening

THOMPSANVILLE, Conn., July 21.—
Peter Perakos, operator of the Strand
here, will celebrate the opening of A. J.
Perakos, new manager of the Strand,
will be hosts to the bookers of the New
Haven film district for a day’s outing
on their cabin cruiser.
As necessary as your telephone, and just as handy!

The new 1940-41 International Motion Picture Almanac will soon be on the press. The forthcoming edition will be bigger and more important than ever before. Included between its covers will be more than 1,200 pages of vital information covering every phase of production, distribution and exhibition. The Who's Who section, an exclusive feature of the Almanac, will contain over 12,000 complete biographies of players, directors, writers, technicians and executives. In addition, it will also include important factual information on radio and television.

No showman should be without the Motion Picture Almanac... it is the indisputable reference authority of the industry. Edited by Terry Ramsaye.

RESERVE YOUR 1940-41 MOTION PICTURE ALMANAC NOW! $3.00 THE COPY
F.C.C. Grants Permits for 3 New Stations

WASHINGTON, July 21.—Construction permits for three new broadcasting stations have been granted by the Federal Communications Commission. The new stations will be constructed by the broadcasting companies and operated at Riverside, Calif., to operate on 1,420 kilocycles with 250 watts power; Marion Broadcasting Co., Long Beach, to use 500 kilocycles, 250 watts, and the Sentinel Broadcasting Corp., Salina, Kans., 620 kilocycles, 1,000 watts.

These three stations will be authorized for WFBG, Altoona, Pa., from 100 to 250 watts; WLP, Suffolk, Va., 100 to 250 watts; WGAN, Portland, Me., 500 to 5,000 watts with change of frequency from 640 to 560 kilocycles; WLAU, Lawrence, Mass., 1,000 to 2,000 watts with change of frequency from 1,020 to 1,680 kilocycles; WPDE, Raleigh, N. C., 5,000 to 50,000 watts; WPMD, Milwaukee, Wis., 1,000 to 2,000 watts with change of frequency from 1,200 to 880 kilocycles; WTMJ, Milwaukee, 1,000 to 5,000 watts, and WBT, Knoxville, Tenn., from 500 to 500 watts, 1,000 watts day, with change of frequency from 1,310 to 620 kilocycles.

List of New Stations

1. WFBG, Altoona, Pa., 500 to 5,000 watts, 1,000 to 2,000 watts with change of frequency from 1,020 to 1,680 kilocycles, and 1,000 to 2,000 watts with change of frequency from 1,200 to 880 kilocycles.

2. WPMD, Milwaukee, Wis., 1,000 to 2,000 watts, 1,000 to 5,000 watts, and 1,000 to 5,000 watts.

3. WBT, Knoxville, Tenn., 500 to 500 watts, 1,000 watts day, with change of frequency from 1,310 to 620 kilocycles.

Extends Compliance Time

The Commission has granted an extension of the time for the filing of applications for international broadcasting stations attempting to comply with the rule that such transmitters must operate with a minimum power of 50,000 watts.

Two of the stations are already authorized to use 50,000 watts, but are planning to move or make changes; the other stations are WCBX, Wayne, N. J., now using 10,000 watts; KGEIA, San Francisco, 10,000 watts; WGEJA, Schenectady, N. Y., 25,000 watts; WNB, Brook, Brook, N. J., 35,000 watts; WRC, New York, 1,000 watts; and WRUW, Scio, Mass., 20,000 watts.

Three other stations, WCB, Newton, Mass.; WDJM, Miami, Fla.; and WBSO, Millis, Mass., 10,000 watts, have not yet been given power to the required minimum, it was said.

New Station Permits Asked

Applications for new stations have been filed by Worcester Broadcasting, Inc., for a 1,200-kilocycle, 250-watt station at Worcester, Mass.; Camden Broadcasting Co., for an 800-kilocycle, 250-watt daytime station at Camden, N. J.; and a 1,200-kilocycle, 100-watt daytime station at Greenwood, S. C.; Rose City Broadcasting Co., for a 1,370-kilocycle, 250-watt station at Greensboro, N. C.; and Brainard-Bemidji Broadcasting Co., for a 1,280-kilocycle station at Brainard, Minn., with 500 watts night, 1,000 watts day.

Set SLRB Hearing

Hearing will be held Wednesday before the State Labor Relations Board investigating the Theatrical and Motion Picture Service Employees Union to be certified as the collective bargaining agency for employees at the Vema, Graham and Radio Theatres, Brooklyn.

Motion Picture Daily Monday, July 22, 1940

Drugs Show 22% Gain In NBC Billings

With a total of $8,171,582, drugs were the leading advertiser on NBC in the first half of 1940, according to figures disclosed by the network over the weekend.

This classification forged from a second place in the 1939 half-year, a gain of 22 per cent, and represented a 72 per cent increase from the total of $24,559,876 for the first six months of this year. It displaced food and food beverages, which was the leader in the first six months and reaped a $7,855,149. The latter lost nearly 23 per cent and dropped to second place, and paints and hardware increased on CBS and Mutual, as reported in Motion Picture Daily July 18.

Lucky Strike, handled by the Lord & Thomas agency, will succeed Canada Dry as the sponsor of the “Information Please” program when the latter sponsor relinquishes, according to official agency circles. The new price is mentioned as $8,000 to $10,000 weekly.

Fair doings: Events at the World's Fair for the South American channels will be aired directly from the Fair by CBS starting Wednesday. A studio for CBS exclusively has been built in the Pershing Building. The initial broadcast will be commemorated Simon Bolivar Day.

Meanwhile all the major networks are preparing for the celebration of Broadcaster's Day at both the Golden Gate Exhibition in San Francisco and the Fair here August 3. Neville Miller, NAB president, will appear with Dr. John S. Young, radio and television director at the New York Fair, and R. C. Coleson, radio head at the Coast Fair, as masters of ceremonies.

Tonight's "Time for Sale" broadcast on WMCA, second in the series will have Benay Venuta as mistress of ceremonies. The shows are for Red Cross war relief. Time is sold to amateurs at $3 a minute...Mar. Rex, the world's largest radio station, to the air tomorrow after a vacation. Musical thanks are in store for Jimmy and Tommy Dorsey, Gene Krupa, Larry Clinton and others who appeared on the program during his absence.

Purley Personal: Sterling Fisher, Albert Warner, Alberto Zalamea and Howard Pierce Davis arrived in Havana over the weekend to cover the International Convention also was one production of the World's Musical Americana show, held over NBC Tuesdays 9 to 9:30 P. M., effective tomorrow....Henry Untermyer, director of the Phil Colin show last week over WABC, and first lieutenant in the U.S. Artillery Reserve, left Saturday to spend his two-week vacation at Pine Camp, N. Y.

Mary Cox, school teacher responsible for Wendell Willkie's early education, will be interviewed over the Vox Pop program Thursday 7:30 to 8 P. M. over CBS. The show will emanate from Elwood, Ill., Willkie's birthplace.

New Programs: Starting July 27, CBS will present a U. S. Army recruiting program 1:30 to 2 P. M. on Saturdays. The show will comprise the U. S. Army Band from West Point, interviews with Ray Perkins, a Reserve major, will be master of ceremonies. Earle McGill will direct....Wynne Williams, news commentator, will be heard in a series of programs over Mutual Tuesdays, Thursdays and Saturdays, 7:30 to 7:45 P. M., starting tomorrow.

Two Conventions Cost 3 Networks $579,852 Total

The Democratic and Republican National Conventions cost the three networks, CBS and Mutual, a total of $579,852, it was estimated over the weekend.

The recent Republican meeting cost the three webs $345,600 in the aggregate, following to finally revised figures, while the Democratic session cost them a total of $234,192, according to estimates immediately available.

It was explained that the reason the Democratic meeting cost less than the Republican is that the time of the Democratic daily sessions resulted in many fewer afternoon and early evening cancellations of commercial programs than in the case of the Republican Convention.

The NBC cost on the Democratic convention was in addition to the television broadcasts of several sessions, done through the use of the Pathe Newsreel department. The initial program will be shown from Chicago because the convention was too far from the transmitting station here.

The cost to NBC on the Democratic Convention was $101,192 including $56,207 for loss of revenue due to the cancellation of scheduled commercials, $15,354 for talent on those canceled programs, which had to be paid, and $13,500 for direct operating costs. The convention, inclusive of engineers' charges, installations and the like, the figure compares with the NBC cost for the Republican conventions, $172,461, including $72,920 for canceled programs, $51,540 for talent, and $12,000 for direct operating costs.

The CBS cost for the Democratic meeting was $125,000 including $75,000 for canceled time, $25,000 for talent and $25,000 operating cost. The Republican sessions cost CBS a total of $195,000, including $125,000 for canceled time, $45,000 for talent and $25,000 operating cost. It was pointed out that the lower cost for the Democratic meeting is also a day less than the Republican session.

The Mutual cost on the Democratic meeting was $80,000, including $60,000 in lost commercial time, and $2,000 in operating cost. For the Republican session the cost was $9,000, including $8,000 for canceled time, $45,000 for talent and $2,000 operating cost. The lower operating cost for Mutual on the Democratic meeting resulted because WGN in Chicago, did pick up the Mutual network, and no engineers were required for this purpose.

Mutual's commercial revenue loss was small, it was explained, because many of the clients thus affected will be able to purchase the programs when their contracts expire. NBC and CBS, on the other hand, must make straight rebates to clients for such lost commercial time.

Mexico City Stayed On Government Fine

MEXICO CITY, July 21—Collection of a fine of $200 imposed by the Ministry of Communications and Public Works because it refused to obey an order to increase the frequency of its station was stayed by the Federal Supreme Court.

The Ministry ordered higher frequency for this station to assure better broadcasts. The broadcasters assert that frequencies are too high a frequency for the station.

WKAT Joins NBC Net

MIAMI, July 21—WKAT has joined the NBC Blue network. WKAT, which formerly alternated between NBC Red and Blue, now will be exclusively on the Red. WKAT previously had no network affiliation and was strictly local.
Tax Revenue In Year Up to $21,887,916

Gains $2,417,117 Over Previous Year

WASHINGTON, July 22.—Federal admission tax collections for the fiscal year ended June 30, last, totaled $21,887,916 with an increased of $2,417,114 over the $19,470,802 collected in 1939, it was reported today by the Internal Revenue Bureau.

The bureau’s report, however, indicated that approximately 80 per cent of the gain was recorded during the first half of the current calendar year, during which $11,167,332 was collected compared with $9,155,228 in the corresponding period of 1939, an increase of $2,012,504.

Collections in June declined for the third successive month, dropping to $1,045,603 from $1,291,906 in May, but (Continued on page 6)

‘Ramparts’ Opens In Capital Tonight

WASHINGTON, D. C., July 22.—World premiere of “The Ramparts We Watch” will be held at RKO Keith’s here tomorrow evening with a large representation of official Washington in attendance.

Among those expected are: Secretary of War Frank Knox, Rear Admiral A. W. Johnson; Senator Carter Glass, Mrs. Woodrow Wilson, General John Pershing, General Hugh Johnson, Boake Carter, Walter Lippman and Mark Sullivan, Ned E. Depepe, vice-president of RKO; A. W. Smith, general sales manager; Roy Larsen, Louis de Rochemont, William Geer and Al Sindinger of March of Time.

A press reception will be held at the Carlton Hotel following the premiere.

Coast Flashes

HOLLYWOOD, July 22.—George L. Bagnall, Paramount vice-president and executive studio manager, resigned today after five years with the company. He will vacation in Canada with his family before announcing future plans.

Monogram today extended the contract of Tex Ritter, Western star, for the new season. The deal calls for seven instead of eight films with the same budget as last year.

Evacuation Is Set For W.B. Children

London, July 22.—Max Milder, head of British activities for Warners, already has arranged for the evacuation of 44 children of Warner employees here to the United States it was disclosed today. They will be guests of the American company.

Hollywood, July 22.—About 60 children of English players will be brought to this country soon according to Gay Whitty, chairman of the British Actors’ Orphanage Fund Committee.

Du Mont, CBS Get Television Permits

WASHINGTON, July 22.—The FCC has granted permission for establishment of new television stations in New York and Washington by the Allan B. DuMont Laboratories. DuMont is an affiliate of Paramount Pictures. Applications by CBS to begin television broadcasting from their New York and Passaic stations were also approved.

The DuMont station in New York will use No. 4 channel of 74,000 to 84,000 kilocycles with one kilowatt power for aural and visual transmission. The new Washington station will operate on the new television channel No. 1 with 50,000 to 60,000 kilocycles and one kilowatt power.

The CBS station in New York, W2XAB, has been allotted channel No. 2 of 60,000 to 66,000 kilocycles with seven and one-half kilowatt power.

The present station of DuMont at Passaic will increase its power to five kilowatts and will use channel No. 4.

BOX-OFFICE SLUMPS AS MERCURY SOARS

U. S. to Keep Eye on Films: Kuykendall

JACKSONVILLE, Fla., July 22.—The film industry is going to receive more attention from Washington than it has in the past, and if it does not put its house in order, the Government will, Ed Kuykendall, president of the M.P.T.O.A, told the annual convention of the Southeastern Theatre Owners Association here today.

Kuykendall declared that the Neely bill “is as dead as a doornail.” He said, however, that the House Interstate Commerce Committee, which has been considering the measure, is convinced of the need for radical (Continued on page 6)

Gillette Purchases Series for $100,000

For the second consecutive year, Gillette Safety Razor Co. has purchased the World’s Series radio rights for $100,000 and will sponsor the broadcasts over Mutual. An option for 1941 also was taken.

More than 150 stations here, in Canada and Hawaii, in addition to short wave channels, will be linked in the broadcasts. The deal was closed in Chicago by Judge Keneaw M. Lansdell, baseball’s high commissioner; Fred Weber, general manager of Mutual, and J. F. Sprang, Jr., president of Gillette.

“The Great McGinty” [Paramount]

HOLLYWOOD, July 22.—You Ladies and Gentlemen of Show Business who have been asking the studios for something new, different and exciting in the way of a motion picture to attract the strays back from the beaches and wherever else they’ve been drifting can draw a circle around Aug. 23 on your calendar because this is it and that’s the release date.

Press-agented in advance as a “sleeper” and unveiled to the Hollywood press with a showmanly flourish, the picture turned out to be the liveliest, freshest and different-est picture of the month. It’s a sham-bang, rough-and-ready, brainy-brawny comedy concerning crooked politics as expertly practiced in a great American metropolis and it presents

Adjourn Trust Trial to Oct. 7

Trial of the Government’s New York anti-trust suit was adjourned to Oct. 7 by Federal Judge Henry W. Goddard yesterday at the request of J. Stephen Doyle, special assistant to the Attorney General.

While the lengthy adjournment was requested largely because Judge Goddard will begin a two-weeks’ vacation at his Connecticut farm at the end of the week, Judge Goddard stated that he “would be available” to the negotiators during that time if they needed him.

Settlement negotiations will be resumed today with the return from Washington of Paul Williams and James Hayes, Government attorneys. Defense lawyers held a meeting yesterday to discuss further their proposal for an escape clause.

(Continued on page 6)
RKO Reopens Loop Palace on August 1

CHICAGO, July 22—RKO will reopen the Palace as its local first run on Aug. 1. A single feature policy and the same price scale, will be re-sumed, plus the new Federal admission tax. The house was closed for a 10-week period and originally was scheduled to reopen July 26.

During its closing, a temporary product deal was made for RKO first runs with the Oriental. When Jones, Linnick & Schaefer reduced the admission price from 65 cents to 40 cents two weeks ago, RKO cancelled the contract.

DENY NICK, WESTON MOTIONS IN ST. LOUIS

ST. LOUIS, July 22—Federal Judge Canse Collet has overruled four motions filed on behalf of John P. Nick and two on behalf of Clyde A. West, jointly charged with violating the anti-racketeering and anti-trust statutes. The defense attacked the indictment as being unconstitutional, but these were disposed of by the court without comment.

Judge Collet also refused to grant a severance of the defendants and the Government was victorious when the court also ruled it need not make public its witnesses until the trial starts.

The court, at its own motion, reset the case, scheduled to begin on Aug. 5, to Sept. 9.

COLUMBIA DIVIDEND

Directors of Columbia Pictures Corp. yesterday declared a regular quarterly dividend of 604 cents per share on the company’s $2.75 convertible preferred stock. The dividend is payable Aug. 15 to stockholders of record Aug. 2.

MARKY’S FATHER DIES

LOS ANGELES, July 22—Col. Eugene L. Markey, father of Gene Markey, died of pneumonia at Hollywood Hospital on Sunday at the age of 78. Burial was at Calvary Cemetery here today.

PERSONAL MENTION

WILLIAM F. RODGERS, M-G-M general sales manager, will return to New York today from a Western business trip.

Walter Wanger left for the Coast over the weekend.

Kenneth Clark of the M.P.P., D.A., will arrive from a vacation in Mexico on the S.S. Mexico today.

Henry Henson, production head for James Roosevelt, left for the Coast yesterday. Roosevelt postponed his departure for a few days.

Will Whitemore, advertising supervisor of Erpi, is at his home after two weeks in the hospital with an eye infection. He may return to his desk next week.

Natalie Rose Burnsstein, daughter of Leo Burnsstein, former exhibitor in Springfield, Ill., shortly will wed Arthur Koratzky, St. Louis attorney.

Daniel M. Houlihan, head 20th Century-Fox booker in Albany, is on vacation. Wayne Carignan, shipper in the same office, has just returned from his vacation.

Fred McConnell, James Roosevelt, Sam Shaw, Harry Arthur, Jeffrey Bernerd, Harry Buckly and Harry Kosinat are lunching at the Tavern yesterday.


Bernard Evans is covering Kansas City, Omaha, Des Moines, St. Louis and Memphis as United Artists’ explorer, with headquarters in St. Louis, succeeding W. P. Bernfield.

John Mangan has been shifted from service chief at the Stanley, Chester, Pa., to assistant at the Astor, Reading, Pa.

ACTION DELAYED ON CUBA BLOCKING LAW

No action on Cuba’s recently enacted anti-block ruling has been taken yet on behalf of the industry due to the unsettled political situation in the island republic.

Arthur Futchett, recently designated industry spokesman in the industry’s effort to obtain relief from the stringent measure, is now in Panama, from where he will go to Cuba when the political situation there is clarified. He is Central American manager for Paramount.

Meanwhile, the law does not affect existing contracts which have several months yet to run.

WALLACK’S RITES TODAY

Funeral services for Arthur J. Wallack, 91, last survivor of the founders of the Lambs and son of the late Lester Wallack, will be held this afternoon at the Church of the Transfiguration on 29th Street. Wallack died Sunday at his home in Stapleton, S. I.

COMERFORD EMPIRE DIES

SCRANTON, July 22—Kate Luxem-berger, for more than 25 years with the Comerford Theatre here, was buried here today. She died Friday after an illness of more than a year.

STILL A BACHELOR

PHILADELPHIA, July 22—Robert Kesslar again will stage the annual baby parade in City’s Central Park Centre, Warner neighborhood house he manages, on Aug. 21. He has put on the picture for the feature six years ago, but through all these years, has still managed to remain a bachelor.

FEDERAL CANADIAN CENSORSHIP LOOMS

TORONTO, July 22—What appears to be a step toward Federal film cen-sorship in Canada has been taken in the creation of a central censorship committee which is made up of the chairmen of each censor board in the respective Provincial Governments.

The central bureau, under the guidance of the Federal Government, is seeking unification of censorship views, particularly with respect to propaganda films.

The Provincial Boards remain in control within their respective juris-dictions but it is felt that a form of governmentally sponsored film office similar to the government control which has now been effected over radio newscasting.

SET HIGH AD BUDGET ON ‘CORRESPONDENT’

The new Walter Wanger-United Artists film, “Foreign Correspondent” will be supported by a multimillion newspaper advertising campaign, cost upward of $40,000. This will be only a part of the national campaign on the film.

In addition to the campaign, 112 newspapers in 100 key cities will carry a series of two-color ads on their amusement pages.

90% ENGLISH HOURS UNDER LABOR DEALS

LONDON, July 22—At the annual conference of the National Association of Theatrical and Kind Employees today, R. Finngan, president, reported that 90 per cent of British trading areas are now covered by the joint labor conditions agreement.

He made a plea for a national agreement.
Wonderful Warners!

BETTE DAVIS and CHARLES BOYER in 'ALL THIS, AND HEAVEN TOO' .

By Rachel Field with JEFFREY LYNN • BARBARA O'NEIL • Virginia Weidler • Henry Daniell • Walter Hampden • George Coulouris • An ANATOLE LITVAK production

Screen Play by Casey Robinson • Music by Max Steiner • A Warner Bros.-First National Picture

ONLY 2 OTHER PICTURES IN THE 8-YEAR HISTORY OF THE MUSIC HALL HAVE STAYED OVER THREE WEEKS!
The big-money show package of the year!...
Playing to 202% to 268% of normal business in all test situations to date! The greatest pictures Disney ever made... *COMBINED*!... in one big feast of glorious entertainment!...

Special Advertising and Accessories!

**GRAB IT—QUICK!**

The Great
WALT DISNEY
FESTIVAL
OF HITS!

**plus**

**HIT NO. 2**

FERDINAND
THE BULL
SUMMER BOOKINGS!

HIT NO. 1

Snow White

and the Seven Dwarfs

HIT NO. 3

THREE LITTLE PIGS
in "The Practical Pig"

HIT NO. 4

THE UGLY DUCKLING

HIT NO. 5

DONALD'S LUCKY DAY

© W. D. P.
Box-Offices of Nation Blasted By Heat Wave

(Continued from page 1)

Paramount

a stirring treatment of its subject matter without precluding about its main idea, the other word for it.

Written, directed (and practically everything else) by Preston Sturges, the film opens in a burroon in a banana republic where the journalist starts telling a would-be suicide of his own descent from the governorship of a great state, then flashes back to the story of how he rose to that eminence by forthrightly dishonest means and with the backing of a bluntly corrupt political boss.

Brian Donlevy plays the governor-bartender, Akin Tamiroff the boss, and if there’s been a pair of performances so evenly matched and correctly executed in a single picture this Summer, nobody in this town can name it. Allyn Joslyn, William Demarest, Louis Jean Heydt, Harry Roseenthal, Arthur Hoyt, Libby Taylor and Frank Moran are among the male actors colorfully present, Murial Angelus and Steffi Danna handling the feminine assignments as ably.

Politics and what makes politics tick are, of course, topics close to audience consciousness at this time and from now to November. The politics dealt with here are of city and state, street names and dialogue references being of a sort to indicate that the place could be but doesn’t need to be New York. These, neither glorified nor denounced but offered simply as story material, are a rare point of view and a skillful treatment. It is as a comedy, however, that the picture chiefly commands audience attention, and a most unusual, powerful, swift and entertaining comedy it is.

Running time, 80 minutes. "G."

ROSCOE WILLIAMS

Hollywood Review

“Girl from God’s Country”

(Republic)

Hollywood, July 22.—Expendantly mounted and showing much of Alaska’s beautiful scenery, Republic’s “Girl from God’s Country” is the first film to make use of euthanasia as a part of a screen plot. It tells the story of a young physician, wanting a murder charge, to the Alaskan wilds where the doctor has set up a practice, and recognizing him because of the similarity between the death of his father, of which he is suspected, and that of one of the patients. It is the detective attempts to take the physician back to civilization he is stricken with snow blindness, but the doctor saves him. Cured, the detective forgets about the murder warrant. The doctor explains that he fled the States in order to keep his father’s name clear of the stigma of suicide. He attempts, however, to justify his placing of a bottle of pain-killing medicine beside the bed of a patient suffering from gangrene and telling him that if he takes too much of it, he will die.

Chester Morris, as the doctor, plays one of his best roles; Jane Wyatt, as a nurse from the States, comes from retirement entered into after her role in “Lost Horizon,” and Charles Bickford plays the role of the detective.

Sidney Salkow, in directing the screenplay by Elizabeth Meachan and Robert E. checkout, imparted a well rounded tone of entertainment the offering, one of the better pictures to come from Republic. Malcolm Stuart Boylan contributed dialogue to the script, adapted from an original story by Ray Millholland. Armand Schaefer was the producer, running time, 74 minutes. "G."

VANCE KING

"G" denotes general classification.

U.S. to Eye Films, Says Kuykendall

(Continued from page 1)

changes in the industry’s business methods.

"The salvation of the business depends on national cooperative effort rather than individual buckshot throwing, such as seems to prevail at present," the M.P.T.O.A. president said. "I say to you sincerely that unless we, as an industry, give some thought to cooperative activities among ourselves and cease trying to squeeze the life out of the so-called smaller percentage theatre owners, we are heading for chaotic conditions that will take us back to the nickeldome days." J. L. Cartwright, public relations director for the Sparks circuit, spoke on the importance of goodwill in the community. He urged the exhibitors to take an active part in civic affairs.

Others who spoke briefly were Mrs. Alonso Richardson of the Better Films Council, Atlanta; Willis Davis, in charge of public relations for the Southern States, and John Alspool, former mayor of Jacksonville.

Exhibitors from four Southeastern states are attending the convention, which will wind up tomorrow. M. C. Moore, president of the SETOA, is presiding. "Mr. Sparks and his managers are hosts of the entertainment.
Hollywood Review

"Blondie Has Servant Trouble"
(Columbia)

HOLLYWOOD, July 22—Dipping deeply into the "haunted house" reservoir of comedy resources, reliable since the "Over the River Charlie" of medicine show days, this sixth release in the "Blondie" series hits a new high in entertainment value. It had a midweek audience at the Pantages Theatre in Hollywood between chuckles and guffaws for practically its entire screen time.

The story by Albert Duffey, prepared for the screen by Richard Flournoy, has "Blondie" desirous of employing a maid at a time when "Dagwood's" employer asks him to take his family to a country place which must be tenantable during settlement of an estate. They arrive to find the place staffed by a butler and his wife, stay on through a stirring night to discover that the butler is a somewhat murderous maniac and former magician, a combination of qualifications which accounts for many mysterious and thrilling incidents.

They are made most amusing as worked out in successive situations and played by Arthur Lake, Penny Singleton, Larry Simms, Danny Mummedt, Jonathan Hale, Arthur Hohl, Esther Dale, Irving Bacon and others under the smooth direction of Frank R. Strayer.

Running time, 60 minutes. "G."*

Roscoe Williams

*"G" denotes general classification.

Fly to Attend Meeting Here
On Standards

WASHINGTON, July 22—James L. Fly, chairman of the Federal Communications Commission, disclosed today that he will attend the organization meeting of the Radio Manufacturers Association-radio industry national television systems committee in New York July 31. He will then attend the National Association of Broadcasters annual convention Aug. 4 in San Francisco.

Fly will be accompanied to New York by E. K. Jett, FCC chief engineer. He explained that his presence at the meeting is to emphasize the FCC's cooperation in the effort to develop television standards, and said, "We feel sure we have a good setup there, with everybody in a frame of mind determined to go ahead and do the job."

While on the Coast, the FCC executive will meet with a number of broadcasting and television leaders, and plans to discuss developments with Don Lee, De Forest and other television organizations. He will also participate Aug. 3 in the salute to the radio industry from the world's fair, speaking briefly from the exposition at San Francisco.

Mutual Suspension
By Nazis Continues

Mutual broadcasts from Germany and German-controlled areas in Europe were still suspended yesterday in reprisal for the action of the Mutual-Dan Lee organization of 31 stations which cut off Hitler's speech on Friday. The network is awaiting a reply from Dr. Otto Dietrich, Nazi press chief, to whom a cable explaining the situation was sent.

Red Cross Drive
Mapped in Seattle

SEATTLE, July 22—Theatrical interests of this region have united to organize their part in the state drive in the $10,000,000 national American Red Cross war relief drive.

Theatre owners, operators and exchanges were called together by Frank L. Newman, Sr., and the following committee heads were chosen to plan the local campaign:

John E. Huddleston for the circuit theatres; Leroy V. Johnson for the independent theatre owners; W. J. McGiven for the film exchanges; B. F. Shearer for the theatre equipment companies; Jack Flannery for the screen service groups, and Basil Gray for the theatre unions. This group will report their campaign plans at a meeting to be called shortly.

Expect New English Tax in Budget Today

LONDON, July 22—It is expected here that the emergency budget, to be introduced by the Chancellor of Exchequer tomorrow, will include a new theatre admission tax on a graduated scale, as reported in Motion Picture Daily last week. The schedule has already been presented by the Cinematograph Exhibitors Association.

There is still a slight hope that the most inexpensive seats will be exempt, but it is believed inevitable that there will be a duty on six-penny tickets.

Mexico Station Gets Election Day Beating

MEXICO CITY, July 22—Radio Station XEFO here was so badly damaged by rioting attending the recent presidential elections that it was put out of commission for several days. Artists and technicians who attempted to stand their ground during the disturbance were chased out of the building under threats of death.
A great and inspiring American experience begins tonight

Tonight at 8:30, Washington sits down at the World Premiere of “The Ramparts We Watch.”

We predict that at 10:30 o’clock, as the picture ends and the theater lights go up, there will be tears in the eyes of many a hard-bitten Congressman, a surge of pride through the veins of many a seasoned, unsentimental official, and a renewal of faith in the future of America in the heart of every person there.

It is a picture such as motion picture audiences have never seen before—an absorbing record of the fateful years that began in 1914—a gripping story of the great figures on the world stage, and of ordinary American people like yourself and all of us. It ends by making clear to us what has gone before, and so enables us to see more truly what lies ahead.

To see “The Ramparts We Watch” is a memorable and inspiring motion-picture experience.

“The Ramparts We Watch”

A NEW KIND OF MOVIE . . . FIRST FEATURE PICTURE PRODUCED BY THE MARCH OF TIME

World Première Tonight

RKO KEITH’S

Washington, D. C.
Para. Partners Oppose Consent Decree Draft

Seen as Incipient Revolt by Theatres Against Asserted 'Distributors' Decree'; Object to Regulation by Courts

Paramount's partners, who operate approximately 1,250 of the principal theatres of the country, have rejected several of the proposals embodied in the tentative draft for a consent decree in the New York anti-trust suit. Their objections to the decree were presented to the distributors yesterday morning and to other theatremen yesterday afternoon. The afternoon session was held in Joseph Bernhard's office at the Warner Brothers' home office. Other theatremen were non-committal. Sources close to Paramount, however, interpreted the partners' action as the beginning of a revolt among theatremen generally to the point, on the basis that it is a "distributors' decree". The partners also object to "regulation of the industry by the courts".

Five provisions to which the partners object strongly are:

(a) Unit selling in blocks of five.
(b) Designation of every theatre as a run and permitting one theatre to deprive another of product.
(c) Other provisions which they desire to have altered and amended relative to local buying, arbitration, circuit expansion, trade showings and the escape clause. The escape clause has not been inserted into the pact as yet.
(d) Distributor spokesman yesterday expressed the hope that the partners' stand did not mark ultimate rejection of the draft by them, and pointed out that distributors themselves are not fully satisfied with some of the provisions to which the theatremen object. A reconciliation of the differences is looked for by the distributors, they said, and they are hopeful that a consent decree will eventuate.

These mixed opinions and differences will come up today before the (Continued on page 4)

N.Y. Theatres Get
Some Heat Relief

While New Yorkers yesterday, for the first time in five or six days, were able to take a breath without firing their palates, and the Broadway box office felt a bit more like its normal self again, most of the theatres in the rest of the country either still were at the bottom of a heat wave spiral

(Continued on page 4)

Propaganda Has No Place On Screen, Says Lesser

Los Angeles, July 23—Motion pictures will never be a means of organized propaganda, Sol Lesser, producer, last night told the Institute of Human Relations of the Universal Religious Conference at the University of California here.

"In a time of national crisis," he said, "I am confident you will find the industry alert to carrying out the purposes of democracy, but the industry's field basically must continue to be entertainment. In a democratic society, entertainment is the common property of all, not the privilege of a few.

"Do not let anyone tell you the American motion picture producer is unaware of his obligation to society. He gladly accepts his share of the burden to keep alive democratic ideals. There is no other industry in the world with so strict a code of ethics.

"The producer recognizes the fact that his screenplays are for family consumption. Good taste is a primary requirement of the Production Code, which must be abided to if a picture is to have general distribution. One of the first requirements of this code is that proper human behavior must triumph.

"Not only the producer but writers, directors and actors devote themselves (Continued on page 4)

Moore Reelected

SETOA President

Jacksonville, Fla., July 23—M. C. Moore, manager of Jacksonville's Riverside Theatre, was reelected president of the Southeastern Theatre Owners Association for a fifth consecutive term at the closing session of the annual convention here today.

Tom Brandon, Titusville, Fla., was reelected secretary; Col. Thomas C. Orr, Albertville, Ala., treasurer, and Oscar C. Lam, representative to the M.P.T.O.A.

Louis O. Gravelly, Jr., of the U. S. Treasury Department, spoke to the (Continued on page 4)
Goldwyn Moves to Drop Delaware Suit

DOVER, July 23.—Samuel Goldwyn has applied for an order dismissing his action in Federal District court here against United Artists and the Elton Corp., for a declaratory judgment to terminate his distribution contract with the former company.

The Goldwyn action to withdraw his suit here follows upon the recent U. S. Circuit Court of Appeals suggestion that the litigation here was duplicated by a similar law suit in the U. S. District court at New York, also brought by Goldwyn. It is understood that the producer will continue his litigation in the latter court.

Goldwyn’s action in the New York Federal District court to terminate his United Artists distribution contract will not be brought to trial before next fall, it was learned here yesterday.

The court has granted defense motions to require Goldwyn to amend his complaint in some respects and to strike out portions of it. Goldwyn’s attorney, Max D. Steuer, is complying with this order, and also plans to hold pre-trial examinations of Alexander Korda. The procedure will make a trial before fall most unlikely.

Gartside in British Post

LONDON, July 23.—Ernest Gartside, formerly with 20th Century-Fox Brit-

ish, has been appointed secretary of the British Film Production Association. He succeeds L. Grandfield Hill.

WALTER BRANSON, RKO
Midwestern district manager; Ray Nolan, St. Louis branch man-
ger; and Sol Sachs, Dallas manager, are confering at the home office.

CHARLES SYERN, Eastern district manager of United Artists, left yester-
day on a two-week trip through

WILLIAM F. ROGERS, M-G-M general sales manager, was delayed a day in Chicago yesterday and will arrive in New York today.

SAMUEL SWING, film attorney, is vacationing in Maine.

EDWARD C. RAPERTY of O’Brien, Driscoll & Raferty is vacationing in Maine.

JAMES ROOSEVELT left yesterday for the Coast.

R. J. O’DONNELL of Interstate Circuit will leave New York for Dallas today.

MICHAEL HAAS, Paramount home office receptionist, is in Springfield Hospital, Springfield, Mass., with injuries which he incurred, to-gether with other members of his family, while on vacation there.

A. H. BLANK, Toby Grunen, John W. Hicks, Ed Grainger, George Wurster and Ed Sartorius at Nick’s Hunting Room in the Astor for lunch yesterday.

AL WILKIE, VINCENT TRIBOTTA, JOHN D. HERTZ, JR., DAN MICHALOW, DAVID DIAMOND, AL ALTMAN and ARTHUR KREM lunching at Sardi’s yesterday.

JOSEPH PINCUS, ARTHUR KNOER, HAL HOWE and AL YOUNG at Lin-
dy’s (51st St.) yesterday for lunch.

MAURICE SILVERSTONE, EMANUEL SILVERSTONE and PHIL REID lunch-
ing at Linda’s (next to the Rivoli) yesterday.

LUCILLE WOJTZAK of the M-G-M Milwaukee branch will be married Saturday to James H. Conway.

BRYAN D. STONE, M-G-M sales-

man in Cleveland, is celebrating his 10th anniversary with the company.

CHARLES DORSA, Eastern art direc-
tor of M-G-M, is vacationing on Long Island, due back Monday.

JOHN S. HARRINGTON, manager of prints and accessories for Monogram, has left for a vacation in New Jer-

sey. He will return Aug. 5.

FRANK DONOVAN, Pathe News vice-

president, has returned from a business trip to the Coast.

W. E. J. MARTIN, theatre editor of the Buffalo Courier-Express, has re-

ceived the Trustee’s Degree of Merit from the Loyal Order of Moose.

THOMAS SPENCER, manager of the Crest Theatre, Philadelphia, has left with his wife and daughter for a vaca-
tion in Pittsburgh.

SHELTON MANDELL has been shifted to managing of the 56th Street Thea-
tre, William Goldman house in Philadelphia.

Blank and Wilby

American Airlines Inc.

Raft at Strand Friday

George Raft arrived here yesterday for a personal appearance at the Strand starting Friday with his new film, "They Drive by Night."
EVERYWHERE
THE TALK IS
ABOUT M-G-M's
"BOOM TOWN"!
Para. Partners Oppose Suit for Decree Draft

(Continued from page 1)

joint body of negotiators of Government lawyers and company attorneys, which created the framework for the discussion. Many important amendments and alterations in the draft may be expected, according to those present, as a result of the objection by the theatre.

Several of the proposals in the draft, they say, are directed at “chilling” in the industry rather than eliminating it. That clause which provides that the way under certain conditions deprive another of product by arbitration is one of these, it is asserted.


W.B. Plan ‘SeaHawk’ Trade Showings

(Continued from page 1)
simultaneously, in all the key centers, according to company spokesmen. The S. S. Stearns sales chief of Warner Bros., with Carl Leserman, Roy Haines and other sales executives will attend as many of the trade showings as possible. Their visits will coincide with a transcontinental telephone hookup with all exchange centers; in fact, the executives personally talk to all the trade show assemblages on Warner Bros.’ interest and policy for the showings.

Notice of these trade showings will be advertised in the trade journals, sometime prior to Aug. 5, according to present indications, and the showings themselves probably will be put under way Aug. 6.

For the purpose of the preview screenings, the company’s branch managers, wherever possible with home office chieftains, will conduct open discussions on the picture on policy and playing time.

“The company feels,” states Sears, “that for the complete support of both the exhibitor and public that it can continue to turn out this type of an expensive and worthwhile screen merchandise and expect to stay in business.”

Conn. Unit to Study Lowered Exemption

NEW HAVEN, July 23—The M.P.T.O.A. here today authorized Herman M. Levy, executive secretary, to conduct a survey of opinion among members regarding the suggested reduction of the present 20-cent ticket tax exemption to one cent.

The organization passed a resolution expressing regret at the death recently of Abraham Fishman.

N.Y. Theatres Get Some Heat Relief, While Others Suffer

(Continued from page 1)
or gasping in the reaction from a blis-

tering heat wave.

The only exception to the heat which swept across the country, affecting theatres and various industries, was apparently west of the West Coast. Los Angeles reported weather and attendance normal for the season, while San Francisco was troubled only by the usual Summer theatre complaints, uncomplicated by inflammation of the thermometers. San Francisco has the World’s Fair as an additional competition, but managers foresee a decided pickup when the big show closes on Sept. 29.

Chicago Grosses Off

In Chicago the Midwest heat wave caused a 10 to 15 per cent drop below normal grosses in the Loop, while neighborhood houses also were off. Neighborhood independent, Balaban & Katz and Jones, Linick & Schaeffl er all reported a substantial decrease in grosses.

The general exodus of more than 40,000 persons to nearby resorts and the seashore caused Philadelphia grosses to fall as much as 40 per cent below normal in both downtown and neighborhood theatres. Those who stayed at home patronized the local fairs. As a result, receipts were up more than 50 per cent in theatre off the weekend.

The week of hot weather in Kansas City resulted in 10 houses in the territory eliminating one change and hurt business generally, especially where there is inadequate air-conditioning. The business volume, however, has not as yet been seriously damaged by the hot weather.

The Summer’s hottest and longest heat spell in Indianapolis is “hurting grosses like the devil,” to quote one theatre manager. Both downtown and neighborhood houses were affected seriously.

At least, which is far to poor in the major houses of Boston, is at-

tributed by managers to the hot and humid weather, with grosses going down as the thermometer went up. Edward M. Franch, Sr. and Abe Spitz, head of Associated Theatres, Providence, credited the temperature with responsibility for a 50 per cent decline in theatre receipts. Other estimates placed the drop as 25 and 20 per cent, with the hours and seats spots the only ones holding their own.

Aquataunal Helps Minneapolis

Although the sweltering conditions in Minneapolis might be expected to hurt grosses the Aquataunal, which opened Saturday for nine days, brought crowds to the city large enough to offset the effect of the heat.

Lowest grosses in the past decade were recorded by Detroit houses, which fought a fifth day of over 90 degree temperatures. Business was off from 20 to 75 per cent in most situations.

Seattle reports that six weeks without out a trace of rain and continued above normal temperatures are taking a toll at box-offices. All outdoor shows, both pro-

nounced and baseball, are show-

ning increased attendance over last year, while theatre business has been decreasing.

Chicks Aid Box-Office

ST. LOUIS, July 23.—The heat wave here sent the managers hurrying to the box office, but the expected adverse effect on the box- office has been offset by the current convention of the National Baby Chick Association. Some 7,000 members are here, and seeking relief of the heat in air-conditioned theatres.

Moore Reelced

SETOA President

(Continued from page 1)

exhibitors about the new Federal de-

fense admission tax and referred to the theatre men as unpaid tax col-

lectors for the Government. He pointed out all passes of the value of more than 20 cents are subject to the tax.

Other speakers were Mitchell Wolf-

son of Wometoe Theatres, Miami; Nat Williams, Thomasville, Ga.; Ed-

ward Green, Monad sales chief, and George Dembow, vice-president of National Screen Service.

The popular dance tonight brought the three-day meeting to a close. Fuller Warren was master of ceremonies and atten-

dance was more than 250, from Flor-

ida, Georgia, Alabama and Tennessee.

Seat Firm on Coast

LOS ANGELES, July 23.—Production at the new Burbank factory of Western States Air-Loc Seat Co. will start July 27, according to Frank D. Rabol, president.

Propaganda Not for Films Says Lesser

(Continued from page 1)
in practical application to putting on the screen,戾 and wholesome stories filled with the drama of everyday life.

“One talks of propaganda pictures to the effect that anti-war pictures could have achieved this end, war would have been out-

lawed years ago.”

Citing a list of films showing the futility and cruelty of war, Lesser said: “Nevertheless part of the world is at war today and still other na-

tions are piling up armaments for future wars.

“I would say that in time of na-

tional crisis the screen could rally to a concerted effort so bring to the public atten-

tion a single subject that there would follow unified national consciousness. But the screen should never be used in such a manner unless there be full knowledge and general approval that it is being used for the good of the nation.

“On such occasion the screen might serve as an advertising medium to get across a point, but when such a crisis has passed anything touching on ad-

vertisement must be eliminated.”

Once the screen is accused of part-

nership, it ceases to be an enter-

tainment medium. Theatres would soon become hotbeds of political dis-

cussion. The solution is to continue to be the greatest of all media of mass entertainment, we must keep theatres free of politics.”

NBC Rejects New Ascap Pact Terms

(Continued from page 1)

licenses, but only on terms which we cooperate,” Trammell’s letter says in part. “Such a move would add materially and unfairly, in our opinion, to the cost of broadcasting and would unbalance the entire system of broadcasting operation. Therefore, without an Ascap license, NBC will be unable to broadcast their music after Dec. 31, 1940.”

Trammell points out in his letter that the problems involved confront not only the network shows but also local programs, “whether live or transcribed, which are broadcast over NBC managed and operated stations.”

He asserts that NBC will have available after Jan. 1 the music catalogues of Broadcast Music, Inc., Society of European Stage Authors and Composers (SESAC), Associated Music Publishers, G. Ricordi & Co., Milan; A. P. Schmidt Co., etc. Schirmer Music Co., Society of Jewish Composers, Publishers and Songwriters, and other concerns and individuals and the music in the public domain.

Delay SLRB Hearing

The State Labor Relations Board hearing involving the Howard Thea-

tre, Brooklyn, scheduled for yester-

day, has been postponed until tomor-

row.
Capital Officials Acclaim ‘Ramparts’

WASHINGTON, July 23.—Opening before an audience representing the top layer of Washington's official, diplomatic, Congressional and newspaper life, "The Ramparts We Watch," the half-penny, R. E. Broderick, has got off to a bullheaded and acclaimed world premiere at RKO Keith's Theatre here tonight.

Despite the 90 degree heat which so handicapped Washington for several days, the invitations of Time and Life and the New York Post were immediately accepted by the Treasury and Mrs. Morgenthau, Attorney General and Mrs. Jackson, Secretary of the Navy Frank Knox, Assistant Attorney General and Mrs. Thurman Arnold, Assistant Secretary of War Louis Johnson, Senator and Mrs. Carter Glass of Virginia, Senator and Mrs. Morris Sheppard of Texas, Senator and Mrs. Norris of Nebraska, Senator Vand of Iowa, Senator Hatch of New Mexico, Hayden of Arizona and Hill of Alabama.

The film was re-activated by the Australian Minister and Mrs. Richard Casey, among others, and several hundred Washington correspondents attended, including Sir Willmott Lewis of the London Times and Lady Lewis. Representative Joseph Martin of Massachusetts headed the Congressional delegation.

A number of ranking Army and Navy officials were present, including Rear Admiral Adolphus Andrews, Rear Admiral George Pettengill, and Admirals Hanging, John Towers; General H. H. Arnold, Major General Thomas Holcomb, General Peyton C. Knox, General G. C. Marshall, General G. V. Strong and General E. M. Watson.

"Ramparts" Preview Here

The preview of "The Ramparts We Watch," March of Time-RKO feature, will be held tonight in the Grand Ballroom of the Waldorf-Astoria Hotel, with members of the New York Bar and Life magazines as hosts. Civic leaders are expected to attend. Mayor F. H. LaGuardia has been invited.

Coast Flashes

HOLLYWOOD, July 23.—"Don Quixote," from the Cervantes novel, will be the next film for Frank Capra and Robert Riskin, they announced today. While release is not definitely set, Warners, which will release "Meet John Doe," Capra-Riskin film now in work, will probably get the picture.

Twentieth Century-Fox today extended the contracts of Henry Fonda, Binnie Barnes and George Montgomery, and signed Joan Bennett to do two pictures a year.

Constance Bennett today was signed by Robert Sherwood for the feminine lead in "Legacy," opposite Warner Baxter, for Columbia release.

Plans Travel Series

Walter Biolo of Atlas Film Exchange, Inc., is preparing a series of "Travelkades" in color, to be superseded by Jack Kemp.

Golden Will Tour Monograph Offices

Edward A. Golden, general sales manager of Monograph, in Jacksonville attending the meeting of the Southern Theatre Owners Association, left there last night to preside over a series of regional sales meetings.

On Saturday he will attend a meeting in Atlanta, then return to New York for a week. On Aug. 2, he will leave for Albany, Buffalo and Cleveland. During the week of Aug. 4, he will cover Detroit, Chicago and Milwaukee, followed by Des Moines, Minneapolis and St. Paul in the week of Aug. 18. Later he will visit the far West and Midwestern cities, planning to complete the tour of branches by the first week in September.

Ivens and Ferno Sue N. Y. U. on Contract

An action for breach of contract in connection with the production of documentary films was filed in N. Y. Supreme Court yesterday against New York University and the Alfred P. Sloan Foundation by Joris Ivens and John Ferno, producers of films, according to Fieltin & Meyers, attorneys for the plaintiffs.

The action seeks no damages but asks for judgments amounting to approximately $20,000. It charges that after the two had started work on a film picturing the possible development of new industries and another on the agricultural surplus problem, they were ordered to abandon the work.

The reason given, according to the complaint, was that the Sloan Foundation had discontinued production funds.

British Ticket Tax Effective on Oct. 6. To Raise 15 Million

LONDON, July 23.—The new fiscal year war budget, introduced today by the Chancellor of the Exchequer, includes an all-around increase in the entertainment tax, effective Oct. 6. It is expected to yield an extra £4,000,000 ($15,000,000) annually, of which film theatres is expected to contribute about £3,500,000.

An entirely new scale, starting with half-penny seats, will have between three pence, half-penny and five pence, brings into the taxable category the cheaper-priced tickets, which hitherto were not tax free.

The new tax plan follows the conversations of the Government tax of- ficers with the Cinematograph Exhibitors Association recently, and will make admission increases necessary. Exhibitors, while they fought hard against the proposed new tax, are accepting the new tax scale as inevitable, and are grateful for the concession which exempt two-pence admissions from the tax.

Exhibitor units will meet shortly to arrange admission increases. The sixpenny seat, a contention of the adminis- trator, is expected to be raised to nine pence in many districts. Under the new scale, a sixpenny admission for a halfpenny seat would pay three farthings for a nine-penny seat would pay sixpence, for a shilling seat, fourpence tax, and so on.

Fred Lange Coming Here from Europe

Fred Lange, Continental European manager for the Cinematograph Exhibitors Association, is arriving at the beginning of next month in the temporary headquarters at Barcelona. He will leave by Clipper as soon as arrangements are completed.

Lange, 23 years of age, is the son of Mr. and Mrs. Frank Capra and Robert Riskin, they announced today. While release is not definitely set, Warners, which will release "Meet John Doe," Capra-Riskin film now in work, will probably get the picture.

Twentieth Century-Fox today extended the contracts of Henry Fonda, Binnie Barnes and George Montgomery, and signed Joan Bennett to do two pictures a year.

Constance Bennett today was signed by Robert Sherwood for the feminine lead in "Legacy," opposite Warner Baxter, for Columbia release.

Plans Travel Series

Walter Biolo of Atlas Film Exchange, Inc., is preparing a series of "Travelkades" in color, to be superseded by Jack Kemp.
Los Angeles: July 23.—No theatre succeeded in reaching average business in an unusually dull week here. "My Favorite Wife" and "Beyond Tomorrow," both with $3,500 at the Hillstreet and $6,000 at the Pantages.

Estimated takings for the week ending July 17:

- "All This and Heaven Too" (W. B.) 47/4-25c 7 days, Gross $11,500, (Average, $17,200).
- "Maryland" (20th-Fox) CHINESE—(25c) (30-75c) 7 days, Gross $10,500, (Average, $12,000).
- "Our Town" (U. A.) 4 STAR—(96-95c) 4 days, week, Gross $11,000, (Average, $17,000).
- "My Favorite Wife" (RKO) "Broken Tomorrow" (RKO) HILLSTREET—(27c) (65c-75c) 7 days, Gross $12,500, (Average, $14,000).
- "Maryland" (20th-Fox) CHINESE—(30c) 7 days, Gross $15,000, (Average, $18,000).
- "The Ghost Breakers" (Par) CHINESE—(25c) PARAMUS—I DON’T CARE (35c-45c) 7 days, week, Stage F. & 8, revue, Rita Ross, A. B. Blake, Gross: $14,000, (Average, $18,000).
- "My Love Came Back" (W. B.) "Murder in the Air" (W. B.) WARNER’S—I DON’T CARE (HOLLYWOOD—(30c) 7 days, Gross: $9,500, (Average, $12,000).
- "Murder in the Air" (W. B.) WARNER BRO’S. DOWNTOWN—(45c) 7 days, Gross: $9,000, (Average, $12,000).

‘Love,’ Hope Show $13,000 K.C. Smash

Kansas City, July 23.—Bob Hope and his show in a one-day appearance at the Newman drew half the week’s $13,000 show. $6,700 was the gross for the Esquire and Uptown, making his total earnings for the week ending July 17:

- "Maryland" (20th-Fox) ESQUIRE—(20c) (30c-45c) 7 days, Gross $3,000, (Average, $4200).
- "Quo Vadis?" (M-G-M) MIDLAND—(35c) 7 days, Gross $3,500, (Average, $490).
- "My Love Came Back" (W. B.) WARNER BRO’S. DOWNTOWN—(40c) 7 days, Stage F. & 8, 10 cts. Gross $2,500, (Average, $370).
- "My Love Came Back" (W. B.) WARNER BRO’S. DOWNTOWN—(45c) 7 days, Gross $2,000, (Average, $280).
- "Murder in the Air" (W. B.) WARNER BRO’S. DOWNTOWN—(45c) 7 days, Stage F. & 8, 10 cts Gross $2,000, (Average, $280).

Hirliman Ready for Florida Production

Miami, July 21.—Contracts have been signed by George A. Hirliman, president of the George Hirliman Co. of New York and Hollywood, for the production of Florida pictures by Coloni- nate Pictures Corp., Coral Gables, with work to begin immediately.

The first picture, "Adolescence," from an original story by Lawrence Meade, will star Leon Janney and Eleanor Hunt.

Name Writers Signed by Republic in Expansion

HOLLYWOOD, July 23.—Republic, in advancing the costs of the production under a program worked out by Herbert J. Yates and M. J. Siegel, is signing some writers to prepare screenplays for its forthcoming pictures. So will be Ford C. Frankfurter, noted as comedy writers, are doing comedy sequences for "Hit Parade," the script of which is being done by Beacham and J. R. Sullivan; and P. G. Wodehouse, noted as comedy writers, are doing comedy sequences for "Hit Parade," the script of which is being done by Beacham and J. R. Sullivan; and P. G. Wodehouse.

Those multiple contracts of Orson Welles, James Gleason and others were signed. He has used more than 250 topped them all. He wrote the original story and screenplay for "Be- the real thing in Paramount's "The Round-Up," Harry Sherman pic- turization of the famous play. RKO has changed the role of "Waltz Man" to "I'm Still Alive." Because of the ad libbing of Rosalind Russell and Robert Benchley, in the script of the film, Toller's "Hired Wife" at Universal are constantly being made on the set. The story of the film, directed by John LeRoy Johnston, is in the Glendale Sanitarium following an operation for a stomach ailment. "Gloria" "Yates", written and directed by the first woman to be guest of honor at a Masquers Club testimonial din- ner. The date is July 24. The chairman of the dinner committee.

LINDA WINTERS has been announced as ORSON WELLES' leading woman in RKO's "Citizen Kane." GERALDINE FERRARO has been cast as star billing with GEORGE RAFT in WARNERS' "Star of Africa." JOE YULE, father of JOEY MOODY, has this week finished as lead under JACQUES DEVAL. French playwright, has been signed by Ernest Lubitsch, director. The script is done by "The King of New York," written MEERLE OBERROX and MELLY DUGAN. DOUGLAS is playing opposite MYRNA Loy in M-G-M's "Third Finger, Left Hand." "Too Much, Too Many" has been signed by "The Fabulous Thirties" is being prepared as a vehicle for JAMES CAGNEY and HUMPHREY BOGART at Warner. RAGU WASH, who directed "The Thirty Nineteen," will direct this. GROVER JOHNSON will do the screen- play for Paramount's "Shepherd of the Hills," which HENRY HATHAWAY will direct in color. CHARLES BICKFORD and IRENE RICH have been signed by SCOTT R. DUSLAP for the leads in "Helen of Troy," the story of the war that became the history of the world. "Irene of the Yukon," JACOBS STORY.

Outsider' Release Set

SEATTLE, July 23.—Seattle Film Row Employees, local B-21, elected officers for the ensuing year as fol- lows: president, Phil Haber; vice- president, Carl Oberley; business agent, Robert Stauberry; secretary, Archie Johnson; treasurer, Carol Brown; Central Labor Council delegate, Ted Blaik; board members, Pat Madigan and Bernice Cadwaller; sergeant-at-arms, Tony Silvagno.

Seattle Union Elects

Seattle, July 23.—Seattle Film Row Employees, local B-21, elected officers for the ensuing year as fol- lows: president, Phil Haber; vice- president, Carl Oberley; business agent, Robert Stauberry; secretary, Archie Johnson; treasurer, Carol Brown; Central Labor Council delegate, Ted Blaik; board members, Pat Madigan and Bernice Cadwaller; sergeant-at-arms, Tony Silvagno.

Studio Work Increases to 41 New Films

HOLLYWOOD, July 23.—The number of pictures this week before the camera increased to 41, nine more than last week, as 16 started and seven were finished. Nineteen are being prepared and 27 are being edited.

The tally by studios:

Columbia


- Finished: untitled Range Busters westerns. Started: "Queen of the Yukon." Paramount


- In Work: "Roadshow." Edward Small

- In Work: "The Son of Monte Cristo." 20th-Century-Fox


At the conclusion of the first half of the Motion Picture Baseball League season, Consolidated Films Industries have finished the first place, each having won six games and lost one. Rockefeller Center, NBC, Squares, M-G-M, International Projector and Universal follow in that order.
"WE THANK YOU FOR YOUR REMINDER FOR THE SUBSCRIPTION TO THE MOTION PICTURE HERALD FOR THE YEAR ENDING DECEMBER 1940, AND ARE GLAD TO REMIT HEREWITH CHECK NO. XE 775912 ON THOS. COOK & SON (BANKERS) LTD., NEW YORK, FOR $10.00, PAYABLE TO YOUR ORDER IN SETTLEMENT THEREOF. THE HERALD HAS REGULARLY REACHED US TO DATE."

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

MOTION PICTURE HERALD
ROCKEFELLER CENTER NEW YORK
Sales of Time Showed 10.3% Gain for 1939

WASHINGTON, July 23.—A 10.3 per cent increase in time sales by radio stations in 1939 as compared with the year before was reported today by the Federal Communications Commission.

Analysis of returns filed by the three major networks and 700 independent stations showed sales for the year of $128,468,022, against $117,379,459 in 1938.

Total broadcast expenses of the industry were $99,789,920, or 7.9 per cent over the $92,563,594 reported for 1938.

The commission pointed out that while the networks and their 23 affiliated stations had $91,541 per cent of the total business of the year, their proportion of the net business (after deduction of commissions and amounts due independent stations for net broadcasting) was 8.2 per cent. Time sales during the year involved commission payments of $17,405,414 against $16,497,200 in 1938.

The report showed time sales of the major chains were $61,120,797 against $55,114,258 in 1938; national non-network sales, $30,472,035 against $28,109,185; local time sales, $36,815,770 against $33,402,801, and regional network sales $869,628 against $753,215. The national chains, in addition, had 2,131,114 for network broadcasts over Canadian and other extra-territorial stations.

To Quiz Siegel in Infringement Suit

M. J. Siegel, president of Republic Pictures; Wells Root, E. E. Pasmore, Jan Fortune and Harold Stoumate, script writers, were ordered yesterday by Federal Judge John Clancy to show cause why the defendants should not be tried in Los Angeles on July 31 in connection with the infringement of M.J. Siegel’s copyrighted play. The suit seeks an injunction and an accounting, claiming that James’ biography of Sam Houston, “The Raven,” was plagiarized in the film “Man of Conquest.”

Drop Italian Films

SAN FRANCISCO, July 23 — The foreign language theatres, Larkin and Clay, which recently dropped all German and Russian films, and have now sales of $1,111,114 for network broadcasts over Canadian and other extra-territorial stations.

Off the Antenna

BUSINESS CHEER: Last month WHO enjoyed an increase of 7.5 per cent in commercial sales over June 1939, according to Eugene S. Thomas, sales manager for the station. A total of 328 hours and 46 minutes were sold last month as compared with 305 hours and 48 minutes for the period last year.

New basic broadcasting rates of WHN, which became effective Aug. 30, will call for a raise in the hour rate from $450 to $530. The half hour rate is set at $330, the quarter hour rate at $220 and five minutes at $110. The rates decrease proportionately with the number of broadcasts.

Program News: Elliott Roosevelt’s discussions on current events, heard three times weekly over WMCA, have been renewed for 39 weeks beginning July 20. Sponsored by Dr. Lyon Todd Foundation, the commentaries are recorded in Texas, sent here by air and heard from the New York station. Blackett, Sump & Hurnalt handles the account. The Lutheran Hour, handled by Dr. Walter A. Metz, will return Oct. 27 to 112 stations of the Mutual network.

The New World, 20th Century-Fox’s new series, will have its premiere set at $117,379,459 in 1938.

Purely Personal: Robert I. Garber, formerly with the New York Journal, and more recently with Title magazine, joins the WOR sales department. His new address is 10 West 42nd St., New York City.

The Red Cross will benefit from a baseball game tonight in Newark between the Newark Bears and the Toronto Maple Leafs, to be broadcast by Earl Harper over WNEW exclusively. The opening ceremonies will be participated in by Mayor Keating and other celebrities.

Numerous radio personalities will be heard from the Fair on all networks on Broadcasting Day, Aug. 3, including Rudy Vallee, Major Edward Bowes, Kate Smith, Lowell Thomas, James Melton, Frances White, Tommy Dorsey, Gertrude Berg, Colonel Stoopnagle, Phil Cook, Lanny Ross, H. V. Kaltenborn, and Dorothy Gordon.

20th-Fox Sets ‘Indiana’

Hollywood, July 23.—Twentieth-Century-Fox plans to produce “Indiana” as a high budget feature in color, with Brenda Joyce, John Payne, and Walter Brennan heading the cast, as they did in “Maryland.” Henry King will direct.

Bank Night’s Gross in 1936

$770,558, Tax Case Shows

WASHINGTON, July 23.—Starting in 1934 with a borrowed capital of $800,000, the Bank Night, which did a gross business in that year of $116,892, took in an income of $70,558 in 1936 and probably a much larger sum in the same year of 1937, just before it was outlawed by the Post Office Department as a lottery, it was disclosed today by the U.S. Circuit Court of Tax Appeals.

Figures on the business of the theatre were revealed by the Board in its report to the Internal Revenue Service against Allied Enterprises, Inc., and the Commissioner of Internal Revenue, showing that the company involved a tax deficiency of $60,540.

Of the 1936 income, it was shown, $755,573 was derived from the $5 and $10 per week license fees paid by theatres, and the net income was $390,792.

At this time, the company deducted salaries of $11,700 and $7,800, respectively, for Dr. Clay and Dr. Magee, and Dr. Magee, and Dr. Clay, the president and vice-president of the Twenty-First Century-Fox, respectively, with their salary to be paid as salary to the company.

To Weigh Fleisher Extension

One of the principal measures to be taken by the Guild in this connection will be the extension of the services of Sidney R. Fleisher, at present film negotiator for dramatists to all members of the League. Thus, magazine and book writers who sell their stories to Hollywood will also be covered by the new office and it is expected that the bargaining powers will be greatly increased.

At first, use of Fleisher’s services will be optional to the authors but eventually it is planned to compel them to negotiate through him as in the case of dramatists who have long run three weeks or more.

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Electric Radios in 9 of 10 Farm Homes

Washington, July 23.—Nearly nine out of every 10 farm homes on electric lines farmed by the Rural Electriﬁcation Administration have electric radio receivers, and more such homes have radios than have any other form of electrical appliance, it was reported today by REA Administrator.

A questionnaire investigation of 48,000 families served by REA R.E.A.-ﬁnanced systems in 10 states showed that 87.5 per cent have non-battery radios, as compared with 84.5 per cent for electric ceiling fans and 55.3 per cent having washing machines, the next two most popular appliances.

Writers Want Sequel Rights

On Pictures

An intensiﬁed campaign to secure sequel rights for dramatists and authors who furnish material for motion pictures controlled by the Dramatists Guild soon after Labor Day, it is learned.

The Guild contends that authors who are entitled to additional payment in the event more than one production is made based on the same ﬁctional creation.

Tarkington Test in October

A test suit in the matter, brought by E. H. Tarkington against Warner’s for use of the character “Penrod” in a series, is due for trial in N. Y. Supreme Court in October. Although an injunction was expected to come from the courts until the Spring of 1941, the Guild and its parent body, the Authors League of America, are preparing for a battle to obtain sequel rights by special provisions in contracts with film companies.
CANCELLATION
Preferred by
Theatre Men

Kaykendall Says Decree
Terms Not Feasible

- Exhibitor protests against the terms of the proposed consent decree in the Government's New York anti-trust suit were voiced yesterday by Ed Kaykendall, president of the M.P.T.O.A., Max A. Cohen, president of Allied of New York, new M.P.T.O.A. affiliate, and M. A. Kaplan, head of Malco Theatres, Memphis, a Paramount partner.

Kaykendall declared: "Any attempt by consent decree to force the selling of pictures in blocks of five without a cancellation privilege will work a serious hardship on exhibitors, especially the small independent, and will destroy what M.P.T.O.A. has fought years to attain."

"All thinking exhibitors, regardless of their affiliations, will join us in this."

Kaykendall added: "The vast majority of theatre owners, such as we speak for, are entitled to consideration as to this consent decree and will demand it."

A resolution adopted by the convention of the Southeastern T.O.A. in Jacksonville, Fla., this week reflected this same stand.

Cohen said that theatre owners are entitled to consideration in the decree

(Continued on page 8)

COAST FLASHES

HOLLYWOOD, July 24—Dary
ryl F. Zanuck, production chief
of 20th Century-Fox, today an
ounced plans for a preview of "Brig
"Young" in Kansas City within
three weeks. Fifty leading exhibitors
will be flown there to see the film and
co-operate in formulating the sales
policy and exploitation campaign.
Herman Wobber, general sales
manager, will lead the Eastern delega-
tion, and Zanuck, Kenneth MacGowan
and Director Henry Hathaway the
Coast group attending.

Samuel Goldwyn today donated
an ambulance to the British Ambulance
Service through Ambassador Joseph P.
Kennedy.

Richard Greene, 20th Century-Fox
player, will leave Sunday for Van-
couver to enlist in the British Army.

PARAMOUNT HOLDS KEY
TO CONSENT DECREE

Hearing Today on
Wage Definitions
For Screen, Radio

WASHINGTON, July 24—Representa-
tives of the motion picture and radio
industries tomorrow are expected to lay
before wage-hour division officials
recommendations for new definitions of
executive, administrative and pro-
essional workers under the Fair La-
bour Standards Act.

A hearing at which both these and
other industries will be given an oppor-
tunity to express their views will
conclude an investigation initiated several
months ago, following complaints that
the definitions as laid down by former
Administrator Elmer F. Andrews were so
broad as to cover many high-
salaried employees performing execu-
tive, administrative or professional
 tasks, although not classified as offic-
als by their companies.

The production branch of the film
industry was particularly hard hit by
the Andrews definitions, adopted after

(Continued on page 8)

Max Cohen to Speak
At Rich Testimonial

Max A. Cohen, head of the Cinema
Circuit and president of Allied of
New York, will be a principal speak-
at a testimonial dinner to be given
in Charles Rich, Buffalo branch man-
ager for 20th Century-Fox, in Buf-
falo Monday night.

PRODUCT NEED IN OCCUPIED AREAS
May Open Way for U. S. Pictures

The market for American films in European territories seized
by the Nazis may open shortly, at least to an extent, in the opinion
of an American motion picture executive recently returned from
the Continent.

This belief is based on the executive's understanding that the
Germans are particularly interested in keeping theatres open in
the occupied territories, and they cannot do so with German prod-
uct alone. With virtually none other available, they will be forced
to turn to American pictures.

Exhibition of American films never ceased in the French un-
occupied territory. The ban on all but Dutch and German pic-
tures in the Netherlands, decreed by the Nazis yesterday, is ex-
plained here as being a restrictive measure against the active re-
sentment of the Dutch to the Nazi occupation.

THEATRE PARTNERS STAND FAST IN THEIR OBJEC-
TIONS; COMPANY CHIEFS AND
GOVERNMENT MEET TODAY

Paramount today held the fate of the consent decree negotiations
in settlement of the Government's New York anti-trust suit, trade
authorities believe.

The company's theatre operating partners have unanimously voted
that their objections to Sections 1, 3 and 6 of the tentative draft of
the decree must be sustained. These sections cover advance trade showings,
sales of films in units of five, and discrimination.

The Paramount partners are using their full powers of persuasion
to have these sections modified or thrown out. Some of the partners
have declared they believe the Department of Justice by such a con-
sent decree is attempting to substitute "court supervision" for "congressional regulation."

The partners are standing fast on their ground that the proposed decree
is a "distributors' decree" and that it must, therefore, be amended.

Under the circumstances, accord-
ing to home office spokes-
men, Paramount has only three avenues of action:
1. To accept the partners' views and urge acceptance by the negotiators.
2. To withdraw from the discussions, if this fails.
3. To ignore the partners' action.

Distributor representatives assert that if Paramount should with-
draw from the discussions, the parlies will collapse and the fate of the consent decree
will be sealed.

The partners are not pinning much hope, according to several of them.

EXECUTIVES PONDER

Executives of the various theatre
allies of the major
companies yesterday held separate meetings for study
and discussion of the tenta-
otive draft of the consent de-
cree. They were, individually,
to report their findings to
their distributor-producer af-
liates so that their objec-
tions can be taken up today
at the meeting between the
negotiators for the compa-
ies and the Government
lawyers.
G.T.E. Three-Month Net Up to $195,667

General Theatres Equipment Corp. and subsidiaries, excluding Cinemat Building Corp., report consolidated profit for the three months ended June 30, 1940, of $195,667, after provision for depreciation and estimated Federal income tax. The net compares with $182,686 for the corresponding period in 1939.

For the first six months of the current year, consolidated net profit was $403,318, compared with $328,220 for the same half of 1939. For June 30, last year, the company had 592,297 shares of capital stock outstanding; compared with 597,247 on June 30, 1939.

Seek Bioff Release

In Federal Court

CHICAGO, July 24—Walter Butler, attorney for William Bioff, declared Bioff “has been unjustly and unfairly denied his day in court” in a brief filed in Federal Court. This is a new effort to obtain the Coast I.A.T.S.E. leader’s release from jail, where he is serving a six-months sentence on an old charge.

Butler applied to the Federal court after exhausting all state court efforts, by “a last resort to protect Bioff’s Constitutional rights.” A decision by Judge William Holly is expected shortly.

Hold Burditt Rites

TORONTO, July 24—Funeral services were held here yesterday for Stanley Burditt, manager of the Temple Theatre, Windsor, who died suddenly.

Don’t let this happen to you

(M-G-M hit starring GREER CARSON & LAURENCE OLIVIER)

Soon!

NAME STITT AD HEAD FOR UNITED DETROIT

DETROIT, July 24—Ralph Stitt has been appointed advertising and publicity director of United Detroit Theatres, Paramount affiliate here, of which Earl J. Hudson is general manager. Stitt, who is still Paramount some years ago, most recently was with the Minnesota Amusement Co.

D’ALTONS TO OPEN IN KANSAS CITY

COFFEEVILLE, Kan., July 24—Universal’s “When the Daltons Rode—”, now in second week, will open in Coffeewall, and "D’Altons," starring Al Lewis in his last film, will be shown at the Midland and TACKETT theatres.

A Coast delegation will include Andy Devine, Frank Albertson, Connie Moore, and Joysand, premiere here to-morrow, in the heart of the country where the notorious outlaws carried on their activities. The film will be shown at the Midland and Tackett theatres.

5000000 new holdings

Widman,額；2576152, former head of the domestic affairs division, has purchased the holdings of Thomas D. Durrell and Frederick L. Elman, both of New York, directors of Durrell & Elman, and the latter held 800 shares of common and 75 shares of preferred, when the company’s registration became effective June 16. Another report showed that George J. Bowick, New York, held no Pathe Film stock at the time he became an officer on June 3.

F.R. Redman Dead

FRANK E. REDMAN, 61, chief property man for Famous Players-Lasky and Paramount, at Fil. Lee, N. J., yesterday, died yesterday in the Englewood, N. J. hospital. He was employed currently at Eastern Service Studios.

JEAN MURAT HEEL

Jean Murat, French film actor, has arrived from Europe, and will visit Arthur Loew, vice-president in charge of Loew’s foreign distribution, at his home, Glen Cove, L. I., home.

Personal Mention

F. J. A. McCARTHY, Eastern sales manager for Universal, left for Boston yesterday with JULES LATRITUDE, Eastern district manager.

JACK LEVEL of the RKO publicity department is substituting as editor of the Flash, company house organ, while Harry Gittelston is vacationing.

C. W. ALEXANDER, assistant cashier at the Paramount home office, returns home with Mrs. Alexander from a 12-day Southern cruise on the Santa Rosa.

MEREDITH EVISON, Des Moines Columbia exchange manager, was called to Minneapolis this week by the death of his mother.

EMIL FRANKE, manager of the RKO Orpheum in Des Moines, and Mrs. Franke will leave this weekend for a two-week vacation in the East.

SAM FOGGSON of the M-G-M advertising department has returned from Mechanicsville, N. Y., and a visit to the mills of the West Virginia Paper Co. as an award extended to the honor member of the class in Graphic Arts conducted by the N. Y. Printing Association.

DAVE BARCHER of Watters advertising department in Cleveland, is the World’s Fair visitor.

C. L. HOLLISTER of the Temple and State, Wessellsville, N. Y., is in town.

ALFRED N. SACK of Sack Amusement Enterprises, Dallas, is in town to buy new product.

CHARLES MACDONALD RKO Theatres division manager in New York, is due today from a 12-day cruise on the Santa Rosa in Southern waters.

MARTIN MOSKOWITZ, J. J. MILSTEIN, Joseph Pincus and AL YOUNG at Lindy’s (51st St.) yesterday for lunch.

JOSEPH VOGL, MARY SCHENCK, Sol. Edwards and Eugene Piccir lunching at Lindy’s (next to the Rivoli) yesterday.

LOUIS J. BARRANO, MAURICE BERGMAN, EMANUEL SILVERSTONE, ARTHUR MAYER, JAMES MULVEY, JOSEPH MCCONVILLE, ALAN BOWDEN, TAY HUNTER, HARRY GERTZ, HARRY ARTHUR and PAT ROONEY lunching at the Tavern yesterday.

Boris Kaplan, Charles Sonin, Arthur Low, JOHNNY HERTZ, Jr., COFFY, LYLE TALOR and AL LEWIS at Sardi’s yesterday for lunch.

HOWARD DIETZ, IRVING BERLIN, CHARLES E. MCCARTHY, ED SAUNDERS, CHARLES CASANAVE, SOL BORNSTEIN, TED O’Shea and TOM CONNOR at Nick’s Hunting Room in the Astor for lunch yesterday.

M. A. LIGHTMAN, head of Malco Theatres, will leave for Memphis today.

MARTIN MULLEN, SAM PENDRICK, NATE GOLDSTEIN and HUNTER PERRY arrived in New York yesterday.

MARGERY ARMS, Boston Globe film critic, is visiting Hollywood.

Seek Bioff Release

In Federal Court

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Hold Burditt Rites

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Hollywood Review

“The Villain Still Pursued Her” (RKO)

Hollywood, July 24.—One of the most unusual pieces of entertainment ever to be presented on the screen is RKO’s “The Villain Still Pursued Her,” which marks Harold B. Franklin’s return to the production field. In this filmization of the old anti-liquor play, “The Fallen Savages,” the dialogue and the direction are harlequins. The characters give stage “asides” to the audience, and the patrons are invited to hiss and boo the villain and cheer the forces of righteousness.

Thus it opens up many avenues to novel exploitation campaigns, and is the only thing outside of the “community sing” shorts that at present encourage audience participation.

Anita Louise is the sweet young girl who marries Richard Cromwell, wealthy youth hired to drink by his dryish attorney, Alan Mowbray. Hugh Herbert is the phlegmatist who effects drunk cures. Others who effects drunk cures. Others

Running time, 60 minutes. “G”

“G” denotes general classification.

1,500 See ‘Ramparts’ At Preview Here

About 1,500 invited guests last night attended the special preview of “The Ramparts We Watch” as guests of March of Time and RKO in the grand ballroom of the Waldorf-Astoria Hotel, followed by a reception in the Empire Room.

Among those present were Jules Bannen, president of the March of Time, Warburg, Laurence Rockefeller, William Mallard, James Rowland Angell, Col. Julius Odch Adler, Boake Carter, Morris Ernst, John Beaus, representatives of RKO and March of Time and the Army and Navy.


Court Reinstates Reade-Justin Pool

Newark, July 24.—Vice-Chancellor Darrow, following the order of the pool and booking arrangement between Walter Read and the Justin-Jacks interests in Morris- ton theatres, as a result of the action by Lester G. Justin and Morris H. Jacks to compel RKO and his American Communities to fulfill the contract entered into by these parties in 1937. They claimed Read had breached the arrangement. Justin and Jacks operate the Jersey and Park Theatres in Morristown and Reade has the Community. Under the Chancellor’s decision, the pooling arrangements is in status quo.

Louis Nizer of the law firm of Phillips & Nizer and David Willenste, Newark attorney, represented Justin and Jacks.

RKO to Open Loop Palace With Double

Chicago, July 24.—The opening program at the RKO Palace here, which will reopen on Aug. 1 as the local first run for the circuit, has been changed to a double bill, “When the Daltons Rode” and “Private Affair,” instead of the single feature originally planned.

Thomas Gormao, RKO circuit district manager here, disclosed the change. The house has been closed for 10 weeks and originally was scheduled to reopen this Friday.

Jersey Allied Plays Golf

About 70 exhibitors and exchange representatives participated in the New Jersey Allied outing and golf tournament yesterday at West End, N. J. Dinner followed at the Hollywood Hotel. Routine matters were discussed at an informal membership meeting, Lee Newby presiding.

Acquires Coast Theatre

Caldigos, Cal., July 24.—The Playhouse Theatre has been taken over by G. W. Page.

Para. Holds Key to Pact Settling Suit

(Continued from page 1)

number, on getting Paramount to cancel from the consent decree negotiations. First: Because that wouldn’t solve their problem or help to get the changes which they believe are necessary in the drafted proposals.

Second: Because the partners believe there will be too much other distributor pressure brought upon Paramount for it to withdraw.

The partners believe that exhibitors should have a voice in the future negotiations.

Some of the partners feel that a trade practice proven to be discriminatory by all industry elements and including an enforceable arbitration provision is preferable to the tentative draft.

The partners’ objections may be presented today by Paramount when the negotiators meet with Government lawyers. The meeting scheduled with the Government attorneys for yesterday was postponed until today at Paramount’s request, it is said.

Exhibitors Prefer Cancellation Right

(Continued from page 1)

negotiations and either should be consulted or given representation at the meeting which is critical of the reliability of the Department of Justice on the advice of Allied States officials.

Lightman, former M.P.T.O.A. president, said that the block-of-five proposal takes exhibition backward 20 years.

“We fought for a 20 per cent cancellation,” he said. “Now that we have this block-with-five proposal, they propose taking it away from us.”

Lightman said he was “unilaterally opposed” to the block-of-five sales proposal.

An earlier demand for exhibitor representation in the consent decree negotiations was made by the Pacific Coast Conference of Independent Theatre Owners and rebuffed by the Department of Justice.

Department representatives here, queried yesterday, took the stand that exhibitors are not entitled in the suit; that they are engaged in intra-state, rather than interstate, business, and therefore are not subject to Federal regulation; that the only way of bringing about desired changes in exhibition is through regulation of distribution.

Reminded that Department officials have stated that Allied will be considered a defendant in the suit, the attorneys said that was because of Allied’s active interest in the case at hand and that it furnished the Government with numerous complaining witnesses.

Reopen Miami Lincoln

Miami, July 24.—The Lincoln has reopened after remodeling.

Parts of Decree Found Impractical

(Continued from page 1)

and foreign-made films, is prohibited, and subject to arbitration.

An exhibitor may cancel any group of pictures or any picture which is offensive to moral, religious or racial grounds in the locality served. He must give written notice of such cancellation. Notice must be mailed to the distributor’s home office not later than seven days after the contract has been cancelled. This right to cancel is subject to arbitration.

Section 6: Discrimination.

(a) Distributors are prohibited from discriminating against wholly independent theatres in favor of competing theatre units. This is subject to arbitration and a violation of the arbitration award makes the exhibitor subject to damages in a final proceeding.

An independent theatre is described as one which is not affiliated by loan buying, stock or other affiliation with a circuit of more than five theatres.
Man! How THEY Are DELIVERING!
RIGHT AFTER 'ATAHT'!...
RIGHT BEFORE 'SEA HAWK'!...
'A Surefire B. O. Bell-Ringer!'
'This Is Definitely A Socko!'
'A Cinch For Profits Anywhere!'
'Decided Boxoffice Fare!'
'It's A Walloping Hit!'

'THEY DRIVE BY NIGHT'

with
GALE PAGE
ALAN HALE
ROSCOE KARNS

Directed by RAOUL WALSH
Screen Play by Jerry Wald and Richard Macaulay + From a Novel by A. I. Bezerides
A Warner Bros.-First National Picture

JACK L. WARNER In Charge of Production
<table>
<thead>
<tr>
<th>Date</th>
<th>Film/Actor(s)</th>
<th>Studio</th>
<th>Title/Art Director</th>
<th>Length</th>
</tr>
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<tbody>
<tr>
<td>June 28</td>
<td>Return of Wild Bill (O)</td>
<td>M-G-M</td>
<td>Last Alarm</td>
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<tr>
<td></td>
<td>Bill Elliott, Iris Meredith</td>
<td>COLUMBIA</td>
<td>Queen of the Mob</td>
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<td></td>
<td>Nelson Eddy, J. MacDonald</td>
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<td>Carson City Kid</td>
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<td></td>
<td>Andy Hardy</td>
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<td>Way of All Flesh</td>
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<td></td>
<td>Edith Fellows</td>
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<td>Three Faces West</td>
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<td>July 5</td>
<td>Out West With the Peppers</td>
<td>M-G-M</td>
<td>Golden Trail</td>
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<td></td>
<td>Edith Fellows</td>
<td></td>
<td>Tea Ritter</td>
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<td></td>
<td>Andy Hardy, Mickey Rooney, Lents Stone</td>
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<td>Stagecoach</td>
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<td></td>
<td>Debutante</td>
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<td>War (G-O)</td>
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<td>July 12</td>
<td>Military Academy (D)</td>
<td>M-G-M</td>
<td>Haunted House</td>
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<tr>
<td></td>
<td>Tommy Kelly, Bobby Jordan</td>
<td></td>
<td>(D)</td>
<td></td>
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<td></td>
<td>Lorna Turner</td>
<td></td>
<td>Haunted House</td>
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<td></td>
<td>John Sheldon</td>
<td></td>
<td>Haunted House</td>
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<td>July 19</td>
<td>Blondie Has Servant Trouble (C)</td>
<td>COLUMBIA</td>
<td>Pride and Prejudice</td>
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<td></td>
<td>Singleton-Lake</td>
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<td>Pride and Prejudice</td>
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<tr>
<td>Aug  2</td>
<td>The Lady in Question (D)</td>
<td>M-G-M</td>
<td>Boys of the City</td>
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<tr>
<td></td>
<td>Brian Aherne</td>
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<td>Boys of the City</td>
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<tr>
<td>Aug  9</td>
<td>The Durango Kid (O)</td>
<td>COLUMBIA</td>
<td>Orphans of the North</td>
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<td>I Love You Again</td>
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<td>(D)</td>
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<td>Aug 16</td>
<td>The Secret Seven (D)</td>
<td>M-G-M</td>
<td>Golden Gloves</td>
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<td></td>
<td>Loretta Young, Melvyn Douglas</td>
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<td>(D)</td>
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<td>Aug 23</td>
<td>I Stayed for Breakfast (C)</td>
<td>COLUMBIA</td>
<td>Doomed to Die</td>
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<td></td>
<td>Lauren Young</td>
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<td>Chamber of Horrors</td>
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<td>Minnelli</td>
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<td>Comin' Round the Mountain</td>
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<td>Aug 30</td>
<td>Five Little Peppers in Trouble (D)</td>
<td>M-G-M</td>
<td>Laughing at Danger</td>
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<td>Edith Fellows</td>
<td></td>
<td>Danger (D)</td>
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<tr>
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<td>Edith Fellows</td>
<td></td>
<td>Range Busters</td>
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<tr>
<td>Sept  6</td>
<td>Wizard of Death (D)</td>
<td>COLUMBIA</td>
<td>Busman's Honeymoon</td>
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<td></td>
<td>Boris Karloff, Evelyn Keyes</td>
<td></td>
<td>(D)</td>
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<tr>
<td>Sept 13</td>
<td>Aldrich Family in Life With Henry (C)</td>
<td>M-G-M</td>
<td>Rhythm on the</td>
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<td></td>
<td>Jackie Cooper</td>
<td></td>
<td>River (M)</td>
<td></td>
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**Variety... Color... Production Value... that's Paramount Shorts**

**July 12 Grantland Rice Spotlight**

**July 19 Color Classic Cartoon**

**July 26 Stone Age Cartoon**

**100% Box Office Tested**
"Pride and Prejudice" rip roaring comedy ... plenty of real laughs... Not since 'Goodbye Mr. Chips' has Greer Garson had such a role."

"Delightful... brought to life by one of the finest groups of characterizations in recent memory. The production by Hunt Stromberg is truly magnificent; the direction by Robert Z. Leonard marked with adroit master craftsmanship... Due for considerable boxoffice attention... Greer Garson exquisite."

"Audiences are going to get a real lift out of this M-G-M production... Greer Garson's first real opportunity since 'Goodbye Mr. Chips.' Olivier in excellent form."

"Handsome production... acted with consummate skill... performers at their best... Robert Z. Leonard has done a splendid job."

"Splendid entertainment; cast, production and direction topnotch."

"As up-to-the-minute as today... Well done and splendidly acted... Directed with skill."

"Laurence Olivier in a role as impressive as any he has played... This type of comedy should be most welcome and is calculated to please women especially."

"Lavishly mounted picturization of Jane Austen's famed novel."

"Handsomer production... acted with consummate skill... performers at their best... Robert Z. Leonard has done a splendid job."

"Delightful comedy... offers two hours of charming entertainment... Robert Leonard turns out his most brilliant work... Greer Garson demonstrates again her stellar calibre... Laurence Olivier in a role as impressive as any he has played... This type of comedy should be most welcome and is calculated to please women especially."

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"The cast guarantees good representation at the boxoffice."

"Lox Angeles Times"

"The Exhibitor"

"Delightful comedy... offers two hours of charming entertainment... Robert Leonard turns out his most brilliant work... Greer Garson demonstrates again her stellar calibre... Laurence Olivier in a role as impressive as any he has played... This type of comedy should be most welcome and is calculated to please women especially."

"Audiences are going to get a real lift out of this M-G-M production... Greer Garson's first real opportunity since 'Goodbye Mr. Chips.' Olivier in excellent form."

"Laurence Olivier is at his romantic best."

"Lavishly mounted picturization of Jane Austen's famed novel."

"Handsomer production... acted with consummate skill... performers at their best... Robert Z. Leonard has done a splendid job."

"Splendid entertainment; cast, production and direction topnotch."

"Delightful comedy."

"Offers two hours of charming entertainment."

"由于格林·加森的出色表演，以及罗伯特·Z·伦纳德的精妙执导，这部作品无疑为观众带来了一场精彩的娱乐盛宴。"
TO SPEND $2,000,000 ON SHORT WAVE EXPANSION

Washington, July 24—Short wave broadcasters will spend an additional $2,000,000 for more powerful transmitters, Neville Miller, president of the Radio Craftsmen's Union, has informed the Federal Communications Commission in Washington, D.C.

It was indicated that operation costs of the new transmitters would be more than $1,000,000 annually. Applications, now pending with the Federal Communications Commission for increased power, are expected to be heard by the FCC. N.A.R.A. figures show that American short wave stations are broadcasting 13 hours and 19 minutes of news to Latin America every day, chiefly in Spanish, Portuguese and English. This round the clock broadcasting done by all American short wave stations to South America is 440 hours per week.

Former Berlin Leads War Drive by Canadian Theatres

Toronto, July 24.—The best individual record among the 975 Canadian exhibitors who participated in the recent Win the War Campaign which secured $1,000,000 for the Crown, was set by a flight of Canadian films which was made by C. L. Stephenson, manager of the Century in Killarney, Ontario, who turned $10,000, from this one theatre, for the country's war effort.

This was disclosed in a final statement on the week's packed showings for the war campaign, in which the 107 theatres of Toronto raised an average of $1,000 each.

Stephenson succeeded in selling $8,250 worth of War stamps at his 500-seat house, despite the fact that his share of the month's business was because of contributions for purchase of a war tank. He raised $1,000 of this amount by selling his theatre marquee space to an advertiser for 24 hours.

Official莫stating records were made in the campaign. The Strand, St. John, N.B., unit of the Spencer circuit, turned in a gross of $1,100; the Capitol at Ottawa, a Famous Players house, recorded sales of $1,500 for its 2,000 seats. The largest individual purchaser of War stamps is believed to be Finley McRae of Ottawa, who has purchased $3,200 at the Capitol. McRae is a son-in-law of the late Harry Brearley, once a millionaire theatre operator.

Best showing for a small town was made by Chapleau in Northern Ontario, which grossed $800, many on relief. The Regent there, operated by A. Buc- carret, collected $3,000 for its 400 seats.

Twelve New Pictures Approved by Legion

The National Legion of Decency for the current week has approved all of the 12 new films reviewed and cleared for exhibition in 39 weeks. The four new releases are for adults. The new films and their classification follow:


"Out West with the Law in the Motherland, " "Those Were the Days, "You're Not So Tough." Class A-2, Unobjectionable for adults: "Cross Country Romance, "Black Diamonds, "Millionaires in Prison, "We Are Young.""

Credo Loses Plea

Referee John E. Joyce yesterday dismissed the petition of Credo Pictures, Inc., for an arrangement with creditors on the ground that Credo had failed to file a confirmation of the arrangement in the court. The petition for filing was an arraignment filed 3 months ago.

Here Today—A Garage Tomorrow

KANSAS CITY, July 24.—Fred L. Speer, veteran Kansas City press agent, recounts his theatre experience locally, as manager or executive, as follows:

Shubert, now a garage and parking lot; Garden, garbage; Orpheum, parking lot; Globe, parking; Grand Opera House, garage; Gentry, night club; Empress, parking station; Wilks Wood, hotel; Doria, business; Auditorium, storehouse; Royal, store; Majestic, store; Century Missouri, dark.

WOR to Start FM Programs August 1

WOR's frequency modulation broad- casting facilities in New York City begin August 1, with a daily program schedule transmitted over that station's standard channels and over W2XOR, a new FM station.

Scheduled for 8 to 8:30 P.M., the program will open at Studio One, 1440 Broadway, with the WOR Symphony Orchestra, conducted by Dr. Hildago, director of special events at classical music and the new equipment and new studio.

W. C. Shirer is the chief engineer. Alfred J. McCosker, WOR president, also will be heard.

Hearing Today on Wage Definitions

(Continued from page 1)

representatives of the companies had sought futilely to have the administrator make some sort of classification of the employees, and the company claimed they did not require special aptitude, skill or training.

The main result of new definitions promised by Administrator Philip B. Fleming will be to relieve employers of the necessity of paying high salaries to the executive, administrative and professional jobs one-hour regular salary when they work more than 42 hours a week.

Ascap Non-Committal On Attitude of NBC

Ascap officials withheld formal comment yesterday on the letter sent to advertisers and agencies by Niles Trammell, NBC president, advising them that Ascap's new contract terms were not acceptable to the network, and that no Ascap music would be broadcast by it after next Dec. 31. It was said that a statement may be made later.

One Ascap official, however, speaking informally, said: "None of these things mean anything whether they are made by us or the networks. They will all be forgotten by next December. It's a trick to see grown men go through this routine, but we all do it. It doesn't mean a thing because orchestra leaders will be playing our music on the radio after Dec. 31 as they are doing now. They will if they want to continue broadcasting."

News Bulletins Hit British Box-Offices

London, July 24.—The latest competitive factor facing British exhibitors was the evening news bulletin of BBC. The peak listening hour is 9 P.M., when a one-ephemeral bulletin is broadcast.

With patrons staying home or going to "pubs" to listen in, the news bulletins have been a plague on the theatre industry. The news agencies have refused to allow theatres to relay the bulletins at 6 and 9 P.M.
DECREES CHANGES
BEGIN; THEATRE
MEN GIVEN VOICE

U. S. Invites Exhibitors
To Submit Suggestions
On Suit Settlement

By SAM

The Pacific Coast Conference of Independent Theatre Owners, whose request for a voice in the Consent Decree discussions, a short time ago, was rejected by Washington, has now been invited to offer suggestions which it thinks the Government should try to have embraced in the proposed consent decree.

By this action, authorities state, the Government has removed National Allied as the sole adviser to the Department of Justice on exhibitor relations, in connection with the consent decree discussion.

This invitation to the PCCITQ was made by letter from Paul Williams, special assistant to the Attorney General, and chief Government trial lawyer, in the anti-trust suit, to Robert H. Poole, executive secretary of the exhibitor organization.

Sections 1, 3, 4 and 6 Will Be Rewritten Due To Objections

SHAIN

Obliteration or complete rewriting of Sections 1 and 6, and perhaps Section 4, of the tentative draft of the proposed consent decree, will occur, according to some of the consent decree negotiators, as a result of the objections which have been made to those parts of the draft not only by Paramount's partners but also by other theatre men and even by distributors themselves.

No comment is forthcoming regarding the fate of Section 3, to which there also has been strong objection. Sections 1, 3 and 6 were outlined in yesterday's Motion Picture Daily. Section 1 relates to trade shows. Section 3 to unit selling in blocks of five, and Section 6 to discrimination in selling.

Section 4 covers availability of product. Under this section's provisions, the burden of proof for alleged withholding of product from an exhibitor who asserts a claim to such product, is upon the distributor. Also, the arbitrators may order the distributor to give the product to the complaining exhibitor, providing in doing so it is not adversely prejudicial to the distributor's business interests in the area involved and that the exhibitor satisfies minimum theatre standards of operation and is otherwise reputable and responsible. This section has been objected to by distributors as well as theatre men.

Paramount is described by spokesmen as having taken the best possible course open to it yesterday, and presented the partner's objections to the decree to the assembled negotiators. The two sessions held yesterday resulted in no conclusive action.

The negotiators met in the haze of

(Continued on page 6)
Allied Information Group Starts Work

PHILADELPHIA, July 25.—The committee named at the recent national Allied convention to develop an exhibitor information service, met here yesterday at the offices of the Allied I.T.O. of Pennsylvania and adopted the name, Allied Information Department, to be designated as the AID.

The committee includes: Sidney E. Samuels, chairman; Joe S. Shain, Arthur K. Howard, Massachusetts; Don R. Rosetti, Indiana; and P. J. Wooldridge, Ohio. President M. M.-times of national Allied, was named counsel to the committee. The committee formulated plans for gathering from exhibitors data relative to selling terms, which will be incorporated in reports for distribution to all members. The initial questionnaire will be sent out some time next month. The committee will meet again in September during the convention of Allied of New Jersey.

See New Exhibitor Unit in Minnesota

MINNEAPOLIS, July 25.—Formation of a new exhibitor organization in early September as a cooperative group to be known as Northwest Allied, is reported in local theatrical circles. The organization would consist of exhibitors who are dissatisfied with the new regime of Northwest Allied who came into control at the recent convention here. It is understood that the new organization will open its membership to any other members of Northwest Allied who may decide to join that organization as well as exhibitors without who do not belong to any other organization at all.

Cohn and Spindgold At Columbia Studio

Hollywood, July 25.—Jack Cohn, Columbia vice-president, and Nat Spindgold, home office executive, have arrived from New York for conferences with Harry Cohn, president.

A Warner First

WARNERS’ “They Drive by Night” will be shown on the maiden voyage of the America, United States Lines ship, tomorrow night.

K-A-O Allows $1.75 Dividend for 1938

The board of directors of Keith-Albee-Orpheum Corp, yesterday declared a dividend, out of operating surplus, of $1.75 per share on the seven per cent cumulative convertible preferred stock for the quarter ended March 31, 1938, payable Oct. 1 to holders of record at the close of business Sept. 16, 1940.

Weigh ‘Pastor Hall’ Booking in Chicago

CHICAGO, July 25.—Balaban & Katz and United Artists officials are discussing a play date at a local theater of the new ‘Pastor Hall,’ English film which James Roosevelt is releasing through U. A. Roosevelt said it would make a run to the Coast. Present plans for the film call for simultaneous initial showings in a number of key cities, according to Roosevelt.

The picture is Roosevelt’s first release through U.A. under his own banner. It was produced by Grand National in London.

Maurice Silverstone, United Artists chief executive, will leave for the Coast today for several weeks of conferences with company producers.

Jerry Horowitz of the Paramount home office will leave for Pennsylvania today for a vacation.

Anthony Petri, assistant to J. Cheever Cownin, returned yesterday from a three-week vacation.

Ralph Stitt, new director of advertising and publicity for United Artists Theaters, leaves today for Detroit.

Ben S. Agren, former Monogram controller, now with Producers Releasing Corp., here, was married last night to Dorothy Perrin. They will honeymoon in the Pocoro Mountains. A bachelor’s dinner was given at Lindy’s Wednesday evening.

Douglas George, manager of the Windemere, Cleveland, is visiting here.

William Scearson, assistant at the Polt, Meridian, Conn., leaves this weekend for a two-week vacation.

George Freeman, manager of the Loev-Poli, Springfield, Mass., is vacationing in New Hampshire.

George Scher of the United Artists home office is handling exploitation for Loew’s, Providence.

Edward L. Reed, manager of the Strand, Providence, is on a 17-day fishing trip off Block Island.

Robert Libby, assistant at the Avon, Providence, has been promoted by the Lockwood & Gordon Co., which manages the Millerton, N.Y., house.

Maurice and Arthur Silverstone, Harry Buckley and Marvin Schenscck luncheoning at Lindy’s (next to the Rivoli) yesterday.

Morris Helpin, production assistant to Alexander Korda, will leave for the Coast early next week.

Elmer Balaban, brother of Barney Balaban, has arrived in Hollywood from Chicago for a two-week visit.


Joseph Berns of the Sol Berns Booking Exchange, Detroit, is visiting here.

Alex Schreiber, president of Associated Theatres, Detroit, is a World’s Fair visitor.

Louis Guirmond, handling Canadian publicity for United Artists, has taken up permanent residence in Toronto.

Freddie Schaffer is here from Detroit on business.

Leo Abrams, W. J. Heineman, Virginia Morris, Budge Rogers, Robert Savini, Charles Payne, Maurice Bergolas, Bert Margett, J. J. Gordon, Jeffery Bernerd and Thomas Loach lunching at the Tavern yesterday.

Bayard Veiller, Adolph Zukor, Barney Balaban, Lawton Lawrence, John D. Geitz, Jr., Charles Somm, Sidney Phillips and John Golden lunching at Sardi’s yesterday.

Mrs. Edward Anslyn, wife of the Interstate Theater Corp. head in Boston, is recovering at Beth Israel Hospital from an appendicitis operation.

Irving Mack of Filmack Trailer Co., Chicago, is visiting here.

Bernhard to Studio With Blumenstock

Joe Bernhard, general manager of Warner Theatres, and Mort Blumenstock, in charge of Warners advertising and publicity in the East, leave tonight on the Stratosphere for the studios in Burbank. They will confer with Harry M. Warner, Jack L. Warner, Hal Wallis and Charles Einfeld on future product, and plan to return in about a week.

Jay Flippin Resigns As AGVA President

Jay Flippin has resigned as president of the American Guild of Va- riety Artists, it was disclosed yesterday. Dewey Barto of the “Hollazoo- pin” cast will be acting president un- til the Guild’s national board meets at which time he will be asked to continue in the office. Seven of 21 members of the New York AGVA resigned as a re- sult of a factional dispute.

Newsreel Parade

THE July day produces little of outstanding newsworthiness in the newsreels, with your events sub- ducted. Roosevelt and Willkie both get their share of the spotlight, The Parade in London reflects changes in the foreign situation. Contents of the weekend issues follow:

MOVIENTE NEWS, No. 92—Roosevelt and Willkie appear at an important newsreel event. Roosevelt, who took a trip to England, gave a news conference at the FAIR in London. Goat with the Goats, ‏@London. Bull fight in Spain, Lew Leipelt.


PARAMOUNT NEWS, No. 95—Santos is reviewed in his Pan-American conference in Havana. Aquatint in Minneapolis. Drawbridges needed for only one boat on New York railroad line. Record breaking for door Willkie at Cheyenne rodeo. Roosevelt honored by Drake Park Odd Fellows. Britain’s naval situation.


Correction

Exhibitors have clipped Motion Picture Daily’s review of M-G-M’s “Sporting Blood,” which appeared in the issue of July 16. Through an inadvertence the running time was listed as 38 minutes. For the benefit of exhibitor readers, the running time of the film is 82 minutes.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Lindy’s

RESTAURANTS

1626 BROADWAY 1655

(Next to the Rivoli Theater) (35th Street Corner)

For over 20 years the finest restaurant and dinner place for Motion Picture People

Solo agents in New York for FAMOUS BLUM’S ALMONDNETTEs

from San Francisco, California

Friday, July 26, 1940
FUN ON THE SCREEN!

The delightful manner in which M-G-M has transferred the great novel and play to the screen is something to behold! Preview audiences gave their spontaneous and uproarious approval. Famed Radio City Music Hall booked it on sight! Your patrons will welcome it as part of M-G-M’s campaign to “Keep America Smiling.” Congratulations to all who helped make it and a special salute to Greer Garson and Laurence Olivier for performances that are worthy of her previous “Mrs. Chips” and his “Mr. Rebecca.” Metro-Goldwyn-Mayer presents with pride—

Pride and Prejudice

Greer GARSON • Laurence OLIVIER

with MARY BOLAND • EDNA MAY OLIVER • MAUREEN O’SULLIVAN • ANN RUTHERFORD • FRIEDA INESCORT

Screen Play by Aldous Huxley and Jane Murfin • Directed by ROBERT Z. LEONARD • Produced by HUNT STROMBERG
Philadelphia Slow; ‘Hardy’ Pulls $18,600

Philadelphia, July 25.—Grosses slumped this week with the weather again proving the competing factor. "Andy Hardy Meets Debutante" at the Stanley grossed $18,600.

Estimated takings for the week end-July 18-21:

- "The Mortal Storm" (M-G-M)
  ARCADIA—(3,050) 7 days, 2 days run, $4,000; 3 days holder, $1,200. Gross: $5,200. (Average, $743)

- "New Moon" (M-G-M)
  BOYD—(2,000) (25c-35c-50c-65c) 6 days, 2 days run. Gross: $3,000. (Average, $500)

- "The Ghost Breakers" (Param.)
  FOX—(1,800) 7 days, 2 days run. Gross: $975. (Average, $139)

- "Our Town" (Univ.)
  KEITH'S—(2,500) (35c-50c-75c-90c) 6 days, 2 days run. Gross: $2,025. (Average, $337)

- "Anddy Hardy Meets Debutante" (M-G-M)
  STANLEY—(2,700) (35c-45c-50c-75c) 7 days. Gross: $14,600. (Average, $2,086)

- "Confessions of a Nazi Spy" (Univ.)
  STANTON—(1,700) (35c-50c-75c-90c) 7 days. Gross: $4,000. (Average, $5,450)

21 Days at $6,000; Providence Is Slow

PROVIDENCE, July 25.—In a week of Summer doldrums, the Strand's dual, "21 Days Together" and "Gangs of Chicago," have averaged and made seven each an average business, taking $6,000.

Estimated takings for the week ending July 17-23:

- "Andy Hardy Meets Debutante" (M-G-M)
  "Phantom Raiders" (M-G-M)
  LOEW'S—(2,200) 2 days, 2 days run. Gross: $800. (Average, $400)

- "Maryland" (25c)
  "Sailor's Lady" (25c)
  "Slow Boat in the Coast" (30c-25c) 7 days. Gross: $5,200. (Average, $743)

- "Gangs of Chicago" (Rep.)
  "MAJESTIC—(2,500) (35c-45c-50c) 7 days. Gross: $5,000. (Average, $714)

- "Yolonda Flight" (M-G-M)
  "You're Not So Tough" (Univ.)
  FAYS—(6,000) 7 days. Gross: $3,000. (Average, $428)

- "All This, and Heaven Too" (W. B.)
  CARLTON—(2,000) 7 days, 2 days run. Gross: $2,500. (Average, $357)

- "Edison the Movie" (W. B.)
  "The Biscuit Eater" (Par.)
  "Weiterbrauchen immer" (W. B.)
  "Brechtler Orchid" (W. B.) (4 days) 7 days. Gross: $2,000. (Average, $286)

Late News Flashes from the Coast

Muni Dickering With 20th Century-Fox

HOLLYWOOD, July 25.—Paul Muni and 20th Century-Fox are negotiating a contract under which the former Warner star will sing for a number of films annually. With his agent, M. C. Levee, Muni was in the afternoon in conferences with Darryl F. Zanuck and other executives.

Y. Frank Freeman, president of the Producers' Association, today reported that "deperfect progress" was made last night in a conference between the Screen Writers Guild and producer representatives on drawing up a tentative collective bargaining agreement. Several more meetings will be necessary before the agreement will be signed for presentation for final approval.

British Section in International Unit

The British Government has accepted an invitation to establish a British Section of the International Film Center on the lines of the American Section. The British will be a non-profit group, which has for its purpose the establishment of a British Film Information Center, an affiliate of the American Film Center, is endorsed by the Rockefeller Foundation. Richard Ford has been named by the British Government to head the British Section. Donald Slepser is executive secretary and active head of the American organization.

Earthbound,’ Hope $13,700 Hit in Omaha

OMAHA, July 25.—Tom Brown's "School Days" grossed $4,800 at the Brandeis. A one-day personal appearance of Bob Hope helped boost the Orpheum's week to $13,700. The film was "Earthbound."

Estimated takings for the week ending July 17-18:

- "Cres Country Romance" (RKO)
  ORPHEUM—(2,500) (30c-40c-50c) 7 days. Gross: $4,800. (Average, $686)

- "Earthbound" (25c)
  ORPHEUM—(3,000) (5c-10c-15c) 6 days. Gross: $4,800. (Average, $800)

- "Earthbound" (2th-Fox)
  ORPHEUM—(3,000) (5c-10c-15c) 6 days. Gross: $4,800. (Average, $800)
HOLLYWOOD, July 25—"The Rafters" King by Robert Stevenson was officially announced today as the subject for the all-star feature for American and British charities which will be produced by Stevenson, with George J. Schaefer, president of RKO, in charge of the finances and distribution at cost.

Production will start Aug. 19 at the Selwyn International studios. Leander McCormick Goodhart of Langley Park, Wash., has agreed to serve as honorary trustee of the fund, with Dr. A. H. Giannini handling the proceeds allocated to American charities.

W. P. Lipscomb will act as coordinating writer, filling story material contributed by A. J. Cronin, John Van Druten, James Hilton, Aldous Huxley, Claudine West, R. C. Sherriff and Dodie Smith, and will work with Alma Reville (Mrs. Alfred Hitchcock) on the screenplay.

Directors will include Edmund Goulding, Alfred Hitchcock, Zoltan Korda, Frank Lloyd, Victor Saville and Herbert Wilcox.

The story locale is London from 1780 to 2000 A.D. It is told in a form of separate interrelated episodes. The idea for the picture was contemplated when Wilcox, a British producer, made an earlier announcement of the film. New York was abandoned when it was considered defeatist in tone. British actors will be used.

‘Daltons’ Greeted
In Coffeyville, Kan.

Albertson, Constance Moore, and Peggy Moran, with Director George Marshall, arrived from the Kansas City and were welcomed by city officials and the city band. An old-time parade included some of the pioneer vehicles used in the days of the Daltons. High point of the afternoon celebration was the Pioneer of Rodeo and Indian ceremonial. From KGGR here, the ceremonial was broadcast over six stations in the Kansas network and WBB, Kansas City.

Three hundred citizens and ranchers of Coffeyville and surrounding areas were hosts to a substantial banquet at the Dale Hotel in the evening. From 8:30 to 9 P. M. stars made appearances at the Midland and from 9 to 9:30 at the Tackett. After the premiere came the Premiere Ball at Memorial Hall, attended by more than 2,000 persons.

New Haven Shows Held

New Haven, July 25.—Loew’s Poli Bijou here will continue vaudeville as long as possible before the theatre which had planned to eliminate stage shows this week.

Gracie Fields Assigned

Hollywood, July 25.—Gracie Fields today was assigned a lead in “Hudson Bay Company,” to be directed by Irving Pichel for 20th Century-Fox.

Ask Labor Act Exemption for Top Employes

(Continued from page 1)

law was enacted and are in important key positions, but many of them could not qualify for exemption because of the restrictive terms of the present definitions. He recommended that the definitions of professional workers be amended to include persons engaged in work of original and creative character, to take care of actors, writers, directors, artists and similar employees, and that the labor boards in any work where the workers are broadened so as to include persons who are essential members of the staff of a head of a production department, unit or division or whose work, because of special or technical knowledge pertinent to the particular production or restrictive period of that period, would be hindered, reduced or delayed production.

Mitchell testified that the producers had no adverse feeling to the law being put into effect, while the law to persons of positions of less than major responsibility, and that they are treating many employees who received substantial monthly wages under the Wage-Hour Act. However, he said, out of average employment of 18,541 persons in studios for which he gave detailed information, there are an average of 832 who are admitted to exempt and, at 536 whom the companies consider exempt but who regard whom they may be some dispute.

Speaking for the N.A.B., Miller said, where an executive employs an exempt employee, he may lose his exempt status. Approximately 1,500 employees would be affected by the law, he said. Under the restriction against an executive doing any “substantial amount” of work of similar nature to that performed by non-exempt employees.

Indianapolis Gives ‘Heaven’ Big $9,500

Indianapolis, July 25—“All This, and Heaven Too” led the town with $9,500 at the Canton Theater, while “All This, and Heaven Too,” which is the Haedtly Meets Debutante” and “The Captain Is a Lady” in the second week. Loew’s drew $6,800.

Estimated receipts for the week ending July 19:

- "All This, and Heaven Too" (W.B.) (28c-33c) $6,600
- "And the Band Played On" (20th-Fox) (28c-33c) $4,500
- "The Haedtly Meets Debutante" (M-G-M) $4,100
- "The Captain Is a Lady" (20c-25c) $4,000
- "The Captain Is a Lady" in the second week. Loew’s drew $6,800.

Estimated receipts for the week ending July 19:

- "All This, and Heaven Too" (W.B.) $9,500
- "The Haedtly Meets Debutante" (M-G-M) $5,000
- "The Captain Is a Lady" $4,100
- "The Captain Is a Lady" in the second week. Loew’s drew $6,800.
WASHINGTON: BOX-OFFICE REPORTS
BIGGEST OPENING DAY SINCE "SNOW WHITE"!

"Stirring, Challenging, Memorable, Inspiring"...say Washington press, government leaders, critics, columnists and others who witnessed the World Premiere of "The Ramparts We Watch".

"A strikingly different and challenging motion picture—an encouraging and provocative spectacle. The story has drama, poignance, humor, movement. An inspired lesson from history reduced to the simple intimacy of the family album. 100% timely today."

Jay Carmody, Washington Star

"The Ramparts We Watch' is timely to a split second—chronicled with an impact that is stunning—vastly inspiring in its inescapable reminder of the capacity, the courage and the greatness of a unified America. It was spontaneously cheered by the audience."

Nelson B. Bell, Washington Post

"It is marvelous. I enjoyed every minute of it."

Major General T. Holcomb, Commandant of U. S. Marine Corps

"A moving, prophetic, significant story. No American who sees it will ever forget it."

Major George Fielding Eliot

"A magnificent success as a complete, accurate and stirring presentation of the events of 1914-18. This is a picture that American youth must see. It will make them think."

Charles W. Taussig, Chmn. National Advisory Comm. NYA

"...deeply impressive."

Senator George W. Norris

"'The Ramparts' is an utterly true picture of the most exciting period of American history. To those who lived through the great war, the emotion this picture brings is so personal as to be an intimate experience. It is exactly what each of us saw and heard and felt."

Mark Sullivan

"THE RAMPARTS WE WATCH"

FIRST FEATURE PICTURE PRODUCED BY THE MARCH OF TIME
**‘Heaven’ Gets Good $17,000, Leads Boston**

Boston, July 25.—“All This, and Heaven Too,” and “Little Blabbermouth” will follow the Metropolitan drew $17,000, best in only a fair week, “Susan and God” and “Turnabout” took $12,000 at Loew’s State and $18,000 at Loew’s Orpheum.

Estimated takings for the week ending July 19:

- **‘Sailor’s Lady’** (20th-Fox)
- **“Hot Steel”** (Univ.)
- **“The Ghost Breakers”** (Para.)
- **“The Princess”** (20th-Fox)
- **“The JS West”** (W. B.)
- **“Turnabout”** (U. A.)
- **“The Hawk”** (20th-Fox)
- **“Apache”** (M-G-M)

**Beau Geste** Draws $8,000 in Montreal

Montreal, July 25.—“Beau Geste,” finally released by the censors, took $8,000 at the Palace and a week of “The Mortal Storm” brought $5,800 at Loew’s. The war benefit show hurt grosses.

Estimated takings for the week ending July 19:

- **Private Affairs** (Univ.)
- **“Two Tickets to Paradise”** (Univ.)
- **“Kisses and Things but Love”** (Univ.)
- **“The Man Who Married a Woman”** (20th-Fox)
- **“Loew’s Orpheum”** (20th-Fox) 7 days. Gross: $3,000. (Average, $4,000)
- **A Family of Nations** (U. A.)
- **“City of Chance”** (U. A.)
- **“Papa’s Blues”** (15c-35c-55c-65c) 7 days. Gross: $2,000. (Average, $3,000)
- **“The Ghost Breakers”** (Para.)
- **“The Princess”** (20th-Fox) 7 days. Gross: $5,000. (Average, $7,000)
- **“Turnabout”** (U. A.)
- **“The Hawk”** (20th-Fox)
- **“Apache”** (M-G-M)

**Sues Over French Film**

Suit for an injunction has been filed in N. Y. Supreme Court by Arthur Ziff, again against pedestrian week of “The Mortal Storm” brought $5,800 at Loew’s. The war benefit show hurt grosses.

Estimated takings for the week ending July 19:

- **Private Affairs** (Univ.)
- **“Two Tickets to Paradise”** (Univ.)
- **“Kisses and Things but Love”** (Univ.)
- **“The Man Who Married a Woman”** (20th-Fox)
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- **“The Ghost Breakers”** (Para.)
- **“The Princess”** (20th-Fox) 7 days. Gross: $5,000. (Average, $7,000)
- **“Turnabout”** (U. A.)
- **“The Hawk”** (20th-Fox)
- **“Apache”** (M-G-M)

**Malterne May Get House**

MALVERN, L. I., July 25.—The village board here is proposing a contract by a group of business men and Ole Olsen of “Hellzapoppin” to build a 600-seat theatre.

**Short Subject Reviews**

**Deadwood Dick**

(Columbia)

Here’s a serial which should delight the heart of any youngsters, and perhaps more than a few adults, with an unending love of action in their screen diet. Recounting the story of the famed characters of the old West, Directed by Harry Harvey, with Bob Warden, Sasaki, as Calamity Jane; Lane Chandler, as Wild Bill Hickok. James W. Horne directed. Subsequent episodes, will run about 20 minutes each. This first episode runs 32 minutes.

**Young America Flies**

(Warner)

A typical instance in the widely publicized undertaking of the Civil Aeronautics Authority, that of training a group of college students, is expertly dramatized with Jean Parker, Don Knotts, Jimmy Durante, Raymond Lamont, Henry O’Neill and William Orr handling the principal assignments. Produced with CCA cooperation, the film is a pattern of phases of air instruction, as it traces the activities of the group from enrolling to solo flying, to the next significant and interesting. Running time, 22 min.

**Patient Porky**

(Warner)

Produced by Leon Schlesinger, this “Looney Tune” should find favor with the children. Porky Pig enters a hospital with a stomach ache. There he meets the “doctor” a crackpot cat who insists upon operating on Porky. The villain finally escapes. A funny scene of a patient operator who announces the ailments treated on each floor, in department store fashion, is amusing. Running time, 7 min.

**Shark Hunting**

(Warner)

A small group including Howard Hill, noted archer, in the Errol Flynn picture, “Sirocco,” hunts sharks. Hill first demonstrates his ability with the bow and arrow. Two exciting sequences follow when the sharks appear. The last shot, showing a shark turning over a small boat and the occupants being saved by Hill’s arrow, has been unexpected, and not in the script. Running time, 10 min.

**Conga’ and Bernie $13,000, Milwaukee**

Milwaukee, July 25.—“La Conga” Nights” with Ben Bernie on the stage drew $13,000 at the Riverside. “All This, and Heaven Too,” and “Turnabout” will be featured at the Warner. Competition came from the seventh annual Midsummer CAA meeting on the lake.

Estimated takings for the week ending July 18:

- **“All This, and Heaven Too”** (W. B.)
- **“Dancing With a Stranger”** (20th-Fox)
- **“Turnabout”** (Para.)
- **“Apache”** (M-G-M)
- **“Manhattan Heartbeat”** (20th-Fox)
- **“Spanish”** (20th-Fox)

**To Film Odets Play**


**‘Hardy’ Pulls Fine $46,000, Best in Loop**

CHICAGO, July 25.—“And Andy Hardy Meets Debutante” was the leader at the Chicago with $46,000, with Jan Sovitt and his band on the stage. “Isle of Doomed Men” and Andy Kirk’s band with Buck and Bubbles on the stage of the Oriental, drew $18,000.

Estimated takings for the week ended July 19:

- **“Mortal Storm”** (M-G-M)
- **“The Orchid”** (Universal)
- **“Andy Hardy Meets Debutante”** (M-G-M)
- **“Miss West Indies”** (20th-Fox)

**Outsider,’ Scandals $27,000; Detroit Off**

DETROIT, July 25.—“The Outsider” and a condensed stage version of the popular film, “The Scandal of 1940,” have grossed $27,000 at the Fox. Other downtown theatres were average or below.

Estimated takings for the week ending July 18:

- **“Sailor’s Lady”** (20th-Fox)
- **“Paris Girl”** (M-G-M)
- **“Chicago Divorce”** (20th-Fox)
- **“Debutante”** (M-G-M)
- **“Blabbermouth”** (Warners)
- **“Apache”** (M-G-M)
- **“Looney Tunes”** (Warner)
- **“Poppy”** (RKO)
- **“Little Blabbermouth”** (Warners)

**British Columbia Has No Problem on 16mm.**

VANCOUVER, B. C., July 25.—In British Columbia there is no real 16mm. exhibition problem for theatres, since the Small Pictures Law forbids such operation within 12 miles of any licensed theatre. Certain types of advertising shows and benefits are allowed to use 16mm., but the exploitation of exhibitions has little, if any, effect on established theatres.
"Investment"

- - - "The writer has been a subscriber to Motion Picture Herald for years and your Better Theatres Section, in my opinion, represents a genuine investment to theatre owners."

C. E. "Doc" Cook
General Manager

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

Tivoli Theatre
Maryville, MO.

Motion Picture Herald
Rockefeller Center
New York
Court Forbids Air Restriction On Disc Sales

The U. S. Circuit Court of Appeals yesterday ruled that no restriction could be placed on the sale of records to prevent the playing of these records by radio stations for broadcasting purposes.

In a 10-page opinion by Judge Learned Hand, the court reversed a decision of Federal Judge Vincent T. Leibell which had granted an injunction restraining Broadcasting Co., in restraining WBO Broadcasting Corp. and Elin, Inc., from the use of recorded renditions of Paul White-
man’s band for broadcasting purposes.

The court also vacated an injunction granted to Whiteman and Elin which had been based on White-
man’s assertion that the playing of his records constituted “unfair competition” with his orchestra.

The court stated White-man had brought his action against WBO and Elin for an injunction and that RCA had transferred his right in the records to RCO under a con-
tract. Judge Hand asserted that the primary object of the injunction was to protect the public from the effect that they could not be used for broadcasting purposes solely for “non-commercial use on phonog-
ant equipment” and not be en-
forced as his restriction on the use of these records.

The court disposed of three argu-
ments raised by RCA and Whiteman:

1. That the use of records for broad-
casting purposes was barred by reason of the “common-law property” that the artist has in his performances;

2. That it was barred by reason of copy-
ing laws; and

3. That it was unfair competition to broadcast these records.

Film Comedy Series Planned by Museum

“Forty Years of American Film Comedy,” a series of outstanding com-
edies dating back to 1900, will be presented at the Museum of Modern Art, 11 West 53 St., starting Aug. 1 and continuing through September. The pictures will be divided into 15 separate programs, each consisting of a number of shorts or one or two feature films. Showings will be at 4 P. M. daily and at 2 and 4 P. M. on Sun-
days.

The series will include comedies starring Mr. and Mrs. Sidney Drew, John Bunny, Flora Finch, Clara Kim-
ball Young, the Marx Brothers, Char-
er Byrnes, Harold Young, Buster Keaton, Douglas Fairbanks and many others.

Open Cincinnati House

CINCINNATI, July 25.—The 280-seat Ro-
se Lawn in the suburb of Roselawn. Policy on a grid, basis, evenings and Saturday afternoons, at 2 and 5 P. M. admission. Chase also operates the suburban Avon, and is interested in a house at Columbus, O.

Off the Antenna

FILMS will again dominate NBC’s television broadcasts next week. The schedule in addition to films including Sunday, a broadcast from the Fair including a variety show from the RCA exhibit; Monday, boxing at the Jamaica arena; Tuesday, Sunoco News with Lowell Thomas and a program of Latin American vocal and dance numbers, and Wednesday, an air-
craft exposition at the Fair and a variety program of music, comedy and drama.

Two new affiliates will be added to NBC, bringing that network’s total to 195 stations. WCBS, Springfield, Ill., affiliated with the Illinois State Journal, will join Aug. 1, and WAKR, a new station in Akron, O., owned by Summit Radio Corp., Oct. 1.

Program News: “Rainbow House,” conducted by Bob Emery over WOR, on Sunday will dramatize “The White Lily,” juvenile operas by P. K. Tho-
man. Recently published by Rittenhouse of Philadelphia, ”The Crime Doctor” will replace the Philip Morris musical programs over CBS Sunday, 8:30 to 8:55 P. M., for the same sponsor. August 4, the programs will feature cash awards, A weekly song series starring Jack Kitty starts over WOR this Sunday at 1:30 P. M. Time of the program in the future will depend on

Rapid Results Department: On July 8 the Federal Law and Casualty Co. launched a series of 100-word announcements over WABC’s “Rising Sun” network to advertise a policy which a booklet was offered. In response the company has received 1,200 written requests and 50 telephone calls for the offering. As a result the insurance company will sponsor another program over WABC, Zeke Mann-
ers and His Gang, on Sunday 11:15 to 11:30 A. M. Green-Brook is the agency.

Purely Personal: Bob Colson, radio director of the Goldtone Exhibit, is deep in preparations with representatives of all three networks for the forthcoming Broadcasters Day, Aug. 3. . . . Jess Goodman of Paramount is conducting a work-ship program for IV-D daily as Jeb Stuart. . . . Mary York, vocalist, joins the staff of WNEW Aug. 3.

An NBC sales department survey started on Feb. 8 in which 1,425,000 questionnaires were sent to radio listeners in every county in New York State reveals that 89.1 per cent listen to the Red network regularly at night and 74.7 during the day, it is said. In response to the query which network is listened to most, the NBC Red was preferred by 47.1 at night and by 36.8 during the day. A total of 166,000 replies were tabulated by Hooper.

Theatre Changes

Reopen Cincinnati Royal

CINCINNATI, July 25.—The 280-seat Ro-
se Lawn in the suburb of Roselawn. Policy on a grid, basis, evenings and Saturday afternoons, at 2 and 5 P. M. admission. Chase also operates the suburban Avon, and is interested in a house at Columbus, O.

Minnesota Remodeling Program

MINNEAPOLIS, July 25.—An exten-
sive remodeling and renovation pro-
gram is planned by the Minnesota Am-
usement Co. It will involve the Carrick and Lyric, Duluth; Garden, Hibbing; Moorhead, Moorhead; Min-
nesota here and Grand, Mankato, Min.

Open Kansas Theatre

KANSAS CITY, July 25.—Horace Randall, who operates the Community, Spring Hill, Kan., has opened the Desoto at Desoto, Kan.

Little Rock Drive-In Ready

LITTLE ROCK, Ark., July 25.—Offi-
cials of the Mid-South Theatres of Mem-
phis, plan to open on Aug. 1 an open air drive-in theatre near here.

Renovate Wisconsin House

TWO RIVERS, Wis., July 25.—Modern-
ization of A. C. BERLITZ’S Rivoli here has been completed. The house has been redecorated and a new front installed.

Move Frisco Manager

SAN FRANCISCO, July 25.—John Kerr, former manager of the Larkins, has been shifted to the Clay Interna-
tional, foreign language house. Both theatres are operated by Herbert Rosener, Inc.

FCC Allows Three Permits On Television

WASHINGTON, July 25.—Granting three more television station permits, the Federal Communications Commission today authorized construction of a television station in Nashua, N. H., by WCAU Broadcasting Co., to operate on the 84-100,000 kilocycle channel, with 1,000 watt aural and visual powers.

It also approved construction of stations not to engage in public service programs for the University of Vermont, Washington State University, WACU, in Lafayette, Ind., and the State University of Iowa, Iowa City.

The Purdue station will operate on the 666-720 kilocycle channel with 759 watts aural and visual powers and the Iowa City station will operate on both the 90000-26,000 and 210,000-26,000 kilocycle channels with 100 watts visual only.

The WCAU station is to be expected within four or five months, and 15 to 30 frames along a line of research which will include use of both FM and AM and comparison of vertical and horizontal polarization.

Minneapolis Radio Rule to Be Revoked

MINNEAPOLIS, July 25.—Efforts to re-
voke the jurisdiction of the City of Minneapolis over the eight radio stations that have control of the transmitting powers of the FCC, will soon materialize.

A petition presented to the City Council by the Northwest Division of the National Association of Broad-
casters and the Association of Twin City Newspapers, and the Studio Channe, the 1927 ordinance which vests the power in the city is characterized as obsolete.

In view of Federal control, a Coun-
cil committee has agreed to recom-
mend repeal as of May 1, 1941, so that the fees which the city has been collecting will also be paid for the current year.

‘Voyage Home’ Art Goes to Museums

Eleven paintings by famous artists of scenes from the Walter Wanger-United Artists film, “The Long Voi-
age Home,” made during the filming of the picture, will be exhibited for two years in a traveling show.

The first exhibit will be held from Aug. 15 to Sept. 12 at the As-
ociated American Artists Galleries. It is expected the collection will be shown in 40 museums across the country.

‘Ramparts in Washington’ Readied

WASHINGTON, July 25.—“The Ramp-
arts We Watch,” March of Time film, which depicts the White House tonight with representatives of the company and members of the cast attending.

55th Street Closing

The 55th Street Playhouse will close its season of French films on Saturday planning to reopen on Labor Day with “Shimber’s Serenade,” French film.
‘U’ Gets Loan Of $1,500,000 For Five Years

To Retire Mortgage and Provide Capital

Arrangements for a $1,500,000 loan will be concluded by Universal with the First National Bank of Boston today. The term of the loan will be five years.

Of the total $1,000,000 will be used to retire a mortgage of that amount on the Universal studio properties. The mortgage is held by Consolidated Film Laboratories. The balance of the loan will provide additional working capital for the company.

Universal's earnings for the current fiscal year are continuing at a steady rate of improvement over recent years, maintaining a trend established with the advent of the company's new management, headed by Nate J. Blumberg, early in 1937. The company's net profit for the 39 weeks ended Saturday is estimated to be in excess of $1,700,000, giving the company an excellent chance of showing net profit of approximately $2,000,000 for the fiscal year ending next Oct. 27.

Universal reported net profit of $1,381,002 for the first half of its current fiscal year, ended April 27 last. Net profit for the 1939 fiscal year was $1,153,321.

That the company expects to attain domestic self-sufficiency by Sept. 1 was indicated in a letter to stockholders from J. Cheever Cowlon, chairman of the board, during June.

Pindat Supervises

2 Republic Offices

Jack Pindat, Republic home office contract manager, has been assigned as supervisor of the New York and Philadelphia exchanges, following the resignation of Herman Gluckman, who recently sold his franchise for the two cities back to Republic. St. Borus has replaced Pindat as contract manager.

The personnel of the two branches, otherwise reorganized, was the same, though the franchise was subject to the parent company's direct operation, with Morris Epstein continuing as branch manager in New York and Max Gillis as Philadelphia branch manager.

Gluckman sold his franchise interests to the company about three weeks ago, but remained as manager of the branches until last week.

GROSSES GROGGY FROM HOT WEEK

But Several Sections Report Good Comeback With Clouds and Rain Over Weekend; Broadway Continues Spotty

Theatres in some sections of the country showed a business improvement over the weekend with cloudy and rainy weather after more than a week of tropical temperatures which had grosses in most key cities goggly with the heat.

The prospect of thundershowers Sunday reduced the usual exodus to outdoor resorts, and several large cities reported this as having helped the box-office. In the South, however, there was no letup from the blazing temperatures.

Monopoly Report Of F.C.C. May Be Delayed Until Fall

WASHINGTON, July 28.—Action by the Federal Communications Commission on its monopoly committee's report on chain broadcasting was seen Friday as delayed until Fall by the Commission's action in giving interested parties time to file briefs. The committee made its report June 17, and the F.C.C. will delay its action until Fall.

Roosevelt Signs Accap Pact; CBS Again Attacks Society

The broadcasters-Accap battle over the weekend became more intense, with a blast issued by CBS against the Society and another by Elliott Roosevelt attacking the "chain controlled N.A.B."

Calling on radio advertisers to co-operate with networks in beginning immediately to eliminate Accap music from radio programs, Paul W. Kessen, CBS vice-president, enumerates a letter to agencies and clients five "accomplishments" to date of the network toward this end. Similar letters have previously been sent agencies and advertisers by CBS and NABC.

They are: closing of CBS doors to professional songwriters, 1 1/3 cent reduction in the use of Accap music on network sustaining programs since April, elimination of all restricted Ascap numbers requiring special credits on remote pick-ups of dance bands beginning last May; adoption of a requirement, effective Aug. 5, that all remote dance bands include at least one non-Accap tune on their programs, and, finally, declaring, "Ascap's new five year music contract for radio networks was signed on Friday by Elliott Roosevelt for the independent Texas State Network, of which he is president. This was the first network contract closed on the new terms, which are effective Jan. 1, 1941. Roosevelt took the occasion to "declare the attempts of the national chains to muzzle American songwriters."

He charged that the National Association of Broadcasters, which is fighting Accap, is "controlled by the chains here in New York" rather than the stations it represents throughout the country.

The NAB has threatened individual broadcasters with "discipline" should they attempt to do business direct with the songwriters, through Accap, Roosevelt declared. If this is attempted against him, he will take action through the courts.

"They Drive by Night" with personal appearances by George Raft, the Friday opening was reported as the biggest since "The Fighting 69th" in January. The Radio City Music Hall was the only other first run reporting business good, with "All This and Heaven Too" heading for a fourth-week gross of more than $70,000, it is expected.

"The Ramparts We Watch" was a surprise heat-beater in Washington. The March of Time-RKO film produced capacity business for Keith's.
Personal Mention

LUIS PHILLIPS, Paramount home office attorney, is at Lake George for a brief vacation.

HERMAN FINKELSTEIN of Schwartz & Frohlich will return today from a vacation.

PAUL CASTELLO, Witter district manager in Philadelphia, has left for a vacation in St. Louis. JACK FLYNN and AL PLOUGH of the Warner Philadelphia office, are also vacationing.

DEL GOODMAN, Far Eastern manager for 20th Century-Fox, will remain on the Coast for about two weeks before coming on home for office conferences.

LILIAN L. SPEAR of the Dubinsky Brothers Theatres, St. Joseph, Mo., is a World’s Fair visitor.

JACK EINK, district manager of Wometco Theatres, Miami, is visiting here.

SAM ABED of Exhibitors Film Delivery, Kansas City, and his daughter are New York visitors.

CHARLES CRAWLEY, manager of the State, Chester, Pa., will be married next month to Doris Costa, cashier at the Lyric, Camden, N. J.

DAVID WEINSTEIN, assistant manager of the Studio at Philadelphia, is ill with pleurisy.

WILLAM ELDEN, former manager of the Bijou, New Haven, and Mrs. Elden are vacationing in that city from his present location, Harrisburg, Pa.

DOMUS VALENTE, secretary to Ray Gagnon of Better Theatres, is vacationing in Vermont.

ALLAN JONES and IRENE HERVEY are scheduled to arrive from the Coast on the Statlerliner tomorrow.

NTG Wins Judgment From Brandt Houses

Three — William Brandt theatres were on Friday ordered to pay $3,300 each to Jack Naples, owner of the NTG (Nils T. Gundersen) vaudeville unit, for failure to live up to a booking contract.

JUDGE TIMOTHY A. LEARY in N. Y. Supreme Court granted summary judgment against Brandt, the Adde Co., owner of the Flatbush Theatre, Shubert Operating Co., owner of the Windsor, and Robertson Operating Co., owner of the Carlton. Brandt had contracted for the show for three weeks at a minimum of $3,300 weekly, to open last Dec. 14, the suit asserted.

Buffalo Pioneer Dead

BUFFALO, July 28—Mrs. Samuel Rapeeport, 70, who with her husband was a pioneer in establishing neighborhood theatres here, is dead. They ran the Theatre Royal, in 1907. Later they operated the Ideal, Lovejoy and Avon. The Rappeports celebrated their Golden wedding anniversary last March.

Readers’ Say-So

Kirsch Raps Duals

Charges by some major companies that they have had their share of advertising costs have been answered by Jack Kirsch, Illinois Allied president, as follows:

"In the existing arrangement, cooperate with the producer and distributor to defray the advertising costs when he has to show two or some other similar conferrals. We support the idea of cooperation. When we, and by me I mean the independent, attempt to exploit a picture show, how shall we determine what particular picture shall receive the benefit of the cooperation. And again take a condition that exists in Chicago.

Ten weeks elapse between the time a picture is shown at a Balaban & Katz theatre and then shown by the small independent exhibitor. Is there any sane reason as to why the independent should even attempt to spend any money for exploiting or advertising the picture after all the meat has been cut up by the big organisation? Last Fall in one of my own outlying theatres I was showing a Mickey Rooney picture and at the same time the Balaban and Katz United Artists in the loop was showing a new Rooney picture. If I had spent any money for exploitation or advertising the question all my patrons would ask is 'How old is this picture?—so no sense of money for exploitation advertising. The question is what all the exploitation that we do with a picture of a low cost of basis—cooperative or otherwise.

When the producers and distributors decide to eliminate the double and split feature, then the independent exhibitor can concentrate on a single feature and exploit the hell out of the picture and get some return.

JACK KIRCH
President, Illinois Allied

Producers’ Franchise Owners Meeting Here

A special meeting of franchise holders of Producers Releasing Corp. was held yesterday at the Hotel Statler, with franchise holders from the field attending. The meeting will conclude tomorrow.

Following the general meeting of the company, called the session for a discussion of the company’s plans. Rather than the company’s new season program will include four specials, 16 features and 18 westerns.

Leo Fromkess, in charge of the foreign department, will inform the franchise owners of the foreign deals closed.

‘Fantasia’ Release

Details Set Shortly

Exhibition plans for Walt Disney’s new musical production, “Fantasia,” which opens at the 20th-Fox Theatre in the studio within the next two weeks, Hal Horne, Eastern representative for Disney, will go to the Coast at the end of the month.

Roy Disney left for the Coast over the weekend after a two-week visit here, during which arrangements for the Walt Disney Festival programs were completed. Disney said initial openings of the programs were ‘far beyond expectations.’

3 Firms Chartered


Hammons Due Today

Earle W. Hammons is expected back from the Coast today, after conferring there on production and release arrangements for a picture series, based on a radio program, which he plans to produce.

Monogram Session Is Held in Atlanta

ATLANTA, July 28—Edward A. Golden, general sales manager of Monogram, presided over a sales meeting this morning at which Southern exchanges yesterday. In attendance were the staffs of the offices in Atlanta, Memphis, Charlotte and New Orleans, headed by John Mangiam, president of the four branches.

Among the Monogram representatives present at the meeting were M. L. Stevens, J. E. McLeroy, O. S. Barnett, J. O. Lamont, Charlotte, manager; Fred Mathis, E. W. Eiden, San Antonio, P. H. Savin, assistant to Mangiam; W. A. Lewis, W. E. Osborne, manager in Memphis, C. P. Smith, Buford, Styles, and J. Harry Spamp, New Orleans, manager.

Lange Joins Other Foreign Men Here

Fred Lange, Continental European manager for Paramount, arrived from London last week and, according to reports, is the fourth continental manager to return to New York in recent weeks.

Lange will make a report to John L. Smith, vice-president in charge of foreign department and may return to Europe subsequently.

Other continental managers who have returned recently are: Ben Higgins, 20th Century-Fox; Larry Lawrence, Loew’s, and Harold Smith, M.P.D. and C.

Para. Answers Trendle

Paramount on Friday asked for dismissal of George W. Trendle’s suit here, which was made by him and John H. King in 1929 which barred them from operating theatres within a 15-mile radius of Detroit for 50 years. An answer filed in the U. S. District Court here contends that the provision is legal and binding.
They’re driving morning, noon and night

...TO NEW YORK, ST. LOUIS, NEW ORLEANS, etc., etc., etc.!
So all opened with block-long lines (even in a blazing sun) and the season’s top figures!!!
Motion Picture Daily

Grosses Hurt Over Country By Hot Week

(Continued from page 1)

despite exceedingly high temperatures and lack of star appeal. "With no names or anything, it is outraging some of the big-star pictures which have shown good hold at the Meacham.

Washington's 97-degree weather of the past week had the usual beneficial effect on the six theatres. Exposition is estimated to be better Sunday with cooler weather. The Fulton reopened to good grosses with "When the Daltons Rode."

Omaha, paradoxically, reported that the heat wave boosted weekend openings from five to 25 per cent when utilized condition at nearby 110-degree theatre facilities.

Kansas City on Saturday reported the usual shopping crowds missing from downtown streets, but a larger percentage escaping the heat in the first six theatres. Box-office activity was described as better than normal for the summer.

Key Cities Report

Other key cities reported as follows: Providence—Thursday and Friday attendance off 40 to 50 per cent. Indications Saturday noon for a clear, hot weekend indicated a continued box-office slump in favor of nearby shore resorts.

New Haven: Openings were off, with the exception of "South of Pago Pago" at Loew's Poli. Friday's 95 degrees started an exodus to the beach. The forecast for weekend showers would be too late to help grosses appreciably.

Cincinnati: The oppressive heat reduced attendance at openings. Forecast for showers and slightly cooler was expected to bring some betterment, although the temperature Saturday noon headed toward Friday's 90-degree mark.

Detroit Theatres Suffer

Detroit: Theatres suffered a big business loss at late-week openings because of the heat. Relief was promised by the weather man.

San Francisco: The weather and the lack of bookings at nearby Gate Theatre was slashing 20 per cent off film openings and weekly grosses. Most theatres have curtailed advertising schedules. The warmer the weather, the poorer the business.

Baltimore: Sweltering under the worst heat wave of the summer, climaxed by a 48-year record high of 95 on Friday, Bostonians began an early exodus to resort areas. Several theatres reported good openings, but a slow weekend was considered inevitable.

Philadelphia: The 98-degree weather on Friday proved a slight boon for the openings at downtown theatres, with the heat actually driving people into theatres to find relief. Matinee business reported well above average. Forecast for a letup in the heat wave was enough to stop the general exodus to the seashore as experienced the previous weekend, and theatres figured on only a 10 per cent loss in Saturday's business, but more on Sunday.

Cool Weather 'Hurts'

Milwaukee: Business here is better when it's hot. A rainy Friday accommodated by moderating temperatures had an adverse effect on openings. Cooler weather caused a dip in matinee grosses, which were up during the hot spell.

Buffalo: The heat wave was reported to have had little effect on new openings, and the grosses for the week, despite the weather, averaged better than the week before. Prospects were for lower temperatures.

Indianapolis: Openings were off because of the mercury in the upper 90's. Neighborhoods are doing better, particularly near apartment buildings.

Texas Web Signs First Ascap Pact

(Continued from page 1)

the FCC, Beery said.

Attacking NAB's "$2,000,000 subsidiary, Broadcast Music Industries, Inc. (BMI), which has been set up in opposition to Ascap's terms, Beery declared:

"Exclusively plugging the music of Ascap's two thousand songwriters, BMI is definitely in their own individual interest, without regard for the public interest or the rights of other songwriters. If this discrimination is permitted, there is nothing to stop the chains from ultimately swallowing up the music publishing industry. It would thereby exert an unhealthy control of tremendous investments involved in allied industries such as motion pictures, the theatres, dance halls, hotels, night clubs and radio advertisers too numerous to mention, which depend in great part for music to safeguard investments."

CBS Again Attacks Ascap

(Continued from page 1)

velopment of B.M.I.'s catalogue at a rate which promises 1,300 songs by March 1, 1940. As cac yaptı contracts with networks and stations expire.

The letter reiterates the CBS stand that it cannot accept Ascap's new contract terms and will not carry Ascap music on its programs after the first of this year. It urges radio advertisers to begin at once to popularize non-Ascap music and asserts that:

"If the transition to non-Ascap music is not made very fast, the hit tune should lie outside of Ascap before Jan. 1."

Kester's letter says radio paid Ascap $10,000 in 1923: $1,000,000 in 1931, and last year paid it $4,300,000 despite the fact that there was a 40 per cent drop in the number of musical programs on the air.

Monopoly Report May Be Delayed

(Continued from page 1)

12, last and it was later the basis of questions propounded by Senator Charles A. King, late commissioner of the FCC. Investigation of that part of the report dealing with the CBS-Paramount deal precipitated an attack on the report by CBS, which asked permission to file a brief.

Other interests in the network field also indicated a desire to reply to statements and conclusions made by the commission and apparently made the decision that blanket permission to file briefs during the next seven weeks should be granted.

In announcing its action, the commission suggested that briefs should be directed, among other things, to the possibility of adopting a temporary regulation suggested by Mutual Broadcasting System for maintenance of the status quo.

Feature Review

“The Tulsa Kid” (Republic)

This is an entertaining western from an original screenplay by Oliver Drake, directed by George Sherman, who also acted as associate producer. Don "Red" Barry heads the cast, which includes Noah Beery, Luana Walters, David Durand, George Douglas, Ethan Laidlaw and Stanley Bloystone. The work of Beery is especially good.

In an early sequence, Barry is kicked out of the army for becoming drunk and being absent at the last post. A gun duel between Barry and Beery culminates the action and the gang is brought to justice.

Barry's portrayal of the affable cowboy is excellent. While the story is run of the mill, his presence along with Beery's brings the film above par.

Running time, 57 minutes. “G.”

*“G” denotes general classification.

Offices Close Early

SEVERAL of the home offices in the blast furnace which was New York City’s heat wave today, shut down temporarily to permit the boys and girls to head for the nearest swimming pool.

Walters, RKO, M-G-M and Universal closed at 3 P.M. Of the others, 20th Century-Fox, United Artists and Columbia have air-conditioning systems, and so the boys and girls had to stay after school.

Weisner, Brighton Die in Milwaukee

MILWAUKEE, July 28—Milwaukee’s Film Row suffered the loss of two of its members in the deaths of E. L. Weisner, 42, pioneer exhibitor and long associated with Fox Wisconsin Amusement Corp. in theatres here and in the State, and Alexander F. Brighton, 40, salesman for seven years for National Theatre Supply Co. Weisner, a former film salesman, is survived by his mother, three sisters, and two brothers, Max and Harold, also exhibitors here.

George Walker Dies;
Was Shea Manager

BUFFALO, July 28—Funeral services were held here Saturday for George Walker, 69, a member of the North Park. Walker, a cousin of the late Michael Shea, operator of the circuit bearing his name, died of a heart attack Thursday. Walker started as an usher for Shea in 1900 at the Old Garden Theatre. A year later he became manager of the Court Street Theatre. A sister, Miss Mary Walker, survives.

War, Weather and Vacations

Toronto, July 28—Hot weather and vacations along with the war have reduced Toronto grosses to a mark appreciably below those of one year ago. "All This, and Heaven Too" is the only film in town doing real business, having been held a second week at the Toronto Star, then given remote phases to get away from the war talk, while housekeepers who are stocking supplies against an arising crisis have little money for shows.
Grosses Slump
To 40% Normal
In Record Heat

Strand and Music Hall
Lead Broadway Parade

Except for two or three exceptional situations, grosses everywhere in the East are parochuting downward as the record heat-wave hits its 11th successive day. Box office income has dropped 40 to 60 per cent, according to showmen.

On Broadway, George Raft making a personal appearance with the showing of "They Drive By Night," helped to pull up business most strongly, at the Strand. The Music Hall, with "All This and Heaven, Too," in its fourth week, also was reported doing well. Otherwise, Times Square, like the Loop, in Chicago, were practically deserted Sunday, according to official reports. Some relief was in sight in some sections, yesterday.

The Strand reports a weekend gross of $28,000 for Friday, Saturday and Sunday, which is a high mark. Raft, personally, must be credited for a substantial part of this gross.

"All This and Heaven Too" garnered $48,000 on the first week of its departing week at the Radio City Music Hall. "Turnabout," with a stage show at the Roxy, grossed an estimated $11,800 over the weekend, and "Leopard Man of Africa" at the

(Continued on page 4)

KAO Year's Net
Put at $877,780

Keith- Albee- Orpheum and subsidiaries earned $877,780 for the 52 weeks ended June 29. The figure is after all charges including settlement of a lease obligation amounting to $400,000.

For the 26 weeks ended June 29, K-A-O reported net earnings of $427,062, equal to $5.71 per share on the 65,860 shares of seven per cent cumulative convertible preferred.

Earnings for the period compare with a net of $252,909 for the corresponding period last year, which was equal to $8.18 per share on the preferred.

Earnings for the 52 weeks are equal to $13.80 per share on the preferred.

K-A-O is RKO's principal theatre operating company.

Earnings of B. F. Keith for the 52 weeks ended June 29 amounted to $504,140. For the 26 weeks ended June 29, earnings were $261,755, which compares with net of $332,867 for the corresponding period last year.

When an executive labels his picture as "difficult to sell" — that's news. The executive is James Roosevelt — the picture is "Pastor Hall," which was produced in England. The other day, in Hollywood, a reviewer of Motion Picture Daily saw this film; another saw Universal's "When the Daltons Rode," which was made in California. Because each is an unusual picture, and because each embodies a screen theme and possibly also a purpose so contrasting to the other, the reviewers' opinions are offered to the readers, side-by-side. — S. S.

"When the Daltons Rode"

[Hollywood, July 29] — When the Daltons Rode contains, in its 81 minutes, more thrills and excitement than has been seen on motion picture screens for years. It is a rip-roaring, snorting action film designed to keep all audiences on the edges of their seats from start to finish. Telling the story, fictionalized to a certain extent, of the rise and the fall of the Dalton gang which terrorized Kansas and

(Continued on page 4)

"Pastor Hall"

[United Artists]

Hollywood, July 29—Establishing three Hollywood precedents by (1) personally addressing his press preview guests; (2) describing his picture as "difficult to sell;" and (3) asking them to cooperate by "passing the word along" in behalf of a production he said he had chosen for his first because "it is entertainment" and "leaves with you something you will remember for many days to come," James Roosevelt last Friday night unvailed the most forthright indel

(Continued on page 4)

Government Spokesmen
Hope for Agreement
By End of Week

A separate peace with Loew's, RKO, Warner Bros., and 20th Century-Fox, leaving Paramount out, is a possibility, it was authoritatively indicated yesterday. Paramount's position in regard to the consent decree is still indefinite despite protracted discussions held last week, following the objections which were made to the proposed decree by the company's principal theatre partners, and Government lawyers asserted yesterday that these objections would not be permitted to hinder the peace discussions. In fact, they asserted that they hoped an agreement on the decree would be reached by the end of the week.

Spokesmen for the companies state that a peace can be obtained if the "right kind of an escape clause" is inserted into the decree. None of the defendants, these spokesmen say, can agree to a decree, while some of the companies will be permitted to remain outside its scope. Under the provisions of the tentative draft, a company may appeal to the courts, in special circumstances, to declare the decree inoperative.

The "escape clause" is important because even if Paramount were to be included within the scope of the decree, three companies such as Universal, Columbia and United Artists are still refusing to participate in it. Loew's, RKO and Warner Bros. constitute the peace block within the ranks of the Big 5. They are exerting strong pressure, it is asserted for a united front.

However, considerable difference of

(Continued on page 4)

Frank Mullen Will
Follow Trammell

Frank R. Mullen, vice-president in charge of public information for RCA, is scheduled for promotion to vice-president of NBC this Friday at a meeting of the network's directors. The post was vacated two weeks ago when Nile Trammell was elected president.

Original plans called for a joint announcement of the promotions of Trammell and Mullen.

Fourth Companies May Make Peace Without Paramount

Labor Against
Act Changes

WASHINGTON, July 29.—Representatives of motion picture guilds and unions today told Assistant Director Harold Stein of the Wage-Hour Division that they were opposed to "any and all" suggestions made last week by the producers for revision of definitions of "executive," "administrative" and "professional" employees as covered in the National Labor Act.

George E. Bodle, representing the Hollywood Guild council, seven guilds and the Moving Picture Paint

(Continued on page 4)

Dollar's Worth of
Worry for a Nickel

Philadelphia, July 29.—Things began to happen following the announcement of plans to introduce nickel-in-the-slot film machines here in the fall.

First a city councilman began a measure to impose a tax, probably higher than that on other types of coin machines. Then, the State censor board ruled that the reels will be subject to the usual censorship fee of $2 per reel. Now, the local operators' union declares that it has taken over jurisdiction.

Hollywood Reviews

"Pastor Hall"

[United Artists]

Hollywood, July 29—Establishing three Hollywood precedents by (1) personally addressing his press preview guests; (2) describing his picture as "difficult to sell;" and (3) asking them to cooperate by "passing the word along" in behalf of a production he said he had chosen for his first because "it is entertainment" and "leaves with you something you will remember for many days to come," James Roosevelt last Friday night unveiled the most forthright indel
N. S. Takes Chicago
Poster Service Firm

Chicago, July 29—U. S Independent Poster Service, recently organized by Ben Marcus, president, and I. E. Sarnoff, vice-president and treasurer, has been taken over by National Screen Service and Advertising Accessories, Inc., the two poster officials stated today.

U. S. Independent Poster Service recently acquired the Independent Poster Service here and the Wisconsin Poster Service, Milwaukee, and planned to open branches throughout the Midwest.

Para. Clears Title
To Chaplin on Film

Hollywood, July 29—Paramount has released to Charles Chaplin its title, “The Great Dictator,” removing the only obstacle to the use of that title by Chaplin for his comedy satirizing dictatorship.

Following conferences with Maurice Silverstone, United Artists chief executive, who arrived from New York today, Chaplin may set the release date for the picture this week. He has finished cutting the picture and scoring is now under way.

MORRE GREENTHAL of United Artists plans to leave for the Coast today or tomorrow in connection with the company’s pre-selling campaign plans.

Jack Cohn and Nate Spiegel returned from the Coast yesterday.

George Keenan has left his manager’s post at the Avalon, Avalon, N. Y., for a similar position at the Opera House, Millinocket, Me. Vincent W. Buckley, of Philadelphia, replaces him.

Leo Spitz is in Chicago.

Ted Schlaeger, Waltham theatre, zone chief in Philadelphia, has bought Rosenmunt, a five-acre estate in the suburban Rosendom section.

Lou Weinberg, Rube Jackter and Marvin Schenck at Lindy’s (next to the Rivoli) for lunch yesterday.

William F. Rodgers, James R. Grainger, Eddie Grainger, Jack Canty, Sam Selzer, Louis Zuckor, Tom Connors and Harvey Brandt at Nick’s Hunting Room in the Astor yesterday for lunch.

Mr. and Mrs. Stanton Griffin, Barney Balaban, Jules E. Brulatour, Austin Kordig, John D. Hertz, Jr., John W. Hicks, Chester Erskine, Lionel Stander, Jimmie Natio and Sidney Phillips at St. Peter’s yesterday for lunch.


Mrs. Pat Rooney Dies

Mrs. Marion Bent Rooney, 60, veteran vaudeville performer and wife of Pat Rooney, died in the Cabrini Hospital in the Bronx on Sunday after an illness of two months. Mrs. Rooney was in vaudeville 22 years with her husband, and also their son.

F. & M. Tries Even
Scale in St. Louis

St. Louis, July 29—The Missouri Theatre, operated by Fanchon & Crocker, with a new price scale with its first stage show in years last Friday. Still maintaining the basic price standard, the Missouri will facilitate ticket purchasing by the following prices: 30 cents before 2 P.M.; 40 cents from 2 to 6 P.M., and 50 cents thereafter, including Saturdays. Sundays and holidays.

These prices include all taxes.

The previous scale was 28 cents and a maximum of 30 cents; 44 cents and 8 mills, and 56 cents. The smaller were for the State tax and the odd cents were for the new defense tax. The new scale above these taxes, and in view of the fact that the same prices will prevail everywhere in the city, the management believes the scale is balanced.

The new arrangement is an experiment, and if successful will be installed in the other F. & M. houses in the city.

Rites for Niemeyer
Held in Hollywood

Los Angeles, July 29—Harry H. Niemeyer, Sr., 63 years old, veteran Hollywood correspondent for the St. Louis Post Dispatch, was buried Saturday at Forest Lawn Cemetery. He died the same day of lymphatic leukemia at Hollywood Hospital. Surviving are his wife, Edna Niemeyer, Harry Jr., a member of the RKO studio publicity department, and his father, Judge Niemeyer, a Veteran Confederate.

Niemeyer had been associated with the Post Dispatch since 1894. He also held a position in the department of the New York Times prior to the World War, and acted as personal representative of the studio of Hackett. He came here from St. Louis in 1934, and was known to readers as “N. C.”

ROGERS STANDIN DEAD

Hollywood, July 29—Leonard Trainor, 61, film player during the “horse opera” era and standin for Will Rogers, died here yesterday at Cedars of Lebanon Hospital. He had just finished enacting the role of Rogers at a memorial pageant for the humorist in Santa Monica.
They don’t miss a bet in getting over every bit of action there is in the film. And those color features! I never saw anything more natural in all my life.

You said it, Mr. Robinson! That fifty per cent extra light—real snow white light at that—does make a big difference. The fellows who designed this equipment did a swell job. It’s real stuff from A to Z. What surprises me is how they are able to get so much light out of a one kilowatt arc. It’s going to be a real pleasure to show pictures here from now on. I defy anyone to put any better pictures on the screen than we can in our little theatre.

That’s the spirit, Jack! We can go to town with this new equipment. Our patrons have already noticed the improvement in our pictures. This investment is going to pay big dividends.
Grosses Slump To 40% Normal In Record Heat

(Continued from page 1)

Global Box Office Slump During the same period, "The Fugitive" completed a week at the Rialto, with $5,500.

In cities like Milwaukee, Kansas City, Omaha and Atlantic City, the torrid wave helped rather than re- tarded business. Omaha benefited by rainfall, while the other cities were forced by degree weather, according to reports from that city, maintained good grosses.

While Atlantic City was doing good business, Philadelphia, on the other hand, was suffering intensely. It is estimated that 30 per cent of Atlantic City business is expected to continue from Philadelphia, thus leaving that city practically desolate of box-office enterprise. Yesterday, reports from Philadelphia indicated a spurt in trade, but not a great one.

Temperatures which reached new highs in many of our cities forced millions over the country to seek the shade and beaches and the parks for relief from the heat in New York the mercury stayed at 91 degrees Sunday, and yesterday was about as hot.

Springfield, III, baked under a tempera- ture of 104 degrees, and in Cincin- nati it was 99 on Sunday. Theatre attendance, therefore, went far below normal throughout these areas.

Neighborhood business in Indianapolis promised to be up, as did the authorities report, but downtown houses were off. In Chicago the continued heat wave caused a terrific slump in Loop grosses.

Additionally, the Ringling Bros. circus, with its air-conditioned tents, and the United States' entire excursion offerings at low prices, took heavy toll from the theatre box offices.

Providence experienced one of its worst theatre slumps.

Buffalo, ironically, was saved from a similar episode by action of the City Board of Health which closed the municipal beaches on grounds of "contamination" in order to avoid what the authorities believed might bring an epidemic of infantile paralysis. Consequently, the populace, unable to visit the beaches, sought relief in the theatres.

Another aid to Buffalo theatre business was the removal of race track competition, when the track across the river in Canada closed for the season.

The heat ruined business in Toronto. One manager summed it up by saying people cannot think of pictures on such torrid weather.

Detroit’s business on the weekend was 30 per cent below normal, according to reports. The downtown houses didn’t suffer as much as the neighborhood houses, because they had the bolstering drawing power of stage shows which the neighborhoods did not.

In St. Louis, the Fanchon & Marco house was not bolstered. Being considerably off, while the Louen’s State management stated that matinee busi- ness was bolstering the box office. The thermometer hit 100 on Monday and the town was sweltering.

Hollywood Reviews

"Pasto Hall" [United Artists]

(Continued from page 1)

ment of Adolph Hitler and the Nazi regime in Germany screened to date. Mrs. Franklin Delano Roose- velt, wife of the President, estab- lished another precedent by appear- ing in a special preview introduc- tion to the picture delivering a fore- word written by Robert E. Sher- wood for the purpose.

As a picture proper, produced in England after that country’s decla- ration of war upon Germany and based on a play by the late Ernst Toller, German playwright, is far the most outspoken and whole- sale indictment of the Hitler sys- tem of government that has ever been offered for exhibition in America theretofore. It is somewhat less expertly produced, as is technique, than such works as "Four Sons" and "The Mortal Storm," but audi- ence effect of its minor technical flaws is more than compensated by the reality of the presenta- tion.

Toller’s story, prepared for screen by three writers, traces in terms of its effect upon the lives of a vil- lage pastor and his associates the coming of Storn Troopers to their community to enforce Nazi regu- lation and instil rigid reason well and the realist of the presen-

tation.

A secondary plot concerns the Storn Troop leader’s attempt to seduce the pastor’s daughter on promise to obtain her father’s free- dom, a proposition she ultimately accepts but is frustrated by circum- stance from executing.

A third subplot pertains to the consummated seduction of a minor child in a labor camp, refusal of the Nazi authori- ties to release the girl, or regard the matter as important save as it may increase the popula- tion, and the girl’s subsequent suicide.

Scenes and incidents in the con- centration camp, reportedly filmed in conformity with conditions and practices described in the British report on the concentration camps, pass anything previously offered on the entertainment screen in point of savagery, brutality, violence and disregard for human life. These scenes, filmed in the Hollywood photog- rapher, are hardened by constant exposure to films of all varieties and artful Hitler lecters for the most part, gasping and shuddering in their chairs.

Wilfrid Lawson is seen in the

"When the Daltons Rode" [Universal]

(Continued from page 1)

surrounding territory in the middle of the last century, the film is circumstantial evidence laden with comedy of dialogue and situation.

Brian Donley, Broderick Craw- ford, Stuart Erwin and Frank Al- bertson enact the roles of the Dal- tons, who turn outlaws when a land company seizes their farm. Ran- dolph Scott plays the role of a law- yer who attempts to aid them, and who falls in love with the sweet- heart of one of the Daltons, en- acted by Kay Francis. Andy Devine is the hired hand who joins the Daltons in their depredations. Others in the cast include George Bancroft, Mary Gordon, Harvey Stephens.

George Marshall, who directed "Destry Rides Again," presents a well rounded job. Harold Shumate wrote a tense, terse screenplay, using as his background the story of Emmett Dalton, who was the only survivor of the band, and Jack Jungmeyer, Sr.

The film opens in Coffeville, Kansas, amid the gathering thun- der of the depredations of a mys- terious land company which is seizing settlers’ farms. In an ar- gument with the company’s survey- ors, one of the Dalton boys acciden- tally kills one of the men. Be- fore an unfair trial can begin, the other Daltons rescue the accused brother from the courtroom and flee.

Sought down and blamed for crimes they did not commit, the gang finally turns to burglarizing banks and mail trains. In what was to be their final job, they are annihilated.

The picture has all the elements essential to entertainment. Tragedy, drama, romance, comedy, action, suspense are all compressed in a package which merits popular and critical applause.

Running time, 81 minutes. "G."*"8

VANCE KING

"*G" denotes general classification.

"A" denotes adult classification.

Peace Pact Seen Without Paramount

(Continued from page 1)

opinion still exists also in regard to the Internal Security Act of 1950, Section 6, which provides against dis- crimination in the sale of produc- tions.

Government lawyers asserted, however, that there is little likelihood that the consent decree proposal limit- ing film sales to blocks of five with- out change will be changed. They asserted that the Government has made all the concessions which are reasonable in this regard and that it does not feel it can go further in the way of a compromise on the subject.

Government attorneys, however, reiterated the Government’s intention of submitting a proposed decree to ex- pect the theatre views as soon as such a decree is in effect. They stated that an agreement between negotiators for the Government and defendants will be reached by the end of this week. The pact will then be submitted to Attorney General Robert Jackson, Special At- torney General Thurman Arnold for their approval, after which all inter- ested exhibitor organizations would be given an opportunity to express their views on the proposed decree.

If this procedure develops as is now expected, a decree may be ready for signing by the end of August, it was said.

Employees Oppose Labor Act Changes

(Continued from page 1)

ers Union, and Joseph A. Padway, representing the L.A.T.E.S., charged that the revisions would in- crease unemployment by broadening the exemptions to include employees who would not be exempt.

Opposition to revisions recom- mended by the National Association of Broadcasters was voiced by Henry Sachs, attorney for the American Federation of Radio Artists, who con- tended that the proposed exceptions would exclude fulltime employees of the act announcers and other em- ployees who were not engaged pri- marily for executive or administrative duties.

Hollywood, July 29—Pat Casey, studio labor contact, left for Chi- cago over the weekend to confer with union officials there. He will go to Washington thereafter to testify at current hearings on new definitions of employe groups for the Federal Wages and Hour law.

Writer Sues Warners

Hollywood, July 29—Hans Re- bisch, German writer, today filed a $750,000 damage suit in Federal Court against Warners, charging plagiarism of his story, "Die Affaire Dreyfuss" in the "Life of Emile Zola."

To Feature Velez, Errol

Hollywood, July 29—RKO today announced plans for a series of four films starring Lupe Velez and Leon Errol, who are in "Mexican Spitfire."

**G" denotes general classification.
**Hollywood Reviews**

**“Sing, Dance, Plenty Hot”**

(Return)

-HOLLYWOOD, July 29—Light as a feather and tuneful as a lark, this little musicomedy gave a midtown preview audience 70 minutes of manifestly relished relief from the pressures of reality and the contemporary flood of filmic treatments of the same. The cast is headed by Ruth Terry, who sings well and dances engagingly, opposite Johnny Downs, likewise adept at both. Supporting these are Barbara Allen (radio’s Vera Vague) and Billy Gilbert, both contributing some high comedy moments, alone ad together, Claire Carleton, Mary Lee, Elizabeth Risdon, Lester Matthews and Leonard Carey.

Story of the film, by Vera Caspary and Bradford Ropes with screen play by the latter, has to do with the operations of a theatrical producer engaged in staging benefits from which he derives principal profit. This producer is a father of two children, who, after a series of songs, dances and comedy interludes, however. A circumstance of perhaps special exploitation usefulness is the fact that herein the gussy Billy Gilbert not only does his usual sneeze routine but also sings a comedy duet with Miss Allen and winds up playing a straight role as detective.

Songs by Jule Styne, George R. Brown and Sol Mayer have lift and disguise of the chief had man and, after much riding and more shooting, brings to justice such malefactors as are still alive when the killing subsides. He also sings three songs. Accompanying Mr. Ritter in this enterprise, which is below his par, are Slim Andrews, Ina Guest, Patsy Moran, Gene Alsace, Stanley Price, Warner Richardson, Eddie Dean and others. Ed Finnery produced and Al Henderson directed, Roland Lynch furnishing the screen play.

Running time, 50 minutes. “G.”—Roscoe Williams

**“Charlie Chan at the Wax Museum”**

(20th Century-Fox)

-HOLLYWOOD, July 29—Setting of this adventure of the Chinese detective is a wax museum in New York City operated by a reportedly retired physician who maintains it as a hideout for criminals and a blind for an operating room in which he alters their facial appearance by plastic surgery. An escaped murderer desirous of avenging himself upon Chan for bringing about his conviction lures him to the spot for participation in a radio broadcast and from that point on deaths occur with regularity, suspicion shifting from one to another of the dozen or more assorted persons present, Chan detecting and capturing the responsible party, who is not, of course, among those suspected.

This setting, replete with wax figures, including reproductions of Chan and some of the other characters in the picture, has the effect of giving the film somewhat more mystery, evoking more shrieks, shrieks and screams from the audience, than most of the Chan enterprises. Associated with Sidney Toler in this number are Sen Yung, C. Henry Gordon, Marc Lawrence, Joan Valerie, Marguerite Chapman, Ted Osborne, Michael Visaroff, Hilda Vaughn, Charles Wagenheim, Joe King and others. Two associate producers, Walter Morosco and Ralph Dietrich, were in charge, with Lynn Shores directing from a screen play by John Larkin.

Running time, 63 minutes. “G.”—Roscoe Williams

**The Golden Trail**

(Paramount)

-HOLLYWOOD, July 29—In this outing Tex Ritter portrays a gold miner who, by way of protecting his own mine again against murderous marauders who have taken over most of them in the community, penetrates the secret proceedings of a syndicate of racketeers and brings to justice such malefactors as are still alive when the killing subsides. He also sings three songs. Accompanying Mr. Ritter in this enterprise, which is below his par, are Slim Andrews, Ina Guest, Patsy Moran, Gene Alsace, Stanley Price, Warner Richardson, Eddie Dean and others. Ed Finnery produced and Al Henderson directed, Roland Lynch furnishing the screen play.

Running time, 50 minutes. “G.”—Roscoe Williams

**“G” denotes general classification.**

**Loew Starts Ad Directory In 3 Papers**

Loew circuit’s daily theatre directory next Thursday will start in three additional New York newspapers, the New York Post, the New York Mirror and the World-Telegram. These, added to the Journal-American, which has been running the directory for more than a week, will give the guide a daily circulation of 1,500,000, according to Loew’s.

One or two more papers will eventually be added to the schedule, which will complete a newspaper campaign intended to substitute for Loew’s Weekly, which the circuit has abandoned as its primary method of reaching its New York patrons.

**Letter from Doob**

In this connection, MOTION PICTURE DAILY recently received the following letter from Oscar A. Doob, Loew Circuit’s advertising and publicity director:

“This prediction of long ago that some day the daily newspapers would come to realize that listings of movie programs were as important, from a reader-interest angle, as listings of radio programs, has come a notch nearer to fulfillment.

“New York’s new daily paper, PM, has started publishing a daily directory of movie theatre programs. As you probably have noticed, this listing includes about 200 theatres, gives the titles of both features, plus admission price and time of evening shows. Almost a full page (tabloid size) is devoted to this new feature. With this innovation, I understand, PM plans to devote at least two pages a day to the movies and is particularly interested in stuff concerning the neighborhood theatres.

**Other Newspapers Watching**

“All of which is an interesting development for New York City and one which other newspapers will probably watch closely.”

“The fact that PM does not accept any paid advertising puts this directory on a strictly news basis and not merely as an adjunct to the PM, which will want to build circulation and its smart editors feel that the movies can help.”

**Ticket Broker Suit Delayed to Friday**

Hearing of an application by six Broadway ticket brokers to have the Mitchell bill limiting brokerage fees to 75 cents declared void was postponed until Friday by the U.S. Supreme Court Justice J. Sidney Stein.

The court set the Friday hearing in the case of requests for a one-month postponement made by Charles Weinstein, assistant corporation counsel; William Klein, Alexander Gartman, Robert E. Roberts, and Rebecia Bernstein, representing Actors Equity Ass’n, who was an adjourned the longer period was needed for them to complete their preparations for defense of the statute. Justice Bernstein declared that public interest required an early hearing so that the case could be speeded up to the U. S. Supreme Court for review.
**‘Untamed’ At $40,000 Beats Chicago Heat**

Chicago, July 29.—The sudden arrival of hot weather sent Chicagoans to the movies by the thousands and sent box-office receipts down.

However, the Loop theatres did a better than average business, and business improved inside. Even visitors sought relief from the unprecedented heat by sitting in the air-conditioned theatres.

George Miller and “Untamed” as the attractions, drew swing fans to do a fair business.

Estimated takings for week ending July 26:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chicago—6,000 (35c-55c-75c)</td>
<td>$4,000</td>
<td>7 days</td>
</tr>
<tr>
<td>Apoll 1—4,000 (25c-50c-75c)</td>
<td>$4,500</td>
<td>7 days</td>
</tr>
<tr>
<td>Freehold</td>
<td>$4,000</td>
<td>7 days</td>
</tr>
<tr>
<td>Roseland</td>
<td>$4,000</td>
<td>7 days</td>
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</tbody>
</table>

**Maryland Takes $10,000, Cincinnati**

CINCINNATI, July 29—“Maryland” took $10,000 at the RKO Palace. “A country comedy, ‘Maryland’ did $4,200 in its third week at the RKO Lyric. The weather was exasperatingly hot.

Estimated takings for the week ending July 24-27:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Untamed” (Para)</td>
<td>$860</td>
<td>7 days</td>
</tr>
<tr>
<td>RKO—a 6th (RKO)</td>
<td>$860</td>
<td>7 days</td>
</tr>
<tr>
<td>“All This, and Heaven Too” (B-W)</td>
<td>$1,000</td>
<td>7 days</td>
</tr>
<tr>
<td>RKO Capital—a 5th (RKO)</td>
<td>$650</td>
<td>7 days</td>
</tr>
<tr>
<td>“Andy Hardy Meets Debutante” (M-G-M)</td>
<td>$1,200</td>
<td>7 days</td>
</tr>
<tr>
<td>“A Fugitive From Justice” (RKO)</td>
<td>$1,200</td>
<td>7 days</td>
</tr>
<tr>
<td>RKO Family—a 5th (RKO)</td>
<td>$1,400</td>
<td>7 days</td>
</tr>
<tr>
<td>“The Man Who Wouldn’t” (M-G-M)</td>
<td>$1,500</td>
<td>7 days</td>
</tr>
<tr>
<td>STRAND (M-G-M)</td>
<td>$1,500</td>
<td>7 days</td>
</tr>
</tbody>
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**Jennings New Agent Of S. F. AGVA Unit**

SAN FRANCISCO, July 29 — John Jennings, member of the former New York office of John and Mary Jennings, has been named business agent of the local chapter of American Guild of Musical Artists. New directors are B. B. Berman, John Dow, and Adi Capitol.

Fourteen deputies have been selected among the castrs of shows at the Fair to check on union activities there.

**‘New Moon’ Is Best Grosser In Hub’s Heat**

Boston, July 29—The Orpheum and State, drawing $20,700 and $13,500, respectively, with "New Moon," alone were strong in a week of poor grosses, in the hot weather.

Estimated grosses for the week ending July 24:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Days</th>
</tr>
</thead>
</table>

**‘Heaven’ at $6,400 In Milwaukee Heat**

MILWAUKEE, July 29—Best grosser in a stifling week was “All This, and Heaven Too,” which garnered $6,400 in its second week at the Warner. Other business was slow.

Estimated takings for the week ending July 24:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Days</th>
</tr>
</thead>
</table>

**‘Heaven’ at $6,600 Best in New Haven**

NEW HAVEN, July 29—“All This, and Heaven Too,” which opened with “Saps at Sea” at the Rogers Sherman, took $6,600. Other houses stayed under $3,000. In the hot weather sent crowds to the beaches.

Estimated takings for the week ending July 24:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross</th>
<th>Days</th>
</tr>
</thead>
</table>

**Critics’ Quotes . . . .**

**"The Ramparts We Watch" (RKO)**

Logically and with power does "The Ramparts We Watch" bring the gospel of wartime precautions. It should reach far beyond any normal assemblage that may gather to view a screen entertainment; it deserves the attention of every American.—Edwin Schallert, Los Angeles Times

The editors of Time and Life, sponsors of the production, prove they are far out of their field of endeavor. In this they lack the brittle crispness, the sharp informative method they successfully use with their short subjects.—Jimmy Starr, Los Angeles Herald and Express

"SEA HAWK" (Warners)

Has tremendous scope . . . . excitement plus and a really worthwhile story. Here are compliments to Jack Warner and Hal Wallis who deserve credit for making so expensive a production when most studios are counting their pennies above the average April picture, Los Angeles Examiner.

Will have the approval of persons who prefer to forget that war today means mass murder . . . . Lavish as the whole thing is, "The Sea Hawk" in color would have been really spectacular.—Virginia Wright, Los Angeles Daily News.

Sum total opinion may well be ventured that the picture will be one of the most successful of the year, if not the best winner since " Gone With The Wind."—Edwin Schallert, Los Angeles Times.

"NEW MOON" (M-G-M)

Jeanette MacDonald and Nelson Eddy at their tuneful best singingRomberg’s hauntingly beautiful melodies.—Lee Mortimer, New York Daily Mirror.

The audience expressed hearty approval . . . . a suitable vehicle for Miss MacDonald and Eddy . . . . has adventure, romance and humor.—Hondo Hale, New York Daily News.

As handsome and dated as you might have expected . . . . too long and tiresome but there is no denying its entertaining potentialities.—Howard Barnes, New York Herald Tribune.

Once more the enraptured claque of MacDonald-Eddy fans were clapping and pipping fit to kill at each little touch scored by its favorites.—Boley Crouther, New York Times.

"QUEEN OF DESTINY" (RKO)

Memorable as a gorgeous record of Victorian court life . . . . recorded with a historical accuracy and a technical brilliance—acting, directing and photography.—that is seldom achieved in a single film.—Boston Daily Globe.

The new RKO has produced a picture and the use of England’s famous palaces and castles gives the picture added impressiveness and authenticity.—Helen Eager, Boston Traveler.

Words spoken in the dialogue make it even more timely than its predecessor, the production is one that deserves quality exploitation.—Edwin Schallert, Los Angeles Times.

"SOUTH OF PAGO PAIOU" (United Artists)

There is enough brutality, forcibly demonstrated by Victor McLaglen and hiscohens, including Luke Bondant, to satisfy the most bloodthirsty. Direction is tense and fast-paced.—Dorothy Guinan, Philadelphia Daily News.

The work of photographer John Mescall is far superior to that of screen author George Bruce.—Laura Lee, Philadelphia Bulletin.

While colorful, the photography is the permanent character of its school, and the players are found in familiar characterizations.—olie Wood, Philadelphia Ledger.

It is an uphill struggle to maintain even slight interest in this oft-told tale, a tale so familiar that the audience is always several jumps ahead of the luminous script.—Mildred Martin, Philadelphia Inquirer.

The average of South Sea island films . . . . For all its threadbare situations, the film is good entertainment.—Harrison Carroll, Los Angeles Herald Express.

"THE GHOST BREAKERS" (Paramount)

Just what the doctor ordered in the way of escapist entertainment, artfully put together, and the supporting cast is excellent.—Philadelphia Evening Ledger.

The performance of both the stars is impressive, as is the direction . . . . affords much in the way of entertainment and amusement.—Dorothy Guinan, Philadelphia Daily News.

Two laughters to every sheriff—and plenty of shrives . . . . George Marshall directed in the fashion called for by ghost mysteries; but he didn’t allow macabre passages for the audience’s laughter.—Philadelphia Inquirer.

The mystery is more creepy and the gags even funnier (than "The Cat and the Canary") . . . . just what the doctor ordered.—Elsie Finn, Philadelphia Record.

"MY LOVE CAME BACK" (Warners)

Its refreshing lightness will give you a decided lift and brighten your day considerably.—Wanda Hale, New York Daily News.

The producers have concocted and set to music a featherlight frolic, a rollicking roundelay of deliciously pointed nonsense.—Philadelphia Ledger.

Strictly entertaining, and with its naughties all carefully sugar-coated.—Mildred Martin, Philadelphia Inquirer.

May have audience coming back. It is that good.—Dorothy Guinan, Philadelphia Daily News.
THE NEW 1940-41 MOTION PICTURE ALMANAC IS ON THE PRESS.

OVER 1,200 PAGES OF VITAL INFORMATION. A BOOK FOR THE ALERT SHOWMAN’S EVERY-DAY USE! ORDER NOW.

$3.00 The Copy

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER NEW YORK
500 Stations Join in Fair Radio Tribute

More than 500 independent and network stations will carry the one-hour program "This Is Radio" which will climax the Code of Peace Sunday at the New York and San Francisco World's Fairs Sunday. The program, which will be heard from 8 to 9 P.M., will feature performers whose names have become household words all over the country.

Several Cities Linked

Most of the program will come from the Court of Peace at the New York Fair with San Francisco and studios in Hollywood, Chicago and other cities will be linked. Dr. John S. Young and R. C. Colicos, radio directors of the New York and San Francisco Fairs, respectively, will act as masters of ceremony. The broadcast will open with an ode to radio by John La Touche. Included in this part of the program will be the NBC Symphony Orchestra, Paul Whiteman, Frank Black, Howard Barlow, Morton Gould, Frank Munn, Virginia Roberts, Forrest Kelly and Arthur Allen. Clifton Fadiman, Ted Husing, Graham McNamee, Conrad Thibault, Dorothy Gordon, Major Edward Bowers, Raymond Gram Swing, Tommy Riggs, James Melton, Richard Crooks, Amos 'n Andy, Joe Penner, Quintette of the West, Frances Langford, Fannie Brice, Morton Downey and others.

Notable Speakers

Following this, there will be a dramatic presentation by Norman Corwin. Speakers on "Freedom of Radio" will include Rabbi Jonah B. Wise, Walter W. Van Kirk, execu- tive secretary, National Council of Churches; Roger Baldwin, of the American Civil Liberties Union; James L. Fly, FCC chairman; Mr. Harold B. Milligan, president, Na- tional Council of Women; John W. Stoutbaker, U. S. Commissioner of Education; Mrs. John Wellborn, pres- ident, American Federation of Labor. After several brief tributes to radio, the program will end with the sing- ing of "The Star Spangled Banner" by artists and spectators at the cere- monies at both sides of the continent.

Officials to Attend WIP Studio Opening

PHILADELPHIA, July 29.—The formal dedication and opening of the new WIP $80,000, 5,000-watt transmitter and studio will take place Thursday at the studios here, attended by James Lawrence Fly, FCC chairman; Ne- ville Miller, NAB president; Benedict Gimbel, Jr., WIP president; and the mayors of 15 municipalities in Southern New Jersey and Eastern Pennsylvania. Added to WIP's new coverage area because of the increased power.

Bryk Seized by Nazis

Hugo Bryk, Ascap representative in Paris, has been in a German con- centration camp since the Nazi occu- pation of France, according to ad- vices received from friends here.

Off the Antenna

A new program policy will be initiated by WOW on August 12 with all its even-numbered hours, from 6 P.M. to midnight, devoted exclusively to dance and popular music. The only exceptions to the straight musical programs will be a 15-minute sports review daily at 6:15 P.M. and a five-minute news summary every hour on the hour. The station's "Opera Hour" will be heard Sunday nights only at 9 o'clock.

Italian language programs will be limited to daytime hours and all daytime sustaining programs will be in English except those designed to foster American traditions or for some public service announcement. In prepara- tion for the change, WOW is building a large library of recorded music.

Program News: "Crime Doctor" will replace "Musical Game" for Philip Morris over 62 CBS stations next Sunday at 8:30 P.M., "Platterbrains" will be resumed over WNEW next September, ... Next Monday at 4:15 P.M. WMCQ will inaugurate a new series to teach sports to women. ... Bill Bern's "WNYX" will resume, Thursday at 8:30 P.M., its first series.

The radio team of Al and Lee Bland, brothers, who, in addition to an- nouncing duties, have conducted the "Morn Patrol," early morning com- mercial over WCKY, Cincinnati, will be split Friday when Lee leaves to become program manager at WFMJ, Youngstown, O. A. Bland will con- tinue at WCKY with a new partner, as yet not selected.

Purely Personal: FCC Chairman James L. Fly will be heard next Mon- day on "Radio and Public Service" from the NAB convention. ... Ray Katz, WIP program director, and Arthur Weill of the accounting department, left yesterday for their vacations. ... Ronnie Goldenberg, WNEW auditor, will be married to Laura Whitehorn Aug. 18. ... Harold Miller, WNBN engineer, and Walter Holmes, announcer, returned from vacations yesterday. ... WABC in New York has announced the resignation of the Cities Service "Concert Hour" over NBC-Red Friday at 8 P.M.

Radio equipment of the America which arrived here on maiden voyage yesterday is the first ever installed on an American liner, according to Charles J. Pannill, president of the Radiomarine Corp. Eight transmitters, nine receivers, a radio compass, a radio auto alarm were installed at a cost of $50,000, Pannill said. The ship's radio room, open 24 hours a day, is handled by five ship officers and is also a 30-watt transmitter which can operate in emergencies when all main power generators fail. Also for emer- gencies, two life boats have been equipped with two-way radio plants.

Indicates Television License Soon for NBC

WASHINGTON, July 29.—A license for a television station here will prob- ably be granted to NBC this week, it is stated. The station would be operated today by FCC Chairman James L. Fly.

Fly declared that the network had heard from the Justice Depart- ment that the FCC license will be taken up at an early meet- ing of the commission.

Macadden Sponsors MBS Drama Series

A new series of dramatic shows titled "Till Never Forget," will be sponsored by Macadden Publications over 75 Mutual stations three times weekly starting Wednesday. The programs will be heard Monday, Wed- nesday and Friday, 1 to 1:15 P.M., with Frank Luther and Pat Barnes featured.

Westinghouse Group Now in Philadelphia

PHILADELPHIA, July 29.—Execu- tives of the new Westinghouse Radio Stations group have moved into their new permanent offices at KYW here. In addition to the local station, the group includes WBZ, Boston, KDKA, Pittsburgh; KJAZ, Springfield, Mass., and WOWO and WLS, both in Chicago. The group has taken over the former Wayne, Ind. Headed by Walter Evans, vice-president of Westing- house and manager of the radio divi- sion, those transferring here are Lee B. Wailes, general manager of the new broadcasting group; J. B. Roeb, assistant to Wailes; Griffith Thomp- son, sales manager; George A. Hard- er, publicity manager; F. P. Nelson, in charge of short wave activities; P. E. A. Logan, auditor; and Gordon Haw- knis, program supervisor.

CBC Allows Limited Price References

MONTREAL, July 29.—Mentioning of prices over the air, if made in con- nection with charities or public ser- vices, will be permitted by the Canadian Broadcasting Corp. under a new rul- ing just released. "Just such mentions of sums of money for public service purposes have been ruled not price mentions in contemplation of the regulation," the te rule announcement said. "This con- structive means that there may now be broadcast solicitation of specific sums of money in appeals on behalf of charitable, patriotic or public ser- vice organizations."

CBC emphasized that the regula- tion has not been made for gen- eral commercial purposes and prices may be mentioned in only six in- stances. These are for publications in- tended to the CBC information serv- ice; premium merchandising offers; non-sponsored coverage tests; post- age and handling costs; announce- ment of "Dollar Days" and the like; and where the trade name of the ar- ticle includes the price.

Where Was Moses?

S AN FRANCISCO, July 29.—An ABC network announcer was broad- casting a quiz show over KPO from the World's Fair here, a power failure plunged Filmore Avenue into darkness. Jack Venter kept the show going by lighting candles so that the contestants could work together, but Jack Joy's band played its signoff in complete darkness.

F. C. C. Authorizes Two New Stations

WASHINGTON, July 29.—The Fed- eral Communications Commission has authorized construction of two new broadcasting stations in two Southern states.

The Roanoke Broadcasting Corp., was granted a permit for a 1,500-kilo- cycle, 250-watt station at Roanoke, Va., and the Twin States Broadcast- ing Corp., granted a permit for a 210-kilocycle, 250-watt station at Augusta, Ga.

An application of the Trent Broad- casting Corp., for a construction per- mit for a 1,230-kilocycle, 1,000- watt station at Trenton, N. J., was ordered set for hearing, on a date to be announced later.

Permits for Seattle, Ohio Stations Sought

WASHINGTON, July 29.—Applica- tions for construction permits were filed with the Federal Communica- tions Commission today by the Butler Broadcasting Corp., for a new 1,420-kilocycle, 250-watt station at Hamilton, Ohio, and Edward E. Reeder for a new 1,420-kilocycle, 250-watt station at Steubenville, Ohio.

Applications also were filed by stations WAGA, Atlanta, Ga., for change of frequency from 1,450 to 1,000 kilocycles and increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, and WOAK, Henderson, S. C., for in- crease of power from 100 to 250 watts.

The commission tentatively set Sept. 9 for testing of the contest- ing applications of Stephenson, Edge & Korsmeyer and Helen J. Wolton & Walter Bekker for a new 1,150 kilocycle, 250-watt daytime station at Jacksonville, Ill.

Damage Suit Voided

Action for $10,438 damages brought in cases in Texas State Network (Elliott Roosevelt) was dismissed yesterday by Judge T. M. Gibson, technician by Timothy A. Leary for lack of jurisdiction.

The complaint charges breach of a contract covering, "Calling All Cars," recorded series.

Loretta Young to Wed

LOS ANGELES, July 29.—Loretta Young and Thomas H. Lewis, radio advertising executive, will be mar- ried Wednesday in the Church of St. Paul, Westwood Village, with Father Francis G. Quinn officiating.

Lewis is manager of the radio de- partment of the Young & Rubicam agency.
WARNER DECIDES ON DECREES TODAY

Joseph Hazen Flies to Coast to Confer With Company President; Escape Clause Drafted to Satisfy All

Harry M. Warner, president of Warner Bros., in Hollywood today will decide his company's stand in regard to the proposed consent decree issued to extend Government's New York anti-trust suit.

Joseph H. Hazen of the Warner legal staff, who has been one of the negotiators to the pact, left last night by plane from New York to confer with Warner on the matter.

U.S. Queries Ascap Members on 'Trust'

All Ascap members have received questionnaires from the Department of Justice designed to reveal whether membership in the organization gave the companies who were members an advantage not enjoyed before they became members.

The questionnaires apparently are intended to aid the Government in its current Federal grand jury investigation of Ascap, the outcome of which will determine whether the long running Federal anti-trust suit against the Society will be revived.

(In Washington last night Department of Justice officials said they had no comment on what action will be taken if Ascap members refuse to reply.)

The questionnaires ask members whether they have been allowed any decree granted in 1914 to the film producers for protection of their royalties.

An escape clause has been drafted, spokesmen assert, which will satisfy all defendants, including Paramount. No mention is made by the Department of Universal, Columbia and United Artists, who still seem to be opposed to a decree.

Section 6, which provides against discrimination in selling, has been tightened. The provisions which deal with trade showings and unit selling are described by spokesmen as remaining virtually unchanged.

Loew's, RKO and possibly 20th Century-Fox are stated by authorities to be ready to go along with Warner Bros. in making peace, and Paramount's stand has been described as follows:

"Paramount will concur in a consent decree, providing first that the provisions of the decree are fair and reasonable; secondly, if the provisions are made applicable without prejudice to all in the industry, big and little. It cannot concur in any proposal which is applicable to only a few.

Government lawyers and company representatives will meet again today in an effort to bring the negotiations to a conclusion.

(Continued on page 6)

Heat Wave Jabs Grosses

Theater attendance in New York and throughout most of the country continues at a low level yesterday as the heat wave which has prevailed for 30 days to two weeks in most sections remained unbroken.

Scattered thunder showers in many areas brought only temporary relief and business was not much improved as a result.

Washington was in its 13th consecutive day of above-90 temperatures yesterday but with some hope of relief promised for today. Government offices closed early because of the heat and air-cooled theatres in some sections of the Capital benefited as a result. However, most neighborhood houses, whether air-cooled or not, continued to feel attendance losses.

New Haven reported a new summer low in business, and Providence reported grosses still 40 to 50 per cent off, with slight relief from the heat forecast there for late today. Afternoon temperatures in Boston yesterday were above 90 but relief was promised there for today, too. Receipts were generally below average with the exception of Loew houses which, playing "Andy Hardy Meets Debutante," claimed above average business.

The Walter Reade circuit reported normal business at houses on the Jersey

British Silent on Exchange Extension

LONDON, July 30.—Despite direct petitions to the Board of Trade for an extension of the exchange agreement, upon which the British production plans of American companies are entirely dependent, no satisfactory response has been forthcoming.

Representatives of the major companies here have insisted to the Board of Trade that an immediate decision on an extension of the agreement is imperative to British producers, British labor and in the interest of export activities. It is being pointed out, also, that without the present agreement expiring in October, very little time

(Continued on page 6)
Two Shore Premieres
Atlantic City, July 30. Premieres of M-G-M's "Boom Town" and Warners' "Sea Hawk" will be held here on successive days. World premiere of the first will be at the Apollo, Aug. 8, while the Warner picture will bow on Aug. 9 at the Warner. A trade showing for "The Sea Hawk" will be held at the Uptown, Philadelphia, on Aug. 5.

Cinema Lodge Sets Banquet for Oct. 26
Cinema Lodge, Eau Claire, will hold its first banquet and ball Oct. 26 at the Hotel Pennsylvania, A. W. Schwalberg, president, said yesterday. It is planned to hold such affairs annually.

Schwalberg has called a meeting of committees for tomorrow night at the Hotel Edison to start preparations. The following are committee chairmen: Arthur Sashon, arrangements; Col. A. Ralph Steinberg, souvenir journal; Robert Weitman, entertainment; Joseph Tisman, art; Max B. Blackman, finance; A-Mike Vogel, publicity.

Charnninsky Stricken
Dallas, July 30.—Louis Charnninsky, Interstate circuit theatre manager, is critically ill with pneumonia. His brother, Hyman, an orchestra director, today donated blood for transfusion in an effort to save his life.

LYN FARNOL, United Artists advertising and publicity director, will return from Pittsburgh tomorrow where he underwent four weeks of military training in the business and professional men’s unit. John Hat Whitney also will complete the course.

WALTON C. AMENT, general manager of Pathe News, is vacationing in Darien, Conn.

SAM BADOMO, manager of the Col., New Haven, is at Lake Winnipesaukee, N. H., for his annual vacation.

JOHN WOLFERG, recently transferred to the Loew-Poli, Springfield, Mass., as manager, has been married to MARGARET TATTER of Kansas City.

HARRY ROSE, manager of the Loew-Globe, Bridgeport, will celebrate his 20th wedding anniversary Aug. 4, with a trip to Atlantic City and the New York World’s Fair.

JOHN HESSE, manager of the Rog er Sherman, New Haven, is vacationing at Lake George. Also there on vacation is MORRIS ROSMANN, manager of the Majestic in Bridgeport.

LOUISE ROUSSEAU, director for RKO Pathe shorts on the Coast, is in town.

TOM RUTHERFORD left Monday for Virginia after a brief visit here.

PAT CASEY, producers’ labor representative, arrived in New York from Washington last night.

MONROE GREENHAL, United Artists exploitation manager, will return from Detroit today and is scheduled to leave for the Coast at the end of the week.

ARTHUR MAYER and IRVING SHAPIRO lunching at Lindy’s (next to the Rivoli) yesterday.

MARTIN SCHENCK, EDDIE GRANGER, SAM SHAIN, JOHN W. HICKS, BARNABY FOX, TOM CONNORS, and NICK SAUNDERS at Nick’s Hunting Room in the Astor for lunch yesterday.

AL YOUNG, HAL HORN, and J. J. MILSTEIN lunching at Lindy’s (31st St.) yesterday.

MARCUS HEDER, FREDERICK LOSSL, HARRY B. BURBAUM, LOU BREZER, JOHN GOLDEN and LEON STEUART lunching at Sardi’s yesterday.

VICTOR SAVILLE, WILLIAM McHALE, FLOYD WEBER, LEW ABRAHAMS, LOU POLLOCK, HANK LINS, BUD ROGERS, RALPH AUSTIN, PAUL BENJAMIN, and DONALD LAKEWORKS in the Rivoli yesterday for lunch.

MARJORIE FORD has returned to this city after playing an engagement in Louisville.

V. A. CARPENTER, Alcoe Service inspector in Indianapolis, recently became the father of a boy.

Schenck Tax Trial Set for October 2
Trial of Joseph M. Schenck and Joseph Morkowitz on Federal tax charges was set for Oct. 2 by U. S. District Court Judge Gastro L. Porter yesterday.

The trial date was requested by Special Assistant U. S. Attorney General Boris Kostelanetz. The request of Max D. Steuer, attorney for Schenck, for a postponement of trial to November was refused.

Judge Porterie directed that the Government by Sept. 3 designate the indictment on which it intends to go to trial.

Warner Foreign Men Are Here for Parleys
Peter Colli, Warner supervisor for Cuba, Mexico and Central America, is conferring here with Joseph S. Humin, foreign chief, on plans for selling the new season’s program in his territories.

Another Warner foreign representative, Harold Dunn, Far Eastern supervisor, has arrived on the Coast from Shanghai and is due in New York in a few days.

Levy, Ferri Due
M. A. Levy, Minneapolis district manager for 20th Century-Fox, and Roger Ferri, editor of the company’s house organ, The Dynamo, arrive tomorrow from an extensive tour of branches in conjunction with the Kent sales drive, of which Levy is leader.

newsreel Parade
SHOTS of a British-Italian battle in the Mediterranean and a German raid on a British convoy in the Channel bring the war back to the screen. This reception which News was extended to include new U. S. liner, America, is also featured. The contents follow:


Warners’ Premiere of Aug. 8
"Hawk," Warner’s new picture, will be premiered Aug. 8, at Warner Bros. studios, Burbank. "Hawk" is directed by James F.宮, produced by Harry E. Lopenkammer, written by Avery Rose, and produced by Norman S. Selznick by arrangement with Hathaway, producer, and H. B. Weitman, manager of Warners’ Western division.

"Hawk" will be released in New York on Aug. 17. The film is a biographical picture of the famous aviator, Wiley Post, whose solo flight around the world is the theme of the film. The cast includes Charles B. Fitzsimons, as Post, and Edmond O’Brien, as his navigational aide, and Donald Crisp as the rich man who finances the flight.

"Hawk" is the first picture made by Warners in which the entire production was supervised by the studio’s own staff. The film was shot entirely on location in the Southwest.

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**Newsreel Parade**

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**CALIFORNIA**

**TEXAS ★ ARIZONA**

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New British Scales With Tax Due Soon

London, July 30.—The first definite efforts by exhibitors to formulate new admission policies as a result of the recent increase in the entertainment tax are expected to occur this week.

While the Cinematograph Exhibitors Assoc. possesses no authority over the rates charged in the principal scales, its local branches, following the lead of the parent body, are planning to hold meetings to give members the benefit of the latest information and exchange of views in formulating their own policies.

It is forecast in official quarters that under the new scales fourpenny admissions will be increased to five-pence and six-penny seats will be increased to sixpence per head.

The circuits which will meet this week favor a general increase in scales all along the line. They also are advocating elimination of the sixpenny admissions in first runs and the inauguration of a nine-penny minimum admission instead. A Kent exhibitor group has made a formal request for the inauguration of a one-shilling (2½ cents) entertainment none the less. There are sharp differences of opinion on new policies between first and subsequent run operators.

Executive Committee Conducts Four-A’s

An executive committee composed of Paul Dulzell, Actors Equity executive secretary; Emily Holt, American Federation of Radio Artists executive secretary; and Florence Marston, Eastern representative of Screen Actors Guild, has taken over the affairs of Associated Actors and Artists of America following the resignation last week of Frank Gillmore, president.

Offices and records were removed to the building owned by Equity. The new executive committee will function subject to the direction of the 4-A international board and Gillmore will also render council of assistance. Gillmore’s salary has been reduced from $13,000 to $7,000 annually. No decision will be made on a successor for some time, it was said.

Carey Set for ‘Shepherd’

Hollywood, July 30.—Paramount today signed Harry Carey for the title role in “Shepherd of the Hills,” William LeBaron production of the Harold Bell Wright novel. The deal was closed by Mr. Frank Freeman, Paramount vice-president, by long distance telephone to Skowhegan, Me., where Carey is playing in the summer theatre.

Judy Canova Honored

About 30 industry personalities and newspapermen attended a cocktail party tendered to Judy Canova yesterday at the Henry, while away from Hollywood. The purpose of the gathering was to assist the industry in the face of losses from foreign revenue in the result of war conditions in Europe.

This contribution to the industry is being made regardless of the fact that Eastman Kodak has suffered a considerable loss itself in the disturbed foreign markets.

Negative film prices were cut 12½ per cent from four cents per foot to 2¾ cents and positive stock was cut 16 per cent from one cent to .85 cent per foot.

The new prices will go into effect tomorrow.

London Review

“Busman’s Honeymoon” (M-G-M British)

LONDON, July 30.—English audiences have come to expect the superlative from Metro’s British outfit. The three predecessors of this war-time effort—which, by the way, has no mention of war in it—have justifiably set a high standard. The standard of “Busman’s Honeymoon” has obviously suffered from the preoccupations of war, but it is polished entertainment none the less. Robert Montgomery will seem to be the English audience, in the role of a titled detective, he will be a box office draw, and box office draws are needed in blacked-out Britain. Essentially the film is a mere “whodunit” without any sensationally saving graces, but it will build its appeal on the factors already mentioned. The film is well made, and it would mean much more attention.

Montgomery’s role is that of Lord Peter Winsey, a character creation of detective fiction—the more literary variety. On his honeymoon in Devonshire he gets caught up in a murder mystery, and contrary to all his vows sets to work and solves it.

The setting is rustic Devon, with the English aristocrats (with American accents) byplaying with the villagers, a pawky parson, some very odd women, a surely and bloodthirsty laborer, the local constable, and so forth. The treatment of this rustic canvas is more fanciful than faithful, but all the old wheezes of luscious comedy are explored and there are a thatched cottage and a village inn. Arthur Woods, however, has done a polished and witty directorial job and the script is fluent. Only the scissors seem to have been used.

Montgomery and Constance Cummings are pleasant and Sir Seymour Hicks as a stilted butler, Robert Newton as the laborer, Aubrey Maltrille in an excellent parson portrayal give the comedy a character flavor.

Technically the film is excellent.

Running time, 99 minutes. *A." *A’ denotes adult audience classification.

London Labs Agree on Female Employees

London, July 30.—An agreement in principle on the employment of women technicians in film laboratories here and on their employment terms was formulated by the Production Association.

The agreement permits the employment of women on an equal pay, equal work basis as that which prevails for men but is contingent upon no employable males being available.

R&H Buys RKO Program

RKO has closed a new season product deal with the Robb & Rowley circuit, which operates 34 theatres in Texas and Arkansas. The deal covers all of RKO’s new season features and short subjects. Bob Mochrie, Eastern division manager, and Sol Sachs, Dallas branch manager, represented the distributor, and Ed Rowley and C. V. Jones represented the circuit.

Eastman Slashes Prices

Swiping reductions in prices for both negative and positive film have been announced by Eastman Kodak to assist the industry in the face of losses from foreign revenue in the result of war conditions in Europe.

This contribution to the industry is being made regardless of the fact that Eastman Kodak has suffered a considerable loss itself in the disturbed foreign markets.

Negative film prices were cut 12½ per cent from four cents per foot to 2¾ cents and positive stock was cut 15 per cent from one cent to .85 cent per foot.

The new prices will go into effect tomorrow.

K.C. to Resume Singles Test In the Fall

Kansas City, July 30.—A four-week experiment on weekend changes will be concluded next Sunday by Kansas City, Kan., subsequent run houses, although results of the experiment were satisfactory, according to Jack Truitt, manager of the first run Electric and president of the Theatre Owners Association in that city.

Some of the exhibitors will continue singling voluntarily. The group believed that they should forego the test until Fall, when the product situation may be more suitable. Meanwhile, some of the houses will voluntarily continue to single on weekends with strong pictures. These will include the first run Granada and Electric, which did not participate in the single bill test.

Another factor in the decision to forego the test was the Saturday, 25-cent night balcony price at Kansas City, Mo., first runs, some of which double bill. Kansas City, Mo., first runs still have the same protection over the neighboring city as they had when 40 cents was the usual night price.

Canada Stamp Sale Brings $695,448

Toronto, July 30.—With more returns yet to be made from various parts of the Dominion for the National Theatre Night of 975 theatres, the Dominion Government has already acknowledged receipt of $695,448 as the proceeds of the sale of war savings stamps, the sale of at least two stamps and admission to a patriotic performance.

Records compiled show that 60,000 seats were occupied at these show outs of a total of 650,000 distributed and 392,274 war certificate folders, each having spaces for $4 worth of stamps, were given away. The war stamp price is 25 cents a bill and admission to a half of the free shows. The highest average sale of war stamps per theatre was recorded in the Province of Ontario, as 97,620, while the figures of that Province also secured the highest seat average with $1.50 in stamp sales for each seat. Complete results of the theatre night will run into the millions of dollars because many patrons bought only two 25c stamps for admission will fill out their certificates.

Sparks-Republic Deal

Republic has closed a deal for its new season listing with the 75 theatres in the Sparks-Republic Florida circuit, J. R. Granger, president, announced yesterday. Granger and Arthur C. Brandenberg, Screen Guild distributor, represented Republic, and Frank Rogers represented the circuit. Brandenberg, whose home is from Atlanta, will remain several days.

High Test for Jones

Allan Jones participated in a test recording his voice at an altitude of 18,000 feet, while flying over the Coast. Jones arrived here yesterday on the Stratoliner with Irene Hervey.
CLARK GABLE in "BOOM TOWN"

SPENCER TRACY in "BOOM TOWN"

"BOOM TOWN"

Screen Play by John Lee Mahin • Based on a Story by James Edward Grant • Directed by JACK CONWAY • Produced by Sam Zimbalist

A METRO-GOLDWYN-MAYER PICTURE
As great as its Stars! Never before! Perhaps never again will Hollywood place four headline screen favorites in one production so thrilling and spectacular it towers over many of the industry's famed Road-shows!
Mercury Still Jabs Nation's Box-Offices

(Continued from page 1)ey should be long remembered, where the heat was less intense. Laurence Bolognino, head of Consolidated Amusement Enterprises, has asked a decrease in gallons of 10 to 15 per cent as compared with the same period last year. Century Circuit business was said to be 50 to 60 per cent of normal last week but slightly improved this week. Toronto and other Canadian cities reported weather and business condi-

Offices Close Early

Home offices of four companies closed early yesterday due to the insufferable heat. Loew's closed at 3 P. M., RKO at 3:30 and Warners and Paramount at 4. Columbia, United Artists and 20th Century-Fox, which have air conditioning, were unaffected.

Warner Decides On Decree Today

(Continued from page 1) to a close. Long morning and afternoon sessions were held yesterday. Witnesses last night were optimistic that within a few days, the decree will take final form and be ready for adoption. It is reported that independent theatre owners were continuing to register their reactions to the proposed decree with the Department of Justice in Washington.

One report which circulated through the trade late last night was that the Department of Justice was hoping that it could come near an the decree next week or early next week.

Stop 'Family Portrait'

CUMBERLAND, R. I., July 30.—Police declared that they had been instructed to prevent any performance of "Family Portrait" at the Barn Theatre, a Summer playhouse. The play was scheduled to open tonight.

Hollywood Review

"Golden Gloves"

(Paramount) Hollywood, July 30.—In Hollywood's definition, a "sleeper" is a low-budget picture which turns out to be high-voltage in entertainment quality. Such a picture is Paramount's "Golden Gloves," which is the fictionalized story of the development of the annual amateur boxing tournament.

"Golden Gloves" carries the message of sportsmanship, as exemplified in the best American tradition. It is entertainment throughout, being one of the best films of the square circle to come out of Hollywood. Rich in human values, the picture makes Richard Denning and Jean Cagney potential starring material.

The idea of making a film depicting the tournaments was that of William C. Thomas, associate producer. He assigned Maxwell Shane to write the story and Shane and Lewis R. Foster, (the latter having contributed to the unpublished story which formed the basis of "Mr. Smith Goes to Washington") wrote the script.

Edward Dmytryk directed the offering, giving it a well balanced sense of timing.

In addition to Denning and Miss Cagney, who have their first featured film roles, the cast includes J. Carrol Naish, Robert Paige, William Frawley, Edward S. Brophy. Running time, 70 minutes. "G.4"

VANCE KING

"G" denotes general classification.

U.S. Queries Ascap Members on 'Trust'

(Continued from page 1) Hollywood with representatives of the Wage-Hour Division.

Adjournment of the hearings followed the registering of objections by studio unions and guilds on Mon-

day to the producers' proposals for re-defining "executive," "professional," "administrative," and "professional" employees. The spokesmen for the unions and guilds contended that the proposed changes in employee definitions would increase unemployment by broadening the exemptions of many employees from the provisions of the National Labor Act.

Casey was summoned from Holly-

wood and is believed to have con-

firmed with the union spokesmen prior to the adjournment of the hearings. Casey left for New York today.

The producers testified that 4,550 studio employees who are paid wages at the minimum rates de-

ronally included in the Labor Act definitions. Most of these, they said, are in positions of major responsibility yet are not exempt from the prov-

itions of the Act.

Philadelphia Variety Club's Dinner Dec. 5

PHILADELPHIA, July 30.—Plans have been completed for the annual Variety Club dinner to be held Dec. 5 or 12 at the Bellevue-Strat-

ford Hotel, a Thursday instead of the usual Sunday night chosen to make it possible for a better turnout of home office executives. Jack Beresin is the general chairman of the banquet committee. Dave E. Weshner is chairman of the entertainment committee and Ted Schlenker is chairman of the daily committee.

The Philmont Country Club will be the scene for the annual golf tourney on Sept. 13. Milton Rogers is tour- ney chairman, Harry Hall and Dave Milgram assisting, and Oscar Neufeld treasurer.

Metro Buys Plays

M-G-M has purchased the film rights to "A Woman's Face," a French play by Francis de Groisset.

Lange Sees U.S. Films Cut To20% Abroad

(Continued from page 1) dication at this time, he said, what those regulations will be like. Lange said the determining factor will be on the financial operations, under the forthcoming regulations, can be conducted profitably and under which categories of films can be admitted to America, the film business will continue to function in Europe pretty much as it always has. If not, he sees no reason for continuing operations abroad.

Nazi Military in Charge

The German military command in France already has established a regulatory body for the film industry, Lange reported. Its principal func-

tion at present appears to be that of censor. Programs are limited to a maximum of about 11,000 feet; no anti-German, anti-Nationalist or war films may be exhibited.

The Germans encouraged the reopening of theatres in Paris, Lange said, and on July 7 received a report that 100 theatres in the city were operating and 25 had reopened in the suburbs. Some films were brought in and are being shown widely. There were 20 distributors operating in Paris on July 7, he said, although only three—RKO, Loew's and Universal—were American companies.

Lange said that only Paramount and two other big studios, including Germany, 20th Century-Fox having withdrawn recently.

To go on leave prior to his departure for America, Lange received reports that Germany had concluded a contract to supply Spain with 80 Ger-

man language pictures during the next year. He said it was reasonable to believe that similar deals would be made farther afield and other occupied territories.

Armour in Lisbon

Lange will remain here indefinitely, his future plans being dependent entirely upon future developments on the Continent.

He reported that according to information received abroad, RKO is the only one of the big companies in Europe maintaining European headquarters now. Reginald Armour, the company's Continental manager, has established head- quarters. Other companies are either directing European operations from the home offices or are carrying on regional activity only, abroad.

Problems of transportation and communication are so great, he said, that Continental operations can be little more than haphazard.

Segel Golf Winner

St. Louis, July 30.—Only Segel, brother of Morris Segel, manager of the Paramount exchange, was low gross winner in the annual Northwest Film Federation tournament at Ingle-

wood Golf Club here. Low net score was turned in by Alan Morgan. More than 100 Golfers, both club and ex-

hibitors attended, and 45 prizes were distributed. Joe Cooper, manager of the Film Club, directed the affair, and John McGinley as master of ceremonies.
**Cisco Kid** is Hot

**St. Louis’ Best**

**Motion** S.E.C. “Gun the Lady” those days.

DEBUTANTE,” $1,000 a week.

“Andy Hardy” days, Loew’s.

“Untamed” $7,200, (Average, $8,000).

“Lucky Cisco Kid” (20-Fox).

TOWER—$2,300 (4c) 7 days, Stage: Isham Jenoi & Company Star, Gross: $7,000, (Average, $6,000).

“Maryland” (2c). UPTOWN—$2,400 (8c-6c) 8 days, Gross: $2,500, (Average, $3,300).

“Hardy” $10,000

**New World** $10,000

**Exclusive**

July 16-25:

“Audy Hardy Meets a Debutante” (M-G-M).

Babes for $4,000, Loew’s State 8,000 (Average, $1,000).

“Tom Brown’s School Days” (RKO).

Anne of Windy Poplars” (RKO).

AMBASSADOR—$2,000 (2c-8c) 6 days, Gross: $2,700, (Average, $7,000, (Average, $1,100).

“Untamed” (Para).

Wagenos Westminster” (Col).

FOX—$2,300 (8c-6c) 7 days, Gross: $3,800, (Average, $5,100).

“All This and Heaven Too” (W. B.).

MISSOURI—$3,114 (2c-8c-6c) 7 days, Gross: $4,000, (Average, $5,600), Hold over.

“Gambling on the High Seas” (W. B.).

“My Son is Guilty” (Col).

ST. LOUIS—$2,500 (3c-8c) 7 days. Gross: $2,000, (Average, $2,000).

**J. S. Berkowitz Heads Forum Film Firm**

Hollywood, July 30.—J. Samuel Berkowitz has resigned as vice-president and executive manager of Fine Arts Pictures, which has been inactive in production for the past several months, in order to become president and general manager of production for Forum Films, recently formed to produce pictures suitable for educational institutions.

Forum plans to produce a minimum of 26 one and two-reel subjects and two feature pictures. Other officers of the new company are: Jesse J. Gilbert, vice-president and associate producer; Samuel L. Panzer, vice-president, general sales manager; Louis Rutstein, treasurer and chairman of the board; and John Fisher, secretary and comptroller.

**Feature Review**

“Daybreak” (Sigma-Parlo Granz)

As produced in France by Sigma Productions, “Daybreak” is a splendid study of a man who in fit of rage kills another, the latter being a diabolical creature whose lascivious tactics almost justified the killing. Police surround a tenement house in which the act was committed, and as the murderer lies in wait, the events which led up to the crime are presented retrospectively. English titles, simple and direct, make the picture comprehensible for audiences here.

In skilful direction of the Jacques Tati scenario, Marcel Carné maintains a high tempo throughout the greater part.

Jean Gabin as the central role, a man that easily might have been overplayed, gives a performance of high caliber. Good, too, is the characterization of Jules Berry as the dog trainer who interferes with the happiness of Gabin and who eventually meets death by a bullet. Jacqueline Pagnol is youthful “Francise,” with whom Gabin is in love, and Arletty as the former partner of Berry and friend of Gabin, gives convincing performances.

The picture will doubtless find high favor with patrons seeking serious entertainment. It is particularly suited for the so-called “art” theatres.

The somewhat somber nature of the plot, however, makes the film unsuitable for children.

Running time, 88 minutes. “A.”

*“A” denotes adult audience classification.

**Heat Helps Omaha;**

“New World” $7,200.

**Legion Approves 7 of 11 New Pictures**

Of 11 pictures reviewed by the National Legion of Decency during the past week, one, an independent production, was placed on the condemned list; three were found objectionable in part and seven were approved either for adult or general audiences.


**Plan William Morris Park Dedication**

Saranne N. Y., July 30.—The village of Saranne Lake will formally dedicate the William Morris Memorial Park on Aug. 27, when a theatrical performance similar to the shows presented by William Morris during his lifetime will be given at the local Pontiac Theatre. Abe Lastogelec, the William Morris office, will fly from Hollywood for the performance.

The Park is the property formerly used as the Saranne Day Nursery, one of the many organizations which were aided by the late showman.

**Revivals, Circus Top in Seattle As Grosses Lag**

SEATTLE, July 30.—Polarak Brothers’ Circuit on the stage of the Palomar Theatre has been productive of honors for the town, with a gross of $7,300, or $2,300 over normal. The Liberty’s premium show and the Poyo Polos and the “Awful Truth” garnered $6,000 to take second position. Other grosses were too few. Weather was fair but cool.

Estimated takings for the week ending July 26:

“Your Not So Tough” (Univ.).

BLUE MOON — (900) (30c-40c-5c) 7 days. Gross: $12,500. (Average, $1,800).

“Southpaw” (20th-Fox).

“Cross Country Romance” (RKO). FIFTH AVENUE—$12,000 (2c-4c-6c) 7 days. Gross: $8,500. (Average, $1,200).

“Lost Horizon” (Col).

“The Awful Truth” (Col.).

“DAMNATION” (Col.).

“Private Affairs” (M-G-M).

“The Captain Is a Lady” (M-G-M).

“FIREWALL” (Col.).

“The Awful Truth” (Col.).

“DAMNATION” (Col.).

**Educational Stock Off Chicago Board**

WASHINGTON, July 30.—The Securities and Exchange Commission today ordered effective at the close of business Aug. 5, the registration of Educational Pictures common and preferred stock on the Chicago Board of Trade.

The proceeding was initiated by the Commission last March 22 on the charge that the company had failed to file an annual report, as required by the Securities Exchange Act. A hearing was called at which no one appeared, the president of the company having testified that its failure to file the report was due to lack of funds. The company, which has been on the Chicago Board’s record for many years, failed to come up with a bond or security to redeem the bonds issued by the company.

The order was drawn effective at the close of business Aug. 5 in the registration of Educational Pictures common and preferred stock on the Chicago Board of Trade.

**Dismissal Refused In Patent Litigation**

Federal Judge John W. Clancy has denied the application of Albert A. Radlke, Radlke Patents Corp., Leon E. Weinberg, Senior Mechanical Engineer, and Photometric Pictures, Inc., for a dismissal of the suit of Photometric Production Corp. on the ground that the plaintiff had failed to state a cause of action.

The suit charges that Radlke, while in the employ of the Southern Development and Operation Co., which assigned its claim to Photometric, developed a patent described as ‘method of means of optically recording sound.”
ERROL FLYNN
in
'THE SEA HAWK'
with
BRENDA MARSHALL
CLAUDE RAINS
Donald Crisp
Flora Robson
Alan Hale

Directed by MICHAEL CURTIZ

Screen Play by Howard Koch and Seton I. Miller

Music by Erich Wolfgang Korngold

A Warner Bros. First National Picture
Not just to exhibit the strongest attraction yet created, but to exhibit the power of WARNER BROS. in the U. S. exhibition market
WASHINGTON: 2 RECORDS BROKEN!

Despite four-year record breaking 101-degree heat, “The Ramparts We Watch” has just broken all first five-day records since “Snow White.” Picture creating terrific word-of-mouth buildup.

HOLLYWOOD: REVIEWERS GO OVERBOARD!

“Picture of the week: ‘The Ramparts We Watch’ . . . By all means make certain to see it when it plays at your favorite theatre.”

Sidney Skolsky

“The Ramparts We Watch’ is at all times excellent . . . direction and production on a par with the best that Hollywood could offer.”

Hollywood Reporter

“The Ramparts We Watch’ is a message addressed with zealous emphasis . . . it is also entertaining in a grim, fascinating appeal to the emotions.”

Variety, Hollywood

“A thrill that comes once in a lifetime is waiting for you. Don’t miss it when it hits your local movie house.”

Stella Unger

NEW YORK: EXPERTS TOSS HATS!

“The Ramparts We Watch’ is an exploitation property de luxe . . . will grab grosses galore . . . exciting, revealing . . . a must see attraction for all audiences, a must book picture for all outlets.”

Film Daily

“One of the best feats of editing any production has ever received . . . ‘The Ramparts We Watch’ will hold undivided attention of any audience . . . exhibitors will find a waiting audience when they announce the playdate.”

Showman’s Trade Review

“THE Ramparts We Watch”

A NEW KIND OF MOVIE... FIRST FEATURE PICTURE

PRODUCED BY THE MARCH OF TIME
Off the Antenna

FIRST program based on the compulsory draft bill will go on the air tomorrow over WNEW in a new series called "Symposium on Conscription." Details of the proposed law will be explained. Questions from listeners will be submitted one hour in advance of the program to Senator Burke, one of the bill's sponsors, by long distance telephone and then will be given over the station. WNEW will not attempt to interpret the measure. The series will be heard Thursdays at 7:30 P. M.

Puella Personal: Fulton Lewis, Jr., Mutual Washington correspondent, has six speaking engagements scheduled for the fall. . . . Herbert K. Doering has joined Compton Advertising. . . . Bob Carter, WMCA announcer and sports commentator, was married yesterday to Ayres Herman son at the Chelsea Church.

Advertisers in New York newspapers who now have the advantage of free summaries of their copy in PM will get free time over the air in a new program, "Good News in Advertising," over WMCA, Mondays through Fridays at 6 P. M., starting tomorrow. The series, which will be sponsored by Farnsworth Radio & Television Corp., will give full credit to the advertisers and the newspapers in which the advertisements appear.

Program News: Brown & Williamson Tobacco Corp. has renewed "Show Boat" for one year over 53 NBC-Red stations, effective Aug. 5. The program will be heard Mondays at 5:30 P. M., and a new show, "Renfro Valley Folks," will be heard at the same time over a 15-station Southern Red Network hookup. . . . Campina Sales Co. will return to CBS on Tuesday, Sept. 3 at 8:30 P. M., with the "First Nighter" series over 53 stations.

Rate Increases: WSB, Atlanta, will increase its network rate for an evening hour from $360 to $400, effective Sept. 1. William S. Hedges, NBC vice-president in charge of stations, announced yesterday. Cut-in announcement charges will be $33 nights, $17 days, and $25 Sunday afternoons. Hedges also announced that the cut-in rate for KGHL, Billings, Mont., had also been increased to $10 nights, $5 days, and $7 Sunday afternoons.

Ed Seeley on Coast

Los Angeles, July 30.—Ed Seeley of Altec's engineering department is here for conferences with committees of M. P. Arts & Sciences.

N. S. Exhibitor Dies

Halifax, N. S., July 30.—Charles E. Taylor, 64, for 29 years a traveling exhibitor, is dead at his home at Great Village, N. S.

NAB Expects 1,000 Members
At Convention

San Francisco, July 30.—About 1,000 members are expected at the National Association of Broadcasters' annual convention which gets under way here Monday.

War conditions and their consequences to the radio industry are expected to dominate the discussions. Methods of cooperating with the Government in its defense program and the role of radio in the event of war will come up for consideration.

Other pressing matters include the Ascap contract which expires Dec. 31, the formation of Broadcast Music, Inc., new contracts for network affiliates and the NAB code.

Niles Trammell, newly elected NAB president, will head the NRC delegation to the convention. Others scheduled to attend are Frank R. Mullen, who is scheduled to be named NBC executive vice-president; William S. Hedges, vice-president in charge of the stations department; Sheldon B. Hickox, John H. Norton, Jr., stations department; Robert Myers, legal department; Charles Horn, development and research department; C. Lloyd Egner, radio recording division; Edgar Kobak, vice-president in charge of Blue sales; Frank Russell, vice-president in charge of the Washington office; Sidney Stroz, vice-president in charge of the Central division; and H. M. Beville, Jr., research division.
This man is
PASTOR HALL

... his story will blast its message of entertainment to a shocked world!

"Filled with dynamite. So stirring, powerful and daring it left the preview audience limp!" — Lonella Parsons
"Most powerful film I have ever seen!" — Thornton Delehanty, New York Herald-Tribune. "I can't remember when I have been so stirred!" — Sheilah Graham, North American Newspaper Alliance. "Wilfrid Lawson definitely in line for the Academy Award!" — Jay Emanuel Publications.

James Roosevelt presents "PASTOR HALL," released thru United Artists.
Para. 6-Month Net Estimated At $3,100,000

Compares With $2,130,000 For Same 1939 Period

Paramount's net profit for the first half of 1940, ended June 30, last, is estimated in financial circles at $3,100,000, including the company's interest in undistributed earnings of non-consolidated subsidiaries.

The estimate compares with net profit on the same basis of $2,130,000 for the corresponding period last year. The company's estimated profit for the second quarter of 1940 is $1,500,000, which compares with profit of $630,000 for the corresponding 1939 quarter.

The company's official report is scheduled to be made public following a meeting of the Paramount board of directors today.

Coast Flashes

HOLLYWOOD, July 31.—For the first time against the outbreak of the European war, 20th Century-Fox definitely disclosed today that its British production plans have been curtailed. Robert Kane, who was in charge of British production, has been given an associate producer berth at the studio here. His first film will be "A Very Young Lady," starring Jane Withers.

As Motion Picture Daily indicated exclusively last Friday, 20th Century-Fox today signed Paul Muni, former Warner player, to star in "Hudson's Bay Company." The contract is for one film with options. He will appear opposite Gene Tierney and Virginia Field.

Raymond Griffith, associate producer at 20th Century-Fox since 1935, resigned today. He will leave Aug. 15 on an extended vacation in the East.

Anna Sten today filed suit in Superior Court against Republic for $4,500, charging a breach of an oral contract under which she was to make a film, getting $1,500 weekly for three weeks.

A Bruce Hunt, N.L.R.B. trial examiner, tonight after a one-day hearing took under advisement a plea for a consent election among scenic artists.

Kirsch Asks RKO To Limit Triples

Chicago, July 31.—Jack Kirsch, president of Illinois Allied, in a telegram today to Ned E. Depinet, RKO vice-president in charge of distribution, asked an expression concerning contractual limitation of multiple billings.

Pointing out that Paragraph 19 of this year's and new season contracts requires the single featuring of not more than five films each season, Kirsch asks, "If this is legal on five, why not on the entire product?"

Television Industry Acts To Establish Standards

The big drive to establish television as a commercial medium by industry agreement on transmission standards got under way at the Hotel Roosevelt yesterday with the organizational meeting of the National Television Systems Committee. For the first time, every interest in the infant industry was represented in a meeting which have blocked FCC approval to television as soon as industry interests could agree on what was best. He urged those present, while protecting their own patent interests, to work out an agreement which would be of mutual aid to all.

Fly reiterated that stations desiring licenses would have to cooperate in research and added "the more stations, the merrier." After the meeting, many members asserted that an agreement within two months was unlikely. In a brief address, Fly urged consideration not only of present standards but also to consider future developments such as color television.

Calling television the "heir apparent to movies and radio," J. S. Knowlson, president of the Radio Manufacturers Association, opened the meeting. W. G. Baker, chairman of the committee, also spoke briefly.

Nine subcommittees were set up to consider the various problems which have previously prevented the setting of standards. These subcommittees and (Continued on page 7)

That Ol' Debbil Weather

With some of the Broadway first-runs playing the closing days of the run, grosses yesterday were even below those of Tuesday, managers reported. That Old Debbil Weather is, of course, responsible, as he has been for about two weeks.

Some sections of the country reported cooler weather, but with no great help to theatre business. The Weather Bureau announced somewhat warily last night that nothing is in sight that may be construed as relief for lagging box offices. The temperature dropped somewhat yesterday, but the forecast is for warmer today.

Upstate, however, especially in Buffalo, favorable business reactions were noted as the mercury went down to 65 degrees.

PARA. PARTNERS TO MEET ON PACT

Session on Consent Decree Changes May Be Held Here Next Week; Each Company's Board Will Vote on Acceptance

Paramount's theatre partners are considering a second meeting in New York next week to discuss the terms of the consent decree proposed in settlement of the Government's New York anti-trust suit. R. B. Willy, principal spokesman for the partners, is expected here by home office officials in the next few days to prepare for the session. Whatever altercations are made in the tentative proposals will be discussed at this meeting.

Government spokesmen yesterday asserted that a new draft is being rapidly shaped up.

That Paramount's partners, as a group, are not the only affiliated theatre executives favorable to the proposed decree was learned yesterday. Warner Bros. theatre executives are said to look upon the tentative proposals much as do the Paramount partners.

Joseph H. Hazen of Warners' legal staff arrived on the Coast yesterday with Joseph Bernhard, in charge of Warners' theatres. They are discussing the proposed decree with Harry M. Warner, company president. Hazen will leave for New York at the end of the week.

Before any of the companies accept the decree, spokesmen assert, it must first go to their respective directors for approval. Each of the board of directors of the Big S will thus have the opportunity to act in the matter.

The decree, itself, of course, will not go into effect, after acceptance, for a year, in order that the companies may have time to adjust themselves to its provisions.

Government spokesmen yesterday talked about a "fair trial period" additionally in which the decree might be proved successful. In that event it is the purpose of the Government to invite Columbia, Universal and United Artists to accept the decree voluntarily, as would Republic, Monogram. (Continued on page 7)

Price Reductions By duPont and Agfa

DuPont Film Mfg. Co. and Agfa Raw Film Corp. yesterday made price reductions on both negative and positive film matching those established by Eastman Kodak Co. this week.

The new prices, the same as Eastman's, represent a 12% per cent reduction on negative stock, from four cents to three and half-cents per foot, and a 15% per cent reduction on positive stock from one cent to .85 cent per foot.
Personal Mention

J. C. CLEMMONS will arrive from Beaumont, Tex., tomorrow for Paramount home office conferences. He will join JUILLIUS GORDON, who has been in New York for the past week.

R. W. HILBY and FRED KENT, attorney for the Wilby-Kincey Circuit, are expected here tomorrow from Charlotte.

LYNN FARNOL, United Artists advertising and publicity director, will leave for the Coast by plane this night to confer with CHARLES CHARLIN and MAURICE SILVERSTONE on the campaign for "The Great Dictator."

W. G. VAN SCHMUS, managing director of the Music Hall, is showing good improvement at St. Lake's Hospital.

EMERY HUESE, West Coast manager of the Eastman Kodak film department, is visiting here.

LOUIS D. FROHLICH of the Schwartz & Frohlich law firm will return this weekend from Chicago.

RICK RICKETSON is here from Denver for conferences with National Theatres executives.

W. E. RANFORD, M-G-M branch manager in Chicago, has announced the engagement of his daughter, DOTTY, to WAYNE C. BROWN.

ANNABELLE (Mrs. TYRONE POWER), who recently underwent an operation at Mt. Sinai Hospital, expects to leave the hospital Saturday. She will convalesce here before returning to Hollywood.

LOWELL KAPLAN, booker for Wellworth Amusement Enterprises, has returned to Minneapolis after a fishing trip in Northern Minnesota.

WALTER SELDEN of the Hollywood Bureau of Qugley Publications, and MAS, Selden have returned to Los Angeles from a Hawaii honeymoon.

Walter Branson, RKO Midwestern district manager, has returned to Chicago after home office conferences.

DAH HALPHIN of RCA leaves for Hollywood on the Stratoliner Saturday for several weeks.

WALTER KANE has returned to Hollywood.

WILLIAM ROGERS, FRANK C. WALKER, COGGIN BROWN, JACK KELLY, SAM SHAIN, CLAY LEHRMAN, EM SCHMILLER, JOHN O'CONOR, FRED MEYERS, MAX FELLERMAN, LOU CLAYTON, CLAYTON BOND, JOLES LEVET, E. C. GRAINGER, and DOUG MOORE's yesterday for lunch.

RALPH SNIDER, treasurer of Associates Corp., is here arranging stage shows for the Metropolitan's Fall opening.

HARRY BRANDT, LESTER SANTLEY, JOSEPH PINCUS and J. J. MILSTEIN at Lindy's (51st St.) yesterday for lunch.

WALTER READE, FRED LANGE, MAX DREYFUSS, TED O'KEEFE, ALFRED PHILLIPS and WALTER READE, Jr. at Nick's Hunting Room in the Astor for lunch yesterday.

RICHARD BRADY, ALLAN JONES, IRENE HERVEY, CHARLES BONO, CHARLES PATRE, FRED MCCONNELL, WILLIAM BERGMAN, ARTHUR LEE, WILLIAM GERMAN, ABE MONTAGUE and JACK MILLS at the Tavern yesterday for lunch.

SOE EDWARDS, RUBE JACKER and SEYMOUR POI lunching at Linda's (next to the Riviera) yesterday.

FRANCES SIMON, film editor of Pic magazine, will leave for the coast to-morrow.

MCLearys Makes Studio Conference

Charles E. McCarthy, advertising and publicity director for 20th Century-Fox, left for the Coast last night to confer with Darryl F. Zanuck on the campaign for "Brigham Young" and plans for the picture's world premiere. He is accompanied by Rod- ney Bush, publicity manager.

Indications are that the picture's premiere will be held in Salt Lake City around the middle of August.

Metro Sets 11 Test Bookings on 'Town

M-G-M has set 11 test engagements for "Boom Town" to start Aug. 8 and 9, as follows: Aug. 8: Apollo, Atlantic City; Orpheum, Tulsa; State and Chinese, Los Angeles; and Cornwall, Sault Ste. Marie; Reading; Mayfair, Astor Park. Aug. 9: State, New Orleans; Palace, Indianapolis; Capitol, Cincinnati; Palace, Lake Placid, and Rialto, Gens Falls, where the regular showing will be preceded by a midnight premiere on Aug. 8.

Wm. Robson Dies In Toronto at 72

Toronto, July 31—William James Robson, 72, one of the first film men in Canada, is dead here. He was a brother of Clarence M. Robson, an original executive of Famous Players Canadian. He was for years a concert manager, later becoming manager of the Royal Alexandria Theatre here. Another brother, Frank, of Chicago, and a sister, Mrs. Frances, of Ft. William, died a short time ago.

Goldenson, Netter Meet with Schlanger

Leonard Goldenson and Leon Nett, Paramount home office theatre executives, will go to Philadelphia to-day for conferences with Test Schlanger, Warner zone manager there, on operations of Paramount theatres pooled with Warners in that territory.

Goldenson and Sam Dembrow will leave for New York this week to confer with Minnesota Amusement Co. officials on operating affairs of that company. They will be gone one week.

Fromberg Appeals Educational Ruling

Harry G. Fromberg, trustee in bankruptcy of Grand National Pictures, yesterday filed notice of appeal in the U. S. Court from an order of Federal Judge Albert C. Conger which dismissed Fromberg's petition to set aside the appointment of James A. Davidson as trustee of Educational Pictures. Fromberg sought to obtain his own election as trustee and claimed that a trustee appointed by the officer of Educational, was disqualified.

RKO Defers Dividend

The second dividend of $1.50 per share on the RKO six per cent convertible preferred stock, payable today, was not acted upon by the company's board of directors. Dividends accumulated and unpaid on the stock now amount to $3 per share, or approximately $384,000 on the shares outstanding.

Politics—or Bad Photography?

Mexico City, July 31—Without giving reasons, the local censors pruned from newssheets of the presidential elections July 7 all scenes that showed anything of Gen. Juan Andreu Almazan who claims that he won the election. The government's candidate, Gen. Manuel Ariola Camacho, asserts that it was he who was the winner.

Almazan has gone to the United States for a vacation.

A local newspaper film critic, commenting upon this censoring, remarked:

"Perhaps the honorable censors deemed that scene of Gen. Almazan were badly photographed."

Republic Meeting Starts Here Today

Republic will hold its third regional sales meeting of the year at the home office today. Regional meetings will also be held at the Drake Hotel, Chicago, Aug. 2-4; and at the New Orleans Hotel, Memphis, Aug. 15; and in the studies on the Coast at a date not set yet.

Discussions will center around problems for the next three months. R. Granger, president, will preside. Attending from the home office will be P. S. Maggio, general sales manager; C. R. Bosus, action contract manager; John O'Connell; David B. Whalen, advertising and publicity manager; and Charles Jones, advertising production manager.

Branch managers who will attend are: Accessories and Detroit—Arthur Newman, Albany; Jack Bellman, Buffalo; M. E. Morey, Boston; Sam Selelday, New Haven; Morris Epstein, New York; Max Gillis, Philadelphia; George Kirby, Cincinnati; and Sam Gorrell, Cleveland. Franchise offices include Washington, D. C.; and Nat Lefkin, Chicago.

Wanger Will Probe Film Taste in Field

Hollywood, July 31—Walter Wanger will leave for New York next week to study the tastes of the public in the interests of his forthcoming "Foreign Correspondent" and "Long Voyage Home" and to obtain a sampling of current tastes in that field.

Wanger will address exhibitor groups, Variety Clubs, Rotary Clubs and other organizations on such topics as the state of the industry, the public's attitude toward films and other trends in the film world. His itinerary includes Milwaukee, Chicago, Toronto, Cincinnati, Chicago, Boston, Pittsburgh, St. Louis, New Orleans and other points.

John LeRoy Johnston, Wanger publicity manager, left for New York by plane today and will precede Wanger over the route.

Signs with Accessories

Sales and distribution of accessories and press books for Film Alliance of the United States is handled by National Screen's Advertising Accessories, Inc., under a deal closed yesterday by Charles Casarave of Advertising Sales, and Nat Wachburger of Film Alliance.
When He Gets His Man

You Get Action!

From the thrill-filled story by the most famous of all adventure writers!

JAMES OLIVER CURWOOD'S

RIVER'S END

Watch these two—they're going places!

DENNIS MORGAN and

GEORGE TOBIAS

(The hot stuff of 'Torrid Zone')

WARNER BROS. Producers

with
James Stephenson • Elizabeth Earl • Victor Jory
Directed by RAY ENRIGHT
Screen Play by Barry Travers and Bertram Millhauser
A Warner Bros.-First National Picture
British Trade Aids Government Drive

London, July 31.—Arrangements have been made under which the film industry is giving maximum cooperation to the Ministry of Information. The Film Council of the Ministry for the present is concentrating chiefly on the production of five-minute short subjects covering food rationing, home defense, air raid precautions and subjects of like importance to the successful prosecution of the war. The Cinematograph Exhibitors Association has offered to show such films free of charge and the production groups are now actively engaged.

In Philadelphia, the government has promised that all official productions will be included in the programs of the theaters under their control. Independents have also indicated their readiness to cooperate.

Producers and directors including Michael Balcon, Adrian Brunel, Ian Dalrymple, Thorold Dickinson, R. I. Grierson, Brian Desmond Hurst, Arthur A. Lake and Basil Wright have put their services and studios at the disposal of the Ministry.

Philadelphia AGVA
Officers Quit Posts

PHILADELPHIA, July 31.—John Leary, president of the local American Guild of Variety Artists union, and J. Herbert, a vice-president, have resigned, effective immediately, because of internal differences with other members of the union's administration.

William Mayo, first vice-president, became first vice-president; Joseph Burns, second vice-president, and Lee Travers, third vice-president.

An election to fill the two vice-president vacancies resulting will be held this week.

New Canadian Short Describes Defense

OTTAWA, July 31.—The war organization of Britain and Canada is the theme of a coming March of Steel, which is the fourth in a series of shorts produced by the National Film Board, in cooperation with the Department of National Defense, according to J. A. MacKinnon, chairman of the Film Board.

Released to Canadian theaters Friday, "The Front of Steel" describes the full implications of modern war, and what Canada is doing to meet the challenge.

Malvern to Make Seven

HOLLYWOOD, July 31.—Paul Malvern yesterday was assigned to produce seven features on Monogram's new series, "The Film of Steel," which will be made at the Ralph Like Studio, are two Jack London stories, four Keye Luke mysteries and a special.

In Canadian Benefits

Anna Neagle and Gracie Fields, English actresses now in Hollywood, will appear in Canadian cities with volunteer local players, planning about 40 productions for the benefit of the Canadian Navy League and British Red Cross. They will leave Hollywood Saturday for the tour.

Motion Picture Daily

Readers ‘Say-So

Urges Consent Decree
Editor Motion Picture Daily:
I should like to express my opinion in regard to the recent statement made by the consent decree relative to the proposed consent decree in the now famous motion picture monopoly case. First, I believe that a monopoly of some sort should be worked out rather than to have the dirty linen of our industry exposed to the public.

Second, a unique system of selling, I would rather see a 22 per cent exhibition privilege granted the exhibitor, but no specification as to a classification from which pictures could be cancelled. I believe in arbitration, provided that neither party could have its industry exposed to the public.

A point which I have not seen discussed in the trade journals is preferred playing time. I contend that any sensible exhibitor will voluntarily give extended playing time to any picture which warrants such treatment; but that the exhibitor should not be forced to contract to play any picture on preferred time against his better judgment.

I believe that overbuying should be abolished and strictly enforced. It is one evil of the industry that has brought about most of the litigation in the past five years.

There would never have been any government investigation or litigation had the problems been discussed by the leaders of the industry with an open mind.

H. D. McBride,
President, Howard Theatre Co., Spokane, Wash.

Favors National Advertising
Editor, Motion Picture Daily:
I am perfectly satisfied that the money which is spent by distributors for cooperative advertising should be spent locally. The cost, spent in individual towns, is too much and reaches too few people. The exhibitor has no interest in the well-being of the local cooperative advertising to build a good picture that has had, perhaps, less national advertising than some of the company films. Under such circumstances they will go in with the exhibitor on a 50-50 basis, we've found.

Ed DURINSKY-Durwood,
Dubinsky Brothers Theatres, Kansas City.

Korson to Liquidate

Philadelphia Firm

PHILADELPHIA, July 31.—Louis Korson, who has operated the Masterpiece Film Exchange for the past 25 years, has resigned as general manager, started liquidation of his business today.

The independent exchange will be reorganized and will continue to function as the American Film Co. Personnel changes have not been worked out, but Korson has disclosed his plans for the future.

Drexler to Opera Post

Arlington, July 31.—Leo Drexler, assistant contact manager for Warner Circuit zone office, has been appointed dramatic director of the Albany Light Opera group.

Coast Committees Meet

HOLLYWOOD, July 31.—Research Council of the Academy of M. P. A. and the Motion Picture Sciences is holding a series of meetings this week. Meetings were held today by the theatre sound standardization committee, headed by John Hilliard, and the set equipment committee, under the chairmanship of Thomas Moulton.

Evans to Lecture

St. Louis, July 31.—Harold W. (Cockey) Evans, reviewer for the Loew's, St. Louis, and Colvin McPherson, film critic of the St. Louis Post-Disc, will conduct lectures on the film industry at the Washington University Adult Study Center in the fall. The series will be titled “Motion Picture Problems.”

Nazi Films Hurting

Market in Greece

Films from Germany are making inroads in the established American domination of playing time at theaters in Greece, according to Thanas Skoukas, producer-director of the Greek National of Athens, who is in New York. He is a nephew of Sypsos, George and Costas Skoukas. The Nazi pictures, which are of a propaganda nature, are rented to exhibitors without charge or for a nominal fee.

The Berlin films have also been a factor in the distribution of French films in the Greek market, formerly a lucrative field for the French industry.

Skoukas operates the D. P. Skoukas Theatres Corp. with seven theaters in Athens and is the distributor for several American major companies in Greece. He has been here on an annual buying trip.

The 200 film houses in Greece, Skoukas said, are suffering from the general uncertainty pervading all European countries, and the Balkan unrest and the possibilities of what nearby Italy may do.

To the extent that shipments from here to Greece, Skoukas said there are no difficulties so long as Greek steamer are used. The route taken is via Istanbul. Skoukas will return shortly.

Stock Company Plan

Begun in Minnesota

MINNEAPOLIS, July 31.—A statewide theatre plan on a subscription basis has been launched here by Henry Adria. Under this plan, with about 15 members in each of Minnesota's largest cities. The plan calls for performances of seven Broadway plays with audiences subscribing in advance for the entire season.

The performances will be given in both Minneapolis and St. Paul, the most part. Leading performers will be engaged to supplement the regular stock company 'East. A season membership costs $50. The plan will be open to two persons. In addition, the membership will entitle two children from each family subscribing to attend a monthly matinee performance.

RKO Closes with Dent

RKO has closed a deal with the D. L. Dent Westland Circuit for the new season's program for Colorado theatres. A two-year deal previously had been struck for Dent houses in Oklahoma City and Lincoln, Neb.

Warner Meet Sept. 11

PHILADELPHIA, July 31.—The annual meeting of the board of directors in Ted Schlaeger's Warner theatre zone here will be held at the Ritz-Carlton Hotel Sept. 11. The meeting marks the official start of the new season for the houses.

'Portrait' Ban Reverted

CUMBERLAND, R. I., July 31.—The town council today revoked its ban on the performance of "Family Portrait" in his town. The decision here after characters originally cast as brothers of Jesus were changed to cousins.

Form Hubbard-Furman

LOS ANGELES, July 31.—James C. Furman and Nathan H. Hubbard have formed a public relations firm, to be known as Hubbard-Furman.
EASTMAN FILMS
BRULATOUR SERVICE

NEW PRICES EFFECTIVE TODAY

EASTMAN KODAK COMPANY
ROCHESTER, N. Y.

J. E. BRULATOUR, INC.
(DISTRIBUTORS)

FORT LEE    CHICAGO    HOLLYWOOD
<table>
<thead>
<tr>
<th>DAY</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>5</td>
<td>Out West With the Peppers</td>
<td>Andy Hardy Meets a Debutante</td>
<td>Golden Trail (O)</td>
<td>Tex Ritter</td>
<td>Way of All Flesh (G-D) Tamirrof Gladys George</td>
<td>Dr. Christian Meets the Women (G-D) Joan Hersholt</td>
<td>Sailor’s Lady (G-D) Nancy Kelly Jon Hall</td>
<td>Black Diamonds (G-D) Richard Arlen Andy Devine</td>
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<td>12</td>
<td>Military Academy (D)</td>
<td>Tommy Kelly</td>
<td>Haunted House (D)</td>
<td>Marcia Mae Jones Jackie Moran</td>
<td>Three Faces West (D) Carolina Moon (O)</td>
<td>Millionaires in Prison (G-D)</td>
<td>Manhattan Heartbeat (G-D) Robert Sterling Virginia Gilmore</td>
<td>South of Pago Pago (G-D) V. McLaglen Jon Hall</td>
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<td>19</td>
<td>Blondie Has Servant Trouble</td>
<td>We Who Are Young (A-D)</td>
<td>Boys of the City (D)</td>
<td>Ann Sothorn Leo Bowman</td>
<td>Untamed (G-D) Ray Milland P. Morison A. Tamiroff</td>
<td>Cross Country Romance (G-C) Gene Raymond</td>
<td>Maryland Heartbeat (G-D) Walter Brennan Fay Bainter</td>
<td>Israel and Heaven Too (D) Bette Davis Charles Boyer</td>
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<td>26</td>
<td>Pride and Prejudice (G-C)</td>
<td>Gold Rush</td>
<td>Orphans of the North (D)</td>
<td>Rainbow Over the Range (O)</td>
<td>Golden Gloves (D) Richard Denning Robert Wright</td>
<td>Stranger On the Third Floor (D) Peter Lorre John McGuire</td>
<td>The Man I Marreid (D) Joan Bennett F. Leder</td>
<td>Black Diamonds (G-D) Richard Arlen Andy Devine</td>
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<td>9</td>
<td>The Lady in Question (D)</td>
<td>I Love You Again (G-D)</td>
<td>Doomed to Die (D)</td>
<td>Chamber of Horrors (D)</td>
<td>Meets Gables (D) Richard Denning Robert Wright</td>
<td>Sea of Mystery (G-D)</td>
<td>Queen of Destiny (D) Anna Neagle Anton Walbrook</td>
<td>Captain Caution (G-D) Victor Mature Louise Platt</td>
<td>My Love Came Back (G-C) O. De Havilland J. Lynn</td>
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<td>16</td>
<td>The Durango Kid (O)</td>
<td>Healthy Living</td>
<td>Laughing at Danger (D)</td>
<td>Range Busters (O)</td>
<td>Comin’ Round the Mountain (C) Burns-Market</td>
<td>One Crowded Night (G-D) William Haade Billy Best</td>
<td>Return of Frank James (O) Henry Fonda Jackie Cooper</td>
<td>Ladies Must Live (D) R. Lane Jeffrey Lynn</td>
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<td>23</td>
<td>He Stayed for Breakfast (D)</td>
<td>Busman’s Honey Moon (D)</td>
<td>Missing People (D)</td>
<td>Arizona Frontier (O)</td>
<td>The Great McGinty (G-C)</td>
<td>Lucky Partners (D) Wildcat Bus D</td>
<td>Pacific Novelty (G-D)</td>
<td>Boys from Arizona (G-D) Alan Jones Martha Rage</td>
<td>River’s End (D) Dennis Morgan Victor Jory</td>
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<td>30</td>
<td>Five Littlepeppers in Trouble</td>
<td>Boom Town</td>
<td>Queen of the Yukon (D)</td>
<td>Char, Bichford Irene Rich</td>
<td>Oklahoma Renegades (O) Earl of Puddlestone (C)</td>
<td>Dance, Girl, Dance (D) Maurice O’Hara Louis Haywood</td>
<td>The Great Profile (C)</td>
<td>Kit Carson (O)</td>
<td>Money and the Woman (D) Jeffrey Lynn Brenda Marshall</td>
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<td>6</td>
<td>Fugitive from a Prison Camp</td>
<td>Jack Holt</td>
<td>Rhythm on the River (M)</td>
<td>Bing Crosby Mary Martin</td>
<td>Rhythm on the River (M) Bing Crosby Mary Martin</td>
<td>Street of Memories (G-D) Lynn Roberts Gay Kibbee</td>
<td>Argentine Nights (M) Riva Brothers Andrew Sisters</td>
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<td>13</td>
<td>Howards of Virginia (D)</td>
<td>Cars, Great Martha Scott</td>
<td>Aldrich Family in Life With Henry (C) Jackie Cooper</td>
<td>Oklahoma Renegades (O) Earl of Puddlestone (C)</td>
<td>Rhythm on the River (M) Bing Crosby Mary Martin</td>
<td>The Westerner (O) Gary Cooper Walter Brennan</td>
<td>Mummy’s Hand (D) Dick Foran Penny Moran</td>
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<td>20</td>
<td>Wizard of Death (D)</td>
<td>Betsy Karloff</td>
<td>The Ape (D)</td>
<td>Burt Kellin Riding the Western Plains (O)</td>
<td>I Want A Divorce (D) John Blondell Dick Powell</td>
<td>The Westerner (O) Gary Cooper Walter Brennan</td>
<td>Mummy’s Hand (D) Dick Foran Penny Moran</td>
<td>Argentine Nights (M) Riva Brothers Andrew Sisters</td>
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Detroit Heat Rises While Grosses Drop

Detroit, July 31.—The past week's daily temperatures of more than 100 degrees kept film fans out of Detroit's air-conditioned theatres and drove them to the beaches and resort areas.

The result was a business that which struck a high since 1930.

The Fox Theatre had an average of $27,000 for a stage attraction grossed only $17,000 for "Private Affairs" and the Funnzefire of Benny Meroff. "Buck" Newsom, leading pitcher for the Tigers, was added to the Fox stage show Friday.

Estimated takings for the week ending July 25:

"Leopard Men of Africa" (Select) [New] Manhattan Theatre—(6) 7 days. Gross: $7,500. (Average, $1,250)
"My Favorite Wife" (RKO) [Old] The House Across the Bay (U. A.)—(7) 7 days. Gross: $6,750. (Average, $964)
"Private Affairs" (Univac) Fox—(5) 7 days. Gross: $13,000. (Average, $2,600 with stage show)
"Lady Love Captivates" (UA)—(6) 7 days. Gross: $5,750. (Average, $960)
"The Man Who Talked Too Much" (W. B.) [Old] MICHIGAN—(6) 7 days. Gross: $7,200. (Average, $1,200)
"PopAlways Pays" (RKO) [New] PALMS—(6) 7 days. Gross: $1,500. (Average, $250)
"Our Town" (U. A.)—(5) 7 days. Gross: $1,000. (Average, $200)
"Turnabout" (U. A.)—(5) 7 days. Gross: $900. (Average, $180)

United Artists—(5) 7 days. Gross: $7,000. (Average, $1,400)

"Love" and Kaye Take $18,000, Indianapolis

INDIANAPOLIS, July 31.—Sammy Kaye and his orchestra on stage, with "Love, Honor and Oh, Baby" on screen at Lyric was the only first-run attraction to do a miracle in the black's worst heat wave. The gross was $18,000.

Estimated takings for the week ending July 25:

"All This, and Heaven Too" (W. B.) [Old] CIRCLES—(30) 7 days 2nd week. Gross: $1,000. (Average, $333)
"Our Town" (U. A.)—(5) 7 days. Gross: $900. (Average, $180)
"Sparring Bullfighter" (MGM) LOEW'S—(200) 7 days. Gross: $6,000. (Average, $400)
"Love, Honor and Oh, Baby" (Univac) LYRIC—(400) 7 days. 7th stage. Sammy Kaye and His Orchestra. Gross: $9,000. (Average, $1,285)

RCA Sued on Patent

Patent infringement suit against RCA was filed in the U. S. District Court by Ben Chrony for an injunction and triple damages. The complaint is an alleged infringement of a patent called "Use of Apparatus and Method of Sound Reproduction and Radio Receiving System."

Illinois Group Meets

ROCKFORD, Ill., July 31.—State taxes on theatres and legislative problems were discussed at a meeting of the United Theatre Owners of Illinois here yesterday. Edward G. Zorn, president, expressed disapproval of Samuel Goldwyn's recent article in the Saturday Evening Post, stating that industry problems should not be made public issues.

Feature Reviews

"Captain Caution" (United Artists-Roach)

HOLLYWOOD, July 31.—Hal Roach has made of this Kenneth Roberts novel (Roberts also wrote "Northwest Passage") the fightiest, sailingest, slashiest and dampest maritime melodrama of its kind in the memory of ye oldest resident. The period is 1812, with the war of that year in progress and in the story but nobody dares point thereof. The scene is the high seas, with an occasional land sequence in a French port and an English drawing room. The action is fast, furious and for the most part fistic, although broadsides sailing vessels and boarding parties include also the use of gunpowder, sword, knife and fisticuffs.

Herop of the adventure is Victor Mature, playing a Yankee sailor in love but out of favor with Louise Platt, owner of the ship, and his fight with Bruce Cabot, slave trader, pirate and international opportunist, closes the picture with a bang. Leo Carrillo, Robert Barrat, Vivienne Osborne, El Brendel, Roscoe Ates, Andrew Tombes, Aubrey Mather, Alan Ladd, Pat O'Malley, Lloyd Corrigan, Ted Osborn and Ann Corde are members of the large and extremely active supporting cast.

Richard Wallace directed, at a mile-a-minute clip, from a screenplay by Grover Jones. The film is full of action from stem to stern, with humor and a touch of music now and then to afford audiences opportunity to catch their breaths. Running time, 85 minutes. "G."*76

Roscoe Williams

"Rainbow Over the Range" (Monogram)

Tex Ritter is the hero and as such conforms to the formula for Western fare by bringing a gang of outlaws to justice after gun duels and horse chasing. Almost all the formulas are worked up. Slim Andrews, Dorothy Fay, Dennis Moore and Chuck Morrison. .

When horse thieves shoot the sheriff and his deputy, Ritter comes to town as marshal and undertakes to restore justice. Pierce, ostensibly the leading citizen, is actually the leader of the outlaws and tries to keep Ritter a horse contract enjoyed by Moore. Miss Fay is Moore's sister and a school teacher. Aided by Richmond and Andrews, Ritter finally corrects the situation.

Edward Finney produced and A. H. Eyerman directed. Screenplay was by Rolland Lycle, Robert Emmet and Roger Merton. Running time, 59 minutes. "G."*76

*"G" denotes general classification.

Para. Partners

To Meet on Fact

(Continued from page 1)

gram and other independent companies.

The Government is considering proposing supplementary legislation in Congress, as was first published in Variety's Picture Daily, was endorsed by the Department of Justice yesterday. Such supplementary legislation as would be proposed would be intended to give the decree provisions a statutory basis covering all elements of the industry.

Paul Williams, chief of Government's counsel in New York, leaves for Washington today, and may be gone two weeks.

In the meantime, Robert Sherer and A. H. Feller of his staff will work with company representatives in framing the new draft. Efforts are continuing to eliminate some of the objections to the proposals but Government lawyers yesterday admitted that Sections 1, 3 and 6 still remain as "stumbling blocks."

Television Industry Acts on Standards

(Continued from page 1)

their chairman are: System Analysis, P. C. Goldmark; Subjective Aspects, A. N. Goldsmith; Television Spectra, J. E. Brown; Transmitter Power, E.W. Towner; Transmission Characteristics, B. R. Cummings; Transmitter-Receiver Coordination, I. J. Kaar; and Radiator Polarization, D. B. Smith. Fifteen organizations were represented at the meeting yesterday. They were: CBS, Don Lee Broadcasting System, DuMont Laboratories, Farisworth Television & Radio Corp., Television Productions; Bell Telephone Laboratories; General Electric; Hazeline Service Corp., John V. L. Hogan, Hughes Tool Co., Institute of Radio Engineers, Philco, RCA Stromberg-Carlson, and Zenith Radio.

Further meetings of the N.T.S.C. will be held sometime in September when some of the subcommittee reports are expected to be ready.

Lead Variety Golfers

Pittsburgh, July 31.—Prize winners at the Variety Club annual golf tourney, held at South Hills Country Club, were: Leo Fine and Kenny Fineman, independent exhibitor; Arthur Levy, Columbia branch manager, and Richard Brown, Warner house manager. The three won low score honors.

"Pago Pago" Party


Philadelphia Good; 'Heaven' Top, $18,200

PHILADELPHIA, July 31.—In spite of the heat wave, grosses at the downtown house were unusually well. "All This and Heaven Too," playing at popular prices, led the field practically alone, grossing $18,200 at the Boyd. The other first runs did average business.

Estimated takings for the week ending July 24-26:

"Our Town" (U. A.)

ARCADIA—(30) 7 days, 3rd week. Gross: $8,220. (Average, $1,200)
"All This and Heaven Too" (W. B.)

BOYD—(40) 7 days. Gross: $12,250. (Average, $1,750)
"Rhapsody" (20th-Fox)

CARLTON—(250) 7 days, 7th week. Gross: $3,100. (Average, $428)
"The Ghost Breakers" (Para.)

KEITH'S—(200) 7 days. Gross: $1,400. (Average, $280)
"My Love Came Back" (W. B.)

LAWRENCE—(30) 7 days. Gross: $2,400. (Average, $416)
"My Hardy Meets Debutante" (M-G-M)

STANLEY—(200) 7 days. Gross: $1,800. (Average, $257)
"The Way of All Flesh" (Para.)

WELD—(75) 3 days. Gross: $420. (Average, $140)

"Untamed" $5,800

Best in Providence

PROVIDENCE, July 31.—Heat was the only managerial alibi for generally low grosses. Best comparative income was reported at the Strand where "Untamed" and "Tomboy," assisted by the personal appearance of Patricia Morrison on opening day garnered $5,800.

Estimated takings for the week ending July 24-25:

"Turnabout" (U. A.)

ARCHITECTURAL—(25) 7 days. Gross: $350. (Average, $50)
LOEW'S—(20) 7 days. Gross: $2,000. (Average, $267)
"My Love Came Back" (W. B.)

ARCHITECTURAL—(25) 7 days. Gross: $1,400. (Average, $280)
"Untamed" (Para.)

TOMBERSON—(150) 7 days. Gross: $1,800. (Average, $600)
"Carolina Moon" (Rep.)

STRAND—(150) 7 days. Gross: $1,800. (Average, $600)
"FAS—(100) 7 days. Gross: $1,600. (Average, $160)
"Maryland" (RKO)

STRAIGHT—(200) 7 days. Gross: $1,500. (Average, $75)
"Rko's Lady" (20th-Fox)

CATHOLIC—(100) 7 days. Gross: $1,200. (Average, $120)
"New Moon" (M-G-M)

"My Favorite Wife" (RKO)

(4 days)
Brown Strikes Back at FCC Report Critics

WASHINGTON, July 31.—Striking back at critics of the FCC monopoly report, Col. Thad H. Brown today told the Senate Interstate Commerce Committee that the report was merely tentative and intended to be criticized.

Members of the committee attended the preliminary hearing on the nomination of Brown for another term, with the FCC determined to end the hearings.

Senator Charles W. Tobey agreed that an FCC hearing is desirable and promised to conclude his examination tomorrow. Most of today’s hearing was devoted to an examination of Ralph F. Colins, CBS counsel, on the Paramount-CBS deal but no new testimony was added. The hearing will be resumed and probably concluded tomorrow. On Senator Tobey’s suggestion, NBC and RCA were invited to attend tomorrow’s session because they were attacked in the monopoly report.

Watertown to Get Two Radio Stations

WASHINGTON, July 31.—The Federal Communications Commission today granted construction permits for two new broadcasting stations in Watertown, N. Y., one a 1270-kilowatt, 500-watt day station to be built by Munson Broadcasting Co., and the other a 1216-kilowatt, 250-watt station to be built by the Watertown Broadcasting Corp.

Applications filed by the Commission included one from the Herald Publishing Company, Klamath Falls, Ore., for a construction permit for a new 1370-kilowatt, 250-watt station.

Al Fields Loses Suit

Federal Judge Murray Hubbert yesterday dismissed an infringement suit of Albert H. Wolsfeld, orchestreria leader, against the president of the NBC-RCA Manufacturing Co., and Gray Gordon, band leader, for an injunction, accounting, and damages. Field claimed exclusive right to the title “Tic-Tac Music” and an accompanying design.

S. F. Fund Board Name

San Francisco, July 31.—Appointment of a board of trustees to administer a newly established $1,000,000 sick and welfare fund has been made here by Vic Connors, executive secretary for the Four As. On the group are: Theodore Hale, Equity; Lucien Tobin, AFRA; Don Santos, Don Francisco, and Philip Palmer, AGVA.

Close Chicago Office

CHICAGO, July 31.—The Chicago sales office of International Film Corp. will be closed down in about a week. Sales for this area will be handled thereafter directly from the factory at Union City. Ind. Mrs. J. G. Feinberg, who has had charge of the office, plans an extended vacation at Colorado Springs.

Off the Antenna

AFTER 15 months of regular operation, the NBC television station, W2XBS, signed off last night after leaving the screens of local televisions dark for almost a year. Work will be begun at once to move the transmitter to the new frequency required by the FCC order and to change images from 444 lines to 507. It is expected that the work will be completed in a few days.

The final program, a variety show, featured Amelia Harris, a popular Hollywood singer, and Eleanor Steber, Metropolitan Opera auditions winner. Thomas H. Hutchinson, manager of NBC’s television department, directed the show.

Program News: Columbia Pictures has purchased the screen rights to “Nobody’s Children,” the radio series dramatizing juvenile problems. WNBN on Monday will discontinue its nightly recorded classical music program, and will substitute “The House of the Master.” Commentary series to be conducted by Richard Thomas and Muri Frenon... Frank Luther will start a new Tuesday and Thursday show over WOR today at 1 P.M. called “Here’s Frank Luther Again.”

CBS yesterday named 25 delegates to the National Association of Broadcasters convention which gets underway in San Francisco Monday. They include Paul W. Kesten, Medford R. Runyon, Harry C. Butcher, D. W. Thornburgh, H. V. Ackerman, vice-president; Joseph H. Ream, secretary and general attorney; John J. Krol, market research counsel; Frank N. Stantoon, director of research; J. Kelly Smith, Radio Sales general sales manager; Howard Meglhin, Radio Sales eastern sales manager; Harold E. Fell, manager WBBM, New York; J. H. Josten, manager, WBT; Arthur Hull Hayes, sales manager, WABC; Merle Jones, manager, KMOX; William Lodge, engineer; Stephen Fuld, station relations director, mechanical engineering; Frank Faulkner, chief engineer, WBBM; Earl H. Gammons, manager, WCCO; Carl Burland, sales manager, WCCO; Gilson Gray, commercial manager; Louis Ruppel, publicity director; George Cranndall, field representative, and Paul White, editor of radio-public affairs.

Purely Personal: William F. Carley has been appointed publicity and promotion director at WBT, Charlotte, to succeed Arthur Forrest, former promotion head, who resigned, and William Wilson former publicity chief, who became WBT news editor. Don Shure has been signed for Eddie Carney’s new show for WPA over NCC-Red. Jack Mitchell, WBNX publicist, is vacationing in Hollywood. Rex Davis, chief announcer at WCNY, Cincinnati, has succeeded Ed Mendel Jones as program director. Jones left to become general manager of WAKK, Akron.

Kaye Urges Sponsor Aid In BnM Fight

In a direct appeal to advertising agencies, Sidney M. Kaye, vice-president and general counsel of Broadcast Music, Inc., yesterday urged sponsors to cooperate with broadcasters in the fight against Ascap.

At a luncheon at the Waldorf-Astoria for broadcast Presidents, Kaye said, “It is obviously in the interest of the advertiser and advertising agency to protect themselves from an exorbitant increase in costs; to protect their programs from sudden change by substituting now the music which radio will be licensed to play after Jan. 1; and in opening the doors to creative talent struggling for an opportunity to be heard over the air.”

He urged agencies to select coordinators to work with music specialists at BMI to solve difficulties arising from changes in thematic music, back-grounds and music of both primary and secondary appeal.

Nov Scotia Raised $60,000 to ‘Win War’

HALIFAX, N. S., July 31.—Theatre in Nova Scotia exceeded the provincial quota of $50,000 maximum by $10,000 in the “Win the War” savings stamp shows recently held.

Ralph Hallock, vice-president of the Capital here, and secretary-treasurer of the Nova Scotia committee, has completed a statistical review of the drive in this province.

Salient facts are: Nova Scotia theatres got more per seat ($2), than in any other province; the sales were about equally divided between certificates and stamps, in number; the Capital, Halifax, sold the most stamps in the province, $33,111 in New Edinburgh; a town with population of 7,000, collected the most money in the province; the Casino, Halifax, collected the most money among the halifax theatres; approximately 30,000 persons made purchases of stamps; in excess of $12,000 was collected in purchases in Halifax and Dartmouth (across the harbor); 53 theatres with about 30,000 seats were donated for the night.

Theatre Changes

Esquire Reconstruction Starts

OAKLAND, Cal., July 31.—Reconstruction has started on the interior of the Esquire Theatre, 1,600-seat house which was gutted in a $10,000 three-alarm fire recently, shortly after the audience had filed out from the last show. House will continue in the Blumfield Circuit, which operates 15 theatres in northern California. C. L. Laws is manager.

Palace, Torrington, to Close

TORRINGTON, Conn., July 31.—The Palace, a 1,200-seat, Nazim Theatre, will close Aug. 17 for complete renovation, including a new ventilating system.

Installs Air-Conditioning

MONTZUMA, Ia., July 31.—Monte Theatre here, operated by Mrs. M. E. Ryan, has installed air-conditioning.

Elliott Joins Newspaper

MACON, Ga., July 31.—W. Theo Elliott, formerly art director for the East Texas Theatre chain and more recently associated with the Perlsman Elliott Advertising Agency here, has joined the staff of the Macon Telegraph & News.

Gladbeck in Philadelphia

FRED GLADBECK is the new manager of the Tyson, Philadelphia.

K. C. Orpheum Reopens Aug. 15

KANSAS CITY, July 31.—The RKO Orpheum is scheduled to reopen here Aug. 15. The premier show will be “The Fighting Watch.” Lawrence Lehman will return to the house as manager after an illness.

To Refurnish Theatre

NEW HAVEN, July 31.—Frank Meadow will furnish the 280-seat State with new seats, carpets and screen, and will redecorate the lobby.

Ware in New London

NEW LONDON, Conn., July 31.—Charles Morse, circuit operator, has appointed H. Ware, former manager of the Count, Attleboro, Mass., as new manager of the Empire, New London Conn. succeeding Arthur Menard. Ware managed theatres in Texas before going East.

Richards in Publicity Post

SAN FRANCISCO, July 31.—Don Richards, former manager of the Orpheum in Oakland, has taken over as publicity director at the Paramount Avenue Theatre in the city of Alameda, who will be out at least three months.

Evening Shows Dropped

ALTA, Ia., July 31.—L. M. Riddle will discontinue Sunday, Monday and Thursday night shows at the Roxy during August.

War Defers Theatre Building in Canada

ST. JOHNS, N. B., July 31.—War conditions have deferred the construction of new theatres which had been announced or considered for Campbellton, Moncton, Bathurst, Milltown in New Brunswick; Halifax, Candlewood, Windor, Bataan, Reserve Mines, in Nova Scotia. The primary cause of postponement in all cases is thought to be the advancing cost of materials and labor. The Famous Players Canadian had announced intention to build at Moncton, here’s third theatre house there. F. P. already operates the Capitol and Empress in Moncton, both adjoining and using the same entrance. F. W. Winter, former owner-manager of the two, continues as manager, with a financial interest.
Henry Ginsberg Named Vice-Pres.
By Para. Directors

Henry Ginsberg, executive assistant to Y. Frank Freeman, vice-president in charge of the Paramount studio, was elected a vice-president of the parent company at a meeting of the board of directors yesterday at the company's home offices. Ginsberg succeeds in office George L. Bagley, who resigned recently. Ginsberg joined Paramount early this year.

The company announced yesterday its estimated earnings for the second quarter, ended June 20, as $1,478,000, after all charges, bringing its six months' earnings up to $3,084,000.

It is reported in the company's statement that there were outstanding as of June 29, 1940, 141,590 shares of cumulative convertible $100 par value 6 per cent first preferred stock and $35,071 shares of cumulative convertible $10 par value 6 per cent preferred stock. After deducting $295,645 of dividends accrued for the quarter on these preferred shares, the remaining $1,182,935 of estimated combined consolidated and share of undistributed earnings for the quarter represent 46 cents per share on the 2,465,972 shares of common stock.

HOLLYWOOD, Aug. 1—This multiple starred production is or could be M-G-M's answer to its own President Nicholas M. Schenk's immortal observation that "There's nothing wrong with the motion picture business that a good picture can't cure." If this one doesn't turn out to be a sure cure for the current attack of box-office blues, the patient is dead and needs burial, in the unanimous opinion of the professional audience which saw it in preview at Hollywood's Four Star Theatre this afternoon and plumped for it en masse. It's got, they were saying, everything in the way of entertainment the motion picture ever had in its best day, and nothing whatever else.

Top three stars in a cast too full of billboard names for any marquee but the Music Halls are Clark Gable, Spencer Tracy and Claudette Colbert, no one of which ever had a more appropriate casting or handled one better. Other names, among many, are those of Hedy Lamarr, Frank Morgan, Lionel Atwill, Chill Will, Marion Martin, Minna...
Edw. Flynn Named Democratic Chmn.

Edward J. Flynn, of the New York law firm of Goldwater & Flynn, well known in the film industry, and former Secretary of State, yesterday was named Democratic National chairman, succeeding James A. Farley, who will retire Aug. 17.

Flynn's law firm has been counsel for Keith-Albee-Orpheum for many years and also represents the Associated Managers of New Jersey, principal preferred stockholder in K-A-O. The firm is counsel for the New Jersey subsidiary in the New York Government's anti-trust suit.

Frank C. Walker, head of the Comford circuit, had been mentioned for the post of Democratic National chairman but is understood to have declined the position because of pressure of business affairs.

Loew Transfers Bell To New York Post

Ray Bell, publicity representative for Loew theatres in Washington, is being transferred to New York. Bell will handle newspaper contacts. Bell has won several awards for campaigns in his city, including the Quigley Grand Award and Award for 1939. In a realignment in the M-G-M publicity department, Bernard Sotel of the staff will be placed in charge of special promotion for "The Ziegfeld Girl." Sotel handled Broadway publicity for Florenz Ziegfeld. Gertrude Cohn, formerly editor of Loew's Weekly, which has been discontinued, will join the fan magazine publicity staff.

C. C. Pettijohn, Jr., Assistant to Breen

Charles C. Pettijohn, Jr., has been named a staff assistant to Joseph I. Breen, head of the Production Code Administration. Pettijohn, who is the son of the M.P.P.D.A. general counsel, will leave for the Coast today and will take up his new duties on his arrival there. He was graduated from Georgetown University a year ago and has been engaged until recently in experimental television work at Rye, N. Y.

Metro Sets 3 More Tests on 'Boom Town'

Three additional test engagements for "Boom Town" were set yesterday by M-G-M, bringing the total to 14. A policy providing for a one-third increase in evening prices and one-fourth increase in matinee prices will be in effect during all these runs. The new bookings are: Aug. 9, Kentucky, Lexington, Ky.; and communities, Saratoga, N. Y.; Aug. 16, Criteron, Oklahoma City. The following field representatives have been assigned by William R. Ferguson, exploitation manager, to handle the campaigns on the test runs:

James Ascher, Atlantic City, Hartsburg and Reeding; Todd Ferguson, New Orleans; E. B. Coleman, Oklahoma City and Hunting, Harrods, Marshall, Indianapolis; J. E. Watson, Lexington and Cincinnati; Jack L. Courtois, Lake Placid and Glenn Falls; Elfrieh, Albany, N. Y.; Austin, Texley, N. Y.; and James Schiller is assisting studio representatives in Los Angeles.

Motion Picture Daily

Friday, August 2, 1940

Personal Mentions

HERMAN WOBBER, general manager of distribution for 20th Century-Fox, left by plane Wednesday night for Salt Lake City to arrange for the premiering of "Bright Young Things." He will continue to the studio for conferences before returning.


NORMA SHEARER arrives from the Coast today, Mervyn LeRoy, director, and Mrs. LeRoy accompanied her from where they went to Saratoga.

ROBERT S. BENJAMIN of Phillips, Nier, Benjamin & Krin has returned from a business visit on the Coast.

JACKSON S. HURFORD, Jr., first-born of Jackson S. Hurford, manager of the Fox, Detroit, was confirmed this week.

ALBERT SHULMAN, operator of the Rivo, Hartford, is on vacation in Washington. Max and Maurice Shulman, Hartford and Windsor exhibitors, are spending the Summer in Clinton, Conn.

WILLIAM WALSH, manager of the Comford, Wilkes-Barre, recently became the father of a second child, a son.

MORTON GERBER, of the Warner publicity staff, leaves today for a two-week vacation trip through New England.

EDDIE RUBIN of the RKO studio publicity department is in town on vacation following two weeks in Boston, his home town.

LEO ABRAMS, short subject sales chief for Universal, left yesterday for Philadelphia and Pittsburgh.

CHARLES C. PETTIJOHN, Jr., son of the general counsel of M.P.P.D.A., was married on Wednesday at Harriscus, N. Y., to Josephine Hardesty of New Rochelle. The couple will leave for Hollywood today where they will make their home.

LAURIE LAWRENCE, M-G-M manager for Continental Europe, returned yesterday from the Coast where he conferred with studio officials.

IRVING BERLIN, LOU BRANDT, JOSEPH PINCUS and AL YOUNG at Lindy's (51st St.) yesterday for lunch.

AUGUST KOHLENSCHMIDT arrives in Washington on a trip for a three-week vacation at home in Germany.

LOEW'S New York Theatre is now being converted to the production of a new feature picture, "The Great Laramie," which will open in September. The German government has ordered the removal of the screen and the complete transformation of the theatre, including the installation of a new stage. The theatre will be reopened in October as a German motion picture house. The film will be produced in Germany by the famous German director, E. A. Dupont, who has directed many of the most successful German films. The cast includes many of the leading actors of the German stage, including the famous actor, Karl Schönböck. The production will be financed by the well known movie producer, Fritz Lang, and will be distributed in the United States by Loew's Theatres.

HOLD NEW YORK THEATRES OPEN

The New York Herald Tribune reports that the New York Theatres, including the Loew's Theatres, are planning to reopen on September 1st. The reason given is that the theaters have been closed for the past two years due to the lack of new releases. The reopening of the theaters will be a major boost to the movie industry and is expected to bring a welcome increase in business.

COLUMBUS Variety Club Holds Outing

COLUMBUS, O., Aug. 1.—The Columbus Variety Club today held its annual round-up at the Brookside Country Club, consisting of golf and other social events. The proceeds will be used toward building a complete school house for Needham. The event concluded with a dinner at the club's home, for which the club last year furnished equipment for infantile paralysis treatment.

'Sea Hawk' at Normandie

Trade showing of Warner's "Sea Hawk" will take place locally at the Normandie Theatre in the near future. At the same time, the film will be shown to the trade in 36 other exchange cities.

Circuit Meets Sept. 4

KANSAS CITY, Aug. 1.—The annual Fall meeting of Commonwealth Amusement's theatre managers will be held here Sept. 4 and 5.
PARAMOUNT CRASHES THE FRONT PAGE WITH "MYSTERY SEA RAIDER"

Put it on your screen while it's RED-HOT NEWS!

with Carole Landis • Henry Wilcoxon • Onslow Stevens
Arbitration In Decree Would Bar 'Bootlegs'

(Continued from page 1)

one which will not alter the proposals in an agreement. Preparation of a written draft is under way and may be completed by the first of next week, after which the check drafts will be submitted to their principals for early action.

Defense attorneys yesterday expressed the belief that stockholders of the companies would not be delayed much beyond mid-week since, they said, if the decree is rejected, preparations for resumption of trial on Oct. 7 should be begun at once. If the decree is not rejected, they pointed out, additional litigations may still be necessary, further delaying knowledge of the ultimate fate of the decree.

Robert L. Wright of the Government legal staff left for Washington yesterday to be gone until the first of next week. It is believed that, with Paul Williams, chief of the Government's legal staff here, who went to Washington on Wednesday, Wright will confer with members of the Department of Justice and the Securities and Exchange Commission division on the preparation of the written draft of the decree.

'Gangs' Garners $14,600 in Buffalo

BUFFALO, Aug. 1.—Grosses here were good, despite near-record July heat, in the grosses of Chicago and fight films, aided by plays like new shows, at the Twentieth Century with a whopping $14,600. "Andy Hardy Meets Fallen Angel," and "My Love Came Back," in a second run at the Hippodrome, bunched figures up to $2,500.

Estimated takings for the week ending July 27:

"Maryland" (20th-Fox) BUFFALO—$489 (35c-50c) 7 days. Stage: "Maurice and orchestral ensemble in A Musical Panorama," with the Yost Staff. Gross: $489. (Average, $69.86)

"South of Peking" (G. A.) GREAT LAKES—$1200 (35c-3c) 7 days. Stage: "Maurice."

"Half a Summer" (U.B.) GREAT LAKES—$650 (35c-3c) 7 days. Stage: "Maurice."

"Gangs of Chicago" (Rep.) ROCKFORD—$300 (35c-3c) 7 days. Stage: "Maurice."

"Armstrong-Jenkins Fight Film" (RKO) TWIN FALLS—$260 (35c-3c) 7 days. Stage: "Maurice."

"Blondie on a Budget" (Col.) MIDDLETOWN—$100 (35c-3c) 7 days. Stage: "Maurice."

"Beat the Devil's Stakes"

Reopen in Indianapolis

INDIANAPOLIS, Aug. 1.—Manager Kenneth Collins announces that the Indiana, 2,300-seat house closed since June, will reopen tomorrow with "The Boys from Syracuse" and "Private Affairs." The Rita, a luxury neighborhood, has closed pending court action on its bankruptcy and is expected to remain dark until about Sept. 1.

"Boom Town"

[Continued on page 1]

Gombel, Sara Haden, Joe Yule, Horace Murphy and Frank McGlynn, Sr. It is between the top three, however, that interest fluctuates, none having more than a minor margin of advantage at any point, throughout two hours of solid drama interrupted by fist bashes, braves, explosions, financial and physical wriggles and general though never miscellaneous strife.

Burkhoffmann, oil town of song and story, is scene of the mad scramble for leases, sites, drilling machinery and such in which the picture starts. Here Gabie and Tracy meet, fight, become partners, and here comes Colbert, beloved of Tracy, to meet and marry Gabie for start of a man to man struggle, all on the honorable side but with no holds barred, which carries the three up and down through several fortunes to South America and New York and, finally, back to the oil fields again and all even. John Lee Mahin's script, from James Edward Grant's story, is by far the best from the Mahin typewriter, a machine that has turned out a dazzling array of box-office champions.

Production by Sam Zimbalist is on a scale seldom ventured in even the most roseate eras of cinema prosperity. The boom town erected for the opening sequences is among the largest sets ever manufactured and the scenes showing the opening oil rush on the oil real estate and town show has been matched or approximated up to now. Direction by Jack Conway, achieving speed, complete clarity and a driving power seldom equalled, is of a quality few directors attain once in a career.

Built to entertain and nothing else, and fitted out with names enough to attract even the best-equipped of the admission price, the picture is a challenge to public appetite, a tonic for exhibitor and fan and an ornament to the art industry.

Running time, 120 minutes. "G."

Roscoe Williams

"G" denotes general classification.

Grosses Show Improvement As Hot Weather Recedes

(Continued from page 1)

be looking forward to another two days of continued hot weather, based on the abnormal-weather predictions. On Tuesday, the thermometer registered 99 degrees, the first time it hit 90 since July 19. The shows in the downtown and neighborhood houses were reported at from 50 to 75 per cent better than average.

J. S. Hurford, manager of the Fox, Detroit, has announced that in view of the drop in attendance with the heat wave, stage shows will be dropped for an indefinite period.

Washington's exhibitors yesterday welcomed the first low-eighth temperatures in two weeks but looked askance at the weather man's warning that the cool weather would last only a day or two. The test comes tomorrow when the new programs open.

After a two-week heat wave, with only one day on which the thermometer failed to reach 90 and with one day in which it touched 100, local showmen were hoping for a revivial, particularly for the outdoor weatherman's predictions.

Broadway's weekly figures were severely dented by the poor trade which has experienced the torrid weather over the weekend. Both "They Drive by Night," and "All This and Heaven, Too," finished pretty strong. George Raft was on the stage in person at the Strand, in connection with the slumping of the former picture and the week's figure is estimated at over $40,000. "All This and Heaven, Too," with a stage show at the Radio City Music Hall, finished its fourth and final week with an estimated $68,000. This picture, opened early in May, ran on its four weeks gross an estimated $350,000.

Both "Andy Hardy Meets Debuts- tante," with a stage show at the Radio City Music Hall, finished its fourth and final week with an estimated $68,000. This picture opened early in May, ran on its four weeks gross an estimated $350,000.

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"Blondie on a Budget" (Col.) MIDDLETOWN—$100 (35c-3c) 7 days. Stage: "Maurice."

"Beat the Devil's Stakes"

Brown to Providence

PROVIDENCE, Aug. 1.—William Brown, former manager of the RKO-Albee, was recently a manager in Fall River, Mass., has been engaged by Associated Theatres to manage the Metropolitan and Playhouse when they reopen in September. The Metropolitan will feature name bands and vaudeville with the Playhouse presenting legitimate shows.

Continuous on Sunday

LAFAYETTE—LOEW'S STAGE: Outstanding on June 29, 1940, which compares with 21 cents per share for the quarter ended July 1, 1939. Commission on the estimated combined consolidated and share of undistributed earnings (Continued from page 1)

outstanding on June 29, 1940, which compares with 21 cents per share for the quarterly ended July 1, 1939. Com- mission on the estimated combined consolidated and share of undistributed earnings for the six months ended June 29, 1940, represent $1.01 per share on such common stock outstanding, which compares with 62 cents per share for the six months ended July 1, 1939.

NameGinsberg
Vice-President
Of Paramount

Cleveland, Aug. 1.—Hot weather or no hot weather, people pour in to see the "Scandals," so RKO Palace, showing "The Girl in 317 also on its bill, is doing a stinging $16,500 here last week.

"Girls of the Road" (Col.) ALLEN—$200 (35c-3c) 7 days. Gross: $2,000. (Average, $300)

"Goin' to Heaven, Too" (W. B.) WARNER—$1,500 (35c-3c) 7 days. Gross: $2,500. (Average, $350)

"Girl in 317" (20th-Fox) KING PALACE—$300 (35c-3c) 7 days. George White's Scandals on stage. Gross: $6,500. (Average, $910)

"Andy Hardy Meets Debuts-tante" (M-G-M) ANN ARBOR—$1,000 (35c-39c-47c) 7 days. Xavier Cugat band on the stage. Gross: $2,000. (Average, $285)

"Turnabout" at the Roxy closed with only an estimated $24,000 in its four weeks. The "Man I Married" opens today.

"Porgy, Porgy," opening yesterday at the Music Hall, was fairly well received, according to incomplete reports on the day's business.

In Chicago, cool weather caused a substantial decline in the receipts of most of the Loop theatres and even in the neighborhoods. Tom Gorman reports a good opening day at the RKO Palace. This theatre had been closed several months.

Col. W. A. Grant Dead

TORONTO, Aug. 1.—The death has occurred of Col. W. A. Grant, president of Associated Screen News Ltd., following a heart attack. He had been with the company 15 years.
COMPLETING THE PICTURE

DRAMATIC lighting and unusual camera angles are only partly responsible for the startling beauty of modern screen productions. It takes Eastman negative films to do full justice to the cameraman’s wizardry—to really complete the picture. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., Distributors
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Motion Picture Daily
Friday, August 2, 1940

Feature Reviews

"Mystery Sea Raider" (Paramount)

H. P. RYWOOD, Aug. 1.—Paramount's "Mystery Sea Raider" is an intensely suspenseful drama of the current naval warfare between Germany and the Allies. Anticipating the war's progress, perhaps, the action is laid in the Caribbean Sea. The plot has to do with Nazi agents chartering an American boat, committing piracy by imprisoning the captain and the crew, and using it as a "mother ship" for a fleet of submarines attacking English and French merchantmen.

The American crew, with the aid of the English and French captains and other officers captured from the sunken vessels, by an ingenious device manage to get warning to a British warship, which sinks the raider.

Carole Landis, Henry Wilcoxon and Omolow Stevens are the romantic interest, the American ship's captain and the chief Nazi agent, respectively, head the cast.

Director Edward Dmytryk obtained a maximum of thrills and suspense in this Eugene J. Zukor production, which is featured with excellent shots, technically speaking, of underwater craft and other ships. E. E. Paramore, Jr., wrote the screenplay, an adaptation of a story by Robert Grant.

While skidding at some of the stilted dialogue and acting, the pre-view audience nevertheless gave every indication of enjoying the film. The picture has no attempt to disguise Nazi ideology, but is a straight action melodrama, with emphasis primarily on the action.

Running time, 75 minutes. "G." * Vance King

"Laughing at Danger" (Monogram)

This is a fast-moving melodrama starring Frankie Darro and involving his Kay Hopkins photos in murder and subterfuge by Henry Nelson as a private eye with George H Weston, Kay Sutton, Gay Usher, Mantan Moreland and Lillian Elliott in support. The screenplay by George West and John Kraft is from an original story by West. Howard Bretherton directed the Lindsay Parsons production.

The story develops quickly with two murders occurring at the beauty parlor in which Darro is employed. As Miss Hodges is accused, he and Moreland attempt to solve the crimes. Upon being found in the apartment where a patron of the beauty parlor commits suicide, they, too, are thought to be implicated. However, the pair finally discovers the plot and are subbed in bringing them to hook. Houston, as a detective, and his aides then effect the capture.

The film is interesting.

Running time, 62 minutes. "G." **

*G" denotes general classification.

Showmanship Flashes

Elsie Tiesup to Aid Release of 'Little Men'

THE top possibilities of RKO's film, "Little Men," in which Elsie Borden's bovine belle from the New York World's Fair, has a place, are the subject of considerable RKO attention. The Borden company and its dealers plan tieups on daily deliveries, brass Elsie badges with reproduced heads of the cow have been widely distributed, and postcards from the Fair have been printed in large quantities.

A Manual Ready on "Villain Pursued"

For Harold B. Franken's RKO release, "The Villain Still Pursued Her," there has been prepared an elaborate advertising manual, designed by Franklin for key city engagements, which outlines various suggested stunts and adversting tips for the film, stressing the novel character of the picture.

Radio Plugs, Cenavman Display Aid 'Million Dollar'" San Francisco, Aug. 1.—"One Million BC" at the United Artists was aided by a vigorous radio campaign, plus a flash front in which the theatre's entrance was transformed into replica of an early day caveman's abode. The unique display caused considerable comment.

Choose 'Perfect Son' On Small Picture

Freddie Fitzsimmons, pitcher for the Brooklyn Dodgers, recently chosen the "outstanding failure in the field of sports" will welcome three "perfect sons" from around the country at the Hotel Astor on Monday. Of the three, one will be selected as the "perfect American son" and will be awarded a four-year scholarship for any preparatory school or university. The award is sponsored by Edward Small, producer of "My Son, My Son," in conjunction with the picture.

Blondes Admitted Free In 'Blondie' Campaign

On Corvette, Wis., Aug. 1.—A plug for "Blondie on a Budget," the Apollo here admitted free the first 50 blondes accompanied by masculine escorts.

Short Subject Reviews

"Information Please, No. 13" (RKO)

As sprightly and entertaining as its predecessors, No. 13 in the "Information Please" series is certain to please old friends of these subjects and win new converts.

With Elmer Davis, radio commen-
tor, as guest guesser, the Fadiman- Levant-Kieran-Adams quartet go through their routine without a flaw.

This newest addition to the series is bright as a new-minted coin and more amusing than a cagel of simian. Running time, 9 minutes.

"Junior G-Men" (Universal)

Universal is utilizing the talents of his valuable screen veterans as the youthful Billy Halop, Huntz Hall, Kenneth Howell and the "Little Touche" in a 20-chapter serial melodrama designed for the weekend matinee audience. If the first three chapters are a criterion, the chapter play will be action and suspense.

The story concerns "The Order of the Flaming Torch," which attempts to overthrow the Government, and the operations of two Federal agents who employ the Junior G-Men to aid them and a rough and Ready street gang. Each episode runs about 20 minutes.

"The Bookworm Turns" (M-G-M)

The Raven and the Bookworm, mental invalid and brain child, respectively, comparatively new to the cartoon field, are involved in a Hugh Harman fable which is moderately amusing. It is highlighted by the presence of a Jekyll and Hyde character. The "doctor" is employed by the Raven to switch his brain with that of the Bookworm. The change is made both mentally and physically, then both are brought back to normal.

Running time, 8 mins.

"Cat College" (M-G-M)

"Cat College" is actually a course in feline training conducted by Clyde Beatty and his wife at Fort Lauderdale, Fla. A youthful and pretty brunette, Pat English, constitutes the student body as the course is outlined for another Pete Smith Special.

The subject is thrilling and given more serious treatment than in other Smith shorts, except in the last sequence where, when Pat English is frightened by a mouse, the short is entertaining and exploitable. Running time, 10 mins.

"Varsity Vanities" (Universal)

The younger set will be especially pleased as swing dominates this musical, which features "Six Hits and Misses." The latter are Peggy Ryan and Buddy Pepper, Ted Arkin, Dennett and Dae, and Martha Tilton, Pern Emmett also has a hand as the prudish school teacher converted into a swing addict. Running time, 18 mins.
There is no substitute for RICHARDSON in the projection room

Second Revision
Sixth Edition

Trouble-Shooting Charts

Alphabetical Index System

700 Pages of up-to-the-minute data that every projectionist needs!

THE REVISED BLUEBOOK
MOST ADVANCED MANUAL
ON MODERN SOUND REPRODUCTION AND PROJECTION

The newly revised Bluebook does a threefold job:
(1) it gives a detailed description of the construction, wiring and functioning of every piece of sound and projection apparatus used in a modern projection room.
(2) It gives careful instructions on the operation and maintenance of this equipment.
(3) It is a quick and effective trouble-shooter with sound trouble-shooting charts that enable the projectionist to spot and repair sudden breakdowns both in the projection and sound apparatus. The new edition is handy to keep and handy to use, with an alphabetical index system for quick, easy reference.

You will find the revised Bluebook the most complete treatise of its kind and a sure solution to every projection problem.

ORDER THE BLUEBOOK NOW

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK, N.Y.
Radio Revenue

In 1939 Was

$89,990,646

WASHINGTON, Aug. 1.—Broadcasting revenue in 1939 reached a new high, totaling $89,990,646, which is $9,000,000 above the industry's 1938 income, $79,928,760. The 1939 figures are 20 per cent above 1938 and 660 stations in 1939, the Federal Communications Commission revealed today.

Major networks also expanded considerably in 1939, showing 397 stations as against 350, in 1938. NBC, CBS and Mutual, the three principal chains in broadcasting, totaled $22,500,941, in 1939 revenue as compared with $19,645,447, in 1938— an increase of $2,855,494.

There were 519 stations which reported net time sales in excess of $25,000, in 1939. In 1938, there were only 485 stations which reported such net time sales. The total income of the 519 stations which reported these time sales in 1939, was $20,904,134, compared with $7,018,465, in 1938 for the 485 stations.

Film Talent Stage

War Benefit Shows

Hollywood, Aug. 1.—The newly formed Theatre Guild of Southern California has rented the Aircraft, Tuesday night at 8:30. Noel Coward series of plays at the El Capitan Theatre, with proceeds going to the British War Relief Association of Southern California. The casts will be "name" talent drawn from Hollywood and the stage.

Staging will be done under the direction of George Cukor, Edmund Goulding, Dudley Murphy, Robert Sinclair and Margaret Webster, with sets being designed by Robert Edmond Jones.

All British actors and actresses in Hollywood and many others have signed their intention to participate.

Applaud Dismissal

A N. Y. Supreme Court decision against the Continental and minority stockholders' suit will be appealed, according to papers filed. Republican and Setco, Inc., are other defendants. The plaintiffs had unsuccessfully claimed that officers and directors had mismanaged the company's affairs.

Mowhawk Sets Release

Mohawk Pictures, which is handling 19 former Grand National features, has closed two distribution deals. Imperial and Superior Pictures have bought the group for Illinois, Indiana, Georgia and Ohio. Similar deals were made for Louisiana and Mississippi.

Adorno Wins Decision

MIDDLETOWN, Conn., Aug. 1.—Middletown Theatre, Inc., has been denied an injunction by the Superior Court in New Haven restraining the State police commissioner from issuing a license to Adorno's, a deal for a 900-seat open air theatre here.

Acquire 3 Italian Films

Esperia Film Distributing Co. has acquired the U. S. distribution rights to three Italian films, "The Carnival of Venice," "The Adventures of Cappuccino" and "The Queen of La Scala.

FORMAL dedication of the studios of WOR's FM transmitter, W2XOR, took place in the tower of 444 Madison Ave. last night with Major Ed- win H. Armstrong, inventor of the staticfree FM, pushing the button that put tion can be heard in an approximate radius of 48 miles from the transmitter building. The transmitter operates on 1,000 watts.

No programs actually originate from the new building but come instead from the WOR studios in Manhattan or Newark. Programs designed especially for FM and not otherwise will originate from the new studio number one in the WOR Manhattan studio building. The programs will be heard full time, with W2XOR using mutual water system of 434 mc, the exception of one hour daily in the afternoon and one in the evening which will feature small FM programs.

The antenna stands 75 feet above the roof and about 630 feet above sea level. Tests at the 128-foot tower were greeted by Sun Radar, a full blooded Pueblo Indian, who was on hand to pray for a thunderstorm which would prove the advantages of FM's freedom from static, but no thunderstorm actually took the demonstration, however, impressed with the noiseless quality of FM.

As the result of the shifting of many NBC-Blue programs to the Red network last month, the Blue dropped 4.7 per cent of its gross billings during July from the June figure, although it was well ahead of the July, 1939, billings.

The plan, apparently, is to transfer all regular radio accounts to the Red while the Blue attempts to woo magazine and newspaper advertisers to the radio field.

President Roosevelt will not be able to participate in the one-hour radio program which will highlight the Broadcast Day at the New York and San Francisco World's Fairs. However, Stephen Early, the President's aide, will read a message to the industry and the public from the Chief Executive.

Senate Would Quiz Sarnoff

On RCA Anti-Trust Suit

Brown was chief counsel to the FCC and present FCC Chairman James L. Phillips, an assistant in the anti-trust division.

During the discussion, Sen. Wallace H. White brought out the fact that a radio in Washington had recently obtained a high position "opposed them. They heard their master's voice," Sen. Tobey commented.

Sen. Tobey also indicated a desire to inquire into the interests behind radio commentators, asserting that in the present disturbed times, it was important to know whether these speakers were giving their own views or those of persons by whom they were paid.

Possibilities that station WCLW, Cincinnati, was seeking restoration of its $20,000-a-week license were raised by Sen. Wheeler, who disclosed he had been asked to handle an application by a firm which had already filed on the fact that high power operators would be valuable in the national defense program.

President Roosevelt will be unable to participate in the one-hour radio program which will highlight the Broadcast Day at the New York and San Francisco World's Fairs. However, Stephen Early, the President's aide, will read a message to the industry and the public from the Chief Executive.

July Billings

Soar on All Major Webs

Gross billings continued to soar during July for all four major networks, but CBS, NBC and Mutual. Seven month cumulative figures are far ahead of the first seven months in 1938. In fact, all grossings figures show substantial increases over

CBS showed a 327 per cent increase in July over $3,000,000 in July last year with a gross of $6,070,953 as compared with $3,211,953 for July, 1938, for the 10th consecutive month that CBS gross billings have exceeded the $3,000,000 mark. For the first seven months, CBS grossed $3,830,438 in July, an increase of 167 per cent over the same period last year.

For both networks, NBC grossed $3,830,438 in July, an increase of 167 per cent over the same period last year.

CBS grossed $3,830,438, in July, an increase of 167 per cent over the same period last year.

MBS grossed $255,182 during July, an increase of 221 per cent over the same period last year.

All figures are before agency and client discounts.

Producers Sets New Program for Season

A program consisting of four specials, 16 features and 18 Westerns has been set by Producers Releasing Corp. The program was informed at a meeting here this week. The program was outlined by Harry Rath- ner, president, and Sigmund Neufeld, the executive producer.

Franchise holders attending the meeting included Louis Ruttstein, Los Angeles; Jack Adams, Dallas and Oklahoma City; Ike Katz, Atlanta and Memphis; Leo and Eddie Goldberg, Indianapolis, Cincinnati and Cleveland; Abe Fisher, Chicago; Bill Flennion and Ann V. O'Donnell, Detroit; Lew and Milton Lefton, Pittsburgh; George Gill, Washington; Herbert Given, Philadelphia; Bert and Larry Kulick, New York, Albany and Buffalo; Harry Asher, Boston and New Haven. From the home office were Leon Fromkess, in charge of foreign sales; Robert Socol, and O. Henry Briggs, president, Pathé Laboratories.

Rathner will leave next week to conduct regional sales meetings.

Gemmill Joins RCA

Kenneth W. Gemmill, associated with the New York law firm of Mitchell, Taylor, Capron and Marsh, has joined the law department of RCA to handle tax matters.

Mrs. Murray Injured

TORONTO, Aug. 1.—Mrs. W. Glad- stone Murray, wife of the general manager of Canadian Broadcasting Co., was injured in an automobile accident as a result of an automobile accident.
Studio Survey is Under Way for ‘M-Day’ Call

Army Production Unit Will Have 330 Men

Hollywood, Aug. 4.—Participation by the industry in national defense was taken tangible form here with six-weeks’ investigation of the availability of experts in newsreel production who will hold themselves in readiness for an ‘M-Day’. Conducting the survey is Major Nathan Levinson, head of Warners sound department and commanding officer of the Signal Corps Photographic Laboratory of the United States Army Reserves. In time of war this group will be attached to General Headquarters.

Called into service only in wartime, the unit will consist of 26 commissioned officers and 394 enlisted men. Among those participating will be: Gordon Mitchell, manager of the Research Council of the Academy of M. P. Arts & Sciences, as adjutant; Sam Briskin, Columbia production executive, in an administrative and editorial post, and Bryan Foy, Warner producer; Ray Enright and Eddie Sutherland, directors, and Byron Haskin, head of the Warner laboratories. These, among others, have filed applications for admission to the unit.

The move for Hollywood’s cooperation with the Army was started recently at a meeting attended by company and production executives and ranking Signal Corps officers from Washington.

Peace With ‘Big 4’ Up to Kent; Three Firms Concur

W. B.’s ‘Sea Hawk’ Trade Show Today

Hundreds of exhibitors today will be the guests of Warner Bros. at the company’s national trade showings of “The Sea Hawk,” which was selected in a national competition in the exchange centers in the United States and Canada. The purpose is to consider the feasibility of raising admission scales for the exhibition of this film. Following the screenings, discussions have been scheduled between exhibitors and Warner branch executives.

A feature of the trade show is the presentation of a trailer address at a theater in Newark.

Approval Seen for

British Film Pool

LONDON, Aug. 4.—Government approval of an industry plan to establish a wartime pool of film talent, technicians and labor is expected in the near future. The move is expected to facilitate production and studio operations to a considerable extent.

Backed by producers and labor, the plan was presented last night to Minister of Labor Bevin who expressed his approval of its aims and referred it to authoritative quarters for early action.

The plan aims to establish a joint committee of trade and official representatives to advise on the problem of mobilization of film workers essential to the industry and to make recommendations on extensions of age classifications in mobilization of strategic workers in fields associated with the industry. Technicians and artists included in the pool would be available on an exchange basis to accredited producers.

20th Century-Fox Chief Arrives Today to Act

On Decree; Paramount Non-committal; U. S. May Act Against Others

By SAM SHAIN

Whether an armistice will be declared between the Government and the defendant film companies in the New York anti-trust suit today rests with Sidney R. Kent, president of 20th Century-Fox. Loew’s, RKO and Warner Bros. gave their answers for peace on Friday. At a joint session of company representatives and officers of the Department of Justice, the peace plank within the defense ranks, were described as favoring in principle the terms of settlement thus far proposed. Paramount gave no answer.

Kent’s answer is expected by Wednesday. The 20th Century-Fox chairman returns today from Maine. Also returning to the city today are Attorney General Hazen and Joseph Bernhard, head of Warner Bros. Theatres. They have been in Hollywood conferring with Harry M. Warner, company president.

Should 20th Century-Fox Concur with Loew’s, RKO and Warner Bros., the Government obtains a balance of power, which will strengthen its hand in any move it may make to get the isolationist companies into line.

A “good enough” escape clause has been proposed. Otherwise, only Section 6 has been altered in any important manner, spokesmen state. Section 6 deals with discrimination in selling and has been tightened. The arbitration clause has not been prepared as yet. The sections dealing with trade showings and unit selling in blocks of five are unaltered, it is claimed.

The new escape clause is said to be one which satisfies the peace block sufficiently to induce them to consider accepting the peace terms which are offered. They hope that it will satisfy 20th Century-Fox, too.

The principal virtue contained in this clause, spokesmen assert, is that the defendant distributors may resume status quo standings under certain conditions.

The main provisions of this proposal are interpreted as follows:

(a) A defendant distributor.
Seek Sunday Show Law in Harriscburg

HARRISBURG, Pa., Aug. 4.—Exhibitors here have organized a drive to legalize Sunday performances in this city. Under the State local option law, each community may vote on the question each five years. In 1935, Sunday performances were defeated by a vote of 19,710 to 9,120. A petition with 1,500 signatures is required to place the issue on the ballot in November.

C. Floyd Hopkins, local representative of the Wilmer & Vincent circuit, is chairman of the committee of exhibitors.

Publicists' Guild Claims 230 Members

New York Screen Publicists Guild claims membership of 230 with the admission last week of 46 new members, prior to the Aug. 1 deadline calling for an initiation fee for those joining after that date. The SPG claims the New York publicists' field now is "almost completely organized." Plans are being made for organization of an associate division of the Guild for free-lance and part-time publicists and field exploiters.

A meeting at which will be adopted a constitution for the joint organization of the New York and Hollywood publicist guilds has been tentatively set for Aug. 21 on the Coast. Three delegates from the New York group will attend.

PARADOX*

Here's a great comedy to be taken seriously... ITS 1001 LAUGHS ARE ALL TIMED FOR TIMELINESS!

"He Staved For Breakfast..."

*Like "You Can't Take It With You" and "It Happened One Night"—this one has substance!

Personal Mention

S. BARRET MCCORMICK, RKO advertising and publicity director, and JACK PETERSON of Lord & Thomas are scheduled to arrive from the Coast today after a two-weeks visit at the RKO studio.

TYRRE DEILLARD, Loew's office attorney, is expected back from vacation tomorrow.

JOSEPH M. MOSKOWITZ of 20th Century-Fox is due back from the Coast the middle of this month.

AL DASS, Far Eastern manager for Universal, left for Montana over the weekend to visit relatives and will continue to the Coast en route back to his Tokyo headquarters.

C. C. PETTITJON, M.P.P.D.A. general counsel, and Mr. and Mrs. CHARLES PETTITJON, Jr., will leave for the Coast by plane today, after having postponed their departure from Friday.

EARL W. HAMMONS is expected in New York from the Coast today.

HARRY GOLDBERG, Warner Theatres director of advertising and publicity, is vacationing on his farm in Bucks County, Pa.

MRS. T. J. CONNORS, wife of the M-G-M Eastern and Southern division manager, and daughter, KATHERINE, return today from a South American cruise.

DAN KELLY, Universal producer, is in New York from the Coast.

COLONEL WILLIAM J. DONOVAN, RKO counsel in the Government anti-trust suit, is due to arrive from Europe by Clipper over the weekend after completing a confidential mission in London.

WILLIAM PAYNE of National Theatre Supply Co., New Haven, will be married to MURIEL BRENNER today. PAYNE is the son of JOHN PAYNE, Universal salesman. The couple plan to honeymoon at Virginia Beach.

NAT RUBIN, Loew-Poli, New Haven, assistant manager, leaves today for a fishing trip in Nova Scotia.

JOSPEH CACICZAK, assistant manager at the Howard, New Haven, is on vacation in Maine.

NAT SANDERS, vice-president of Leo Fox Theatres, left Sunday for Toronto, Montreal and Quebec.

LILLIAN SANDERS is on a two-weeks vacation at Livingston Manor, N. Y.

BEATRICE GELLER, secretary to JOSEPH HAYEN of Warners, left over the weekend for a deep sea fishing trip off Camden, Me.

KEITH CASPER, relief manager for the Wilmer & Vincent theatres, Richmond, Va., and DOROTHY GIBSON have announced their engagement.

ANN ROSE of the Paramount exchange in Des Moines is vacationing in Springfield, Ill. JAMES POLK, at the exchange is fishing in Minnesota.

Final Kent Drive Meeting Held Here

The final meeting of a series held in 20th Century-Fox branches throughout the country in conjunction with the S. R. Kent sales drive, was held Wednesday at the New York exchange. The drive begins Aug. 11 for 18 weeks.

M. A. LEVY, Minneapolis branch manager and leader of the drive, and Roger Ferri, editor of the company's house organ, The Dynamo, conducted the sessions. Speakers at the New York meeting included Walter J. Flasimson, director of foreign distribution; William Sussman, Eastern sales manager; Harry H. Buchbaum, Metropolitan district manager, and Levy.

Dobie Suit Against Warners Dismissed

LONDON, Aug. 4.—The damage action of David Dobie, former sales manager for the National Pictures here, against Warners was dismissed yesterday and court costs were awarded to Warners.

Dobie's action was an outgrowth of the Warner-Fist National amalgamation. It charged that he had been dismissed without cause following the merger. The court ruled that an agreement signed by Dobie in 1932 entitled his employer to terminate his services with our week's notice.

'Ramparts' at Hall Aug. 22

"The Ramparts We Watch," March of Time-RKO film, will open Aug. 22 at the Radio City Music Hall.

Court in Drive-in

Columbus, O., Aug. 4.—Common Pleas Judge Leach and three attorneys "held court" at the Riverside Auto Theatre and visited nearby residents to determine whether the sound was of sufficient volume to disturb the sleep of neighbors, in an injunctive suit. Later the case was postponed on assurances that engineers were trying to subdue the sound.

$230,182 Judgment Against W. B. Firm

SANDBUSKY, O., Aug. 4.—Seitz Theatre Co. has been awarded judgment of $230,182 by Judge M. L. Savord against General Theatre Co., a Warner subsidiary, for alleged breach of a lease on a theatre building.

The suit is the result of the building to a predecessor of General Theatre Co. in 1928, for a rental of $732,000. In 1933 the tenant was allegedly evicted and the theatre was leased at a lower rental to a tenant. The judgment represents the difference between the two rentals plus interest.

Charles V. Martina Adjudged Bankrupt

BUFFALO, Aug. 4.—Charles V. Martina, part owner until March 1 of the Martina Circuit of 12 theatres in up-state New York, has been adjudged a bankrupt by Federal Judge John Knight. Here, Jacob Ark has been appointed receiver and Warner F. Thompson referee to conduct hearings.

The Fonda-Austin Construction Co., which claims to have made alterations at the Empire, Syracuse, with allegedly $7,983 due on a bill of $13,837, filed a petition in involuntary bankruptcy.

Helpkin to Coast; Conferred on 'Thief'

Morris Helpkin, production assistant to Alexander Korda, will leave for the Coast by plane today after conferring here on plans for "The Thief of Bagdad," new Korda production to be released Sept. 27.

Katherine Locke, actress, who is Mrs. Helpkin, will leave for the Coast in about two weeks.

MOTION PICTURE DAILY

(Reluced U. S. Patent Office)

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Ask Anyone at the Trade Show Today!

Warners' 'Sea Hawk' Is Warners' Biggest!

ERROL FLYNN in "THE SEA HAWK" with BRENDA MARSHALL • CLAUDE RAINS • Donald Crisp • Flora Robson • Alan Hale • Directed by MICHAEL CURTIZ
Peace With ‘Big 4’ Up to Sidney Kent

(Continued from page 1)

if sustaining a loss in business amounting to 5 per cent, at any time between the effective date of the decree and June 1, 1942, or who can prove evidence of impracticability, because of re-

strictions imposed by the dec-

ree, has the right to seek relief from the Federal Court, and ask that the decree be made im-

perative in its behalf.

(b) After a set time limita-

tion the right to invoke the esca-

pe clause would be forbid-

den.

(c) The Government, for the first 3 to 18 months, during which the decree would be in opera-

tion, would agree not to seek supplementary legislation giving statutory effect to its provi-

sions. This is intended to protect signatories who might wish to seek to invoke the escape clause before the pro-

visions are made into law.

Three methods are asserted to be open to the Government to complete its program:

(a) By inviting the non-peace companies to join voluntarily in the decree move.

(b) By sponsoring supple-

mentary legislation in Congress making the newly contemplated order applicable to all.

(c) By proceeding to trial against the hold-out companies.

Officials aver that by whichever method the Government will pursue to bring the hold-out companies under the decree, the consent decree will probably remain impervious or suspended against the signatories of the decree, until such time as the hold-out companies is suc-

cessfully prosecuted.

The decree will not become effective until a court of consent, beginning as of Sept. 1, 1941. Thus the 1940-41 season, as well as the current season will end according to the newly contemplated decree rules. The industry, in this manner, will obtain a full year for adjustment in preparation to meet the new conditions.

As to exhibitor hearings on the dec-

ree, the Government so far has no set a date, but believes however that it may be called any time after the 20th Century-Fox company shall have assented in principle to the decree.

Mexican Court Stops Tax

MEXICO CITY, Aug. 4.—Exhibitors in Pachuca, near here, have obtained a court order to temporarily stop the collection of taxes by the municipal govern-

ment. The exhibitors told the court that the higher import taxes would absorb all the profits from the films.
Imagine! All in One Picture!

Gable, Inez, Colbert, Lamarr!
CLARK GABLE
in "BOOM TOWN"

SPENCER TRACY
in "BOOM TOWN"

CLAUDETTE COLBERT
in "BOOM TOWN"

HEDY LAMARR
in "BOOM TOWN"

A FORTUNE
in "BOOM TOWN"
(It's Four Pictures in One!)
Short Subject Reviews

"Corraling a Schoolmarm" (RKO)

This is a pleasant musical featuring Ray Whitley and the "6 Bar Boys". Miss Whitley has been known during the group mixed with a light and adequate story, which centers about a little school house. Whitley is a shy country cowboy employed with the others to entertain the students. In John Alden fashion he proposes to the teacher, Whitley, and the group begins. Running time, 20 mins.

"Donald's Vacation" (Disney-RKO)

Appropriate to the season, Donald Duck takes a vacation, and the results make for an extremely funny cartoon. Having pitched camp, first he must adjust the tent and a folding chair. This being mastered, a group of chipmunks appears on the scene and his food begins to disappear. In pursuit of the chipmunks, he runs into a huge bear. It's a continuation of laughs from start to finish. Running time, 8 mins.

"Streamlined" (RKO Pathé)

The modern railroad is the subject of "The Reeliner." Scenes aboard the coast-to-coast and Florida-to-New York streamliners are on view with emphasis on the scenic background and the comforts. Frank Donavan produced. Running time, 9 mins.

"Spools of Conquest" (March of Time-RKO)

In view of Japanese and German aspirations, March of Time has struck on a highly significant phase of current events as it gives a splendid study of the coveted possession of Nazi-occupied Holland, the Netherlands and East Asia. The film vividly explores the vastly rich natural resources, native occupations and military strength of the islands. In contrast to this, the situation in the mother country is described. Japanese spokesman voice intention of taking possession of the islands. In conclusion, the U.S. fleet is shown at the Philippines. Running time, 17 mins.

Warner's Sponsor Play

Warner will present a play, "Jupiter Laugh," by A. J. Cronin at the Biltmore Sept. 9. No cast has been signed with the exception of Alexander Knox. Reginald Denham will direct.

Dean Randle Dead

Owino, N. Y., Aug. 4—Dean Randle, former manager of the Tioga here, and a former partner of the late M. E. Comerford, is dead here after a long illness.

Levey Buys 'Hellzapoppin'

Jules Levey, head of Mayfair Prod., releasing through Universal, has closed a deal for the screen rights to "Hellzapoppin."
Off the Antenna

DRAGING from the rich experience NBC has had in 15 months of television programs, Lenox R. Lohr, until recently NBC president, has just brought out a book, "Television Broadcasting" (McGraw-Hill), There is a foreword by David Sarnoff, RCA president.

"Motion picture film should take an important place in television programming," Lohr asserts. "Film used in television has all the advantages that it does in motion picture theatres and centres additional uses. It usually has high technical quality, and the material is permanently recorded for use at will. From the economic aspect, it would appear advantageous to use a projector, a pickup camera, and a projectionist instead of the large crew of actors, directors and engineers required for a live talent studio production or for the mobile unit in the field."

Lohr points out, however, that generally it would be cheaper to produce for television than for film and he goes on to say "It is inconceivable that, as and when the television audience justifies it, films may be produced by the movies, built especially for television."

Lohr believes that especially built trailers could do much to exploit films playing in theaters. He declares that broadcasters do not expect the current feature, short or newsreel product from film producers but adds that it is "conceivable...that after the first and second runs of a feature picture have been taken, the third and fourth runs might be taken on a nationwide television hookup, speeding up the capital turnover on the film to about six months or even less."

Purely Personal

Fred Weber and Paula Nicolli of Mutual left by plane over the weekend for London. Harry Richman will be the headliner on a broadcast celebrating the 30th anniversary of the "Andy Hardy" series. The show will be heard over WHN tonight at 9:15...

NAB Quarter Net Increases To $1,415,728

Net profit after all deductions rose to $1,415,728 for Radio Corporation of America for the second quarter of 1940, as compared with $724,091 for the corresponding period last year. Net profit for the first half of the year was $7,378,621, compared with $1,272,158 for the same period last year.

The first half year amounted to 15.3 cents for each of the 13,881,016 shares of common stock as compared with 13.6 cents in the same period in 1939.

The board of directors Friday declared dividends of 87½ cents on first preferred stock and $1.25 on "P" preferred stock, for the third quarter of this year. The dividends are payable Oct. 1 to holders of record on the 20th.

During the second quarter gross income rose to $26,843,775 as compared with $23,285,124 for the 1939 corresponding period.

Conn. MPTO Holds Tourney Tomorrow

NEW HAVEN, Aug. 4—Reservations for the fifth annual golf tournament of the Connecticut M. P. T. O., which will be held at the Race Brook Country Club Tuesday, far exceed last year's record.


Warner Outing Set

NEW HAVEN, Aug. 4—The Warner Bros. staff, consisting of 6,000 regular employees of the theatre and exchange departments at Castle Inn, Saybrook, the Warner Bros. Film Pool of the theatre department is in charge of the affair. I. J. Hoffman, B. E. Hoffman, Maxwell Hoffman, J. R. Malan, Dan Fink, James Braden, and other executives will attend.

Farmville Houses Open

FARMVILLE, Va., Aug. 4—The Ecoo and Lee Theatres, recently taken over by Neighborhood Theatre, Inc., of Richmond, has opened under the new management. Sam Bendheim, Jr., general manager; Harold Wood, secretary; and A. O. Budina, architect, were here for the openings. Russell Williams of Pulaski is the manager.

Air Films at Museum

The Museum of Modern Art Film Library will show a series of documentary sound films dealing with aviation, as arranged by Air Youth of America, in small additional of the library. The showing is scheduled today, through Thursday.

Mohawk Sets N. Y. Deal

Principal Pictures of New York (S. Krellberg) has purchased from Mohawk Film Corp. the group of 19 Grand National features for the New York City and Northern New Jersey territories.

Mullens NBC Vice-President

FRANK ERNEST MULLEN, for the past year vice-president of RCA, today embarks on his new duties as vice-president and general manager of NBC. He will be receiving congratulations in San Francisco where he will be among those representing the network at the NAB convention.

The NBC directors made Mullens's election official on Friday, and he resigned his post as vice-president in charge of advertising and publicity for RCA, the network's parent.

In the radio industry since 1923 when he organized the first broadcasting service for farmers, Mullens, a native of Clifton, Kan. and a graduate of McKendree College, served for eight years as director of agricultural activities. His "grassroots" origin and early training as a farm page journalist have served him well in this connection, and he became known as the man responsible for the success of the Farm and Home Hour, which has an estimated daily audience of 17,500,000.

After eight years with NBC, he was for five years manager of RCA's information department, becoming a vice-president in 1939.

Decisions Reserved

On Ticket Fee Suit

Supreme Court Justice J. Sidney Bernstein on Friday reserved decision on the application of six ticket brokers to have declaratory judgment on the State law limiting brokers' fees to 75 cents. Directing that briefs be submitted, the court held that if a temporary injunction is denied the brokers, the case will have an early trial.

To Produce Bible Films

LOS ANGELES, Aug. 4—Charles Anson Bond, retired merchant and president of Biblical Pho-
toplays, Inc., has closed for the pro-
duction by Metropolitan Pictures of $1,200-foot subjects on Biblical top-
ics for exhibition in churches. The films will be 16mm and in color.

E. J. Hines on Tour

E. J. Hines, president of General Theatrical Equipment, Inc., is on an extended tour of National Thea-
tre Supply branches. He has been on the Coast.

Mexican Construction Off

MEXICO CITY, Aug. 4—Uncertain political conditions have halted the cinema construction program for the capital theatre chains, which had a cost of $1,000,000. It is expected that the program will be held in abeyance until December, when the result of the elections will be known.
Step into the Quigley Bookshop

COMPLETE THEATRE LIBRARY

Here is a library of factual information that meets an urgent need. Authoritative manuals expressly prepared for theatremen as practical aids in their daily routine. Glance over the titles! There are books here that should be on your desk now—books that will save you time, effort and expense in the voluminous information they will put at your fingertips.


The second revision, sixth edition of the Bluebook. Supplemented with sound trouble shooting charts and alphabetical index. 700 pages. A quick trouble-shooter and a sure solution to all projection problems. $7.25

Motion Picture Sound Engineering—the most advanced sound manual to date. Prepared by the country's leading sound engineers. 547 pages, explaining every detail of apparatus. Profusely illustrated with diagrams, tables, charts and graphs. $6.50

Theatre Management Record is the most simplified bookkeeping system yet devised for the exhibitor! No accounting experience necessary. Individual sections for all operating data. Full tax information always readily available. $2.00

A practical treatise devoted to all the diverse elements of theatre air-conditioning and its operation, including codes and ordinances regulating installation. An indispensable manual that all theatremen will welcome. $4.00

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK
"ANDY HARDY MEETS DEBUTANTE" (M-G-M)
Should hand you many a chuckle and occasional guffaws.—Helen Eager, Boston Traveler.

Yesterday's audience was no doubt typical—flocking to the theatre early, laughing and applauding with obvious delight.—Boston Daily Globe.

This is far from being the best of the Andy Hardy series. . . . Rooney really does some good acting.—Chicago Tribune.

It's as good as the others and it's original enough to be different. . . . Mark this one as a sure bet.—Pence James, Chicago Daily News.

"SOUTH OF PAGO PAGO" (U.A.)
Reveals no trace of novelty but in going over the old familiar ground again, the photoplay embraces sufficient conflict and action to provide acceptable summer-time entertainment.—Garrett D. Byrne, Providence Journal.

Outside of the scenery, photography and a novel story that got lost somewhere, this Edward Small production is just average.—Chicago Herald American.

"WHEN THE DALTONS RODE" (Universal)
Not only has a blood-and-thunder, rip-roaring script, but also a sterling cast for such a picture. . . . All this is well handled, both in original writing and the direction.—Boston Daily Globe.

A humdinger all the way through. . . . The acting lacks nothing in the way of spirit but the big kick is in the play itself.—Don Ward, Boston Daily Record.

There's plenty of gunfire and enough excitement and hard-riding to satisfy those who want thrills and action in their film fare.—Helen Eager, Boston Traveler.

It's a Western, and it concentrates on such things as riding, shooting, gun-fights and train robberies, all of which normally provide excitement in a Western. "When the Daltons Rode" has got 'em all—and what's more, it's got more of everything.—Doris Arden, Chicago Daily Times.

"CAPTAIN CAUTION" (U.A.)
Richard Wallace gives the robust yarn a slam bang type of action and managed for the most part to keep things (meaning fights) moving at a speedy clip. There are moments, however, that could be snapped up.—Los Angeles Herald Express.

A swashbuckling tale of war and love on the high seas . . . highlighted by a series of thrilling shipboard battles and man-to-man slugfests . . . supporting cast is A-1 . . . photography is really beautiful . . . several catchy songs.—Los Angeles Examiner.

It's good to know that, throughout the nation, "They Drive By Night" is doing what the boys call "sensational business."

My sincere thanks to the entire Warner organization for grand co-operation on "Torrid Zone," released in April . . . "Brother Orchid," released in May . . . And now "They Drive By Night."

Soon to start are "High Sierra" and "The Fabulous Thirties." I think they're both pretty swell.

—Mark Hellinger
Court Voids Florida Anti-Ascap Statue

U. S. Decision Climax to 3-Year Litigation

JACKSONVILLE, Aug. 5.—Florida's anti-Ascap law was declared unconstitutional today by a Federal statutory court at Gainesville, which ends the three-year litigation over the validity of the 1937 statute unless the state appeals the decision to the U. S. Supreme Court.

The court filed a lengthy opinion with its decision. Jurists sitting in the case were: Judges A. V. Long of Gainesville, W. J. Barker of Tampa and Joseph E. Hutcherson of New Orleans.

The Florida law, patterned after anti-Ascap measures introduced in other states, was enacted by a state legislature, sought to prevent Ascap from establishing or collecting royalties for the public performance of its music for profit within the state. The case was argued before the Federal statutory court here two months ago by Louis A. Froeblich and Herman Finkelstein of the New York law firm of Schwartz & Froeblich, Ascap counsel, and by members of the Florida attorney general's staff for the state.


Metro Banned By Nazis on All Continent

Hollywood, Aug. 5.—All M-G-M films have been banned in Germany as of Aug. 2, and in France, Holland, Belgium, Norway, Denmark and Czechoslovakia, as of Aug. 9, because of the production of "Escape" and "The Mortal Storm." This was announced today by company officials.

Poland was not mentioned in the Nazi ban, it was said. The ousting of M-G-M product from countries other than the Reich itself was by order of Germany.

Deane Rejoined by Par. Officials. Story on page 8.

Nicholas Deane Reported Resigned

CHICAGO, Aug. 5—Nicholas (Nick) Deane, personal representative of George Browne, president of the IATSE, has resigned, it was reported in authoritative labor circles today.

Deane has been associated with Browne for some time and has been looked upon as one of the more influential behind-the-scenes forces in the union.

Browne is expected to announce Deane's resignation shortly. No reasons have been hinted in official circles regarding Deane's action.

Bad Season for Theatres in Some Eastern Resorts

ALBANY, Aug. 5.—Key vacationland theatres keenly felt the loss of July patronage in summer resorts throughout the Catskill and Adirondack Mountains in New York, the Berkshires in Massachusetts and Green and White Mountains in Vermont, exchange and exhibitors alike report.

The unsseasonable weather prevailing through the first three weeks in July caused cancellation of thousands of space reservations in the hotels throughout the mountain area, although the hot spell towards the end of the month upped the ticket from urban centers to the highlands and myriad lakes north of Albany.

Saratoga Springs, which acquires a six week's population of 75,000 from mid-July until Labor Day, opened a five week's racing season with the poorest attendance at the track and in theatres since the first World War era. Spa customers, who were expected to flock in unprecedented numbers to the pari-mutuel betting but reacted the other way, are expected to increase in August, however, since the racetrack drew 15,000 paid admissions last Saturday.

Aside from the weather angle, however, both vacation territory exhibitors and hotel men say the summer vacationists are not allocating as much money per capita to amusements in 1940 as in any other year since the start of the depression.
Bingo Big Advertiser
In Cincinnati's Paper
Cincinnati, Aug. 5.—Some idea of the Bingo situation here can be gained from the fact that Saturday's Cincinnati Times-Star carried 321 lines of display and 35 lines of classified space advertising Bingo parties under the caption of "Social Affairs." Combined theatre advertising in the same issue was 724 lines of display space.
Bingo is netting an average of $90,000 a month here, with average cost per player approximately 38 cents. Average cost per theatre patron is, roughly, 38 cents.

Four Penna. Towns
Seek Sunday Shows
PHILADELPHIA, Aug. 5.—While the Lords Day Alliance is circulating petitions throughout several hundred communities in the State in its fight against Sunday films, with the aim of placing the issue on the November ballot, four nearby communities which rejected Sunday shows in 1935 are circulating petitions to legalize them.
The towns are Nazareth, Bethlehem, Northampton and Roseto, where theatre managers are initiating the movement, as is doing being in Harrisburg.

Para. Nine Plays Army
The Paramount Pep Club baseball team, last season's winner of the Motion Picture League championship, has been invited to West Point to play an exhibition game there with the Army nine on Aug. 10.

Personal Mention
CHARLES STERN, United Artists Eastern district manager, left yesterday for a week's business trip through New England.

PAT CASEY left for the Coast by train last night after a week in the East.

HAROLD DUNN, Far East manager for Warners, is expected here from the Coast in a week.

MAX FOGEL, operator of the Webster, Rochester, N. Y., is a World's Fair visitor.

J. FRANK WILLINGHAM, M-G-M branch manager in Memphis, is mourning the loss of his mother, Mrs. Elizabeth L. Willingham, who died at her home in Dallas recently.

LOUIS LOBER, M-G-M salesman in Detroit, celebrates a birthday tomorrow.

LILLIAN RITTENMEYER, manager of the Casino, Des Moines, has left for a two weeks' vacation trip to Canada.

LARAIN Day will arrive from the Coast by train today.

COLONEL WILLIAM J. DONOVAN, chief of defense counsel for RKO, went to Washington yesterday for conferences with Secretary of the Navy Knox after returning from London aboard the new British flying boat Claire, over the weekend.

PHILIPPE DE LACY left for Hollywood on a vacation trip yesterday.

LEO SPITZ is expected to arrive here today or tomorrow. He has been in Hollywood and Chicago.

WILMER F. KELLER, manager of the Earl, Allentown, Pa., has just disclosed his marriage last October to Mary A. KRAETZER of Alexandria, Va.

JACK COHN, Harry MANSEL, Sol SCHWARTZ, Nate SPINGOLD and L. J. SCHLAFER lunching at Lindy's (31st St.) yesterday.

WILLIAM K. SATXON, Loew's city manager in Baltimore, has left for a Florida vacation.

I. M. RAPPAPORT, owner of the Hippodrome, Baltimore, is in Maine.

LARRY SCHANBERGER of Keith's, Baltimore, is in Atlantic City.

WALTER READE, circuit head, is in Saratoga.

M. J. KALLET, operator of the Madison, Oneida, N. Y., is in Saratoga.

MORTON LEEVINE, Warner publicity director in Atlantic City, and Mrs. Levine are celebrating their 10th wedding anniversary.

EARL W. SWEIGERT, head of Paramount's Philadelphia exchange, and Herb ELLIOTT will be "Kings for the Day" at the annual dinner of the Variety Showmen's Jubilee Sept. 3.

ROSE MARIE MANSSELL, daughter of William G. MANSSELL, manager of the Warner exchange in Philadelphia, will be crowned "Queen Maysea the 13th" at the annual children's pageant at Cape May, N. J., Aug. 16.

S. BARRET MCCORMICK, RKO advertising and publicity director, postponed his scheduled departure from the continent and is now expected to arrive here Thursday.

ROBERT RUBIN, JEFFREY BERNEBERG, THOMAS LOCK, MORRIS HEDRIS, DOUGLAS ROTHACKER, CHARLES PAINE, WILLIAM PAINE, WILLIAM FIELS and SAM CERON at the Tavern yesterday for lunch.

BERNARD E. SMITH of the Butterfield Circuit, Detroit, is visiting here.

ARTHUR MAYER, IRVING SHAPIRO, RUBE JACKER and SOL EDWARDS lunching at Lindy's (next to the Rivo) yesterday.

ARTHUR LOEW, DWIGHT WILMAN, AUSTIN KROGH, JOHN D. HERTZ, JR., TOBY GREEN, TED O'SHAUGHINESS and SIDNEY PHILLIPS at Sardi's yesterday for lunch.

JAMES R. GRAINGER, WILLIAM F. ROGERS, ADOLPH ZUKOR, MAX DREYFUS, TOM CONNORS and ED SANDERS at Jack Benny's Hunting Room in the Ambassador for lunch yesterday.

HARRY TUREBB, co-manager of the North Palace, Hamilton, O., has been discharged from Christ Hospital, Cincinnati, after a major operation.

Six Frisco Houses
Adopt Even Scales
San Francisco, Aug. 5.—Managers of six downtown first run houses adopted the practice of making confusion caused by present admission scales, which went into effect with the new Federal defense tax, to have agreed to an upward revision of prices. The new scale, starting this Thursday, shifts prices from 33, 35, and 44 cents to 35, 40 and 50 cents.
Theatres affected are the Orpheum, Golden Gate, Fox, Warfield, Paramount and St. Francis.

Consolidated 6 Mos. Earnings, $374,767.
Net earnings of Consolidated Film Industries for the six months ended June 30 amounted to $374,767, the company reported yesterday.
The figure, which is equivalent to 93½ cents per share on the 400,000 shares of $50 preferred stock outstanding.
Earnings for the second quarter, ended June 30, were $105,468.

Withiner Premiere
In Ft. Worth. Sept. 19
World premiere of 'The Westerner' new Santa Fe Goldwyn production, will be held in Fort Worth, Sept. 19, at the Hollywood and the Worth. National release of the picture has been set for the following day, Sept. 20.

Paralysis Epidemic
Hits W. Va. Theatres
HUNTINGTON, W. Va., Aug. 5.—Children under 16 years of age have been barred from the 11 theatres here and the Virginian, the only house in suburban Milton, as managers joined in efforts to halt the spread of infantile paralysis in Cabell County.

Harris Willkie Elector
PITTSBURGH, Aug. 5.—John H. Harris, president of the Harris Amusement Co., and of the Arena Managers Association, and national chief banker of Variety Clubs of America, has been named by Wendell Willkie as one of Pennsylvania's 26 Republican electors.

MOTION PICTURE DAILY
(Terminated U. S. Patent Office)
Tablet co. 19th St. and California Ave., Los Angeles, Calif.
(Motion Picture Daily) (Registered U. S. Patent Office)
CAPTAIN CAUTION

From the novel by Kenneth Roberts, author of "NORTHWEST PASSAGE"

VICTOR MATURE - LOUISE PLATT
LEO CARRILLO - BRUCE CABOT

VIVIENNE OSBORNE - ROBERT BARRAT - MILES MANDER
EL BRENDIEL - ROSCOE ATES - PAT O'MALLEY

A RICHARD WALLACE - GROVER JONES Production
Released thru UNITED ARTISTS
HAL ROACH launches his biggest and most costly national advertising campaign with these and other smash ads to drive across to the public the thrill scope of this magnificent action novel by Kenneth Roberts, author of “Northwest Passage”. The box-office meaning of Roberts’ name can be measured by the fact that an estimated audience of 14,000,000 people has read the 93 stories he has written for Saturday Evening Post!
Kent Studies Decree; Para. Not Decided

(Continued from page 1) present negotiations to settle the New York case out-of-court, has informed the parties that the case, once agreed upon, would be offered by the Government as a basis for settlement of several other cases in the total gross in the industry such as the suits against the Schine Circuit, in Buffalo; the suit against the Oil Circuit, in Nashville; and the suit against the Griffith Circuit, in Oklahoma City. The new draft contains nine sections, and some of these sections have been renumbered.

Escape Clause Conditions
The conditions under which a signature of the pact may move to invoke the proposed escape clause are:
1. That two or more distributors operating on a national exchange basis have sold their product otherwise than provided under Sections 1 and 2.
2. That 45 films shall have been sold otherwise than provided under the decree.
3. All signatories must be served with the application by a defendant to invoke the escape clause.
4. The acts complained of must have occurred during any consecutive nine months period preceding the filing of the application.
5. Under such an application which must be sworn to, the court can enter an order releasing the defendant from further compliance with the selling provisions of the decree but not before August 19, 1938. After five days after service of the application the petitioner shall establish to the satisfaction of the court that the nine months preceding the filing of the application,
(a) That the defendant companies bound by the decree have sold in excess of 72 percent of the total gross distribution business done in the United States, exclusive of state rights sales.
(b) That the independent business done in the U.S. and by all the distributors not bound by the decree, excluding state rights sales, has not decreased more than 5 percent of the distributors' total revenues for the calendar years 1937, 1938 and 1939 as to the total for the three years of such distributor's revenue and the revenue of all the distributors not bound by the decree, excluding state rights.

5-Unit Sales
Under Sections 1 and 2, selling is limited to groups of five films, but these must be traded shown, and the distributor has the right to offer any combination of groups of trade shown films.

Other sections of the new draft are:
Section 3. Local buying — No license for pictures for local business will be issued in any exchange district which shall include theatres in another exchange district. Neither shall the distributors in any exchange district be conditioned upon the sale of pictures in another exchange district.
Section 4. Availability of pictures on some run — Controversies arising upon a complaint by an exhibitor that a distributor refused to sell his pictures or any run on any run shall be subject to arbitration.
Section 5. Clearance is subject to arbitration. In a case where there has been a reduction in clearance by the award of the arbitrator, any distribution at any time subsequent may thereafter petition for a modification of the maximum clearance.
Section 6. Withholding prints — A distributor shall not withhold prints in order to give a competing exhibitor priority not provided under his exhibition contract.

Discrimination in Selling
Section 7. Discrimination in selling. This section formerly was known as Section 6. It has been tightened so that those may make complaints under this provision are limited to independent exhibitors. It is defined herein:
(a) An independent exhibitor is one "wholly independent of any circuit or common ownership or control either by stock ownership, common buying or otherwise with a contract of five theatres or a buying combine or common buying agent negotiating for more than five theatres.
(b) Furthermore it is provided that theatre owned by the complaining exhibitor shall have been operated by the defendant for five years prior to the entry of the decree or within five years prior to July 20, 1940, on the same run as or on a better run than the theatre the circuit complained against.
(c) Also, that the complaining exhibitor has within five years prior to July 20, 1940, demanded in writing the pictures from the theatre specified in his complaint.
(d) That the complaining exhibitor has operated his theatre for at least five years before the entry of the decree, and within five years prior to July 20, 1940, a prior operator of the theatre demanded in writing the pictures from the distributor, on the same run or on a better run than that enjoyed by the circuit.
(e) That the distributor refused to sell him these pictures and sold them instead to a theatre which is part of a circuit of not less than 15 theatres and in competition with the independent exhibitor's theatre.
This provision provides for arbitration of controversies arising from independent exhibitors' complaints, and in the event the arbitration award is violated damages may be assessed in final proceeding.

Theatre Expansion
Section 8. Under this provision, the exhibitors who have theatre affiliates agree not to enter upon a general program of expanding their theatre holdings, and agree to submit prospective construction commitments or purchases of theatres to the Department of Justice. The Government may seek injunctive relief against such new acquisitions if it feels they are unwarranted, which injunctive relief may be restrained to prevent the acquisitions of or ordering the divestiture of the theatres or interests therein. The companies are committed to report any changes in their theatre position before the 10th day of each month, under this clause.

The decree affects only theatres which have not been released in the United States prior to Sept. 1, 1941. All reports submitted to the DAILY PICTURE will be made by Loew's, Warner Brothers and RKO has given their tentative approval to the proposed decree.

Even in Government circles it was reported as being regarded as something of a surprise that the draft includes provisions limiting those who may make complaints under Section 7, in respect to discrimination in selling and that the theatre and the run specified by the complaining exhibitor shall have been in existence not only at the time of the entry of the decree but that it shall have been operated as such for five years prior to July 20, 1940.

Poole in Seattle
For PCCITO Meet
Seattle, Aug. 5.—Robert Poole, executive secretary of the Pacific Coast Conference of Independent Theatre Owners, is here in advance of the scheduled meeting of the board of trustees of the Coast group. Exhibitors of Washington and Oregon are expected to attend the two-day meeting. The proposed consent decree in the Government's New York suit is to be considered.

Arbitration Ordered
On French Film Suit
N.Y. Supreme Court Justice Kenneth O'Brien yesterday directed arbitration in the suit of Sylvia Shafter as assignee of Societe Parisienne de Productions de Films against Arthur and John Burshtyn for violation of the Royalty's counting of the gross on the distribution in the U.S. of Grace Moore's French film, "Louise."

Mr. Royalty charges the defendants with failure to account for the receipts under a contract made in July, 1909.

Red Tape Boosts N.B. Grosses

St. John, N. B., Aug. 5.—Business at the New Brunswick theatres along the U.S. border, has shown a big boost, now that the Canadians find so much red tape in getting over the border and in securing U.S. currency. Even at 11 per cent premium, the American money cannot legally be spent for pleasure by Canadians in the U.S. Nor can trips be made into the U.S. except on business. All the theatres on the Canadian side and the Maine-New Brunswick division, are finding patronage good. In addition to more patronage from their own people, the New Brunswick border exhibitors are drawing more people from the U.S. side because of the cent extra on their money in Canada.

'Syracuse' 'Drive'
Two B'way Hits

The cooler weather eagerly anticipated finally arrived but weekend business on Broadway remained sappy. Holding up well, however, were "The Boys from Syracuse" with a stage show including Allan Jones and Irene Hervey at the Paramount, and "They Drive Like That," right in its second week with George Raft and Wiliam Skelline, and his orchestra appearing in person at the Strand. The Paramount grossed an estimated $19,000 over Saturday and Sunday, indicating about $5,000 for the week ending tonight. The film will be held. The Strand was an estimated $20,000 Friday, Saturday and Sunday. "The Sea Hawk" opens there Friday.

"Pride and Prejudice" opens Thurs. at the Music Hall succeeding "South of Humanity." The latter with a stage show grossed an estimated $45,000 Thursday through Sunday. At the Pantages the company will be replaced on Friday with "The Return of Frank James," "The Leopard Men of Africa" finished a week's run at the Globe with an estimated $4,000. "Military Academy" started there Saturday night.

Booked to follow "Pride and Prejudice" at the Music Hall are the following: "Lazy Partners," "The Howards of Virginia," "They Knew What They Wanted," and "The Westerner." Beginning Aug. 19 the Capitol will have the "Dr. I.Q." show broadcast directly from its stage on Monday nights at 9 o'clock for eight weeks.

"Heaven" Beats Toronto Heat With Third Week
Toronto, Aug. 5—All This and Heaven Too" has definitely been the hot spell. This picture has been held over for a third week at the Uptown Theatre, Toronto, by Manager Fred Trellick, who declared that there is the prospect that the engagement will go to a fourth week because of heavy attendance. The Uptown has been rated as being the one theatre in Canada that has been getting the crowds despite the weather.

"My Love Came Back" and "Tom Brown's School Days" are being held back because of the extended "Heaven," but the two features will probably be moved before the official opening of the new season for which the attraction will be "The Sea Hawk."
Don Ameche Gets 'Bad Man' Role In 'Western Union'

HOLLYWOOD, Aug. 5—Don Ameche and Randolph Scott will have featured roles in 20th Century-Fox's "Western Union" for which shooting will begin shortly. Ameche will play the part of a former Union Army officer leading a band of outlaws doing, for possibly his first time on the screen, the role of a "bad man." Randolph Scott will also be cast in a lead in M-G-M's "Flight Command," which stars Gig Young and Sally Eilers.

Paramount


RKO

Started "Too Many Girls," I'm Still Alive," "They Knew What They Wanted."

Republic

Started "The Girl from Havana.

Universal


Warners


Neufeld

Finished "Marked Men."

Gus Meins, Director, Found Dead in Car

LOS ANGELES, Aug. 5—Gus Meins, 47, film director, formerly employed by Republic Pictures, was found dead in his automobile yesterday. He had been dead apparently several days. Officers discovered the body while they were investigating a possible suicide by inhaling carbon monoxide fumes.

E. W. Hammons Returns

Production plans of Earle W. Hammons are still in the formative stage, he reported yesterday on his return from the Coast. He said that he had spent the last two to three weeks would be required to complete arrangements for his contemplated production of a new serial, based on a radio program.

Censors Make 53 Cuts

COLUMBUS, Aug. 5—Fifty-three cuts were ordered from a total of 521 reviews received by the Ohio censors in July. Eighteen reels were cut from the film "The City," 1929, July 12. Comparatively, 20 eliminations were ordered from 406 reels reviewed last month. Figures for July, 1939, were 452 reels and nine eliminations.

Shelton to French C.C.

William Shelton, formerly with the foreign department at RKO has been named manager of RKO's Cinema Centre, Andre R. Heymann, president, announced yesterday. "Harmony's" boudica for general release after Labor Day, Heymann said.

Commission Grants Television Permits To B&K and NBC

WASHINGTON, Aug. 5—The Federal Communications Commission today approved construction of two more television stations, one by NBC here and the other by Balaban & Katz in Chicago.

The latter station, presumably, will be operated by Allen B. DuMont.

Both stations will be of 60,000 to 66,000 kilocycles, 1,000 watt, aural and visual.

Paramount home office officials said yesterday that equipment for the B. & K. Chicago station already has been ordered and blue prints are in their final stages. Construction will be begun promptly after the completion of blue prints, it was said.

Willkie Leading In Newsreal Vote

Wendell Willkie led Franklin D. Roosevelt by a vote of 7,001 to 6,377 in a straw vote being conducted at the two Newsreel Theatres on Broadway at the Loew's Times Square Center, at 4 P.M. yesterday. The vote at the Embassy was 5,445 to 4,777 in favor of Roosevelt, while at the Center, Willkie led by 2,224 to 1,932.

Through an error, the first week vote at the Embassy was reported in Motion Picture Daily yesterday as showing that Roosevelt was leading by more than five-to-one. This was incorrect as Roosevelt led by only a small margin.

Jackson Parks Put On 'Hall' Campaign

HOLLYWOOD, Aug. 5—Jackson Parks, former publicity director for the A. F. of L. conference of Studio Unions, has been chosen Executive of the publicity campaign on "Pastor Hall" by James Roosevelt.

The picture will have special trial showings in New York, Los Angeles and San Francisco to determine the type of campaign best suited to the picture, which is under a first release through United Artists.

Griffs and Jacobs In Fight Film Firm

ALBANY, Aug. 5—Sports Features Distribution, Inc., has been formed in New York and incorporated here to handle distribution of fight films. Directors are Michael S. (Mike) Jacobs, John R. Kipkin and Stanton Griffs. Attorneys filing were Choudhury, Wallace, Parke and Whiteside.

Alfred Kahn on Coast

HOLLYWOOD, Aug. 5—Alfred S. Kahn, formerly associated with the Bolting Bros. of London in the making of "Pastor Hall," has arrived in Hollywood from New York. He expects to remain here for some time.

Don Roberts Joins RKO

HOLLYWOOD, Aug. 5—Don Roberts has joined RKO's studio publicity department.
SCATTERBRAIN
A SCREAMINGLY FUNNY JAMBOREE OF GAIETY AND MUSIC

OH - PROFESSOR YOU'VE GOT THEM NAUGHTY EYES!
PRESTO NOW A GLAMOUR GIRL!

JUDY CANOVA  MOWBRAY  DONELLY  CATHORN  FOY, JR.  GILBERT
WALLACE FORD  ISABEL JEWELL  LUIS ALBERNI  EMMETT LYNN  JIMMY STARR  CAL SHRUM'S GANG
MATTY MALNECK AND HIS ORCHESTRA

A REPUBLIC PICTURE
NAB Prevents Ascap Chiefs From Speaking

SAN FRANCISCO, Aug. 5.—Neither Gene Buck, president of Ascap, nor John Paine, general manager, will be permitted to address the delegates to the convention of the National Association of Broadcasters tomorrow morning, although they asked for that opportunity in order that Ascap's side of the present $7,000,000 controversy with the radio industry might be told. The NAB convention opened here today for a week.

Neil Miller, president of the NAB, deviated from his prepared talk in order to answer the appeal which was made by Paine, by stating that the NAB stand has not changed since Paine's earlier request. Paine had sent telegrams to every delegate registered here that he and Buck, who is also here, be allowed a chance to talk.

The NAB is described as having a $1,000,000 fund set aside for the purpose. Paine, it is said, contacted independent station owners to line up support, as the session tomorrow morning on Broadcast Music, Inc. the NAB's new music subsidiary, is expected to attract a majority of the delegates here.

Miller, in his address, outlined NAB's fight on Ascap, stressed NAB's right to organize for such a fight and asked Ascap's control of the music field.

Ascap Charges Wells With Being Censorious

Ascap yesterday charged the networks with "censorious" conduct and an attempt to dominate all phases of broadcast operation in their current contract negotiations. The networks, by paying music over new contract rates.

The charge referred to recent instructions issued by NBC and CBS to advertisers and stations that at least one non-Ascap song be included in programs from now until Dec. 31, after which they said all Ascap music would be eliminated from their network programs. The letters urged the use of Broadcast Music, Inc., catalogues.

Ascap's statement yesterday was an answer to these instructions and was made by Gene Buck, president of the Society.

"It is, of course, the most utter and puerile nonsense," Buck's letter asserts, "for the proponents of BMI to consider that they are interfering with composers who are barred by Ascap. It is equally stupid to consider that it is the composers who are against the American music culture. All camouflage aside, and all speeches to the contrary, notwithstanding the purposes of, and power to beat Ascap's members to their economic knees, and to use their music cheaper than it is now available."

"It will be interesting to observe the development of this controversy," the letter says. "We think the Government may be intensely interested in this effort to prohibit the performance of such music by corporations which own booking offices, phonograph record factories and motion picture producing units. If the effort should be so far successful that the Theatres, the mails, the radio and the people are deprived of the ability to listen to the music of the American composers, this is an effort to destroy the American music and to make it cheaper than it is now."

The letter, addressed to radio advertising agencies, is riddled with examples and statistics which just as much Ascap music will be played on the air Dec. 31, as was played to the booking offices, and every instance in which any pressure whatever is brought to bear upon them that might deprive them of complete freedom to choose the music best suited to their particular use or purpose.

Mrs. Gannett Appointed

TORONTO, Aug. 5.—Following complaints from various sources that the proposed policy meant an infringement upon the traditional freedom of the press, the Canadian Broadcasting Corp. has postponed the move to restrict all newscasts by any station in Canada. The new regulations, which were to go into effect July 1, are said to affect all independent services, such as Trans-Radio, United Press and local newspapers, who were to be cut off in favor of the C.B.C. news service.

The suit was based on an alleged contract made in April, 1933, whereby the parties to the suit agreed to set up station WMCA with a large division of the profits. The defendants were charged with agreeing to deprive the complainants of their share under the contract.
Greetings to the
Members of N. A. B.
(National Association of Broadcasters)

We asked for the privilege of having a representative address the members of N.A.B. at their convention in San Francisco. The request was denied. Courteously, cordially, and conclusively.

Not being able to deliver our message to you in person, we now deliver it to you in print. Here it is:

Every broadcaster in the United States who is mindful of his obligations to serve the public interest, is herewith assured of our complete cooperation.

All our music, past, present and future, is available to all, at terms within the means of all.

Our composer-author members and our music publisher members will continue to say it with music, because the public wants music and the public must be served.

That's our message. And we present it to you with all good wishes for the continued progress of the art of broadcasting and the success of all broadcasters.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS.

Aug 6, 1940
**Hollywood Reviews**

### “South to Karanga” (Universal)

**Hollywood, Aug. 5—**An hour of thrilling entertainment is offered by Universal’s “South to Karanga,” an exciting story told in South Africa.

A number of mysterious characters join an American con artist and a knife-thrower on the first trip of a new railroad to a copper mine in the interior, as threats of a native revolt against the whites are heard. The train gets through after an attack upon it by the natives, several mysterious deaths, the solution of two murders, only to encounter an attack upon mine headquarters.

Directed by Bickford, with the consuls, James Craig, Luli Deste, John Sutton, Maurice Moscovitch, Paul Hurst, Abner Biberman, Ben Carter, Frank Reicher and Addison Richards comprise the cast.

Harold Schuster directed from an original screenplay by Edmund L. Hartmann and Stanley Rubin. Marshall Grant was associate producer.

Running time, 60 minutes. "G.**

VANCE KING

### “I’m Nobody’s Sweetheart Now” (Universal)

**Hollywood, Aug. 5—**Building their story around the title derived from the song, Scott Darling, Erna Lazarus and Hal Block have written a script to screen featuring the romance of two young people, their former romantic attachments, and the efforts of their parents to compel their interest in each other.

Principals are Dennis O’Keefe, Constance Moore, Helen Parrish, Ernest Howard, Hope Crews, Samuel Hinds, Bert Churchill, and Marjorie Gateson.

Evoking a favorable response from the preview audience, especially in its comic moments, the picture was directed by Arthur Lubin, while Joseph Sanford acted as associate producer.

Two songs by Ruby Ross and Everett Carter are featured, in addition to the title song.

Running time, 64 minutes. "G."**

W. S.

### ‘Maryland,’ $9,500

**Topps Indians (Universal)**

**Indianapolis, Aug. 5—**“Maryland” and “Sailor’s Lady” crashed through the week end, gaining the Circle a fine $9,500. They were held.

Weather moderated slightly during the week, but gave only two cold nights.

Estimated takings for the week ending Aug. 3:

- **‘Maryland’ (28th-Fox)**
  - Gross: $4,300. (28c-44c-55c) 2 days.

- **Sailor’s Lady (28th-Fox)**
  - Gross: $4,800. (28c-44c-55c) 2 days.

### Wilby-Kincey Buys RKO

The Wilby-Kincey circuit of North and South Carolina has contracted for the entire lineup of RKO’s 1940-41 product. Robert Mohrrie, Eastern division salesman, and J. J. Brecheen, Southeastern district manager, represented RKO in the deal.

### Legion Approves 10 of 11 New Features

The National Legion of Decency has approved 10 of 11 films reviewed and classified for the current week, seven for general patronage and three as "unsuitable" for children.

The new pictures and their classification follow:
- **C: Unobjectionable for General Patronage—Dancing on a Dime.**
- **C: Unobjectionable for General Patronage—Mystery Sea Raider.**
- **C: Unobjectionable for General Patronage—Ramparts We Watch.**
- **C: Unobjectionable for General Patronage—Pride, the Beast Beneath.**
- **C: Unobjectionable for General Patronage—The Villain Still Pursued Her.**

### Foreign Films Big On Coast: Rosener

**San Francisco, Aug. 5—**Despite the shortage of foreign films in this country, there are foreign language pictures which have been available and have been unusually successful on the Pacific Coast, according to Herbert Rosener, Inc., distributor of foreign producers in this area.

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**K. C. Grosses Beat Heat, Dalton’s Top**

**Kansas City, Aug. 5—**Only one first run failed to better par in a week of 100-degree temperatures. "When the Circus Came," distributed by personal appearances of Universal players at opening performances, did $7,800 at the Elks and Uptown, up $2,000 over aggregate par for the two. "Gold Rush Maisie" and "One Million B.C." took $9,000, which is $100 over par for the Midland. "Krazy Kat's Romance" and "stage show" gave the Tower $6,600, for its fourth consecutive week of over-average business.

Estimated takings for the week ending July 31-Aug. 2:

- **When the Daltons Rode (Univ.).**
  - Gross: $1,165. (20c-44c-65c) 2 days.
  - Estimated: $2,000. (Average, $1,000)

- **One Million B.C. (U.A.).**
  - Gross: $1,390. (28c-44c-55c) 7 days.
  - Estimated: $2,000. (Average, $250)

- **A Man Who Talked Too Much (W.B.).**
  - Gross: $1,200. (28c-44c-55c) 7 days.
  - Estimated: $1,000. (Average, $150)

**New York Grosses Beat Heat, Dalton’s Top**

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Circuits Weigh 5-Year ‘Protective’ Film Deals

Bondy May Decide RKO Fees by Aug. 15

Inasmuch as Federal Judge William O. Bondy expects to leave on his vacation about Aug. 15, parties in interest to the RKO case feel that his decision on the applications for allowances may be made before that date. Applications for allowances for services rendered to RKO during reorganization proceedings totaled $1,732,984. The SEC and special counsel for RKO have asked the court to cut these allowances to a total in the neighborhood of $600,000.

Atlas RKO Holdings ‘Satisfactory’: Odum

Atlas Corp.’s investments in RKO and its similar major holdings “have generally speaking shown satisfactory progress” during the six months ended June 30, Floyd B. Odum, president of Atlas, stated in a letter to stockholders yesterday.

The Atlas report for the six months, issued at the same time, shows investments of approximately $4,000,000 in film securities, of which more than $3,000,000 is in RKO first and common stock. The RKO holdings consist of $3,418 shares of common stock with a market value on June 30.

Fear of Consent Decree Impels Theatre Men To Seek Product Pacts with United Artists, Columbia and Universal

Executives of major company circuits, among whom are Paramount’s theatre partners, are reported considering acceptance of five-year product deals from Universal, Columbia and United Artists as a protective measure against the proposed consent decree.

These theatre men, who have objected to the terms of the proposed decree and fear its possible consequences upon their company operations, in considering these product deals from the isolationist companies are actuated by the feeling that the flow of product to their theatres may be disturbed by the decree.

Pact Decision Due This Week

Late last night, company representatives stated that a decision on the consent decree proposals by 20th Century-Fox and Paramount may not be made until Friday and possibly Saturday.

During the day, Sidney R. Kent, president of 20th Century-Fox, and Barney Balaban, president of Paramount, continued their separate negotiations of the proposed settlement agreement with their associates. Neither came to a definite conclusion.

‘Film Actors Are Patriots,’ Guild Refutes Charges of Communism

Los Angeles, Aug. 6—Blasting the implied aspersions which have been cast against actors generally during the current communist probe by the Los Angeles County Grand Jury, the Screen Actors Guild directors today declared, “Actors have proved that no more patriotic, no more American group exists in this nation.”

This statement came upon the heels of disclosure that only two players, one director and two writers were summoned by the grand jury to testify about alleged communist infiltration in Hollywood organizations.

Late today, it was disclosed that the grand jury are Gale Sondergaard, Lionel Stander, Herbert Biberman, Clifford Odets, Sam Ornitz and Mrs. Sam Ornitz.

Washington, Aug. 6—Officers and members of Actors Equity who would welcome an investigation by the Dies Committee of communist influences in the American theatre are being restrained by others who wish to avoid such a probe, it was charged today by Rep. W. P. Lambertson.
**Personal Mention**

LEON NETTER, Paramount home office theatre executive, left yesterday for a week of meetings with Paramount associates in the South, including R. B. Wilby, Carl Baskin, S. A. Lynch, E. J. Sparks and Lucas & Jenkins circuit officials.

WALTER WANGER and John BENNETT will arrive from the Coast by plane today. He plans to begin a tour of key cities toward the end of next week.

LYNN FARNOL, United Artists advertising and publicity director, returns from the Coast today.

JAMES R. GRAINGER, president of Republic, left for Detroit yesterday and will return Tuesday for loving stopovers at Chicago, Buffalo and Boston.

EDWARD A. GOLDEN, Monogram sales chief, currently on a sales tour, arrives in Buffalo from Albany today.

CHARLES E. MCCARTHY, Monroe Greenholt, William F. Rodgers, Sam Shaw, Ted O'Shea, Russell Johnson, D. H. Herz, Jr., Walter Reid, Jr., Morgan Kinzer, John W. Hicks, Fred Lange, George Weltner and Harry Gold all met at the New Room in the Astor for lunch yesterday.

ARTHUR GOTTLEIB, Irving Berlin, Al Young and Jack Gorf at Lindy's (51st St.) yesterday for lunch.

MAX WEISEL, Sol Edwards and Rube Jacquet at a luncheon (next to the Rivoli) yesterday.


LOV. POLLOCK, Maurice Bergman, William Fittelson, Ben Jacobson and Irving Margolies at the Tavern yesterday for lunch.

M. A. SILVER, Albany zone manager for the Warner Circuit, and Mrs. Silver have been entertaining friends at their Schrcoon Lake lodge.

MARC PAGNON, French director, has canceled plans to come to this country.

ELIZABETH KNIEMECKE of the Colonial, Cauan, Conn., is vacationing at Milford Beach.

ROSE ROMANOFF of Universal's New Haven office, is vacationing in the Catskills.

**Carroll Resigns as T.M.A.T. Union Head**

Charles P. Carroll has resigned his post as national chairman of the Motion Picture Division of Theatrical Managers and Agents Union and is now director of advertising and publicity for Philadelphia Gardens, a sports amphitheatre, in Philadelphia.

Pending reorganization of the union, expected some time this Fall, the office of national chairman will remain unfilled.

**William Silcock Dies**

MILWAUKEE, Aug. 6—William Silcock, 53, former head of Lake Geneva Delavan Theatres, Inc., is dead at Lake Delavan. Silcock, who sold his two houses three years ago to Standard Theatres, is survived by his wife and four sons.

**Scully Touring on Deals**

William A. Scully, general sales manager of Universal Pictures, left yesterday for Charlotte, Asheville and Atlanta on circuit deals. He will return over the weekend.

**Newsreel Parade**

The controversial issue of material aid for England is generously dramatized in General Pershing's view service as General Pershing is seen voicing approval and Col. Charles A. Lindbergh expresses cooperation. Newsreel said. The principal news from the war front is a Nazi raid on a British convoy. Here are the contents:

**MOTION PICTURE NEWS** No. 95—E. King inspects home guard; naval dad on land patrol; new armored cars for the armed forces; coast defense guns in action and a convoy bombed in the Taree and Lindbergh on the neutrality question. Fashions. Newsreel over.


**RKO PATH NEWS** No. 119—Pershing and MLHPSHINE ON. M-G-M yesterday brought the number to 20. The additional dates include the Catskills, New York, Capital City, N. J., and the Strand, Ocean City, N. J., both opening Thursday; Rialto, Williamsport, Pa., opening Friday, and the Ute, Colorado Springs, starting Aug. 13.

**Lloyd on Durbin Tour**

Garrett J. Lloyd, on tour for Universal on a national pre-selling campaign for Deanna Durbin in “Spring Parade,” visited the home office yesterday. He will visit New Haven and Des Moines this week, following with the state New York meetings. He will then travel West.

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**M-G-M Sets 4 More 'Boom Town' Tests**

With four more pre-release test engagements, M-G-M's "Boom Town" yesterday brought the number to 20. The additional dates include the Catskills, New York, Capital City, N. J., and the Strand, Ocean City, N. J., both opening Thursday; Rialto, Williamsport, Pa., opening Friday, and the Ute, Colorado Springs, starting Aug. 13.
PASTE THIS IN YOUR HAT!

TAKE a tip about “I Love You Again”!
M-G-M has made the
FUNNIEST picture this industry
HAS seen in 10 years!
BILL Powell, Myrna Loy are riotous!
IT’S bigger than the biggest Thin Man hit!
IT will convulse the nation and
ROCK your box-office!

(FLASH! The prophecy comes true. Detroit engagement of “I LOVE YOU AGAIN” is sensational! You’re next!)
U' Completes Retirement of
British Loans

(Continued from page 1)

mitted it to withdraw all but $60,000 of the full amount to which it is en-
titled under the current agreement between the industry and Britain which authorizes withdrawal of 50 per cent of film companies' British revenue.

This would indicate that Uni-
versal's British distribution revenue for the year ending Nov. 1, when the current agreement expires, will be in excess of $2,000,000, reflect-
ing a tremendous increase in the vol-
ume of Universal's British busi-
ness during the past 18 months, under operations directed by Nate J. Blumberg, president.

The British financing for Universal was under the able leadership of Universal board chairman, in 1936. It provided for a revolving credit of $1,000,000 maximum with the National Provincial Bank of London and a maximum of $500,000 with General Credit Service. The financial affiliate of the C. M. Woolf's General Film Distributors of London, in which Arthur Rank and Lord Portal are partners, has also participated.

With the beginning of this week the final quarter of Universal's fiscal year the company's special amortization re-
serve is to provide for contingencies result-
ning from increasing losses of for-
eign revenue has been increased from $8,000 to $10,000 a week retroactive to Nov. 1, 1939. This special amortization reserve was estab-
lished at $5,000 per week during the first quarter of the company's fiscal year and was increased to $8,000 during the second quarter.

Brigham' Premiere
In Salt Lake Aug. 23

(Continued from page 1)

man Wobber, general manager of dis-
tribution.

Dates for the advanced price runs will be determined upon Wobber's re-
turn to New York at the end of this week.

The Salt Lake City premiere will include the Centre, Paramount, Utah and Capital theatres, with tickets for the opening at $1.10 top. The follow-
ing day, the picture will start a regu-
lar run at the Centre at prices ad-
vanced from 15c to 75c a week and one-
third for evening performances. Ty-
rone Power, Linda Darnell and other studio players will attend the premiere.

Gene Buck Speaks at Los Angeles Meeting

LOS ANGELES, Aug. 6.—Gene Buck, Ascap president, told the So-
licitors' activities at a meeting of Holly-
wood members tonight at the Ambas-
sador Hotel. Buck, who arrived last night from New York, said he will leave tomorrow for New York, was presented a golf club set and bag as a birthday present. Wolfe Gilbert was temporary chairman.

Equity to Consider Shows on Sunday

With stagehands and musicians al-
ready on record in the United States, shows for the legitimate stage in New York, Actors Equity yesterday placed the matter on a special additional busi-
ness for the council meeting Aug. 20.

At the same time, the council will consider minimum wages of $30 weekly instead of the present $40.

The issue of Sunday shows was placed on the council's agenda by W. P. Reilly, executive secretary of the League of New York Theatres, who declared that the stagehands and musicians unions had refused to treat Sunday as any weekday for the new season and would not demand extra pay for Sunday.

The last major effort to establish Sunday shows here was during May of last year. At that time, Equity agreed to submit the issue to a refer-
endum of its membership provided the craft unions would also waive their right to extra pay. When the craft unions refused, Equity abandoned its referendum. At present, Equity receives $500 a day for work on Sunday.

SPG Lines Up Aid
In Republic Dispute

LOS ANGELES, Aug. 6.—The Screen Publicists Guild today started en-
folding the aid of other guilds and labor organizations for support of a pos-
sible strike at the Republic studios because of the alleged refusal by Rep-
ublic to sign a Guild wage scale for five publicity department workers.

Notification was given by the Mov-

ing Picture Painters Local 644 to the Publicists Guild executive board that their members would not cross picket lines.

A meeting is scheduled tomorrow with the Hollywood Guild Council, composed of representatives of various unaffiliated units.

Chicago Operators
Against Wage Cuts

Chicago, Aug. 6.—John Smith, president of the Chicago operators' union, has announced that negotia-

tions for new contracts with theatres will start Aug. 14. He again af-

irmed that no requests for reduc-
tions will be considered.

Work Under Way on Picture
By British Firm in Canada

VANCOUVER, Aug. 6.—A technical program directed by John Seabourn has been two weeks in Vancouver filming scenes for Otis Films' "44th Par-
allel" feature, being made in coopera-
tion with the federal and provincial governments. This is the first fea-
ture to be made in Canada in some years.

Chief cameraman is O. H. Bor-
radale, who worked on Korda's "The Third Man."

Other former Korda tech-
ticians include cameramen J. H. Welch on special effects and Freddie Young, who handled camera work on "Good-
bye My Chips."

Director Michael Powell and half the British company are working East from Banff, Alta., while the group working on the Pacific Coastal shooting sequences here. Asso-
ciated Screen Studios, Ltd., of Montreal has loaned Robert J. Martin, camera-
man, to the producing company, and has offered assistance of staff members Arnold Hague, newsreel crew for work in the West.

Gladys Hough, Leslie Howard and Raymond Massey are to take leading roles, with a number of Ca-
nadian actors and actresses engaged for supporting parts. Story is by Emeric Pisperscher.

Pact Decision
By Two Firms
Due This Week

(Continued from page 1)

that each of the two firms is distin-
guished to accept the presently proposed terms.

Paramount's theatre partners are re-
porting standing by for a call to re-
quire the stockholders to vote to enc-
shure their stand on the pro-
posed consent decree in settlement of the Government's latest-trust suit. Call for the meeting will be issued by R. B. Wilby, chairman of the partners' executive committee. The meeting may be held early next week.

Willy is expected in New York early next week. E. V. Richards, head of the Seagram Circuit, has been here several days and R. J. O'Donnell of the Interstate Circuit is due here at any moment and will stand by for the meeting. A number of others are expected to attend.

At the same time, Department of Justice files, late last week, the proposed draft in Washington.

Will Hays Reports
To Producers' Ass'n

Hollywood, Aug. 6.—Will Hays was the principal speaker at the luncheon held by the Motion Picture Producers Association, Inc., where he gave a resumé of industry condi-
tions and said that Attorney General Homer Mitchell reported on the pro-
ceedings held before the Wages and Hours Administrator in Washington, when reaffirmation of various employees was sought.

Cooperation was pledged by the producers with the American Coun-
cil of Public Relations, Inc., at the University of California, Los An-
geles branch, next week.

Wimer, Wilbur, Win Shubert Examination

Examination before trial of Lee Shubert was set for Aug. 15 in N. Y. Supreme Court yesterday in the $25,-
000 damage and accounting action brought by Sidney Wilber and Wil-
bur Vincent, the shuberts.

The action alleges that Wilner and Vincent turned over to the Shuberts their rights to the opera, "Count-
ess Mariza," in 1924 for 10 per cent of the net profits from the stage and screen presentations of the work. They allege that profits now exceed $250,-
000 and that they never received any payments.

Greene Out of Film

Hollywood, Aug. 6.—Richard Greene today was dropped from the cast of "Hudson's Bay Company," 20th Century-Fox's biographical of Darryl F. Zanuck decided not to use Greene be-
cause he is subject to call as a volun-
teer for the British Army.

S. J. Holds Board Meet

A routine meeting of the board of directors of Selznick International Pictures, Ltd., company in New York office yesterday. Attend-
ing were David O. Selznick, Myron Selznick, Robert Lehman and Lloyd Wright.
Showmanship Flashes...

Shoe Filling Contest For Favorite Wife
SUPERIOR, Wis., Aug. 6—Roy Mc-
Minn conducted a shoe filling contest in
the lobby of the Beacon here as a plug for
"Dime a Dance." Ladies and gentlemen
were invited to fill each other's shoes and
to make their way into the inner theatre foyer
in their footwear which were awarded as
prizes.

Bowl of Pearls Is
Promotion on 'Pogo'
KANSAS CITY, Aug. 6—A "bowl of
pearls" was used in a promotion stunt
worked by the Al West Kall of the Midland
for "South of Pago Pago." Diamant's Jewelry Store
filled a goldfish bowl in the window with
pearls. Passersby guessed the number.
Winners were awarded two neck-
laces of artificial pearls and eight pairs of guest tickets to the Midland.

Film Astrology Contest
Used on 'Mortal Storm'
E. M. Handler, manager of the Casion,
Vandergrift, Pa., used a film astrology contest
in his campaign on "The Mortal Storm.
Patrons were asked to identify the
film's stars and to name the last two pictures in
which each appeared, with guest tickets awarded
for the best answers.

Polished Coal Exploits
"Black Diamond"
BRIDGEPORT, Aug. 6—Exploiting
"Black Diamonds," Harry Rose, man-
ger of the Globe, displayed in the lobby pieces of polished coal. An "armed" guard was also on hand.

WARNERS AID EXHIBITORS
On Advance Campaigns
Walters has started a plan to as-
sist exhibitors in early preparation on
campaigns for the company's films. Advance postcards of the ad and
scene stills will be speeded to ex-
changes, field men and theatre men
several weeks before the regular
pressbook on the feature. The plan
will be inaugurated on "River's End."

New Exploitation
Service by Metro
The M-G-M publicity and advertis-
ing department has developed a new service, known as "Key Town
Topics," which is in the form of a
newsletter containing exploitation
ideas. The work is under the super-
vision of Art Schmidt, publicity
manager, and is designed to give first
run metropolitan theatres special fea-
tures and ideas sheets of the ad and
regular press book has gone out.
The same new material is then made
available to second runs through a
press book supplement.

Ice Cream Dealer
Furnishes Programs
WILKES-BARRE, Aug. 6—Nine
suburban Comerford houses have tied
up with a local ice cream dealer
whereby the latter furnishes the week-
ly theatre program with each sale.

Stuffed Animals Promote
'Leopard Men'
WILKES-BARRE, Aug. 6—During the
showing of "Leopard Men of Africa" at the Penn, Manager

Toronto Independents Urge
Unit Shows to Fight Duals
TORONTO, Aug. 6—Over the names
of H. Alexander, president, and
Walter R. Nightingale, vice presi-
dent, the Independent Theatres Association, Toronto,
has issued a statement calling on the
producers and distributors to organ-
ize a unit show policy as a substitute
for double-feature bills, which are con-
cerned with padding to patronize with
many admissions lost for subsequent
courses because patrons have seen one
or other films of the dual program.

The challenge is held out to the
industry to produce a unit show which
would be sold intact to all theatres,
running not more than three hours to
which the individual exhibitor could
add a newscast or cartoon of his
choice. It is recommended that the
unit show consist of one strong
feature and a featurette in which
there would be a box-office name or
story producer with at least to be sold at
a set percentage or rental, a portion of
which would be credited to the short
feature. It is urged that such a pro-
gram would enable the public from out-
side of double bills which they have
been taught to expect and from which
the feature bills would be drawn without loss
on a considerable period. Inciden-
tially, the declaration is made that ex-
hibitors know from experience that
motion pictures are one feature of very good quality.

Two features of fair quality draw more
than one feature of very good quality.

According to the statement, the
exhibitor would not run his show as a
double bill and it would not prove to
be too long while patrons would not
have to sit through a long feature in
order to see what they wanted. The
considered running time would enable
theatres to secure a better turnover,
better business would result for the
theatres and, in turn, for the distribu-
 tors and producers, the statement
says, "A great deal of business which
is now being lost because people have
seen one picture of a double bill will
be regained," the statement reads, "A
better motion picture industry will
be born."

The ITA declares that producers,
distributors and exhibitors are all
blaming each other for double bills
but that all are to blame to some extent." Double bills lead to a repeti-
tion of plots, mediocrity and loss of
interest on the part of the public,
resulting in cut-throat competition of
all kinds, it is stated, and "it must all
end in an industry cataclysm."

The challenge is issued to the producers
and distributors to try the unit show
plan and the question is asked as to
who will accept the plan.

Open New York Branch

F. Logan Thomason Laboratories
of Hollywood, makers of Sun-lamps,
have opened a factory branch at 63
West 40th St., to handle distribution in
the East.

PAGO PAGO" FACES

MILWAUKEE $6,000

Milwaukee, Aug. 6—"South of Pago Pago" and "The Man Who
Talked Too Much" were the best
grossers in a week with five days of
torrid temperatures with a $6,000 take
at The Warner. Only other bill to
be par was "Love, Honor and Oh,
Baby!" with Bill Carlsen's band at
the Riverside.

Estimated takings for the week end-
ing July 30-Aug. 1:

"Banjo on My Knee" (26th-Fox)
"Golden Gloves" (Para.)
AUG. (1,400) 30c-40c-55c 5 days.
Gross: $2,650. (Average, $530)
"Love, Honor and Oh, Baby!" (Univ.)
RIVERSIDE (2,700) 20c-33c-44c 7 days.
Stage: Bill Carlsen and his orchestra.
Gross: $7,000. (Average, $1,000)
"Moryland" (26th-Fox)
"Uptowned" (Para.)
STRAND (3,400) $30c-40c-55c 5 days.
Gross: $1,250. (Average, $250)
"South of Pago Pago" (24th-Fox)
"The Man Who Talked Too Much" (W.B.)
WARNER (2,400) 30c-40c-55c 7 days.
Gross: $6,500. (Average, $928)
"We Who Are Young" (M-G-M)
held Rush Malada (M-G-M)
WISCONSIN (3,000) 30c-40c-55c 7 days.
Gross: $1,500. (Average, $250)
Hollywood Reviews

"Slightly Tempted" (Universal)

HOLLYWOOD, Aug. 6—This comedy of a crook at large with honest motives, the precise nature of which are not divined until the end, gives Hugh Herbert one of his best opportunities to exercise his characteristic talent. He enters the picture by way of a penitentiary, in which he has served a term for an undisclosed offense, and leaves it after achieving a dual criminal objective for others by means commonly employed on the side of crime. It is a neat job of acting, adroit composition and production.

Assisting Herbert in the film, which he dominates, are Peggy Moran as his daughte, Johnny Downs as her sweetheart, Elizabeth Risdon as a woman of means, George E. Stone as an uncrested crook, Gertrude Michael, Robert Emmett Kane, Harry C. Bradley, Harry Holman, Walter Soderling and William Newell.

Although not a big picture, the film entertained a midweek preview audience steadily. It is a Ken Goldsmith product, directed by Lew Landers, both gentlemen acquitting themselves expertly. Arthur T. Hornman wrote the screen play, to which the film owes much, from a story by Marguerite, Jean Self.

Running time, 61 minutes. "G."* 

ROSCOE WILLIAMS

"The Girl from Avenue A" (20th Century-Fox)

HOLLYWOOD, Aug. 6—Your correspondent's Withers'-aged daughter, who attended a preview of this picture with him, told him afterward that it was "swell." He reports this circumstance at this point because this opinion is at variance with his own and, so far as ear can detect, that of most adults present, who seemed to feel that the film lacked some of the sparkle and "go" that have distinguished Jane Withers' past vehicles.

The picture is a version of "The Brat," a stage play by Maude Fulton which has been borrowed from too many picture-writers for its own good. Basic situation is that familiar one in which a writer takes a street-waif into his home to study her for purposes of writing pieces—the gumeny-pigeon idea from this setup flow a more or less familiar variety of developments.

Present with Miss Withers in the enterprise are Kent Taylor, Katharine Aldridge, Elyse Knox, Laura Hope Crews, Jessie Ralph, Harry Shannon, Virginia Glaser and others. The screen play is by Frances Hyland, direction by Otto Brower.

Running time, 71 minutes. "G." 

ROSCOE WILLIAMS

"Heaven" Smash Hit

In Buffalo, $15,200

BUFFALO, Aug. 6—"All This, and Heaven, Too" was a smash hit in its first week at the Buffalo with $15,200. "I Married Adventure," coupled with "Girls of the Road," brought a good $7,500 to the Lafayette. "Sporting Blood," with Jean Harlow and Raquel M. were strong at the Great Lakes with $6,500.

Estimated takings for the week end 3.

"All This, and Heaven Too" (W. B. )
BUFFALO—$4,497 (35c-40c-6c) 7 days. Gross: $3,900. (Average, $550)
"Gold Rush Mama" (M-G-M)
BUFFALO—$3,100 (35c-45c-4c) 7 days. Gross: $2,600. (Average, $371)
"Walt Disney's Festival of Films" (RKO)
BUFFALO—$2,600 (35c-45c-4c) 7 days. Gross: $2,000. (Average, $286)
"Grand Old Opry" (Rep)
BUFFALO—$2,000 (35c-45c-4c) 7 days. Gross: $1,500. (Average, $214)
"Fugitive from Justice" (W. B. )
BUFFALO—$1,500 (35c-45c-4c) 7 days. Gross: $1,200. (Average, $171)
"TRECENTURY"—(35c-45c-4c) 7 days. Gross: $1,200. (Average, $171)
"I Married Adventure" (Col)
BUFFALO—$1,200 (35c-45c-4c) 7 days. Gross: $1,600. (Average, $228)

British Relief Show

Screen, stage and radio personalities participated in a benefit at the Wembley Bowl sponsored by the British War Relief Society. Auril Loe, woman stage and film director, was in charge of the show, assisted by Betty and Stella Doyle.

Tamey's Form Company

Said Tamney, former vice-president of S. O. S., has formed his own company to deal in theatre equipment and starts operations this week under the name of Star Cinema Supply Co.

Omaha Grosses Good; 'They Drive' $5,300

OMAHA, Aug. 6—"They Drive by Night" and "Pop Always Pays," dually at the Brandeis, pulled a handy $5,300 for a good week and the bill was held over. Extreme temperatures boosted business somewhat, but return to normal summer weather puts gross for Aug. 11 at a slump.

Estimated takings for the week ending Aug. 1-2:

Thy Drive By Night (W. B.) $5,300
Pop Always Pays (W. B.) $3,000
Cross Country Romance (RKO) $2,000
Lost and Found (M-G-M) $1,500
Unstated (Param.) $1,000
Walt Disney's High Seas (W. B.) $750
They Drive By Night (W. B.) $5,300
Tumbleweed (M. A.) $1,500

Baro Heads AGVA

Dewey Baro of the cast of "Hellzapoppin" has been signed permanent permanent president of the American Guild of Variety Artists, succeeding Jay Flippen. Baro has been acting president.

Night Baseball Hits

Seattle Box Office

SEATTLE, Aug. 6—"How to Undress With Finesse" on the stage of the Palatine theatre this week with "Wagons Westward" and "Tomboy" took top honors, going about $400 over the house's $3,000 average. The west travelogue, billed with "Gold Rush Maisie" at the Fifth Avenue the other only attraction to show much appeal. Weather was cool but baseball again took a strong toll, after a three-week absence.

Estimated takings for the week ended Aug. 1-2:

"Walt Disney Festival Show" (RKO) BLUE HOUSE—$500 (35c-40c-6c) 7 days. Gross: $500. (Average, $71)
"Gold Rush Mama" (M-G-M) CENTER—$500 (35c-40c-6c) 7 days. Gross: $400. (Average, $57)
"We Who Are Young" (M-G-M) FIFTH AVENUE—$500 (35c-40c-6c) 7 days. Gross: $400. (Average, $57)
"Forty Horizons" (Col.) $1,000 (35c-40c-6c) 7 days. Gross: $1,000. (Average, $142)
"The Awful Truth" (Col.) $1,000 (35c-40c-6c) 7 days. Gross: $1,000. (Average, $142)
"Andy Hardy Meets Debutante" (M-G-M) KING STREET CINEMA—$500 (35c-40c-6c) 7 days. Gross: $500. (Average, $71)
"Phantom City" (M-G-M) MUSIC BOX—$500 (35c-40c-6c) 7 days. Gross: $500. (Average, $71)
"Sparring Blood" (M-G-M) WESTERN BOX—$500 (35c-40c-6c) 7 days. Gross: $500. (Average, $71)
"Wagons Westward" (Rep.) PALOMAR—$500 (35c-40c-6c) 7 days. Gross: $500. (Average, $71)
"Those Won't Days" (Param.) BROADWAY BOX—$500 (35c-40c-6c) 7 days. Gross: $500. (Average, $71)
"There's No Business Like" (M-G-M) $1,000 (35c-40c-6c) 7 days. Gross: $1,000. (Average, $142)
Theatre Changes

Takes Upstate Theatres
Utica, N. Y., Aug. 6.—Lawrence C. Carley, who owns the Birch in Utica, has taken over theatres at Norwood and Norfolk formerly owned by Amos Curry. Carley’s main theatre is the Family, Utica. A Rochester syndicate will take over Carley’s Carole here.

Opens Theatre in Albany
Albany, Aug. 6.—Harry Savett, who operates theatres throughout the Albany territory, has now opened the Hi-De-Ho in Faus, formerly operated by Charles Girard. Faust is in the “Hum, belt,” where the itinerant exhibitors have been flourishing due to dark theatres.

Opens Open Air House
Middletown, Conn., Aug. 6.—A new 850-seat open air house has been opened by Maria A. Adorno, wife of the former theatre operator here. The theatre was built and equipped last summer, but had been constantly involved in litigation and unable to operate.

Laidlaw Acquires Plaza
Seattle, Aug. 6.—Charles T. Laidlaw, owner of the Liberty, Dayton, Wash., has acquired the Plaza in Bellingham.

Bennetts Purchase Rex
Seattle, Aug. 6.—Mr. and Mrs. M. B. Bennett, operators of the Roxy, Priest River, Idaho, have purchased the Rex, Newport, Wash., from Mrs. Laura Ewing.

Blumenfeld Buys Davies
San Francisco, Aug. 6.—Joseph Blumenfeld, operator of theatres in Oakland, Sacramento and Marin, has acquired the downtown Davies Theatre from M. A. Markowitz.

Work Begins on New House
Montgomery, Ala., Aug. 6.—Work has begun on the new 1,000-seat Charles Theatre here which is scheduled for Oct. 1 opening. Charles J. Rook of Oklahoma will lease the house from Myer and Lenore Gerson, owners.

Romo New Treasurer
San Francisco, Aug. 6.—Richard Romo has replaced Howard Moody as treasurer of the Fox Theatre, during the latter’s leave of absence.

2 Houses Use Vaudeville
Homestead, Pa., Aug. 6.—One day a week vaudeville shows have been inaugurated at the Comerford house here and in nearby Hawley.

Brown Takes Over Liberty
The Liberty, 800-seat theatre in Freehold, N. J., has been taken over by Liberty Freehold Amusement Corp. Henry Brown is president of the company.

Selig Operates Kent
The Kolomo Theatre Corp., of which Dr. Rudolph L. Selig is vice-president, has taken over the new operator of the Kent, 1170 Coney Island Ave., Brooklyn.

New Sound Installation
The following have contracted for the installation of RCA Photophone sound equipment: Drive-In Theatre, Pittsburgh; Rex, Galex, Va.; a new house at Waldorf, Md.; Humboldt, Rockery, Mass.; Rois Opera House, Cynthia, Ky.; a new theatre at Paintsville, Ky., and the West Alpinia in West Alpinia, Pa.

Washington to Reopen
The Washington, at 1806 Amsterdam Ave., now closed for alteration, will reopen Sept. 1 under ownership of the Washington Amusement Corp., of which M. L. Meyer is president and Ben Levine, secretary. The house was formerly operated by Harris Theatrical Enterprises.

Indianapolis Ritz Bankrupt
Indianapolis, Aug. 6.—Carl Wilde, federal referee in bankruptcy, declared the Indianapolis Ritz Theatre Corporation an involuntary bankrupt and named Jack J. Kahn, attorney, as trustee. The house is closed pending settlement of its affairs.

Capitol Reopens as Second Run
Richmond, Va., Aug. 6.—The Capitol, a run house that had been closed for about five weeks, reopened last week with a summer policy of second runs and reissues. There will be three or four changes weekly and admission prices are 20 and 30 cents. Alex Radvin is manager.

Critics’ Quotes . . .

“THE BOYS FROM SYRACUSE” (Universal)
To the list of successful motion picture producers add the name of Jules London. The screen adaptation has broadened it into burlesque, super-gagged and laughter-filled, with fast-pace direction.—Kenneth McCalt, New York Daily Mirror.

“has good singers in the leading roles and has been handsomely mounted . . . still a brilliantly tuneful show.—Howard Barnes, New York Herald Tribune.

Seems to satisfy the combined desires of the audience for a laugh.—Kate Cameron, New York Daily American.


A new high in anarchiosms . . . lacks a certain modern requisiti—PM, (New York).

A series of modern gags set down among the pillars and toga of the antique scene . . . a mildly amusing novelty.—Archer Winters, New York Post.

There are some amusing moments—moments which are genuinely funny. The story is there . . . some more mirth moments which aren’t funny.—William Booth, New York World Telegram.

Slapstick . . . gags are broad and about as subtle as a load of bricks.—Rosie Pinewick, New York Journal American.

Depends for its merit upon a superb Rogers and Hart score . . . a cast that can sing and does all right by the comedy, too—Elinor Crenham, New York Sun.

“They Drive by Night” (Warner)
A filmful of entertainment . . . humor is about as robust as the censors allow . . . pungent dialogue flavors the production and a good cast.—Elie Fin, Philadelphia Record.

Action-filled yarn . . . something going on every moment . . . played and directed with deft enjoyment.—Mildred Martin, Philadelphia Inquirer.

The season’s most entertaining movie of what might be called the rough-and-ready school . . . a fast story with the right kind of cast.—Ollie Wood, Philadelphia Ledger.

To Miss Lupino go the real honors . . . dialogue packed with double entendre, which the cast delivers with relish . . . no place for eyebrow lifter or half—Lee, Loew’s Philadelphia Bulletin.

A vigorous, hard-hitting melodrama that may very easily smash through to become one of the season’s outstanding hits.—Lee Martiner, New York Daily Mirror.

Good, tough stuff about real people . . . could and should have been a much better picture.—Wanda Hale, New York Daily News.

Shorts Reviews

“Tom Turkey and His Harmonica Humdinger” (M-G-M)
Tom Turkey brings life to dull audience with some hot tunes on his harmonica. Others join in with gesticulations similar to Borrah Minevitch Rascals. At that point, rate wows of the bandmen break up the party. This falls short of the Hugh Harmon standard. Running time, 7 mins.

“Social Sea Lions” (M-G-M)
This is a light and humorous Pete Smith Specialty with seals the chief characters. The mammals are attracted to a house in which a cocktail party is being held, and unnoticed, they make short work of hort decorations and punch. Comical complications eventually develop. The story is simple, and the humor refreshing. Running time, 9 mins.

“Trifles of Importance” (M-G-M)
This “Passing Parade” is a novel and original subject. John Nesbitt explores the origins of certain items in gentleman’s apparel such as sleeve buttons and split coats. Told, too, is a story of behind the “Secret Seven” organization at the University of Virginia. Doodling as practiced by famous statesmen concludes the reel. Interesting throughout. Running time, 10 mins.

Keep Your Accounts Exactly, Accurately!

NEW SIMPLIFIED THEATRE BOOKKEEPING SYSTEM!

— Exhibitors, The Theatre Management Record and Annual Tax Register has been devised expressly for you. So utterly simple, it requires no bookeeping experience; it includes individual sections for all operating data and is designed so that full tax information is always readily available. You will have a complete up-to-the-minute record of your business always before you with this amazing new self-operating system. Order it today.

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Off the Antenna

In line with the general reorganization of the NBC sales staff for completely separate sales displays for the Red and Blue networks, the Pacific Coast sales division has been reshuffled, Don E. Gilman, vice-president in charge of the Western division, announced. Sidney Dixon has been named sales manager for the Coast Red network and Tracy Moore for the Blue. Dixon has been a member of the sales department, having come to NBC in San Francisco from KGW, Portland.

Having completed its audit, WLW, Cincinnati, reports that it cost the station approximately $16,000 to cover the Republican and Democratic conventions. The Philadelphia meeting required the cancellation of $7,322 in business while $4,329 was canceled for Chicago. A total of $4,410 was paid for line charges and staff expenses for both meetings.

The practice of Brooklyn baseball fans of bringing their portable radios to the games at Ebbets Field is causing technical difficulties in Red Barber's broadcasts over WOR. The fans frequently sit near the broadcast booth and their equipment feeds back into the microphone. The Dodger fans have not heeded Barber's appeals to stay away from the booth when they bring their sets.

Program News: Knapp-Monarch Co. of St. Louis will sponsor "Alfred of the Headlines," a 15-minute news-dramatization prepared by the editors of Newweek, beginning Sept. 28. It will be heard Sundays at 11:45 A.M. . . . Bob Becker's "Chats About Dope" on behalf of Red Heart dog food will return to NBC-Sunday, Sept. 29 at 3:45 P.M. "Live Radio Theatre" will return to CBS Monday, Sept. 9 at 9 P.M.

Victor M. Rutner, director of sales promotion for CBS, has decided to add the post of copy chief to his staff. Laura Hobson, who was director of promotion for Time, has been named to the new position.

FCC Grants Television to L.A. and Phila.

WASHINGTON, Aug. 6.—The Federal Communications Commission today approved the establishment of two more television stations and granted construction permits to Television Productions, Inc., for a 50,000-watt station at Los Angeles, and to NBC for a 10,000-watt station at Philadelphia.

The NBC permit for Philadelphia is in lieu of the tentative grant given for the network for a station in Chicago, the FCC explaining that it appears that the Pennsylvania station will make possible a "more concentrated study of television systems by the entire RCA research organization."

The commission also granted Zenith Radio Corp., a modification of its license for its station WXYZ at Chicago, permitting it to use the 50-56 m.c. channel.

NBC officials had expressed dissatisfaction with the FCC allotment of stations for New York, Washington and Chicago originally because it was felt that permits them to experiment with a network with automatic booster stations. Since the FCC has previously granted construction permits for New York and Washington, yesterday's action permitting NBC to set up a station in Philadelphia may make the establishment of a television network feasible.

NAB Pledges 
B M I Support

SAN FRANCISCO, Aug. 6.—National Association of Broadcasters at its convention here unanimously adopted a resolution "pledging continued support to Broadcast Music, Inc., as a permanent organization" and pledged its unalterable intention to continue resistance to any music monopoly.

Presented by Harold Hough, WBAP, Fort Worth, Tex., the resolution followed a two-hour session during which Carl Haverlin, BMI stations relations director, announced that 25 new stations had joined BMI to bring the total to 330 members. Theodore C. Streibert, Mutual vice-president, read a letter to the network's affiliates urging complete support for BMI.

In general, sentiment at the meeting appeared to be united against Ascap but informal conversation among independent station operators indicated that a compromise may be reached at some later date. One manager said, "Ascap can't afford to lose a $5,000,000 customer and the radio industry and the public can't afford to lose the great music controlled by Ascap."

Addressing the meeting, Louis Johnson, former assistant Secretary of War, urged broadcasters to work for a united nation "aroused to grave responsibilities." He called upon the industry to coin a "national motto to keep constantly before the American people" by broadcasting it at the opening and ending of programs.

Sarnoff Gives Flat Denial On RCA Charge

WASHINGTON, Aug. 6.—Denying as flatly as possible that any payments ever made by former Senators or court officials were to secure a postponement of the Government's anti-trust suit against the Radio Corp. of America, David Sarnoff, president, was told by the Interstate Commerce Committee that this was the first opportunity they had had to answer such charges. They were made originally in 1938 by Rep. W. D. McFarlane.

Denies Keller's Charges

Sarnoff also denied charges made in an affidavit by E. O. Keller that RCA had paid former Senators Moses and Hastings $5,000 each and H. C. Maverty, clerk of the Willington Federal Court, $15,000 of an allegedly promised $25,000 to secure the postponement. Keller, who was present at previous hearings, could not be found and it was agreed to issue subpoenas for him and Roger Whiteford, attorney, and Robert D. O'Callaghan, former member of the RCA legal department.

Consulted Senator Moses

Sarnoff testified that he, Whiteford and O'Callaghan consulted Moses about the postponement to permit a consent decree to be formulated but Moses gave "no advice and received no money." Hastings' law firm was retained to draft a motion for postponement but before the papers could be filed they were advised by counsel that the trial would have to be postponed because of the ill health of the president. Hastings' firm was paid $7,500 for its services and Moses, after he left the Senate, was retained to make a special study of Balkan conditions for which he received two payments of $4,000 each.

Tells About Postponements

Sarnoff explained that the first adjournment was opposed by the Government but later it asked for further postponements itself while the decree was being worked out. Sarnoff added that RCA counsel had conferred with McFarlane to obtain an opportunity to answer the charges but were unsuccessful. The McFarlane charges were also based on an affidavit by Keller in which it was alleged that the law firm of Mahief, Fawcett, Gilman was later paid $30,000 to secure a modification of the consent decree.

Sarnoff asserted that Keller and another person had threatened to "expose" the deal unless paid for their services, and that Keller was paid a total of $4,000.
Kent, Balaban Reject Pact; Seek New Escape Clause

Twentieth Century-Fox and Paramount object strongly to Section 9, the present proposed escape clause, and Section 7 of the tentative draft, which covers discrimination.

The present escape clause (Section 9) of the proposed consent decree follows:

"At any time after June 1, 1942, any defendant may move to vacate the provisions of sections 1, 2a and 2b of this decree by filing an application under oath stating that during any constructive nine months period preceding the filing of such application either (1) two or more distributors of motion picture films operating on a national exchange basis have leased their feature motion pictures other than in accordance with the provisions of sections 1 and 2a of this decree or (2) 45 or more feature motion picture films have been leased other than in accordance with the provisions of Section 1 and 2a hereof. The petitioner and the other defendants who have signed the decree shall be served with notice of the filing of such application. Upon such application, the Court shall order such parts of the decree as it may deem proper to be terminated and set aside."

Breakfast’ to Have National Trade Show

Columbia will hold trade showings of "He Stayed for Breakfast" in 3 key cities from Aug. 10 to Aug. 15.

Screenings definitely dated include: Aug. 11, Strand, Memphis; Carolina, Greenville, S. C., and Kiallo, Atlanta. Aug. 12, Colony, Cleveland; Boyd, Philadelphia; Oriental, Portland; St. Louis Park, Theatre, Minneapolis; State, Oklahoma; Molrose, Dallas; Texas and Madison, Alhany. Aug. 13, Uptown, Boston; Broadway, Denver; Fox's Boulevard, Los Angeles; Poli Palace, New Haven; Adams, Detroit, and Ritz, Tulsa. Aug. 15, Orpheum, New Orleans. Additional screenings will be scheduled later.

Distributors Want Automatic and Absolute Release in Nine Months Unless Columbia, Universal and United Artists Join

By SAM SHAIN

Sidney R. Kent, president of 20th Century-Fox and Barney Balaban, president of Paramount, have rejected the presently proposed consent decree terms. Neither 20th Century-Fox nor Paramount will go along with the decree unless a new and unconditional escape clause, granting automatic release at the end of nine months, is granted rather than that which is offered now.

Both Kent and Balaban object to other provisions in the latest draft, also notably Section 7, which covers discrimination in selling.

The kind of an escape clause which will satisfy these two leaders must be a provision for an automatic and absolute release, without having to seek any court's permission, at the end of nine months after the effective date of the proposed decree, and the clause providing for the filing of an application of the sort of five shall be eliminated, if at that time Universal, Columbia and United Artists have not become signatories of the decree.

Kent is described as feeling that the industry cannot be half one thing and half another, which parallels Balaban's own sentiment that any decree must be applicable to all, equally, or to none. The two are standing shoulder to shoulder on this question.

Spokesmen assert, however, that while the Government may be amenable to make changes to satisfy Kent and Balaban, other distributors, such as those who have already asserted in principle to the decree, might not be.

(Continued on page 4)

Kent, Balaban Reject Pact; Seek New Escape Clause

Two Disputed Pact Sections

Washington, Aug. 7—The provision for unit selling in blocks of five is the chief target of complaint by the small, independent exhibitors against the proposed New York consent decree, the same as it is of the big-time circuit theatre owners.

This is revealed by authorities here, in connection with communications which have been received by the Department of Justice from theatre men protesting provisions of the projected anti-trust suit settlement.

The communications to the Department of Justice, according to authorities, point out that the industry problems are not uniform throughout the country, that they vary from section to section, and that there cannot be any single cure-all for the problems.

The small exhibitor is strongly in favor of two measures to solve his problems: the right to cancel a contract with a wholesaler or with a wholesaler, and the right to clear his house by arbitration.

The small, multiple-change theatre operator, what does he think of the changes.

(Continued on page 7)

Coast Flashes

Los Angeles, Aug. 7—Fred Astaire, former RKO player, signed today with Universal. He will star in "Special Delivery," which will be produced by Joseph Pasternak and directed by Henry Koster.

Republic has made peace with the Screen Publicists Guild. The company signed a Guild contract for wage increases and minimum hours for five publicists and members workers, thus averting a threatened strike. The Screen Publicists Guild meets tomorrow night to ratify the pact.

Edrika Mann, Frank David, Herbert Biberman and Paul Trivers, writers, have filed a breach of contract suit for $7,500 against Edward Small, in connection with an alleged deal whereby Small accepted a script of Erika Mann's book, "School for Barbarians," but allegedly did not pay the money due.

General M.P.T.O.A. Mass Meeting Urged By Cohen

Max A. Cohen, president of Allied Theatre Owners of New York, an M.P.T.O.A. affiliate, yesterday sent the following telegram to Ed Kuykendall, president of the M.P.T.O.A.:

"As an independent subsequent exhibitor I plead with you to call a national indignation meeting of the M.P.T.O.A. to protest against the onerous provision in the consent decree which provides for sales in blocks of five. You are the leader of the majority of independent subsequent run exhibitors in the nation and therefore we are looking to you to save us, and answer quick."

No reply had been received from Kuykendall up to a late hour last night.

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(Continued on page 4)

Daltons Rode' Plays Loew's N. Y. Circuit

Universal was sold "When the Daltons Rode" to Loew's N.Y. Circuit in an unusual deal which will give the picture its first New York showings in 12 theatres simultaneously.

The picture will open at Loew's State, Aug. 22, for a minimum engagement of one week, and in 11 Loew's neighborhood theatres on the same day. The other bookings are for the Ritz, 2nd St., Lexington, Metropolitan, Olympia, Ziegfield, 175th St., Mt. Vernon, New Rochelle, White Plains and Yonkers.
M. AURICE SILVERSTONE, United Artists chief executive, will arrive from the Coast Saturday by train following a 10-day visit with company producers.

STANTON GIFFIS, chairman of the Paramount executive committee, will return Monday from a week's cruise.

FREDERICK L. HIRSON, head of the M.P.I.D.A. foreign department, is spending the month of August at his Connecticut farm.

LEON J. BAMBREEBER, RKO sales production manager, will leave for New England Saturday on a two-weeks' vacation.

DAVID O. SELZNICK returned to his Connecticut summer farm last night after several days in town on business. He plans to remain in the East another two or three months.

CHARLES SCHWARTZ and HARMAN FINKELSTEIN have returned from vacations.

WILLIAM SPARGO, M. & P. district manager in Rhode Island, has taken a camp at Bridgton, Me., for August leaving the first half of the month there with his family.

AL LASHWAY, manager of the Strand, Pawtucket, R. I., will leave tomorrow for a two-weeks' vacation at his camp near Bennington, Vt.

E. K. O'SHEA, M-G-M Eastern district manager, left yesterday by plane for Charlotte, N. C.

WALTER KANE, GEORGE JESSIE, DAVID BLANKSTEIN and A. SCHUBERT arrive from the Coast yesterday on the T.W.A. Stratoliner.

MRS. S. KII RICE, wife of Irving Rice, purchasing agent for National Screen Service, gave birth to a son last week.

VICTOR JURGENS, March of Time cameraman, who returned from a two-year assignment in the Far East recently, has left to join Allied Theatre Owners of Mexico and Central America.

LOUIS SCHILY is in Saratoga.

JACK SCHWARTZ of the West End, Bridgeport, Conn., has been in Provincetown.

DICK CROSBY, manager of D. McLEAN'S Embassy, San Francisco, has returned from a tour of the Pacific Northwest.

ED STEINBUCK, manager of Loew's State, Cleveland, is vacationing in New England and Canada.

SAM WEHR of New Haven will leave soon for a Cape Cod vacation.

S. G. LEBIOD, treasurer of North-West Allied, is vacationing at Walker, Minn.

J. SAMUEL BERRKOWITZ has arrived from the Coast.
ALL THIS, AND HEAVEN TOO
THEY DRIVE BY NIGHT
THE SEA HAWK
FLOWING GOLD

You get a sensational sample
of the strength of a company when
you realize that every smashing one of
these is being delivered to the
exhibition market this very minute!!

IT'S ALL BECAUSE WARNERS have the goods!

JACK L. WARNER In Charge of Production • HAL B. WALLIS Executive Producer
KENT AND BALABAN REJECT DECREES TERMS

Section 9

Want Automatic, Absolute Release After Nine Months

(Continued from page 1)

shall enter an order relieving the defendants of further compliance with the provisions of section 1, 2a and 2b of this decree but not before August 31, 1940 unless within 60 days after service of such application the petitioner shall establish to the satisfaction of the Court that during said nine months period (1) more than 72 per cent of the total gross income from licenses for the exhibition of motion pictures in the United States, excluding the gross income of State rights exchanges, has been derived from pictures leased by the defendants bound by this decree and (2) defendant's distributor's percentage of the total gross income from licenses for the exhibition of motion pictures in the United States distributed by it and by all distributors not bound by this decree, excluding State rights exchanges, has not decreased more than 5 per cent of the percentage which such distributor's total revenues for the calendar years 1938 and 1939 is to the total said three years of such distributor's revenue and the revenue of all distributors not bound by this decree, excluding State rights exchanges.

Each distributor subject to this decree, upon application by the Department of Justice it will furnish promptly all information and data which reasonably is required for the purpose of this paragraph.

*The notification and report shall include such commitments and changes as may have been made by corporations not parties to this decree which are controlled by such defendants. They shall also include any additional commitments or changes which may have been made by corporations in which the defendants had a "beneficial interest" but does not control if such defendants had an interest in such commitments or changes. Each defendant shall give each such corporation to immediately notify it of any such commitment or change.

Two Phila. Houses

Will Resume Shows

PHILADELPHIA, Aug. 7—Fay's Theatre will resume vaudeville when the house reopens Sept. 7. Stage shows will also be used again at the Towers at nearby Camden, N. J., when the house reopens Aug. 23. The Carman here, keeping open all Summer, is the only other house in the area showing stage shows. All are independent houses.

The outlook for vaudeville at Warner theatres is still very remote with the musicians' union entering its ninth month of the strike against the circuit. Warners is agreeable to return vaudeville to the Earle and for Sunday shows at the Stanely in Camden, but Refused - when being asked whether several neighborhood houses be included.

To Honor Martha Scott

Martha Scott, starred in Columbia's "The Howard of Virginia," will be crowned Queen of the National Home for Towers in Bath, Va., Sept. 5 and 6. Postmaster General James A. Farley will preside at the coronation.

Kent Believes 20th Century-Fox Should Not Bear Others' Economic Burden

Sidney R. Kent's insistence upon an escape clause which will be absolute and automatic is characterized by spokesmen as being based on Kent's strongly held views that there is no reason why his company should have to bear the economic burden of any of the holdout companies.

He feels that it will be grossly unfair for 20th Century-Fox to accept the conditions of unit selling while holdout companies will be able to sell in block.

If such a condition were permitted to become lasting, the signatories to the pact would lose millions in revenue to the holdout firms. Rest assured, he said, that he was not looking for a few months in order to enable the Government to get Universal, Columbia and United Artists in line, but not risk such great losses permanently.

Section 7 deals with the "remedy clause." An independent exhibitor may apply for a declaratory judgment of the method of selling set forth in sections 1, 2a and 2b hereof, a defendant distributor has arbitrarily refused to enter into contracts for exhibition on the run requested by said exhibitor in one of said exhibitor's theatres for a reason or which replaced a theatre in existence at the date of this decree shall be subject to arbitration. An independent exhibitor, as used in this section, is one wholly independent of any circuit of more than five theatres and not affiliated either by stock ownership, common buying or otherwise with a circuit of more than five theatres or with a buying combine or common buying agent negotiating for more than five theatres.

In any such arbitration no award shall be made against a distributor unless the arbitrator shall first find the following facts:

(1) That the complainant is an independent exhibitor as defined in this section and that the theatre operated by him and specified in his complaint was in existence at the date of this decree or replaced such a theatre;

(2) That such refusal of the distributor for the期间 of not less than three successive months;

(3) That the distributor has during such period, licensed the feature pictures requested by the complaining exhibitor on the run requested by him to a theatre which is a component of a circuit of not less than 15 theatres and which is not in competition with the theatre specified in the exhibitor's complaint;

(4) That the complaining theatre has no available it to feature pictures sufficient in nature and quantity to enable it to operate on the run requested by the complainant;

(5) That the complaining exhibitor has operated the theatre specified in his complaint subsequent to July 20, 1935, and prior to July 20, 1940, on the same run as or on an earlier run than that enjoyed by the circuit theatre specified in the complaint; or

The complaining exhibitor has operated his said theatre for at least one year prior to the entry of this decree and subsequent to July 20, 1935, and prior to July 20, 1940, a prior operation of the theatre specified in writing features from the distributor defendant complained against on the same run as or on an earlier run than that enjoyed by the circuit theatre specified in the complaint.

(Continued on page 7)
TICKLE THEIR FUNNY BONE!

Metro-Goldwyn-Mayer's Box-Office Tonic!

WILLIAM POWELL • MYRNA LOY

"I LOVE YOU AGAIN"

in with FRANK McHUGH • EDMUND LOWE

Screen Play by Charles Lederer, George Oppenheimer and Harry Kurnitz

DIRECTED BY W. S. VAN DYKE II
Two Sections of Consent Decree Disputed

U.S. Wants Film Suit Ended Without Trial

Washington, Aug. 7.—The Department of Justice is described in authoritative circles here as being anxious to dispose of this New York antitrust case without going to a long and costly trial, so that a dozen or more men now working on the film case and badly needed in other work can be taken off and so assigned.

It was the Government's hope, according to spokesmen, that the companies might have been disposed to be represented by one spokesman who was qualified. The negotiations started out this way but the plan was side-tracked by the companies who were anxious to settle quickly. Their action is stated to have prevented a united front through a single representative.

Text of Arbitration

(Continued from page 4)

Association shall select a neutral arbitrator from the panel,

d) Costs of arbitration. The arbitrator shall award costs against either party or apportion them among the parties as he may deem proper. Costs shall be limited to the arbitrator's fee and the filing fee.

e) Administration of arbitration machinery. The maintenance and functioning of the arbitration offices and personnel in each change district shall be under the jurisdiction of the American Arbitration Association. Among the responsibilities of the American Arbitration Association, it shall have the duty of budgeting and operating the arbitration machinery, renting and maintaining offices, engaging personnel, etc.

The American Arbitration Association shall prepare a budget setting forth the maximum annual cost of the arbitration machinery, which shall be submitted to the Justices for its approval. Any increase in the amounts so fixed shall be made only after a majority of the companies have approved, except that the Court may, on the application of the petitioner, order such an increase and find that such increase is necessary to the effective operation of the arbitration machinery.

(1) The cost of the arbitration machinery shall be met out of a fund made up of

% of the gross receipts of each distributor and (2) a reasonable filing fee for each arbitration proceeding to be paid by the party filing the complaint.

Exhibitor Sees Consent Decree

As Making 'the Stronger Stronger'

A leading New York exhibitor describes the contemplated consent decree as making the stronger and the weak weaker.

"The small exhibitor presumably is the client whom the Government is trying to protect, but about all the small exhibitor is privileged to get under the decree is the right to buy product from the majors. I do not believe it is anything but a terribly, extremely more harsh than the abandoned trade practice code.

"Under the provision to sell product in groups of five, the exhibitor who has been accustomed to spend four to six weeks in buying his week's product with (trick book) books in the group. During this time he will have to leave the operation of his theatre to others and in other ways add to the expense of his operation.

"Also, under the discrimination clause only an exhibitor who has five theatres or less can ask for arbitration, but if he owns six he apparently must dispose of that theatre or let the alleged evil remain."

5-Unit Sales Independents' Chief Target

(Continued from page 1)

three changes and more weekly, is also opposed to block-of-five selling, it is stated, most particularly to that provision of the contemplated decree which provides for unit selling in groups of five. The grounds of opposition are similarity, if not, to be revealed, namely, that the necessary flow of product would be interrupted.

On one aspect, however, their situations differ. It is the small exhibitor's stand, spokesmen aver, that the big-time operators can protect their homes from the proposals by negotiating long-term franchises from companies now by means of which a sufficient backlog of future product can be assured them. The small exhibitor, it is stated, is unable to negotiate such deals because of his limited purchasing power.

The protesting exhibitors feel that any mandatory provision such as the sales proposal which might tend to assure a supply of product to the small theatre would create a condition whereby the distributors may determine the importance of productions which might be found burdensome.

Exhibitors who have a double bill policy are generally concerned about each theatre, which requires six pictures a week, three on each, and many right films a week, believe that they would encounter difficulties in setting up film requirements for the year should the unit-of-five proposal go into effect.

The small exhibitors feel that the right to purchase product would be lost to them under the provision for unit-of-five sales, which stipulates an outright sale without mentioning cancellation, termination. Representatives of the small, independent exhibitors fought for cancellations for years, and now believe that the Government intends to press their interests by precluding this trade convention.

The Department of Justice, it is said, has received scores of communications from the classes of exhibitors, but has not yet decided when to hold a hearing in regard to the decree.
**Hollywood Reviews**

**“I Love You Again”**  
(M-G-M)  

**Thursday, August 8, 1940**

**Five N.Y. Companies Formed**

**N. W. Allied Moves**

**Albany, Aug. 7—Five film and theater firms were formed here early this month, Michael F. Walsh, Secretary of State, has revealed.**

**Theatre Building Spurts in Brazil**

**Szekler Reports**

New theatre building in Brazil has taken a spurt with eight houses under construction there now and organization of four new companies which include special facilities for board of governor and exhibitor meetings. Also there is an office for the executive secretary of Twentieth Century-Fox.
On February 14th, 1927, the New York Daily News announced the first Golden Gloves amateur boxing tournament. The tournament was started to encourage amateur boxing, the manly art of self defense, to clean up conditions that then surrounded amateur boxing all over the United States.

So successful, such a mighty response did this Golden Gloves idea get from the youth of America that this year more than 200 cities and towns throughout the country now conduct their own Golden Gloves Tournaments. Today Golden Gloves is a national byword for clean living, straight-shooting American young manhood.

It is therefore with great pride that Paramount dedicates this first motion picture ever to tell in action-packed, thrill-packed, heart-stirring sequences the story of America's GOLDEN GLOVES. No time, we believe, could be more fitting than the present to honor this glorious proof of the vigor and the courage and the honor of American Youth...

Turn, please...
Paramount's "GOLDEN GLOVES" will get you ACTION from these GREAT newspapers:

Atlanta, Ga. ........ Journal
Beckley, W. Va. .... Raleigh Register
Bethlehem, Pa. .... Globe Times
Bloomington, Ill. .... Pantagraph
Buffalo, N. Y. .... Courier-Express
Burlington, Ia. .... HawkEye Gazette
Cedar Rapids, Ia. .... Gazette
Charleston, W. Va. .... Charleston Gazette
Charlotte, N. C. .... Observer
Chester, Pa. .... Times
Cleveland, Ohio .... Plain Dealer
Chicago, Ill. .... Tribune
Columbus, Ga. .... Ledger-Enquirer
Coeville, Ga. .... Dispatch
Davenport, Ia. .... Commercial News
Dayton, Ohio .... Times
DuMont, Ia. .... Station W-N-O
Evansville, Ind. .... Courier
Fort Smith, Ark. .... Southwest Times-Record
Fort Wayne, Ind. .... Journal Gazette
Fort Worth, Texas .... Star Telegram
Gary, Ind. .... Post Tribune
Grand Rapids, Mich. .... Press
Green Bay, Wis. .... Press Gazette
Harrisburg, Pa. .... Telegraph
Huntington, W. Va. .... Advertiser
Indianapolis, Ind. .... Times
Kansas City, Mo. .... Star
Kenosha, Wis. .... News
Kokomo, Ind. .... Tribune
LaGrange, Ga. .... Ga. Daily News
Logan, W. Va. .... Banner
Miami, Fla. .... Daily News
Memphis, Tenn. .... Commercial Appeal
Michigan City, Ind. .... News-Dispatch
Milwaukee, Wis. .... Journal
Minneapolis, Minn. .... Star
Muncie, Ind. .... Star
Nashville, Tenn. .... Tennesseean
Newark, N. J. .... Sunday Call
New York, N. Y. .... Daily News
Oklahoma City, Okla. .... Oklahoman
Omaha, Neb. .... World Herald
Petersburg, Va. .... Dispatch
Permian, Tex. .... Sun
Philadelphia, Pa. .... Inquirer
Quincy, Ill. .... Herald-Whig
Richmond, Ind. .... Palladium-Enquirer
Rockford, Ill. .... Morning Star
St. Louis, Mo. .... Globe-Democrat
South Bend, Ind. .... Tribune
Springfield, Ill. .... State Journal
Streator, Ill. .... Times Press
Toluca, Pa. .... Courier
Trenton, N. J. .... Tribune
Trenton, N. J. .... Times
Union City, N. J. .... Hudson Dispatch
Viancennes, Ind. .... Sun Commercial
Washington, D. C. .... Times
West Palm Beach, Fla. .... Post Times
Wilmington, N. C. .... Star News
Wisconsin Rapids, Wis. .... Tribune
Wilmington, W. Va. .... Daily News

WESTCHESTER COUNTY, N. Y.
RECREATION COMMITTEE
New Rochelle Standard Star
 Peekskill Evening Star
White Plains Dispatch
White Plains Reporter
Yonkers Herald Statesman
Yonkers Times

Paramount's "GOLDEN GLOVES" will get you ACTION at the BOX OFFICE!

"High-voltage in entertainment quality. It is entertainment throughout, being one of the best films of the squared circle to come out of Hollywood."
—Al P. Daly

"Paramount has come through with three 'sleepers' this season. A company is considered a real Santa Claus when it delivers one 'sleepers.' Which makes Paramount three times as good. To 'The Biscuit Eater' you can add 'The Great McGinty' and 'Golden Gloves.' They are all heroes if properly sold!"
—Chick Lewis, Showmen's Trade Review

* Jimmy Cagney's sister, Jean, proves she's got that Cagney box office sock!
Three Brokers Called to RCA Senate Probe

WASHINGTON, Aug. 7—Subpoenas for the appearance of three Washington real estate brokers to testify to their connection with the motion picture industry were served yesterday by Voger K. Whitford, as counsel for the Radio Corp. of America in the 1932 Government antitrust suit, were served today on the Competitive Communications Committee which is holding hearings on the renomination of Thad H. Blackburn as a Federal Communications Commission member.

Because of the new angle the investigation has taken, the committee rescinded its agreement of a week ago to vote on Brown's nomination today but Sen. Burton K. Wheeler expressed a desire to conclude the hearings as early as possible.

 Tells About Deal

Robert D. O'Callaghan, former RCA attorney, told the senators two of the three brokers threatened to "expose" the alleged deal by which former postmaster general William W. Bor-<ref>loyd was ordered to marry his wife, O'Callaghan admitted that it might be unusual but pointed out that it had been recommended by the company's counsel and that the issues involved were of such national importance that he thought it justified.

Sarnoff Denies Lobby

Sarnoff denied that RCA had any lobby to prevent the Congressional investigation of the picture industry. Sen. Charles W. Tobey read a letter from former Rep. John O'Connor who charged that Sarnoff had ordered him to marry his wife. Sarnoff answered the letter by saying that RCA had offered a national hookup to the defense and was put into the "doghouse" by the White House as a result. Sarnoff protested against "unfair" the introduction of the President's name and declared that he had not met the President until some months after the inauguration.

When asked why RCA had not fought minority stockholders' suits, Martin Davis, RCA general counsel, admitted that two suits had been settled out of court but added that RCA had not adopted the policy of fighting them to a finish because "you can settle with a blackmailer." Davis denied that RCA officers and directors had purchased Victor stock prior to absorbing that company and that then had circulated rumors of the impending purchase, as stockholders' suits charged.

Tomorrow the committee will question E. O. Keller, who made an affidavit alleging bribery, as well as Whitford and the three brokers.

Off the Antenna

THE problem of satisfying the demands of distributors and retailers of sponsored products for tickets to studio broadcasts of popular programs has long been a vexing one to both advertising agencies and the companies sponsoring the programs. This is especially true when the program producers are straining these difficulties over their Mutual patents. "Skyhook" Mills, Inc., candy manufacturer, who sponsor "Dr. I. Q." has hired Madison Square Garden for Friday, Aug. 16, and invited distributors, retailers and their families to attend. This show will be over WJZ, "Dr. I. Q." is scheduled to broadcast on the Mutual network this Friday night and for seven weeks thereafter.

Purely Personal: Thomas D. Connolly, who has been with the CBS sales promotion department for the past two years, has been named to the newly created post of manager of the merchandising service. . . . John E. Norton, CBS engineer, and Jack S. Halladay, former "Chief'' of the CBS staff, will also leave. . . . Alec Templeton will be guest on the "Chamber of Movie Lore Society of Lower Basin Street'' over NBC-Blue Sunday at 4:30 P.M.

Both the Red and Blue networks of CBS, NBC and Mutual will carry the acceptance speech of Wendell L. Willkie in Elwood on Saturday, Aug. 17 from 5 to 6 P.M.

Program News: Gabriel Heatter's sponsor, Krelm, has purchased six additional Mutual stations to carry Heatter's Wednesday and Friday broadcasts now heard over WOR alone. Heatter is also heard over Mutual on Thursdays and Saturdays for Liberty. Peter Paul, Inc., which sponsors Heatter's talks on occasions when the Mutual network is off, has signed up Wythe Williams is substituting for Heatter Sundays during the latter's vacation.

In the case of Manners and his gang will return to WNEW Aug. 18 and will be heard on behalf of Community Opticians for 15-minute shows Mondays through Saturdays at 7:30 P.M. and for one hour on Sunday 11 a.m. The contract, which runs for 10 weeks, also includes sponsorship of Community's "Weekly Murmurs: from Martin Block's 'Make Love Ballroom.' . . . Tums will add four Florida stations to the NBC-Blue network carrying the "Pot O' Gold" on Oct. 5, bringing the total to 90 stations.

CBS's grid man has switched his "Melody Man" show over WHN to 1,210 P.M., Mondays, Wednesdays and Fridays.

Mutual has decided to adopt alligators and has hit upon green and gold. Henceforth all banners, announcements, and letterhead decorations will be fore and gold. The reason Mutual could not get green was because that color had been preempted by the Exponent network of West Virginia.

KGLU, Safford, Ariz., will join NBC Sept. 1 to become the 196th affiliate of the network. It will be a bonus outlet for users of K TAR. Phoenix. Basic rate for the station will be $6 per evening hour and $3 for daytime hours. KGLU is owned by Gila Broadcasting Co. and operates full time on 1,420 k.c. with 250 watts.

CBS 6-Month Net Rises to $2,957,276

CBS yesterday reported a net profit of $2,957,276 for the first six months of this year, compared with $2,732,527 for the same period last year. Earnings were equal to $1.72 for each share of common stock, as compared with $1.59 last year.

Gross income from the sale of facilities, talent, lines, records and the like of $44,252,993 was subject to time discounts, agency commissions, record returns, fees and deductions of $7,262,916 to leave $37,980,776 as compared with $31,076,544, for the same period last year.

The board of directors yesterday declared a dividend of 45 cents on all Class A and B stock, payable Sept. 6 to stockholders of record Aug. 23.

Sues Warners on Song

Serge Adeleman filed suit yesterday in the N. Y. Supreme Court against Warners for $5,000 damages. The suit is based on the song "Still My Gal," written by Berenson and Russian composer, and charges Warners with using Berenson's "Still My Gal," without permission. The song was written as a sequel to the film "Bigger Agent," Warner seeks dismissal of the suit on the ground that it fails to state a cause of action.

Willkie's Free Time to Match Roosevelt's

SAN FRANCISCO, Aug. 7.—The National Association of Broadcasters, at its semiannual session today, was told in effect that Wendell Willkie, Republican candidate for President, would get as much free network time in proportion to the campaigning, if any, on Roosevelt's fireside chats.

The question was raised by Dick B. Barger, who asked and answered by Paul Kesten, CBS vice-president. Spokesmen for the nextworks earlier said Willkie will get time equal to that granted Roosevelt, but did not indicate if Willkie's time would be free. This is now contingent on whether Roosevelt will use his fireside chats to carry his campaign.

The convention ended tonight with a banquet at the Fair, preceded by a CBS cocktail party. Frequency modulation and television demonstrations were heavily attended today.

NAB directors, including nine elected Tuesday night, extended Neville Miller's contract as president an additional year, making it two years to run. Miller also was voted a salary increase.

New directors are Mark Ethridge and George Norton, Jr., Louisville; Harold Hough, Ft. Worth; Don Searle, Chicago; Aberdeen; Wash.; John Elmer, Baltimore; Edward Klauber, CBS; Fred M. Weber, Mutual, and Frank Russell, NBC.

Nine International Outlets Now 50 k.w.

WASHINGTON, Aug. 7—Five additional International broadcast stations were authorized today by the FCC to use 50 kilowatts of power, increasing to nine the number already authorized to use the required minimum.

Stations given power boosts today were WRCA and WNB, operated at Spring Grove, Md.; WDNM, Philadelphia; WSB, formerly 35 kilowatts; CBS's WCIB, Wayne, N. J., formerly 10 kilowatts; and the General Electric stations WGEA, Schenectady, N. Y., formerly 25 kilowatts, and KKEI, San Francisco, formerly 20 kilowatts.

Three other stations have yet to bring their power to the specified minimum, WCAB, Newton Square, Pa., and WDOS, Millis, Mass., using five kilowatts, and have until January 1, next year, to provide for the necessary increase.

Three New Station Licenses Are Sought

WASHINGTON, Aug. 7—The Federal Communications Commission has been asked to approve construction of three new 250-kilowatt broadcasting stations.

Construction permits were asked in applications filed by T. B. Gillespie for the station in Tampa, Fla.; South Florida Broadcasting, Inc., for a 1,500 k.w. station at Miami, and Krutzen Broadcasting Company for a 1,210 k.w. station at Tampa, N. Mex.
<table>
<thead>
<tr>
<th>Date</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
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<th>REPUBLIC</th>
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<td>Manhattan Heartbeat(G-D)</td>
<td>South of Pago</td>
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<td>All This and Heaven Too (D)</td>
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<td>July 19</td>
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<td>You're Not So Tough</td>
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<td>William Powell</td>
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<td>Aug 30</td>
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<td>Sept 6</td>
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<td>Jack Holt</td>
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<td>I Want a Divorce</td>
<td>I'M Still Alive</td>
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<td>Sept 27</td>
<td>Before I Die (D)</td>
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<td>Rita Hayworth</td>
<td>Strike Up</td>
<td>Victory</td>
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<td>YOUNG PEOPLE (M)</td>
<td>Mummy's Hand</td>
<td>Peggy Moran</td>
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Special Plan For Exhibition Of 'Dictator'

Chaplin Film To Be Sold Like ' Gone With Wind'

An exhibition policy for Charles Chaplin's "The Great Dictator" similar to that employed by Loew's for "Gone With the Wind" is expected to be adopted within the next few days.

Distribution terms have not been set and probably will not be definite until Harry Gold and L. J. Schlaifer, Universal vice-presidents of distribution, go to the Coast in about two weeks to confer with Chaplin.

The exhibition plan calls for initial openings late in September in six key cities, with two theatres in each city playing the picture. One house will be a two-a-day, reserved seat policy with a top admission of $1.50. The other will play on a continuous policy at 30 and 75 cents and $1. Theatres and cities for the initial openings have not been selected yet.

"The Great Dictator" runs two hours and five minutes. It has been changed in no respect from the originally completed version, United Artists officials say. The production cost was approximately $500,000.

Exhibition plans were discussed by Chaplin and Maurice Silverston, United Artists' chief executive, who will arrive from the Coast tomorrow.

Cooler Weather Helps B'way Gross

Grosses at Broadway first runs recovered somewhat during the past three days as the result of cooler weather but tallies for the week were low for the most part. The Music Hall had a big opening yesterday with "Pride and Prejudice" bringing an estimated $13,500 for the day.

There were long lines and waiting periods during the matinees.

"They Drive By Night" aided by a stage show featuring George Raft and Willard Mack's band drew an estimated $4,000 at the Strand in its second week. "South of Pago Pago," with a stage show at the Music Hall, was off, producing an estimated $60,000. At the Roxy, "The Man I Married" with a stage show drew an estimated $33,000. In its 33rd week at the Astor, "Gone With the Wind" picked up again and grossed an estimated $8,800. "Andy Hardy Meets

Nazi Films Thrive Here; U. S. Banned Over There

By SHERWIN A. KANE

Summer doldrums may find business languishing elsewhere but the 96th St. Theatre, in the heart of New York's German-populated Yorkville, has no complaint.

An official German reel, "Feldzug in Polen," depicting the conquest of Poland, and an Ufa film record of the last days of the war in France, together with views of a victorious German naval engagement, are the principal attractions.

Exploitation is limited to a modestly lettered sign bearing in German, the titles of the reels. The sign swings slowly above the heads of passersby in Third Avenue.

Inside the 400-seat theatre, ventilated only by electric fans and fire doors opened to an alleyway, every seat is occupied and the rear of the house is packed with perspiring spectators.

"Feldzug in Polen" and the Ufa military newsreel unwind before an appreciative audience of shopkeepers, clerks, mechanics, housefraus and here and there, a sampling of more prosperous patrons.

SPG Asks Meeting On Company Pacts

The Screen Publicists Guild here has notified all companies that it claims a majority of those employed in the home office publicity department. In a letter to the companies, Boudin, Cohn & Gleisstein, attorneys for the SPG, asked that conferences be set for the purpose of negotiating contracts on behalf of the union.

Consent Decree Seen Abandoned

Gallup Poll Shows Public Against Duals

Princeton, N. J., Aug. 8—In a nationwide survey conducted by the American Institute of Public Opinion the public expressed a preference for single feature programs as opposed to double bills by 57 per cent to 43 per cent. Dr. George Gallup, director, revealed today.

Children under the age of 18 and those in the lower income brackets, however, supported double features, the survey revealed, while those over 18 and those in the middle income and upper brackets strongly favored single features. The variation in preference by age was stressed because, according to the survey, 60 per cent of all theatre admissions are accounted for by those under 30 years.

The survey revealed that most sections of the country reacted similarly with the New England States as the

M.P.T.O.A. Weighs Protest Mass Meet

Columbus, Miss., Aug. 8—An exhibitor mass meeting to consider the proposed Federal consent decree, as suggested by Max A. Cohen, head of Allied Theatre Owners of New York, an M.P.T.O.A. affiliate, in a wire yesterday to Ed Kuykendall, M.P.T.O.A. president, will depend on the views of members of the M.P.T.O.A. executive committee whom Kuykendall is now canvassing.

The M.P.T.O.A. head personally favors such a meeting but is of the belief that his organization will be consulted by the Government before the decree becomes final and can express its views at that time. Kuykendall plans to issue a statement tomorrow regarding Cohen's request.
Personal Mention

WILLIAM C. GEHRING, 20th Century-Fox Central division manager, returns today from Montreal and Toronto.

JOSSEPH SEIDELMAN, Universal foreign department head, leaves for the Coast today to visit the studio.

ED STEIN, former Samuel Goldwyn publicist, has returned to United Artists for a special assignment.

CHARLES STIEFEL, Philadelphia exhibitor, is in Saratoga.

Dr. WARD JONES, Radio City Music Hall publicity representative, has disclosed his marriage to Ann Willard on May 30.

DR. HERBERT KALMUS has arrived from the Coast.

CLARENCE WALKER, supervisor of the Shaw and Roxy, in Quincy, Fla., was a visitor at the Quigley Publications offices yesterday.

VERNON POPE, editor of Local, is here from Des Moines, contacting film companies.

KAY SULLIVAN of Joseph M. Moskowitz's office at 20th Century-Fox will spend the weekend at the Monmouth Hotel, Spring Lake, N. J.

MILDRED CURNOW of the Columbia branch in Des Moines is a New York visitor.

(Continued from page 1)

The reels, both in selection of material and Germanic-accented commentary, are Nazi propaganda—stark and official.

The events leading up to the "pro-vocation" of Germany in her attack on Poland, we learn from the commentator, were: first, the Germanic characteristics of the Free City of Danzig; the "persecution" of German nationals residing in Danzig; the rejection by Poland of Hitler's proposals for redrawing the boundaries of the Free State and, finally, British "encouragement" of Polish military action against the Reich.

The German military machine goes into action, sweeping everything before it until it has encircled the capital city of Warsaw in a tight armed ring. Graciously, the German high command, the commentator tells us, waits 24 hours before shelling Warsaw, pleading the while for surrender.

Then destruction and the inevitable capitulation.

In this, there are frequent appearances of Adolph Hitler, confronting with official declaration and with every appearance a ripple of applause runs through the audience. It is not a demonstration; rather a testimonial, sufficient to put the audience on record.

The Ufa military cameraman rides with the advancing troops into the North Sea and films what the commentator tells us is the sinking of a British airplane carrier and its accompanying cruisers. We do not see them. But we do see the sinking of what is described as a 21,000-ton British ship.

The skies are dark with German planes over the Maginot lines. The roads, the forests and the fields of Lorraine crawl with German troops, afoot, in tanks, in trucks, armored cars, motorcyckles and on horseback. Speedboats loaded to the gunwails with infantry come across the Rhine unchallenged for the assault on the non-Catholic Maginot Line.

The camera shows the twisted, pulverized steel and concrete of a Maginot fort and the commentator speaks with derision: "This was the Maginot Line."

Then the long lines of prisoners taken, and the camera comes to focus on a dozen of these. They are, probably, the most aboriginal Serene Princes ever to have strayed so far from their native Africa. And the commentator remarks: "These are the 'defenders of civilization.'" The audience titters appreciatively.

Nazi emblems unfurl before the battle monuments of the last World War, obliterating as actively though they never had been uttered phrases such as Verdun's, "They shall not pass." Hitler stands between the Foch memorial and the Armistice dinner car at Compiegne and reads com- placently the grave words at his feet memorializing the Armistice of 1918.

Through the audience runs a ripple of emotion.

The reel unwinds. There is destruction only for the enemy. There is no death or suffering for the German soldier. No, in these German-made reels, theirs is the power and the glory.

The reels come to an end. There is the inspection and approval seal of the State of New York at the end of each.

Libson Presents Check

CINCINNATI, Aug. 8.—Isaac Libson, managing director of RKO Midwest, today presented to Robert McIntosh, chairman of the Liberty Chapter, National Foundation for Infantile Paralysis, a check for $1,000, representing theatre collections for the Will Rogers Memorial Fund.

Nazi Films Thrive Here;
U. S. Banned Over There

Columbia will hold the premiere of "The Devil's Brother" Sept. 4 at the Byrd, State and Westhampton Theatres in Richmond. The film will continue thereafter at all three.

Ben L. Brooker, director, Martha Scott, star, and Jack Seibell, associate producer, will head a Hollywood publicity offensive for the execu- tives and officials of Virginia, Washington and neighboring states scheduled to attend.

Butterfield Closes
For Republic Films

DETROIT, Aug. 9—Republic has closed a deal for its first feature film program with the Butterfield Circuit of 110 theatres. The contract was negotiated by James R. Grainger, Republic president, and Sam Seplowin, Detroit branch manager, with E. C. Beatty, president of Butterfield, and J. Ollie Brooks.

Cooler Weather
Helps B'way Gross

(Continued from page 1)

Debutante" drew an estimated $35,000 for its first week at the Capitol and was held over.

"Smashing." are "The Sea Hawk" with Phil Spitalny's band on the stage at the Strand and "The Return of Frank James" at the Roxy.

K. C. Business Better

KANSAS CITY.—For the second week in a row, cooler weather has aided the downtown theatres for the past three days. Rain and still cooler weather for today and tomorrow should help the smaller houses in the city and vicinity.

'Virginia' Premiere
Sept. 4 in Richmond

Since the exhibition of "The Devil's Brother,"Sept. 4 at the Byrd, State and Westhampton Theatres in Richmond. The film will continue thereafter at all three.

Columbia will hold the premiere of "The Devil's Brother" Sept. 4 at the Byrd, State and Westhampton Theatres in Richmond. The film will continue thereafter at all three.

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Low War Premiums
For British Studios

LONDON, Aug. 8.—Details of the Government's insurance plan to protect producers whose operations are interrupted by enemy action are understood to have been completed to- day. Indications are that the plan provides for extremely low premiums which will be virtually equivalent to the rates paid for sickness insurance.
M-G-M's "PRIDE AND PREJUDICE" WOW!

Biggest business of summer
At Radio City Music Hall!
Topping every previous M-G-M hit!
Topping "Ninotchka" and "Balalaika"—
Both holiday releases and
Both played three weeks!
And the weather is h-o-t!

"PRIDE AND PREJUDICE" starring GREER GARSON and LAURENCE OLIVIER
with Mary Boland • Edna May Oliver • Maureen O'Sullivan • Ann Rutherford • Frieda Inescort
Screen Play by Aldous Huxley and Jane Murfin • Directed by ROBERT Z. LEONARD • Produced by HUNT STROMBERG
Ten Mutual Outlets Reject Ascap Terms

Ten key stations in the Mutual network have rejected the Ascap terms, Fred Weber, general manager, declared yesterday in a letter to affiliates. The stations are WOR, Newark; WGN, Chicago; WKRC, Cincinnati; WAAB, Boston; WHK, WCLE, Cleveland; KJ, Los Angeles; KFRC, San Francisco; KGB, San Diego; and KDB, Santa Barbara.

The letter pointed out that Mutual does not originate programs but merely makes available programs originated by member stations. After Jan. 1, Weber stated, programs from the 10 stations will not be available for the network.

Gallup Poll Shows 57% Of Public Oppose Duals

Hollywood, Aug. 8—Samuel Goldwyn's reactions to the Gallup Poll results included: "We are guiding our business by what children up to 17 years of age and persons on relief like, while there are 39 million persons economically able to attend films who do so not at all or rarely. This large group is three-to-one for single features." Goldwyn had suggested that the poll be made.

Only where place where double features are more popular than single bills.

The report pointed out that an estimated total of 32,000,000 persons financially able to attend film theatres frequently actually go less than once a month.

Competition from radio and night sports was seen as increasing. Of those interviewed, 55 per cent reported that they were spending more time listening to the radio this year than last while only 15 per cent reported listening less. Although the survey was made during the Summer, three times as many persons said that they stayed home expressly to listen to the radio as said they go to motion pictures.

The text of the question was: "Would you rather go to a motion picture theatre showing a single feature, or to one showing a double feature?"

The report concluded that the figures "go a long way toward explaining a seeming paradox in the motion picture industry. Theatre owners and operators knowing that people prefer single features; yet when individual exhibitors have changed from a double to a single policy, their business has declined. Theatres which draw a large part of their business from children and the poorer classes, and theatres located in a part of the country which favors double features, would obviously suffer by changing to single features; particularly if the single features are not of sufficient quality to attract customers in the higher age and income levels."

Analyzed separately the survey revealed:

<table>
<thead>
<tr>
<th>Age Groups</th>
<th>For Singles</th>
<th>For Doubles</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-12 years</td>
<td>32%</td>
<td>38%</td>
</tr>
<tr>
<td>12-17</td>
<td>40%</td>
<td>37%</td>
</tr>
<tr>
<td>18-24</td>
<td>40%</td>
<td>35%</td>
</tr>
<tr>
<td>24 and over</td>
<td>40%</td>
<td>31%</td>
</tr>
</tbody>
</table>

Income Groups

<table>
<thead>
<tr>
<th></th>
<th>Upper</th>
<th>Lower</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>75%</td>
<td>52%</td>
</tr>
<tr>
<td></td>
<td>25%</td>
<td>42%</td>
</tr>
</tbody>
</table>

Retail

<table>
<thead>
<tr>
<th></th>
<th>56%</th>
<th>58%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>44%</td>
<td>44%</td>
</tr>
</tbody>
</table>

Admissions

| Less than 30 cents | 55% | 49% |
| More than 30 cents | 35% | 32% |

Reasons generally given for preferring single features were that (1) either one or both films was likely to be a "poor" picture; (2) sitting through a double feature is fatiguing and takes too much time; (3) seeming two full-length films is confusing. Reasons for preferring double features were that (1) a double bill gives more for one's money; (2) if one picture is inferior, the other is likely to be good and vice versa; and to the variety; (3) a double feature gives those attending a chance to "kill more time."

The report added that when the question was qualified by the suggestion that both pictures would be good, the vote for double features became a near one. By 66 per cent in favor to 34 per cent opposed, although the public seems to believe that this is an impossible supposition.

The report concluded: "From the point of view of the motion picture industry itself the single feature policy is clearly indicated. Only by making pictures of greater appeal to those people who have sufficient money and who could attend theatres more often can the revenues of the industry be materially increased; and it is precisely those people in the higher age and income levels who register the greatest opposition to double features."

A report questioned the accuracy of an estimated 85,000,000 tickets being sold weekly. It estimated that only 54,000,000 tickets were sold during the week of July 13 to 19.

Trade Belief Sees Decree As Abandoned

(Continued from page 1) and would eliminate the Government's easier demand for theatre divorce.

On the other hand, and in addition to their objections to the decree in Paramount officials do not believe the Government has been definite enough with respect of the regional litigation or on theatre divorce for a defendant company to be certain of either. Paramount counsel throughout the decade negotiations, have had mental reservations on the Government's intentions in divorce and have frequently expressed the view that they would not be surprised to find the Justice Department revising the divorce demand when the decree neared its final stages.

(Continued from page 1) of Justice officials in Washington last night said that the retroactive divorce remains unchanged and that the situation with respect to the pending regional suits is unchanged.

Counsel have pointed out in this connection that the only official word the Government has given on divorce up to this point has been that the suit is "not an abatement while the negotiators explored the extent to which both sides could agree on other terms. This was done, they recall, to make the settlement negotiations possible, since all five theatre owning defendants took the possibility of the position at the last instant that if a decree was to be dependent upon divorce they would not negotiate with the Government at all.

The position of both Paramount and 20th Century-Fox is that the escape clause should give them an unconditional release from the decree after nine months if Universal, United Artists and Columbia has not been brought within its provisions by then. They contend that they see no reason why they should bear, among other things, the added cost of arbitration which would accrue with the three smaller companies outside the decree, or risk the results that the position of those companies might have on those living under the decree.

Government sources gave no indication yesterday of what course the Department of Justice will follow now that the decree has been rejected in its present form by five of the eight defendant companies. In some quarters, however, it was believed that the Government might be willing to reopen negotiations on the objections of Paramount and 20th Century-Fox.

W. G. Scott Elected Majestic President

CHICAGO, Aug. 8—Officers of Majestic Corp. were elected here today. Walter Glenn Scott is president; Allen B. DuMont, vice-president; Ralph E. Dean, assistant; Elmer Upton, treasurer; Curtis Franklin, secretary, and C. V. Cook, assistant secretary. The company expects to announce its production plans next week.

FAN MALE!

"Rare, racy, original. Thoroughly entertaining!"—DEIGHT EVANS, Screenland

"Jammed with excitement, color, humor, action. A whopping good show!"—JESSE ZUNSER, Cen

THE GREAT MCGINTY

"The answer to any exhibitor's prayer!"—HOLLYWOOD REPORTER
**MOTION PICTURE DAILY**

**NEW YORK, U.S.A., MONDAY, AUGUST 12, 1940**

**TEN CENTS**

**U.S. GETS REVISED DRAFT WEDNESDAY**

Will Have Kent's and Balaban's Suggestions On Changes Including New Escape Clause And Revamped Discrimination Section

By SAM SHAIN

The Government on Wednesday is scheduled to receive formal notification of rejection of the proposed consent decree by 20th Century-Fox and Paramount together with the alternative terms for peace of these companies. This will include Sidney R. Kent's and Barney Balaban's suggested new language for the decree, including a new escape clause.

Kent's idea of such an escape clause is already completed and will be discussed tomorrow at a meeting of the 20th Century-Fox board. After Wednesday it's up to the Government whether there will be a consent decree or not, according to spokesmen.

New language for Section 7 also has been completed and will be submitted at the same time. Principally, the change sought is that any complaining theatre under this section, which covers discrimination, must be a "better theatre" than that against which the complaint is made.

Both 20th Century-Fox and Paramount take the position that the escape clause should provide that the decree will become inoperative nine months after it goes into effect, or at any time after June 1, 1942, if Columbia, United Artists and Universal have not been brought under its provisions by then.

Thurman W. Arnold, head of the anti-trust division of the Department of Justice, was in New York on Friday on matters unrelated to the industry suit. He refused to discuss the consent decree with reporters.

"I have no comment to make while the negotiations are still pending," he said.

In the meantime, there is a feeling ...

**Chaplin Considers Personal Appearance**

Chicago, Aug. 11.—Charles Chaplin is not averse to making a personal appearance at the world premiere of "The Great Dictator" and pending further arrangements may do so, Maurice Silverstone, United Artists sales executive, said while he was here on his tour back to New York from Hollywood.

Silverstone said that Harry Gold and L. J. Schlaifer, United Artists sales managers, may not go to the Coast to decide selling terms for the picture but that the decision, if made in New York, would be subject to final approval by Chaplin.

**Goldwyn on CBS**

**Duals Duel Aug. 24**

Hollywood, Aug. 11.—Samuel Goldwyn has accepted an invitation from CBS to debate the double feature question on "The People's Platform" program on a nationwide hookup Aug. 24. Goldwyn will captain a team opposing duals consisting of himself, Carl Holzbittzer of the Interstate Circuit, Dallas, and Mrs. L. B. Hedges, films chairman of the California Parent-Teachers.

The pro-duals team will include I. E. Chadwick and Trem Carr, independent producers, and Mrs. Arthur Beck, housewife, representing the public. Prof. J. F. Woelkling of the University of Southern California will be chairman of the informal and unhearned debate. The broadcast will be heard from 7 to 7:30 P.M., New York time.

**Canada War Shows**

**Collected $716,104**

TORONTO, Aug. 11.—Final official returns of the Win the War Campaign sponsored in 977 theatres by the Canadian film industry show that $716,104 was raised at the special shows July 15. This amount has been turned over to the Government by the Post Office Department, which collected the money through the sale of 25-cent war savings stamps as tickets of admission to the shows.

Not one cent was deducted for campaign expenses. The entire sum, retained the stamps, which will be redeemed by the Government in due course.

The average take per theatre was...

(Continued on page 6)

**“He Stayed for Breakfast”**

[Columbia]

NEITHER the Communist Party nor Mervyn Douglas, who becomes for the nonce its cinematic prophet, may know what ails the world nor the manner of its cure but producer B. P. Schulberg has discovered in their leftist dilemmas a sure-fire panacea for the troubled box-office.

Piling high upon laugh, with situation and dialogue hilariously paced, Alexander Hall has directed a combination bedroom farce and political satire designed to amuse the cash customers holding their sides and telling their friends. With both Douglas and beautiful but bourgeois Loreta Young armed with racy patter by P. J. Wolfson, Michel Fessier and Ernest Vajda, who wrote the screen play from Sidney Howard's adaptation of the French play, "Liberté Provisoire," Eugene Palette...
Paralysis Epidemic Hits Ohio Theatres

CINCINNATI, Aug. 11.—The spread of infantile paralysis is assuming such proportions in parts of the Cincinnati trade territory that the closing of theatres is regarded as a possibility.

At Portsmouth, O., the City Board of Health has warned that children under 16 years should be barred from theatres and other public places.

Some exhibitors in the tri-state region of Ohio, Kentucky and West Virginia are voluntarily barring children under 16 years, in order to forestall a possible order to close their houses.

British Exhibitors Await Price Change

LONDON, Aug. 11.—Decisions on increasing admission prices generally are being held in abeyance by subsequent runs over the weekend when England's three major circuits are scheduled to make known their new policies in a formal announcement to be made through the Cinematograph Exhibitors Association.

After repeated meetings the three major circuits have agreed on new admissions policies in conjunction with application of the new entertainment tax. Decisions have been made on all principal points involved, including minimum admission prices for first run houses. General policies will be determined immediately following the C.E.A. announcement of circuit policy.

WHERE'S THE FIRE?

"starts like a five-alarm fire and never slackens pace for one moment until its unexpected conclusion!"

—PARE LORENTZ, McCall's Magazine

"Hilarious!"

GOOD HOUSEKEEPING

"The Great McGinty"

Personal Mention

WILL H. HAYS is expected here from the Coast and Gallipoli, O., tonight, and is scheduled to leave for Hollywood again on Thursday to remain there another month.

A-Mike Vogel returns from a vacation today.

W. A. Scully, Universal general sales manager, will return tomorrow from a Southern business trip.

Dave Paliferman of the M.P.P. D.A. is in Maine for a two weeks' vacation.

S. Barrett McCormick, RKO advertising and publicity director, arrived from the Coast by plane yesterday.

Leonard Goldenson and Sam Dembow, Paramount home office theatre executives, returned yesterday from business conferences in Minneapolis.

Harry F. Shaw, Loew-Poli division manager in New Haven, will master of ceremonies at the forthcoming field day of that city's police force.

Arthur H. Lockwood, president of the Connecticut M.P.T.O., is recuperating at the Beth Israel Hospital, Boston, after a kidney operation.

Miguel Torres, Mexican producer, is in town.

MYRON SELNICK is in town from the Coast for a short stay.

Rene Clair, French producer and director, arrives today from Europe.

Leo Yassenoff will be host at a party for exhibitors Aug. 20 at Buckeye Lake, O.

Rossey Collier, manager of the Stately, Baltimore, and Guy L. Worthing, Warner district manager in Washington, left for a vacation at Bedford Springs, Pa., over the weekend.

John McClain, screen writer, is in town from the West.

Roy Hanson and Dick Springer of the Jefferson, Goshen, Ind., are visiting here.

Harry Silver of the Northio Pal, Hamilton, O., is vacationing in Canada.

Ralph Giglio of the Radio City Music Hall publicity department is on a Maine vacation.

Marion Slater, secretary to W. J. Curry, Paramount booker in Des Moines, was married Friday to Mark Jones.

Laird Hardwick, wife of Sir Cedric Hardwick, has arrived from England.

Charles E. Kennedy of Loew's Columbus, and Margaret Barret of that city were married Friday.

Gene Malone, Warner office manager in Des Moines, is vacationing in Northern Iowa.

W. B. Theatre Heads Meet Here Tomorrow

A meeting of Warner Theatre zone managers will be held here tomorrow at the home office, with Joseph Bernhard, general manager, presiding.

Zone managers attending will include James Yount, Chicago; Nat Wolf, Cleveland; J. J. Hoffman, New Haven; Don Jacobs, Newark; Moe Silver, Albany; Ted Schlag, Philadelphia; Harry Kalmine, Pittsburgh; John J. Payette, Washington, and Herb Copeland, Atlantic City.

Home office executives scheduled to participate are Clayton Bond, Ed Hinchy, Leonard Schlesinger, Harry Goldberg, Frank Phelps, Nat Feldman, Abel Vigard, W. S. McDonald, Harry Rosenquest, Louis Kaufman, Herman Maier and Frank Cahill.

Sells Mono. Interest

SEATTLE, Aug. 11.—Al Goldstein, local manager for Monogram, has sold his interest in the Monogram Corp. of the Northwest to Monogram Pictures, of which Howard Stubbs is president, and Monogram of New York. It is expected that he will continue as local exchange head.

Acquires French Film

Robert Mintz has acquired the rights to the French film, "Le Crime de M. Minou," featuring Victor Francen.

Saving Pennies

NAMOSA, Ia., Aug. 11.—Arie Yount, manager of the Circle Theatre here, has found a new kind of admission chisel.

A man carrying a little fellow in his arms bought a 20-cent ticket and entered the theatre, with the supposed child going free. After the performance, the "child" announced and lighted a cigarette. To the surprise of the manager, the "child" was a midget.

Ask Mrs. Roosevelt To Shun 'Hall' Bow

PHILADELPHIA, Aug. 11.—Mrs. Franklin D. Roosevelt, who is a member of the C.I.O. Newspaper Guild, has been asked by the A.F.L. musicians' union here not to attend the world premiere of "Pastor Hall," which is scheduled to open Warner's Aldine here Aug. 22.

Mrs. Roosevelt contributed the prologue to the film, which is owned by her husband, Franklin Roose-
velt, and is being released by United Artists. Roosevelt is scheduled to make a personal appearance at the premiere of his film.

The union, through A. Rex Richards, executive secretary, informed the President's wife that no musicians are working in Warner houses here and that the circuit has been involved in a dispute with the union for the last nine months.

The union offered, however, to withdraw its picket lines from the theatre on the night of the opening should Mrs. Roosevelt decide to be present.

Gordon White in New Publicity Company

Gordon S. White, for many years advertising and publicity director of Educational, and later of Grand National, and Luther Bros. and associates have formed the Bell-White Organization, to conduct a general publicity and public relations service. White will continue to handle advertising and publicity for Terry-Toons.

Conn. Allied to Meet

NEW HAVEN, Aug. 11.—Allied Theatre Owners of Connecticut will meet Tuesday at the Hofbrau Haus, with A. M. Schuman presiding.
HAS BEEN RUNNING SINCE
8 A. M. FRIDAY AT THE STRAND, N. Y.
AND PROVING EVERY MINUTE THAT
IT IS BEYOND ALL DOUBT 1940'S
BIGGEST WARNER BROS.

Smash!
NO EXHIBITOR CAN HONESTLY DO
MEASURES THIS TICKET SELLING FOR

"Bound to beckon cash customers...one prolonged
laugh."
—Neil Rau, Los Angeles Examiner

"Marvelous. Swell picture. I laughed my head off.
My wife loved it too."
—Bernhard Thompson, Bell Syndicate

"Sure-fire comedy, top honors to co-stars."
—Ralph Jordan, International News Service

"Tops 'Ninotchka.' Kind of stuff public wants.
Should prove a box-office riot."
—Virginia Write, Drama Editor, The News

"Keyed to the times. Kind of laughter Americans
are still privileged to enjoy."
—Bettina Bedwell, New York News

"Columbia's enviable reputation for bell-ringing
comedies furthered and substantially enhanced."
—Ivan Spear, Box Office

"Will entertain every type audience. The shot in the
arm which the nation's box offices are demanding."
—Hoyt McAfee, Charlotte Observer

"Columbia has what it takes to make coins jingle
at the boxoffice."
—Evans Plummer, Movie and Radio Guide

"It's what the movies need and the public wants in
way of entertainment."
—Marian Rhea, Photoplay

"'He Stayed for Breakfast' emerges as one of the
season's brightest comedies. Preview audience
undoubtedly still chuckling."
—Warren Stokes, J. Emanuel Publications

GREAT
TITLE+

GREAT
PERFORMANCE

= GREAT
PICTURE
"A rival of the recent and well remembered 'Ninotchka'. Its hilarities immense. Brought down the house."
—Edwin Schallert, Los Angeles Times

"Whole thing is a swell idea."
—Tom Petty, PM

"At solving problem of what makes the public laugh, Columbia seems to have fathomed correct answer. Studio has another gleeful hit."
—Harry Mines, The News

"...gales of laughter."
—Harrison Carroll, King Features

"Columbia discovered a recipe book for film fare."
—Ted Magee, Picture Play

"Kidding propaganda is probably more effective than serious attack."
—Ernest Foster, United Press

IGHT BY HIS THEATRE UNTIL HECE AS PROVED BY THESE RAVES!

LORETTA YOUNG and MELVYN DOUGLAS
He Stayed For Breakfast

with
ALAN MARSHAL · Eugene Pallette · Una O’Connor
Based upon Sidney Howard’s adaptation of the French play “Liberte! Provisoire!” by Michel Duran
Screen play by P. J. Wollman, Michael Perskie, Ernest Vajda
Produced by R. P. Schulberg
Directed by ALEXANDER HALL
MOTION PICTURE DAILY

Monday, August 12, 1940

U. S. Will 'Get Pact Changes On Wednesday

(Continued from page 1)

among certain leading figures in the trade to release the possibility that the Government will resurvey the entire industry and the pending antitrust suits against the major companies because of the tremendous foreign losses and the possibility that England may bar all export of current exchange.

These authorities state that this question has been discussed in Washington. Robert Jackson and Arnold, and that both have emphasized their desire not to have names and without a basic fee for the foreign upheaval, if at all possible.

There is a feeling about the trade that projections are over, that if the foreign situation becomes worse than it is already, and the tests suits to be disposed of, and that the basic operations of the industry were considerably altered or some department of the trade to result, that the companies would not be able to stand the strain and chaos might occur.

MPTOA Will Act
At 'Right Time'

(Continued from page 1)

vague and far from complete or official and may be changed completely because of so much discussion among distributors themselves, as well as general exhibit interests. Any decision at this time on the part of exhibitors would be premature and without a basic fee sound reasoning which is so essential in a matter of such importance.

"M.P.T.O.A. will be very much heard from at the proper time."

Film Machines Will
Have Woes in Ohio

COLUMBUS, Aug. 11.—The path will not be smooth for the 10mm, nickel-in-the-slot film machines to be installed in Ohio. It has been established that the machines will be subject to the same censor requirements as theatrical films, with an inspection fee of $3 a reel.

There is also agitation among operators' locals to demand jurisdiction of operating the machines, with a similar fee being charged for the devices. A weekly wage of $100 has been suggested.

Also, a recent Columbus ordinance makes any place of assembly subject to certain requirements hereafter applicable to theaters and auditoriums, and includes restaurants, cafes and other places where the machines are to be installed. P. J. Wood, secretary of the L.T.O., claims that ordinance is voided with passage of this ordinance.

Beery in 'Get a Horse'

HOLLYWOOD, Aug. 11.—Wallace Beery's new M-G-M vehicle will be "Get a Horse," story of the early days of the automobile industry by Herman Mankiewicz and Albert Shely Levine.

"He Stayed for Breakfast"

[Continued from page 1]

and Alan Marshal, as Miss Young's husband and lover, respectively, are vulnerable and delightful. Una O'Connor, supporting performance in the cook and her rendition of the scene where she turns Communist under the blandishments of Douglas and brandy is one of the funniest in a film studied with laughs.

Set in pre-war France, this is a tale of marital life as Gallic wife sees it. Miss Young, as a banker's wife living separately from him, finds in Marshal an interesting, if not all-consuming, affair. With both Pallette trying to win her back and Marshal urging her to divorce her husband, Douglas bursts into the already complicated triangle as a fugitive from the police. Having taken a pot shot at Pallette in a restaurant, Douglas decides to stay in Miss Young's home to evade the gendarmes. Indeed, he stays for breakfast and a great many meals besides, and while indulging in the festive board urges the cook to strike. It is when the Party calls upon him to betray Miss Young that Douglas discovers that the world is a war between the sexes and not the classes. With her (after a few lines of dialogue to explain that she is about to be divorced) he sets off for America to become a lobster fisherman and vote for Roosevelt.

Enough has been said to indicate that this is not a picture for children.

Edward Greif

Running time, 85 minutes. "A.**" [*A* denotes adult classification.

Feature Review

"The Return of Frank James"

(20th Century-Fox)

ALL the elements that made "Jesse James" popular entertainment and a box-office draw are re-assembled to produce the same result in "The Return of Frank James." Henry Fonda is excellent in the title role.

In the nature of a sequel to the 1939 release, this is the action-packed, humor-laden and pathos-leavened story of the avenging of Jesse James's murder by his brother, Frank. The picture is in color, and the outdoor shots in this medium are not the least of the film's assets.

Sam Hellman's story overlooks none of the tried and tested elements of this type of entertainment. Frank James emerges from retirement to mete out his own brand of punishment to his brother's killers, who have been pardoned after conviction by a jury.

A station agent is accidentally shot and killed when Fonda and his nephew, Jackie Cooper, are stopped by a railroad agent. In Denver, they catch up with their quarry and eliminate one of the two. Frank relocates the hunt for the second murderer when he learns that his colored servant has been convicted of complicity in the shooting of the station agent, and returns to Missouri to save the victim from hanging. In a court scene packed with as much humor as drama, Frank is acquitted. John Carradine, the escaped murderer of Jesse James, and Cooper, are fatally wounded in an exchange of shots outside the courtroom, to which Carradine had made his way believing Frank would be convicted and hanged.

For romance, there is Gene Tierney who, as a reporter, meets Fonda and later covers the story of his trial. Henry Hull, as a small town newspaper publisher and Fonda's attorney at his trial, contributes a rich characterization. George Barbier is excellent as the trial judge, as are most of the others in support, among them J. Edward Bromberg, Donald Meek, Russell Hils, Victor Kilian, and Edward McAuley. Fritz Lang directed.

Running time, 92 minutes. "G." [G* denotes general classification.

Schine Picnic Aug. 20

ROCHESTER, Aug. 11.—Second annual picnic of Schine Theatre employees will be held Aug. 20, a lakeside resort spot. Wallace Folkins, manager of the State, is general chairman, with Bob Meagher, advertising manager, handling the publicity.

Paul Associate Producer

HOLLYWOOD, Aug. 11.—Vanguard Paul, Universal assistant director, has been promoted to associate producer, fol lowing a long period of affiliation with the Or ders. This is the second time that an honor has been conferred on Farrrow by his Holness.

"Boom Town" Test Runs Big
At High Scale

(Continued from page 1)

apolois, grosses $18,285 for the day. Attendance was 8,400 persons. Prices were advanced to 35 cents mat tices and 40 cents balcony and 54 cents downstairs at night.

Los Angeles: The film opened Wednesday and Thursday at Loew's State and Grosses for the opening day's grosses were $4,390 at the State and $3,367 at the Chinese, both big.

Harrison: Attendance on the opening day, Thursday at the Regent Theatre was greater than for the opening of "Test Pilot," also featuring Gallo and Tracy. Although the latter picture showed at no price ad vance. "Boom Town" prices are 35 cents mat tices and 40 and 60 cents at night. "Test Pilot" showed at 25 and 40 cents. Manager William H. Elder said the Thursday and Friday matinees and Big. The film may go a second week here.

New Orleans: Hundreds were lined up at Loew's State Friday an hour before opening time at 10:45 A. M. and a steady line remained throughout the day. Opening day crowds were said to be the largest since "San Francisco." The S. R. O. was out all day despite a price advance from 25 cents to 30 cents, with 6 P. M. and from 41 cents to 52 cents at night. A late Friday night show checked the 3,700-seat house, was full up to the last show, with strong standing.

Cincinnati: The RKO Capitol was reported to have had a "terrific" opening Friday, with the biggest attendance since "Gone With The Wind." First day's gross was estimated at $10,000, and it is expected to hold for a near record week. Prices were advanced to 40 cents matinées and 60 cents nights, including taxes.

Canada War Shows Collected $716,104

(Continued from page 1)

$73, while the average sale of war savings stamps for each seat on the one night was $5. The total attendance was 506,000.

Theatres in Canada are expected to accept an offer by Toronto-born Mary Pickford for personal appearances of British personalities in Hollywood for the benefit of the Red Cross. The offer was made by Col. L. Nathanson, president of Famous Players, who was chairman of the Win the War Committee, and Col. John A. Cooper, president of the Ontario Red Cross and head of the Motion Picture Distributors of Canada.

Pius XII Honors Farrow

TORONTO, Aug. 11.—Lient. John Farrow, formerly Hollywood director and for months press agent for the Pope, has received the Grand Cross of the Order of the Holy Sepulchre from Pope Pius XII, a gift of $200 to the Order. This is the second time that an honor has been conferred on Farrrow by his Holiness.
Announcing the twenty-fifth anniversary edition of

MOTION PICTURE HERALD
The twenty-fifth year of the modern screen and MARTIN QUIGLEY in its journalistic service
That year of 1915 when Martin Quigley came into the world of the screen, was like this 1940 of the twenty-fifth anniversary, a year of great problems, too, for the motion picture. It was a war year, first year of the war that now again tears at civilization—a civilization the screen has helped to make, and which it now helps to defend.

Now, too, the motion picture must consider well its own defense in days when it is on trial, both before the public as an art and before social and political authority as an industry.

Fortuitously, the custodians, great and small, so called to accounting, may now find both occasion and voice in the medium, accepted and authoritative, built through the years of approved service and as part of the industry.

This year of 1940 is a time of taking inventory and gathering new courage for the years to come. It is to be given significant expression, with reaffirmations of faith, in the twenty-fifth anniversary edition of Martin Quigley’s Motion Picture Herald, under date of Sept. 14, 1940.
1915        1940

No other institution of the motion picture has survived so long, or so continuously grown, under a single administration and with a single basic policy—service.
W. B. to Employ Ross Federal Checkers

Warners has signed a contract with Ross Federal Service under which that firm will resume the Warner checking work. Ross has been purchasing the checking work for Warners since it was purchased by the Rocky Mountain Screen Club, Colorado newspapers and business and civic organizations. Many of those identified with the production will attend.

Ban on Street Signs Urged in Pittsburgh

PITTSBURGH, Aug. 11.—Theatres here face the possibility of discarding marquee, street display and billboard ballyhoo, if proposals urged on city and state officials by civic organizations are accepted.

One of the proposals, which would materially alter promotion methods, is the request of the Chamber of Commerce that the City Council ban overhanging signs and other displays extending into or over the streets in the Golden Triangle, downtown business section.

Anticipating a storm of protest, the council has tabled the measure with the comment that "signs bring $30,000 a year into the city treasury."

Poster panels are already outlawed on the new Pittsburgh-Harri sburg "Dream Highway," to be opened in September. This affect the downtown theatres, most of which use billboards.

'Kit Carson' Opening In Denver Aug. 26

"Kit Carson," latest Edward Small production for United Artists, will open in Denver Aug. 26 and will have its world premiere at the Denver and Paramount, Denver, on Aug. 26.

The production is being released by the Rocky Mountain Screen Club, Colorado newspapers and business and civic organizations. Many of those identified with the production will attend.

BML Sets Royalties To Start on Jan. 1

Broadcast Music, Inc. has announced that composers would be paid from their performances on the air per station under a plan which will go into effect Jan. 1. The statement claims that composers will earn 1 cent per performance, and as contrasted with ASCAP where several years must expire before any payments can be received by a new song writer.
"Boom Town" is off to a terrific start. Advanced price engagements tremendous everywhere.

"Pride and Prejudice" opening day at Radio City Music Hall biggest gross of entire summer and tops every M.G.M hit, even Thanksgiving and Holiday Attractions, that played there!

"I Love You Again" biz sensational! It's the funniest William Powell Myrna Loy comedy ever made!

"Andy Hardy Meets Debutante" and "New Moon" packing 'em in!

It's a typical M.G.M Summer!
U. S. May Yield to Kent And Balaban on Decree

Loew's to Hold Jobs for Men Called to Arms

Employees of Loew's, Inc., who leave their jobs to enter the military service of the United States will be welcomed back to the company when their military service ends, Nicholas M. Schenck, president, has declared in a letter to an employee.

H. Russell Gaus, salesman in Oklahoma City, who holds a commission in the Officers Reserve Corps, had written to Thomas J. Connors, Eastern sales manager, relative to his status if he should be called.

Government Reported Ready to Risk Chance With Independent Exhibitors to Save Peace Pact with the 'Big 5'

Reports reaching New York last night from Washington are that the Government is hesitating about risking a total collapse of its peace negotiations with the "Big 5" and rather than have the settlement proposals blow up completely, is ready to consider a compromise with 20th Century-Fox and Paramount, and "take its chances" with the independent exhibitors.

At the same time, these reports indicate, work has been begun by officials in contacting the hold-out companies such as Universal, Columbia and United Artists to sound their positions in the event the Government accepts the ultimatum from 20th Century-Fox and Paramount, which spokesmen assert, the Government is likely to do.

Spokesmen unofficially assert that acceptance of the alternative peace proposals which will be submitted on behalf of 20th Century-Fox and Paramount through Sidney R. Kent and Barney Balaban, will not alter the adamant stand against a consent decree by the three hold-out companies.

Still another problem to be considered in the alternative situation, according to spokesmen, is the probable position of Republic and Monogram, whose inclusion under the pact at the end of nine months following the effective date of the decree is to be insisted upon by 20th Century-Fox and

U. A. Will Go to Law On Triples: Silverstone

By SHERWIN A. KANE

United Artists will use every "legal means" to prevent its pictures from being used on triple feature programs, although company officials see no practical means of curtailing duals at this time, Maurice Silverstone, chief executive of the company, said yesterday following his return to New York from two weeks of conferences with the company's producers in Hollywood.

Silverstone described the practice of triple featuring as "too wise" for these times—for the distributor who believes he will have fewer pictures for release this season than ever before, and for the exhibitor who believes he has a product shortage confronting him unless "wasteful" exhibition policies are corrected. He expressed the belief, however, that duals cannot be curbed now; that there is too much support for them by the public, as evidenced by the Gallup Poll which, Silverstone said, revealed too close a balance between those favoring and those opposing duals.

Silverstone indicated that steps may be taken to prevent the showing of Charles Chaplin's "The Great Dictator" on dual bills. Sales policy for the Chaplin picture will be determined within the next week or

Kuykendall Scores 5-Unit Sales Plan

The block-of-five selling and trade showing provisions of the proposed consent decree are scored as impractical for exhibitors and likely to establish a "seller's market" in a bulletin sent to exhibitors yesterday by Ed Kuykendall, M.P.T.O.A. president.

The proposal is termed "compulsory block booking with a vengeance, but in smaller blocks."

The bulletin also terms it "unfortunate" that the decree is being negotiated by lawyers in "secret conferences" with no consideration given to exhibitors' views.

The trade showing provision of the decree, the bulletin asserts, appears to

Skouras to Tour Circuit Divisions

Spyros Skouras, head of National Theatres, will leave next weekend for a tour of division offices, during which he will attend managers' meetings and present prizes in the Skouras Showmanship campaign, which was concluded in July. Skouras will visit Milwaukee, Kansas City, Denver, Seattle and Los Angeles, and spend some time on the Coast.

B'way Grosses Rebound Strongly

Broadway box-oftes rebounded to high levels over the weekend with three new films establishing themselves as top notch draws. "Pride and Prejudice" with a stage show at the Music Hall grossed an estimated $63,000 for its first four days. At the Strand, "The Sea Hawk" with Phil Silvester's orchestra, drew an estimated $20,000 for three days while at
Personal Mention

HERMAN WOBBER, general manager of distribution for 20th Century-Fox, has returned from the Coast.

WALTER WANGER and Joan Bennett returned to New York yesterday from a weekend at Saratoga.

AL MARGOLIES, United Artists publicist, will return today from Fire Island.

LEON NEFFER of the Paramount home office theatre department returned yesterday from a Southern business trip.

S. A. LYNCH of Miami is in New York for Paramount home office conferences.

LARRY GOODNIGHT, Eastern story editor for Universal, is at the studios for a week.

BEN RINGOLD, St. Louis branch manager for 20th Century-Fox, has returned from New York.

ROBERT RYDER of the advertising staff,San Francisco & Marco, St. Louis, last week was married to MARGARET BISHOP.

JOSEPH J. ROSENFIELD, city manager of Evergreen Theatres, Spokane, has resigned to take a new position in Los Angeles.

JACK SIMON, manager of the Poli, Hartford, will go to his home in Pittsburgh for a vacation this week.

LARRY GRAVES, Warner Theatre district manager in Philadelphia, is confined to Lankenau Hospital with a kidney ailment.

MARTIN BECK, George JESSEL, STANTON GRIFFIS, BARNABY BALKAN, Raymond WOODSON, CHARLES E. MCCARTHY, MORT SPINDE, JIMMY SAVO, TAYLOR HOLLIN, DONNIE KING, OTTO PREMINGER, BERNARD SOROL, BEN WASHBURNE, SAM SHAIN, MARIAN BALDWIN, PHYLLIS DIXON, NATHALIE SCHAFER, BEN BOYAR and SIDNEY PHILLIPS at Sardi's for lunch yesterday.

Robert J. O'DONNELL, executive of Interstate Circuit, Dallas, is in town.

JACK LEVEN, RKO Pathe contact man, is on active duty for a month in the press liaison office at the Universal Army maneuvers at Ogdensburg, N. Y.

IRVING BERLIN, J. J. MILSTEIN, HARRY BRANDT, HARRY BERNSTEIN, DAVE RUBINOFF and Lester SANTRY at Brillo's (next the Rivoli) for lunch yesterday.

WALTER FUTTER, SAM CITRON, ARTHUR LEW, WILLIAM FITZEL, JEFFRY BERNEY, BENJAMON JACOBSON, RUDY WEISS, CHARLES PAINE, DOUGLAS ROTHACKER at the Tavern for lunch yesterday.

NATE SPINDEL, ADE SCHNEIDER, RUBY JACOBSTEIN, MAURICE SILVERSTONE, EMANUEL SILVERSTONE, HARRY GOLD at Lindy's (51st St) for lunch yesterday.

WALLACE BENNIN, M-G-M salesman in Chicago, is the father of a son, born to Mrs. BENNIN last week.

FRANK BICKERSTAFF, manager of the Georgia Theatre, Athens, Ga., and MRS. BICKERSTAFF were N. Y. visitors last week.

MRS. PETER DEFAZIO, wife of the New Haven Warner salesman, is recuperating in New Haven Hospital from an operation.

A. G. STRUCK, exhibitor of Mason City, Ia., is the father of a girl, born last week to Mrs. STRUCK.

A. GLENN ROGERS, manager of the Regent, Geneva, N. Y., has resigned to enter the insurance business.

E. C. GAINER, RALPH AUSTIN, JOHN W. HICKS, JR., WILLIAM F. RODGERS, EDWARD SAUNDERS, RUSSELL HOLMAN, MAX DREYFUSS, LOUIS DENTON, WILLIAM O'NEIL, HARRY BUXBAUM, MOEBIUS KINZER and TED O'SEIA at Nick's Hunting Room at the Astor for lunch yesterday.

Late News Flashses from the Coast

HOLLYWOOD, Aug. 12.—Unique in a field where 10 per cent talent representation deals are typical, a suit is on file in Superior Court at Los Angeles in which Francis D. Adams of Chicago, representative of a contract allegedly entered into by Tyrone Power in February, 1939, whereby the actor would pay him 25 per cent of his income for the next seven years. The complaint says Power paid Adams about $30,000 under the agreement but repudiated it last month. The suit sets forth that Power's earnings would amount to $1,000,000 at the present rate.

W. Ray Johnston, president of Monogram, will leave Wednesday by plane for New York to attend the company's quarterly board meeting Friday. Scott R. Dunlap, vice-president and production head, and TREM CARR will leave tomorrow for the meeting.

The NBC Blue network on Friday will carry a half-hour show with Bing Crosby, Mary Martin and Lillian Correya Company in Paramount's "Rhythm on the River" from Del Mar Turi Club, where the network will give 300 newspapermen a preview of the film. William LeBaron and PETER O'Brien will also participate, with Ken Carpenter as master of ceremonies.

At Daff, Universal general manager in Far East, arrived today from Bombay for conferences with Nate Blumberg, Universal president.

Cuba Rejects U.S.
Film Law Protest

The protest of American distributors against enforcement of the Cuban embargo on the sale of uncut and censored films was rejected by the Government at Havana over the weekend, according to publicity released here by the Government. However, that the way had been left open for further consideration of the American companies' objections by the proper Cuban authorities designated by the Government to confer with distributors on their objections and to report back to the proper Governmental department.

Home office departments said there had received no notification that the protest had been rejected but, nevertheless, assumed the news dispatches to be authentic. It was also held that the reasons why notification might not have been made to New York was that Arthur Prachtich, Latin-American manager of the New York branch, "had made the formal protest to the Cuban Government on behalf of the industry, is now aboard ship and, with other industry representatives in Cuba may not have been notified of the action in his absence.

McCormick Returns From Studio Parleys

Campaigns on the first of RKO's new season products were mapped by S. Barrett McCormick, advertising and publicity director, during a three weeks’ stay at the studios. McCormick arrived in New York from the Coast by plane yesterday.

"Our partners," Ronald Colman-Ginger Rogers vehicle, leads the new release list with a Labor Day weekend date at Radio City Music Hall, "Three Cheers," "They're Not What They Wanted," with CAROLE Lombard and CHARLES LAUGHTON, and two musicals, "Many Girls, Many Boys," and "Dance, Girl, Dance," all of which are completed.

Funeral Held for
Amelia Rubens, 97

CHICAGO, Aug. 12.—The funeral of MRS. AMELIA RUBENS, 97, mother of J. J. Maurice M. and Claude B. of the B. & K. Great States Circuit, was held here today. Virtually all film executives, and the entire executive staff of B. & K. attended the services.

Korda Writes Original

HOLLYWOOD, Aug. 12.—Alexander Korda has written a screen-play for his wife, Merle Oberon, who will star in the film, to be titled "I Have Been Here Before."
LOS ANGELES is a "BOOM TOWN"
252% of normal business, two theatres, day and date

INDIANAPOLIS is a "BOOM TOWN"
345% of normal business

NEW ORLEANS is a "BOOM TOWN"
310% of normal business

HARRISBURG is a "BOOM TOWN"
258% of normal business

READING is a "BOOM TOWN"
232% of normal business

TULSA is a "BOOM TOWN"
239% of normal business

ATLANTIC CITY is a "BOOM TOWN"
431% of normal business

CINCINNATI is a "BOOM TOWN"
453% of normal business

"BOOM TOWN" AT ADVANCED PRICES IS SENSATIONAL!

(As usual when the industry moves forward M-G-M leads the parade)
Loew's to Hold Jobs for Men Called to Arms

(Continued from page 1)
for a 12-month training period. "Naturally, we are going to give our utmost cooperation to both our employees and our country," Mr. Bach wrote. "What to do about the hundreds, perhaps thousands, of our employees who are called for various services of our country, has been given much thought here; it presents a problem both for the industries and for our employes. "Should you be called for service, as you feel you will be, you may take this as your assurance that you will be welcomed back to our organization when you have completed your military service.

Spokesmen for all other major companies expressed the conviction yesterday that positions would be held open for employes called to military service, for a year of military training under the selective service bill made before Congress.

In most instances, it was stated that the subject has not come up for discussion yet but there was no reason to believe that we are doing anything other than the anticipated one will be taken. Some company spokesmen expressed the belief that the law, in any event, will carry some such safeguard for drafted employes.

Maurice Silverstone, United Artists chief, has said his is the only decent thing to do. We held jobs open for our employes in France who went into service and we are doing the same for our employes in England. We certainly would do no less for our own.

Wanger to Start

Tour This Week

Walter Wanger will open his national "personal appearance" tour this week on the radio. He is on the "We, the People" program tonight; the "Ellery Queen" program, Aug. 18, and the show "Initation Please" program Aug. 20.

Wanger will be in New York until Sept. 2, when he will begin his national speaking tour, covering the East first, then the Midwest and winding up on the Coast. His new production, "Foreign Correspondent," will be previewed at the Rivoli, Aug. 27, and will begin an indefinite run there the following day.

Broadway Grosses

Rebound Strongly

(Continued from page 1)
the Roxy, "The Return of Frank James" with a stage show was good for an estimated $20,000. All will be held open.

"Boys from Syracuse" with Xavier Cugat's band drew an estimated $15,000 over the weekend and should finish its second week at the Paramount tonight with an estimated $35,000. "The Great McGinty" opens there to-morrow; "Private Camp" drew an estimated $4,700 at the Rialto and was followed by "South to Karanga."
RKO Buys 2 New Stories; Metro Starting 4 Big Films

HOLLYWOOD, Aug. 12—RKO has purchased two stories, one a comedy and the other a western. The first is "The Father Takes a Wife," by Dorothy and Herbert Fields, for which the latter will do the screenplay. Arthur T. Horman sold his western, "Straight and Narrow," to be used as the third of the Tom Holt western series. M-G-M will start four big pictures within three weeks. They are "Go West," Marx Brothers musical; "Flight Command," Robert Taylor vehicle to be directed by Frank Borzage; "Come Live With Me," starring James Stewart and Hayden Roraback, to be directed by Clarence Brown; "Ziegfeld Girl," to be produced by Pandro S. Berman.

Final title on Lindsley Parsons' production starring Frankie Darro at Monogram has been set as "Up in the Air." "Sky Murder" is the title of the currently shooting Nick Carter picture at M-G-M. Everett Sloane becomes the eleventh Mercury Theatre actor to join the cast of Orson Welles' "Citizen Kane," at RKO. The title cards, before naming the actors, will group them as "The Mercury Players." Manfred Lee and Frederick Dannay, in addition to doing their Ellery Queen stories for Larry Dammons, will concoct a "Thin Man" story for M-G-M's William Powell and Myrna Loy.

New Disney Office

Hollywood, Aug. 12—Kay Kamen will open new headquarters, shortly for licensing the use of Walt Disney characters.

Kansas City Club Outing August 26

Kansas City, Aug. 12—All of the film industry and many of the public are expected to attend Variety Club’s big outing at Ivanhoe here Aug. 26, which will include a turtle race, golf tournament, picnic, and "days of '49" celebration.

The general committee in charge is made up of Charles Gregory, chairman; O. K. Mason, C. H. Shafter, Arthur Cole, Earl Jamison, Beverly Miller, Jerry Zigmund, Sam Abend and F. C. Henster. Other committees and their chairmen are: days of '49—Beverly Miller; sweepsstakes, Homer Blackwell; golf, Robert Withers; entertainment, Jerry Zigmund; turtle race, R. K. Bischke; picnic, Sam Abend, and attendance and publicity, Elmer C. Rhoden.
Feature Reviews

“Pier 13” (20th Century-Fox)

THERE is a pleasant surprise awaiting the spectators who open this little package of romantic repartee and action melodrama. In it, they will find all the elements which go to make up a fast-moving chase of an international jewel thief and the courtship of an Irish lass by an Irish cop.

Embattled with a witty dialogue, “Pier 13” never lags and although the plot is familiar, Eugene Forde, who directed, built up the turns of the plot so skillfully that the attention cannot wander.

Lloyd Nolan as the clever young police officer is assigned to track down Douglas Fowley who robs a precious jade figure from a jewelry store. Fowley, a former sweetheart of Joan Valerie, attempts to involve her in the burglary but fails. Meanwhile, Nolan who is hot on his trail, is courting Lynn Bari, Miss Valerie’s sister.

Fowley kills a policeman and is forced to hide out. He compels the sisters to assist him under threat of implicating Miss Valerie. The resulting conflict of loyalties and emotions are suitably resolved by the capture of the criminal and the exoneration of Miss Valerie.

Sol M. Wurtzel was executive producer. Stanley Raup and Clark Andrews wrote the screen play from a story by Barry Conners and Philip Klein.

Running time, 66 minutes. "G."* EDWARD GREIF

“Money and the Woman” (Warners)

Hollywood, Aug. 12.—A somewhat unusual story about the inner operations of a banking institution, wherein some adroit thieving occurs, is covered up, then exposed again, supplies chief interest in this vehicle for Jeffrey Lynn, Brian Donlevy, Marshall John L. and Lee Patrick. Process cues conversationally for the greater part of its footage, the action steps up to high-gear in a bank-robbery sequence near the close which is followed by street chase, gun battle and other ingredients of melodrama.


Jeffrey plays a bank vice-president who falls in love with the wife of a defaulting department head, aids her in covering up a shortage when he learns she plans divorcing her husband because he has stolen the money for another woman, then comes to suspect the girl of being in league with the thief. After numerous complications, explanations emerge and the ends of justice are served.

Running time, 65 minutes. "G."* RUSSELL WILLIAMS

“Earl of Puddlestone” (Republic)

Based on an original screenplay by Val Burton and Ewart Adamson, this, the latest in the “Higgins” series, continues with the interesting adventures of this typical American family. James, Lucille and Russell Gleason head the cast as three members of the family with Harry Davenport as “Grandpa,” and “Betty” and “Tommy Higgins” portrayed by Lois Ranson and Thomas Ryan, respectively.

The title of the picture is derived from the bogus honor placed on the head of the family by his enterprising father-in-law. The Higgins family bemoan their fate of not being wealthy and accepted in the upper strata of society. Grandpa, in an effort to win recognition for the family, hires an impostor to pose as an English barrister who brings the rights to the title of “Earl” and an English estate to the family upon the death of an uncle. Finally an expose by a jealous neighbor reveals the fraud.

Everything turns out for the best, with the family accepted in society.

Slight romance is supplied by Lois Ranson and William Brady. Eric Blore in his usual portrayal of the butler effectively enhances the humor.

Running time, 67 minutes. “G."* RKO SIGNS OHIO GROUP

Seeking Suit Examination

Application for an order to direct the examination before trial of the officers of 20th Century-Fox Film Corp. Pictorial Review Co., Inc., and Herbert Hoover, has been made by N. Y. Supreme Court by Mary Orr in connection with her suit for an injunction and $75,000 damages.

The suit involves use of a title of a story, “Battle of Broadway.”

‘Daltons’ High In L.A. Again; $9,600, $8,500

Los Angeles, Aug. 12.—“When the Daltons Rode” in the second week at the Hillstreet and the Pantages continued as the best box office attraction, between ‘$8,500, respectively, at the two theatres. ‘The Mortal Storm,’ with $5,400, in its fifth week at the Star, was also well above average. Other grosses were off.

Estimated takings for the week ending Aug. 9:

*G* denotes general classification.

‘Pogo Pago’ Draws $7,400, Omaha Best

Omaha, Aug. 12.—“South of Pago Pago” drew $7,400 at the Omaha. The Boys from Syracuse was good for $8,300 at the Orpheum. Estimated takings for the week ending Aug. 9:

*They Drive By Night” (W. B.)

“Pope Always Pays” (W. B.)

“South of Pago Pago” (U. A.)

“Private Affairs” (Univ.)

“Scoundrels” (Rep.)

“Orpheum” (W. B.)

Estimated takings for the week ending Aug. 9:

“Miss Lonelyhearts” (Rep.)

“Gone With the Wind” (M-G-M)

“Hillstreet” (2,000) (Rep.)

“Dent” (40c-55c)

“Sandy Is a Lady” (Univ.)

“Barbados” (W. B.)

“Barbados” (W. B.)

“Barbados” (W. B.)

Cooper’s Deal with Dent Falls Through

Lincoln, Aug. 12.—Extended negotiations between J. H. Cooper and L. D. Dent destined to eliminate their opposition interests here and in Oklahoma City. The projected deal would have given Cooper a half interest in and operation of “Rodeo” in Oklahoma City, in return for a half interest in and operation of “Cooper’s Nebraska” here for Dent. The negotiations had been in progress since the first of the year.
DRAMATIC lighting and unusual camera angles are only partly responsible for the startling beauty of modern screen productions. It takes Eastman negative films to do full justice to the cameraman's wizardry—to really complete the picture. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., Distributors
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Philadelphia Double Openings to Remain

Philadelphia, Aug. 12—Double openings for major features will become a standard on the downtown, first-run Warner theatres here. An innovation born with “The Sea Hawk” when simultaneous premières at the Boyd and Earle proved profitable, Warners had a twin opening for “I Love You Again” over the weekend at the Earle and Stanley. The circuit also arranged simultaneous premieres for “The Sea Hawk” at the Boyd and Earle.

Canadian Pioneers Form Maritime Unit

ST. JOHN'S, N. B., Aug. 12—Organized here by Sydney Taute, of Toronto, is a Maritime Provinces’ unit of the Canadian Picture Pioneers. The charter member group consists of Archie Mason, Springhill, N. S.; Fred M. Gregor, New Waterford, N. S.; Robert M. Hilder, Cape Breton, N. S.; W. H. Cumner, Sydney Mines, N. S.; Jack Butler, Moncton, N. B.; A. A. Fielding, F. G. Spooner, Halifax, N. S.; Jack ahll, editors; Reginald March, Abe Smith, Mitchell Bernstein, all of St. John, exchange managers. Others are among those in both classes who have been in the business for at least 25 years.

PCC Heads Attend Meeting in Seattle

Seattle, Aug. 12—Here to attend the quarterly meeting of the trustees of the Pacific Coast Conference of Independent Theatres owners were: Robert Poole, Los Angeles, executive secretary of the California board; Robert M. Hilder, executive secretary of the Oregon board; Ben Levin, San Francisco; Robert White, Portland; Wesley Johnson, Eugene; Rotus Harvey, San Francisco; Hugh Brown, Whittier, California; Jack Ber- man, Los Angeles.

Civic Theatre in Black

ST. LOUIS, Aug. 12.—The Municipal theatre, 10,000-seat outdoor theatre featuring musical comedies and light operas, was completed yesterday. The first half of the season with a gross of $251,000 for 49 performances is opened by the musical revue “It’s All Right.” This business is maintained, the civic enterprise will be in the black for the season. Scale is 25 cents to $3.50.

Bugie Joins Republic

CINCINNATI, Aug. 12.—Harry Bugie, formerly with Cooperative Theatres here, has joined Republic as salesman in the Columbus territory. He succeeds C. A. Lippman, who has joined Monogram as salesman in the same territory.

Off the Antenna

INDICATIONS are that the NBC policy of rejecting all business of manufacturers of lavatories will be relaxed or completely abandoned within the near future, according to a report received by the National Manual for Continuity Acceptance NBC rejects as unacceptable business “cathartics, including foods or beverages advertised for their value as cathartics; also products generally known and used exclusively as cathartics, even where cathartic regulations are not required.” NBC has never completely rejected all laxative sponsors, taking the position that those companies which had bought the time before enactment of the policy should be permitted to renew their contracts as long as they pay all monies due. New products were banned from the air while the older companies continued.

Actually, it is not considered likely that the relaxed policy, if adopted, will have much effect on the Red network, at least set is solidly booked. On the Blue, however, it should help to fill many gaps. Not yet officially confirmed, it has been reported that Lewis-Howe Co. has purchased time for NR networks.

Purely Personal: Just to prove his versatility, Bert LeBar, Jr., WHN sales director, who also broadcasts a sports program under the name of Bert LeBar, yesterday captained the team which won the masters’ championships of Ashbury Park. . . . John M. Cooper, who was news editor for WJBZ-WBZA, Boston, for the past six months, has been named director of publicity for KDKA, Pittsburgh. . . . Walter Wagner and Laraine Day will be guests on “It’s the People” on CBS tonight at 9. . . . With Bing Crosby on vacation, Bob Burns has taken over the “Kraft Music Hall Thursday nights over NBC-Red and will have as his guests this week, Fay Bainter, Dorothy Lamour, Roy Milland and Winifred Malone. . . . On vacation from WHN are Fred Raphael, Victor Borge, Allen Zee and Evelyn Williams.

National Association of Retail Meat Dealers at their annual convention in St. Paul adopted a resolution calling on the Institute of American Meat Packers to use radio in the current campaign to promote the use of meat and meat products.

WHN, which dropped the afternoon racing news programs with last minute scratches and final results several months ago, resumed the service yesterday. However, instead of Armstrong Publications as sponsor, the new sponsor is Old Gold cigarettes and baseball news is interspersed with track items.

Program News: “Strange As It Seems” celebrates its first anniversary on CBS on Aug. 22. Mondale, with regular sponsor of Mrs. Franklin D. Roosevelt’s talks, will sponsor Associated Press news periods Mondays through Fridays over WMAQ, Chicago. . . . Tony Wozniak will return to the air Oct. 13 in a series of three 15-minute programs weekly for Hall Broadcasting, Inc., over NBC-Red. “The Cop and the Kid” is a new children’s series, “Don Winslow of the Navy,” over WHN Mondays through Fridays at 6:15 P.M.

Frisco Fair Passes Attendance of 1939

SAN FRANCISCO, Aug. 12.—With two months remaining to the end of the fair, the San Francisco 1940 World’s Fair here past the 3,800,000 attendance mark, nearly 200,000 people having already attended on the same number of days. “The Aquacade,” “American Cavalcade” and “Folies Bergere” continue as the three most popular attractions, respectively.

Song Rights to BMI

Bell Music Co. has assigned performance rights to the new song, “American Americans,” to Broadcast Music, Inc.

Campobello Gets Theatre

ST. JOHN’S, N. B., Aug. 12.—Exasperated by wartime passport and currency regulations, a large number of residents of Campobello Island, where President Roosevelt and his brother, Mr. E. R. Black, have a summer home, gave up trying to patronize nearby Maine theatres and established their own on the island.

The island is only 100 yards off the Maine border town of Lubec and about two miles off Eastport, Me. The new and stringent passport regulations and the difficulty of getting United States money from the Canadian foreign exchange board for pleasure spending in the United States made it virtually impossible for the islanders to patronize theatres in the two nearby Maine communities. They converted a local hotel into a 300-seat theatre, fully equipped. It is drawing patronage, too, from Deer Island, a neighboring Canadian fishing and resort spot.

Reversal

SACRAMENTO, Cal., Aug. 12.—A reversal of the usual procedure of paying the Government, the State of Cal-

ifornia will continue to pay $15,000 each year for the next five years, at least. The state has renewed its lease on the second floor of the old Mill Building, purchased several years ago by Warners, which intended to build a theatre on the site. T. B. Wood has taken over the quarters at a monthly rental of $4,000.

Attendance Gains At Cincinnati Bingo

CINCINNATI, Aug. 12.—There were 24 fewer Bingo parties here in July than in June, although 19,530 more persons attended, according to figures released by the State Department of Public Welfare.

Total attendance was 261,453 at 208 parties. Gross amounts to $197,961.55, and prizes, $47,262.25, leaving net profit of $150,699.30 to sponsoring organizations. Average net cost per player was $7.50. At two games, merchandise instead of cash prizes was awarded.

Bingo Banned In Columbus Suburbs

COLUMBUS, Aug. 12.—Bingo in Franklin County night spots outside the city limits has been ordered banned by Judge Jacob Schumacher because, it is claimed, the “stakes” are becoming excessively high, thus bringing in gambling classifica-

tion, rather than an amusement project. It is not known whether or not the order will be permanent.

Twelve New Pictures Approved by Legion

The National Legion of Decency had released 12 new pictures reviewed and classified for the current week, nine for general patronage and three for adults. One was classed as “for adults” and one was condemned. The new films and their classification follow.


Class A-2 Unobjectionable for Adults—“Doomed to Die,” “I Love You Again,” “Sing, Dance, Plenty Hot,” “Unobjectionable in Part,” “Girl from Country God’s Class.”

Class C, Condemned—“Daybreak” (French).

Orders Ziehm Trial

N. Y. Supreme Court Justice J. Sidney Bernstein recently denied the application of Arthur Ziehm, Inc., for temporary injunction to restrain Leo Films, Inc., from distributing “Serenade” in the United States. The court ruled that there was a fair dispute as to whether the plaintiff or defendant had purchased the exclusive U. S. rights on the film, and ordered trial for Oct. 1.
Boom Town’ High Scale at 2,000 Theatres

Price Boost 25%, 33%, And 5¢ for Children

Two thousand leading theatres of the country will begin preparations today for the engagement of Metro’s ‘Boom Town’ in late this month at advanced admission prices, it was learned yesterday. The film stars Clark Gable, Spencer Tracy, Claudette Colbert and Hedy Lamarr.

Adult admissions will be increased 33 1/3 per cent at night and 25 per cent for matinee performances.

(Continued on page 3)

Coast Flashes

HOLLYWOOD, Aug. 13.—Herbert J. Yates, head of Consolidated Film Industries, is due here today from New York for a stay at the studio, during which it is expected that a Western division sales meeting will be held.

William A. Seally, Universal general sales manager, and Joseph Seidelman, general foreign manager, are scheduled to arrive here late this week from New York for a brief visit to the studio and conferences with Nate Blumberg, president.

John Sutton today was assigned the lead in “Hudson’s Bay,” 20th Century-Fox film, replacing Richard Greene, who has volunteered for service in the British Army and is subject to call.

The Screen Actors’ Guild today announced results of annual elections for the Class B Committee, in which 2,098 votes were cast. In a field of 52 candidates, Nellie Farrell led with 1,081 ballots, with Harry Mayp polling 980 and Jim Thorpe 954.

U.S. Gets Kent’s Decree Counter Proposals Today

‘Dictator’ Release Set About Sept. 15

Charles Chaplin’s “The Great Dictator” will be released by United Artists on or about Sept. 15, it was revealed at a board of directors meeting of the company yesterday by Maurice Silverstone, operating head of U.A. Silverstone reported on his recent trip to California. The business of the meeting otherwise was described by officials as “routine.”

Roosevelt May Pull ‘Pastor’ from Aldine

PHILADELPHIA, Aug. 13.—James Roosevelt may cancel the Aug. 22 premiere of “Pastor Hall” at the Warner Aldine here in view of the complaint made to Mrs. F. D. Roosevelt by the Philadelphia Musicians’ union that the circuit operating the house is involved in a labor dispute with the musicians.

A telegram was received today by A. Rexford Riccardi, secretary of the musicians’ local, from the Los Angeles musicians’ union, forwarding a request from Roosevelt as to which Philadelphia theatres, agreeable to the union, might be available for his picture.

In reply, the union suggested the Carman, Fay’s, Fox, Locus and Exchange. The first two are vaudeville houses outside the downtown area, while the latter two are occasionally used for legitimate productions.

Senate Quiz Seeks RCA Intermediary

WASHINGTON, Aug. 13.—Testimony at the Senate Interstate Commerce Committee, hearing on the reappointment of Thad H. Brown to the FCC today centered about charges that Albert Hislop, former mayor of Portsmouth, N. H., was an intermediary in negotiations between RCA and former Sen. George H. Moses in 1932 when RCA sought a postponement of the Government anti-trust suit.

Roger Whiteford, Washington attorney, admitted that he could not find any firm’s account book, three check stub books of the firm and his own personal check stub book for 1932. He also declared that he had paid or lost a check for $2,500 sent to Hislop in October, 1932. Whiteford explained, however, that he had made numerous loans to Hislop, a personal friend of his, and that the $2,500 check was one of these.

The committee ordered H. C. Maffie, Jr., clerk of the Wilmington Federal Court, where the action was pending, to submit full records of his own and his wife’s financial resources.

Allied Executive Committee Meeting Discusses Terms of Consent Decree

Washington, Aug. 13.—Allied States’ attitude on divestiture and the block-of-five sales proposal in relation to the tentative draft of the consent decree in the New York anti-trust were discussed here today at a meeting of Allied’s executive committee.

The all-day meeting ended with no comment by officials. It was indicated, however, that the pending negotiations on the proposed settlement were a major matter of consideration, in view of the fact that the position taken by 20th Century-Fox and Paramount were due to be received tomorrow by the Department of Justice.

Department officials indicated they would have nothing to say until a number of the problems involved had been definitely settled.

Changes Sought Include New Escape Clause And Discrimination Provision; Paramount Position Parallels 20th Century - Fox

By SAM SHAIN

Official rejection by 20th Century-Fox of the tentative consent decree proposals, together with Sidney R. Kent’s counter terms for peace, including a newly phrased escape clause, will be sent to the Government today. The Government, it is stated, already knows Paramount’s position and that it parallels the position taken by 20th Century-Fox. Paramount will not submit any written changes.

The board of directors of 20th Century - Fox, including Kent, president of the company, met today to discuss the terms which are to be submitted to the Government. Following that meeting, a statement was issued by the company:

“The board of directors of 20th Century-Fox today considered drafts of the more important sections of the proposed consent decree that were submitted to the Government anti-trust suit (U. S. vs. Paramount et al.). S. R. Kent, president of the company, stated that he expected that negotiations with the Government would continue, and that the company would have no public statement to make until the matter was finally disposed of, in one way or the other.

The assertion in the 20th Century-Fox statement that the negotiations (Continued on page 3)

Vogel Addresses Schine Managers

GLOVERSVILLE, N. Y., Aug. 13.—A-Mike Vogel, chairman of the Managers Round Table of Motion Picture Herald, making the principal address tonight at a district managers meeting of the Schine circuit here, stressed the importance of “fighting vigorously” for a share of the nation’s entertainment money.

Vogel also discussed methods of exploiting the new season’s product, pointing out the films having great promotions possibilities. He also spoke on the value of institutionalizing exploitation in making community contacts.
British Producer
Group to Disband
London, Aug. 13.—It is forecast in film circles here that the British Film Producers Association, organization which was formed recently from the former Films Group of the Federation of British Industries, will disband, as a result of loss of membership. The organization will operate only until December.

Ohio Houses Do Not Fear Coin Machines
COLUMBUS, O., Aug. 13.—Although some Ohio exhibitors look apprehensively on the potential competition which will accrue from the 16 mm. films to be shown in coin-operated machines, others are disposed to minimize the competitive effects. They reason that this type of picture will come within the category of supplemental entertainment, that the patron will watch the films primarily to dance and drink, and that the viewing of pictures will be merely incidental.

"It does not appear reasonable that the average person will patronize a place solely for the purpose of seeing a picture, but one is there for other reasons; they probably will have a look, the same as some patrons are inclined to listen occasionally to music dispensed from coin-operated devices stored in various establishments," commented one exhibitor spokesman. This sums up the opinion of many exhibitors interviewed.

WHAT A MAN!

"McGinty's no 'Ghost Breaker', he's a heart breaker!"

—PAULETTE GODDARD

"When it comes to the heart crusher sweeps... my bet is McGinty—win, place and show!"

—BING CROSBY

THE GREAT MCGINTY!

Personal Mention

JOSEPH H. MOSKOWITZ, Eastern studio representative for 20th Century-Fox, is expected back from the Coast at the end of the week.

LEO SPITZ leaves today for Saratoga.

John H. Harris, president of the Harris Amusement Co., Pittsburgh, commutes between that city and the Jersey coast, where his family is spending the summer, on his yacht, The Lagoon.

E. BRUCE JOHNSTON, president of General Register Corp., will leave for the Coast at the end of the week.

WILL WHITMORE, advertising supervisor for Erpi, will return to work this week after a long illness.

I. M. RAPPAPORT, owner of the Hippodrome, Baltimore, has returned from a vacation in Maine for the ninth anniversary week of his theatre.

ANNE CAVELLI, New Haven booker for Columbia, is spending a week at Gloucester, Mass.

NEIL WISELL, secretary to WALTER E. GREEN, president of National Theatre Supply Co., is back from a vacation in the mountains.

LILLIAN SANDERS has returned from her vacation.

NAT HOLT, RKO Theatres division manager, is visiting the home office.

OBERT WEITMAN, managing director of the Paramount, returns today from vacation for the opening of his theatre of "The Great McGinty" with Cab Calloway on the stage.

Among exhibitors visiting here are: MARYVICTOR, Mrs. C. B. Borden, Bishopville, S. C.; BEE RANGER, St. Louis Amusement Co., St. Louis; Mr. and Mrs. S. V. MAURER, Columbia; C. L. DAVID AND FAMILY, Shaw, Quincy, Fla., and BERNARD PAYNE, Mohawk, North Adams, Mass.

J. J. MILSTEIN, JACK GOETZ, L. J. SCHLAFER, IRVING BERLIN, HARRY GOLD, JAMES MULVEY at Lindy's (next to the Rivoli) for lunch yesterday.

MATTHEW J. MAX, TED CURTIS, STANFORD GRIFFS, ADOLPH ZUKOR, BARNEY BALABAN, LEON NEET, NELSON GODFREY, JEROME BERNSTEIN, LAUDY LAWRENCE, GEORGE JESSEL, SID SILVER, LEE SHUBERT, HARRY BRANTZ, DAVID LAURY, MERT SHWIN, MARTIN BECK, LOUIS PHILLIPS, TOBY GRUEN at Sardi's for lunch yesterday.

SOL EDWARDS, HARRY COSMAN, HARRY BUCKLEY, EMANUEL SILVERSTONE, IRVING SHAPIRO, ARTHUR GRUMMAN at Lily's (21st St.) for lunch yesterday.

JOSEPH J. UNGER, CHARLES E. McCARTHY, MAX COHEN, SAM SHAIN, MAURICE BERGAN, RUSSELL HOLLISTER, JOHN W. HILLS, B. W. WILLEY, HARRY KALMINE at Nick's Hunting Room at the Astor for lunch yesterday.

FRED MCDONNELL, SID WELL, HARRY THOMAS, BURR ROGERS, WILLIAM A. SCULLEY, BERT MAYER, FRANK McCARTHY, OSCAR DOB at the Tavern for lunch yesterday.

AL OBEREN, assistant manager at the Warner Uptown, Philadelphia, leaves for a week in Atlantic City tomorrow.

ANGELO LOMBARDA, warhorses New Haven booker, is vacationing at Atlantic City.

BOLLE EN ROUTE HERE
Otto W. Bolle, managing director for 20th Century-Fox in South Africa, is en route to New York by way of Brazil for conferences with office officials. He will arrive in September and remain until the end of the year. It is Bolle's first home office visit since having been appointed to the post at the time the company opened its own office in South Africa.

GRAETZ BACK FROM COAST
Paul Graetz has returned from Hollywood for conferences with counsel, Schwartz & Frohligh, relative to possible new production engagements forJulien Duvivier, French director, with whom Graetz is associated.

WRIGHT TO CALIFORNIA
Lloyd Wright, attorney for David Selznick, United Artists producer, left last night for California, after completing plans for the technical reorganization of Selznick-International.

Newsreel Parade

AMERICA'S defense program—high-lighted by President Roosevelt's inspection of naval defense on the elaborate maneuvers of regular and reserve of the Navy in New York State, gains a major share of the newsreel's attention. The contents of the new issues follow:

MOVIETONE NEWS, No. 87—film Roosevelt inspect naval defense at the elaborate maneuvers of regular and reserve of the Navy in New York State. New shio launched in New York. Tank trains in New York State.


J. E. OTERSON HEADS FILM MACHINE FIRM
John E. Oterson, former president of Erpi and Paramount, is president of the newly incorporated Talk-A-Video, Inc., a film machine company. Offices of the company are contemplated at 250 W. 57th St.

W.B. OUTING TOMORROW
NEW HAVEN, Aug. 13.—Warnerites of the theatre and film divisions will join for the annual Summer outing on Thursday at Ye Castle Inn, Saybrook, Connecticut, dinner, dancing and various outdoor sports are scheduled for the day. Francis Flood of the theatre department is chairman of the committees.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Manager, New York office: W. E. Quigley, Controller.
**Feature Review**

**“Oklahoma Renegades”** (Republic)

As a casus a minute is afforded action film fans in this latest of the "Three Mesquiteers" series, "Oklahoma Renegades." Fist fights, gun play and general free-for-all melees come thick and fast with a troop of Spanish American War veterans winding up the proceedings by out-fighting a group of cattlemen.

Robert Livingstone, Raymond Hatton and Duncan Renaldo, the Mesquiteers, come to terms with the disabled buddies in the Spanish American War and find themselves in Mexico and made available by the Government. The ranchers resist the invasion on fertile range lands but after a long series of battles peace is established. When the veterans lose their supplies, Lee "Lassles" White and Al Herman stage a lively minstrel show to earn new funds. Florine McKinney, as a ranch owner, supplies the fun.

Harry Grey produced and Nate Watt directed. The screenplay was written by Earle Snell and Doris Schroeder from an original by Charles Condon.

Running time, 57 minutes. G.*

EDWARD GREIFF

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**Booster Town’ High Scale at 2,000 Theatres**

(Continued from page 1)

Children’s vacations will be advanced five cents at all times. This increase is exclusive of tax.

Most of Paramount’s affiliated theatres, National Theatres (Fox Western), which were announced as already prepared for the advance price move. A total of 250 theatres had signified their intention of dating the film at the higher admissions before Metro’s current releases on the film, before the company wanted to determine the feasibility of the plan before deciding on a general policy. First complete outline of the plan was published in Motion Picture Daily July 18.

Raising of the scales to the extent noted, it is indicated that management officials, should make it possible for a gain of as much as $2,500,000 to $3,000,000 in the national gross of the film, with commensurate higher returns to the exhibitor.

**Rodgers Wires Exhibitors**

William F. Rodgers, Metro general sales manager, yesterday sent wires to leading exhibitors announcing the company’s decision to request advanced box-office scales on "Booster Town.”

The telegrams were sent following a meeting of Metro executives with Rodgers, including T. J. Comors, Eastern and Southern sales manager and Edward Sahlers, Western sales manager, after which the officials declared that the picture on its test engagements has proved its drawing power at higher scales, such as will be asked.

Metro’s action in asking exhibitors to raise the point is in line with the company’s original announcements with regard to this film, that if the test engagements prove the picture can draw at these higher prices, a general invitation would be issued by the company to all exhibitors to raise scales accordingly when they play "Booster Town.”

**No Rental Increase**

Metro is not asking for higher rentals. The film has already been seen by the exhibitors. The fact that exhibitors are already preparing to raise scales on the picture, although not yet booked, is considered by company officials as an indication of the widespread cooperation by the trade in the plan.

The Metro invitation for exhibitor cooperation is entirely unforthcoming of the kind in the business in that exhibitors are being asked to raise their scales. The fact that exhibitors are already prepared to raise scales on the picture, although not yet booked, is considered by company officials as an indication of the widespread cooperation by the trade in the plan.

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**‘Prejudice’ $8,000 Milwaukee Leader**

MILWAUKEE, Aug. 13—The week’s best grosser in a period of pleasant Summer weather was "Pride and Prejudice" with an $8,000 take at the Wisconsin. "They Drive By Night" and "Ladies Must Live" took $6,900.

Estimated takings for the week ending Aug. 6-8:

- **PALACE**—(2,000) (5c-10c-25c) 7 days, Gross: $4,000, (Average: $400)
- **RIVERSIDE**—(2,000) (5c-10c-25c) 7 days, Gross: $2,000, (Average: $200)
- **MADISON**—(2,000) (5c-10c-25c) 7 days, Gross: $2,000, (Average: $200)
- **STONE WHITE and the Seven Dwarfs** (RKO) STRAND—(1,400) (15c-35c-55c) 7 days, Gross: $1,700, (Average: $200)
- **They Drive By Night**—W. B. (25c-50c-75c) 7 days, Gross: $1,500, (Average: $150)
- **WISCONSIN**—(1,200) (10c-15c-25c) 7 days, Gross: $1,400, (Average: $150)

**RepUpic Deal in N.E.**

Boston, Aug. 13—Republic has closed with Interstate Theatres of New England, operating 28 houses in Massachusetts, New Hampshire and Vermont, for the new season line-up. James R. Grainger, president, and M. E. Morey represented Republic, and Edward E. Harding and Harold Stoneham acted for the circuit.

**Start Yiddish Film**

Production of “Three Daughters,” a third of a series of four Yiddish language features being produced by Matilda Seiden for Cinema Service, has begun at studios in Fallsfield, N. J.

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**U. S. to Get Kent’s Decree Changes Today**

(Continued from page 1)

with the motion of Justice, are expected to continue would indicate that the Department of Justice is expected to accept Kent’s proposals and that a settlement pact have been asked for.

Important counsel for one of the companies in the meantime have held conferences with non-subsidized companies, Universal, Columbia and United Artists, with a view to bringing, with the provisions considered coming in under the pact. However, it was stated by spokesmen for these hold-out companies that the chances of their coming in at this time are not favorable.

**New Proposed Section 9**

Following is the newly proposed escape clause, which is Section 9 of the tentative draft of the consent decree:

"At any time after June 1, 1942, upon the filing of an application under oath by any distributor defendant which has consented to the entry of this decree, with proof of service upon the other consenting defendants and the petitioner, stating that during the nine months’ period next preceding the filing of such application an aggregate of 25 or more feature motion pictures or a portion of such pictures (as used in this section shall not include westerns and features) have been licensed by one or more distributors of motion pictures for exhibition in a national exchange basis to an exhibitor or exhibitors other than in the theatres as specified in Sections 1 and 2 hereof (Trade Showings; Unit Selling in Blocks of Five), and setting forth the titles of at least one or more of such pictures, the name of the distributor of such pictures or distributors so licensing the same and the name of the exhibitor or exhibitors to whom they have been so licensed, the court shall forthwith enter an order relieving such consenting defendant of further compliance with the provisions of Sections 1 and 2 hereof, except with respect to agreements to continue in effect December 1, 1942, licensing feature motion pictures to be released prior to said date."

**Boston Outing Aug. 20**

Boston, Aug. 13—More than 400 members of Boston’s amusement industry turned out Aug. 20 at the Latin Quarter in West Falmouth, Mass., for their third annual outing. Arrangements for the all day celebration are being completed by a committee.
“TELL THE NATION! 'BOOM TOWN' ADVANCED PRICE POLICY WINS IN TRIUMPHANT TESTS!”
THE PUBLIC SETS "BOOM TOWN" POLICY!

M-G-M told theatre patrons that "BOOM TOWN" merited INCREASED admission prices!
WE used great care in SELECTING 9 test engagements FROM coast to coast (Los Angeles—2 theatres, Indianapolis, New Orleans, Harrisburg, Reading, Tulsa, Atlantic City, Cincinnati)
IN the first 3, 4 and 5 days "BOOM TOWN" total gross in these NINE engagements is SO overwhelming (see below) that THERE can be no question of PUBLIC acceptance of increase AS a nationwide policy!
THE results as we go to press:

"BOOM TOWN" BEATS

"Test Pilot" by $25,645
"San Francisco" by $27,779
"Boys Town" by $29,849
"Babes in Arms" by $36,065
"Northwest Passage" by $38,599
(In the same number of theatres for the same number of days)

NEED WE SAY MORE!
'Heaven' Hits Big $48,000, Loop Smash

CINCINNATI, Aug. 13.—"All This, and Heaven Too" scored a smashing $48,000 at the Chicago, with Gene Krupa's band on the stage. "I Was an Adventurer," playing with Sammy Kaye's band, drew a strong $19,000.

Estimated takings for the week ending Aug. 9:

Our Town (U. A.)
APOLLO—(1,400) (35c-$7.50) 7 days. Gross: $8,500. (Average: $1,214)

All This, and Heaven Too (W. B.)
CHICAGO—(4,000) (35c-$7.50) 5 days. Stage: Gene Krupa and Band. Gross: $28,000. (Average: $5,600)

Maryland (38th-Fox)
GARRICK—(700) (35c-$7.50) 7 days. Gross: $4,800. (Average: $685)

RKO FAMILY—(1,000) (35c-$7.50) 7 days. Gross: $10,000. (Average: $1,428)

RKO (38th-Fox)
ORIENTAL—(3,200) (35c-$7.50) 7 days. Stage: Sammy Kaye and Band. Gross: $19,000. (Average: $2,714)

RKO D-D Daley (U. A.)

Private Affairs (Univ.)
PALL—(2,800) (35c-$7.50) 7 days. Gross: $2,800. (Average: $400)

Sandra (Univ.)
ROOSEVELT—(1,500) (35c-$7.50) 7 days. Gross: $6,800. (Average: $1,200)

Westward (Univ.)
STATE-LAKE—(2,700) (35c-$6.00) 7 days. Gross: $14,200. (Average: $2,028)

"PRIDE AND PREJUDICE" (M-G-M)
UNITED ARTISTS—(1,700) (35c-$7.50) 7 days. Gross: $20,000. (Average: $2,857)

"GONE WITH THE WIND" (M-G-M)
WOODS—(1,500) (75c-$10.50-$13.50) 7 days, 28th week. Gross: $5,000.

Cincinnati's Heat Beaten by 'Pride'

CINCINNATI, Aug. 13.—Sporadic respite from the oppressive heat resulted in some improvement in grosses, although business still was below normal. "Pride and Prejudice" garnered $19,000 on the second week.

Estimated takings for the week ending Aug. 9:

"Pride and Prejudice" (M-G-M)
BROADWAY (2,700) (35c-$7.50) 7 days. Gross: $13,150. (Average: $1,878)

While the Beauties Are.testing Their Wings (M-G-M)
RKO PALACE—(2,700) (35c-$7.50) 7 days. Gross: $14,900. (Average: $2,128)

My Love Came Back (W. B.)
RKO PALACE—(2,700) (35c-$7.50) 7 days. Gross: $12,000. (Average: $1,714)

Haunted House (U. A.)
KETTLE—at 35c (35c-$7.50) 4 days. Gross: $2,500. (Average: $625)

Girl in 312 (20th-Fox)
COYER'S NIGHT (Univ.)
CHICAGO—(4,000) 3 days. Gross: $2,500. (Average: $833)

KETTLE—(3,000) (35c-$7.50) 7 days, 2nd week. Gross: $4,200. (Average: $600)

Shift Theatre Meeting Kansas City, Aug. 13.—The annual Fall convention of managers and partners of the Commonwealth Theatres, Inc. changed from Sept. 4 and 5 to Sept. 11 and 12. The meeting will be held at the Hotel President here.

Otto Kanturek Arrives

Otto Kanturek, cameraman on "Gestapo," which 20th Century-Fox will distribute here and in Canada under the title "Night Train," has arrived in England for a visit at the 20th Century-Fox home office.
Short Subject Reviews

“King of the Royal Mounted” (Republic)
Associate producer Hiram S. Brown, Jr., has launched a 12-episode serial serial with a novel with an original screenplay prepared by Frank Lytton, Norman S. Hall, and Joseph Poland. Barney A. Sarecky and Sol Lesser produced with William Wister Haines and John English, the cast is headed by Allan Lane, Robert Strange, Robert Kellard, Lila Conway, and Robert Rawlinson, Harry Cording, Bryant Washburn and Bud Buster.

An enemy country, which is unnamed, seeks a substance which can be used for magnetic mines to destroy the English fleet. The substance can be found only in Canada, and a spy is sent to obtain the supply. The Canadian Royal Northwest Mounted set out to capture the agent. With the real sponsor of the mission, a London newspaper, the story of the struggle between spies and the Mounties holds lots of excitement. Running time, first episode, 30 mins., subsequent episodes, 18 mins.

“Way Back When Razzberry Was a Fruit” (Fleischer-Paramount)
Fleischer has again depicted the goings-on in the age of the prehistoric man and the dinosaur. This series of “Stone Age” cartoons can provide considerable humor and this issue is up to par. Running time, 7 mins.

“Doing Impossible Stunts” (Fleischer-Paramount)
Popeye, looking for a screen contract, gets a casting director to look at some reels taken of himself in which he performs some daredevil stunts. However, when he sees into the projection room and switches the reels, as a result, Sweetpea and not Popeye gets the contract. Running time, 7 mins.

“Unusual Occupations L-6” (Paramount)
Six hobbies and odd occupations are included in this reel. On view are a kennel for nodding dogs; a man who sculpts in steel with the aid of an acetylene torch; the U.S. Treasury Department which reissues mutilated currency; a mine, radio-controlled battle fleet; a collection of odd timepieces; and the autogiro which drives a car over Coney Island and Philadelphia. Done in color, the reel should hold interest. Running time, 11 mins.

“Snubbed by a Snob” (Fleischer-Paramount)
Here is a color cartoon which should make good entertainment. It tells the story of Stan Happy, a friendly donkey, who is snubbed by a small colt. Later, Spanky saves the colt when the latter is menaced by a bull. Running time, 7 mins.

Off the Antenna

ROBERT A. SCHMID, Mutual's sales promotion manager, has prepared a promotional piece, “Air-arithmetic,” to explain the new, volume-discount plan of the network. Designed as a copy book with pegs attached, the layout explains how savings can be effected on both day and night time shows.

• • •

Purely Personal: James Roosevelt will be guest on “Information, Please” over NBC-Blue Tuesday, Aug. 27 at 8:30 P.M. Estelle Levy, now 16, has been found, according to “Fireside Report” on NBC’s “This Week” presented by Walter Cronkite. Mrs. Jack Levy of New York, and John English, the cast is headed by Allan Lane, Robert Strange, Robert Kellard, Lila Conway, and Robert Rawlinson, Harry Cording, Bryant Washburn and Bud Buster.

A novel type of program will be introduced by Ed Mayhoffer over WOR tomorrow at 8 P.M. in the guise of a variety show. Mayhoffer will imitate well-known or typical New Yorkers while acting as master of ceremonies. To start, Mayhoffer will imitate the famous George McCoy who broke almost every rule in radio when he did a sidewalk interview show over WHOM last season. Mayhoffer will interview McCaw at the end of the program.

Around the Country: New business at WTR, Troy, includes Ralston Purina, three quarter-hours weekly for 26 weeks; McMillen Pur, Co., five minutes, 26 weeks; B. B. B. (South) for renewal of five minutes daily, 13 weeks; J. M. Warren & Co. has renewed its present contract; and an extensive spot campaign by the Wallace Co., which operates a Schenectady department store.

A new business in the Schenectady area includes Bond Stores, Inc., 52 weeks for “Gene O’Haire” and “Sports Musical Clock”; D’Jimas Reliable Furs, 52 weeks of weather reports; International Salt Co., participation on “Market Basket” three weeks for 26 weeks, and Wheatena will sponsor the “Wheatena Playhouse” until March 28.

Program News: Bond Stores, Inc., will sponsor “Confidentially Yours” on WOR three weeks beginning September 4th. The show will be aired three weeks, 45 minutes in “John Gambling’s Musical Clock” and sponsorship of the Sunday Transradio news period. The three contracts are for 52 weeks.

“News of the War,” CBS sustaining, will be sponsored Tuesdays and Thursdays at 7 P.M. starting September 12 and Mondays, Wednesdays and Fridays, beginning Oct. 7 by Ludden’s dog show... “Johnny Get Your Wings;” a new program under U. S. Army auspices which will dramatize the adventures of a group of young aviators. It starts Monday over WMCA and will be heard Mondays, Wednesdays and Fridays at 7:30 P.M.

‘Drive’ at $11,000 Best in Cleveland
Cleveland, Aug. 13—“They Drive By Night” earned a second week at Warners’ Hippodrome by drawing $11,000. “All This, and Heaven Too,” in its fourth week at the Allen, attracted $4,500, the only other to do average or better.

Estimated takings for the week ending Aug. 7:

<table>
<thead>
<tr>
<th>Film</th>
<th>Taking</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Pride and Prejudice”</td>
<td>$12,500</td>
</tr>
<tr>
<td>“We Are Young” (M-G-M)</td>
<td>$11,000</td>
</tr>
<tr>
<td>“Grand Ole Opry” (Rep.)</td>
<td>$3,220</td>
</tr>
<tr>
<td>“They Drive By Night” (W.B.)</td>
<td>$6,000</td>
</tr>
<tr>
<td>“We Are Young” (M-G-M)</td>
<td>$3,220</td>
</tr>
<tr>
<td>“The RANGER and The Lady” (Rep.)</td>
<td>$500</td>
</tr>
</tbody>
</table>

Sack, Hoffberg in Deal
Future distribution of Negro features distributed by Sack Amusement Enterprises, has been handled by New York, New Jersey and the Canadian territory by J. H. Hoffberg, following an agreement by Sack and Alfred N. Sack.

Sting Hasso En Route
Hollywood, Aug. 13—S. Hasso, Swedish film actress, is scheduled to arrive here Thursday, traveling on the President Cleveland via Japan. She is under contract to RKO.

To Vote on Sunday Films
Philadelphia, Aug. 13—Abington Township, adjoining this city, is assured the opportunity to vote in the November election on the question of Sunday films, now banned in the community. A petition signed by 1,243 residents was forwarded to the county commissioners.

Theatre Changes

Stanley Co. Renews Leases
WILMINGTON, Del., Aug. 13—The Stanley Co., Inc., subsidiary, has again signed 10-year leases for the Queen and Arcadia and plans a fall premiere of all Ever- green theatres in Wilmington, which has been closed for the past 18 months. A. J. Vanni, zone manager, has announced. Both theatres are scheduled to be reopened for the fall, when Arcadia is expected in the fall after a suitable policy has been selected. The restorations will be handled by the Tinker-Ginis Theatre Co., owners of the houses, become effective tomorrow. The Stanley Co. also operates the New Yorker, Lorain, Aladdin, and Savoy here.

Evergreen Promotes Baker
SEATTLE, Aug. 13—Frank N. Newman, Sr., general manager of Ham- nick-Evergreen circuit, has appointed an assistant manager of all Ever- green theatres in Spokane, succeeding Joe Rosenfield, resigned. Baker was former city manager at Bellingham, where he will be succeeded by James Andrus.

Cincinnati Grand Opens Soon
CINCINNATI, Aug. 13—The new 1,500-seat RKO Grand, just completed to replace the Grand Opera House, a 70-year-old downtown landmark, will open Aug. 22, William T. Hastings, who has been in charge of the RKO Lyric, directly across the street, will start the Grand in operation. His successor has not been appointed.

St. Paul House Opens
ST. PAUL, Aug. 13—Newest addition to the Minnesota Amusement Co. circuit is the new Centre Theatre here, located at one of the main traffic arteries between St. Paul and Minneapolis. Opening night celebration was preceded by announcement of West- borough policy will prevail. George M. Aurelius is manager.

Plan Montgomery Theatre
MONTGOMERY, Ala., Aug. 13—A neighborhood theatre will be erected in the neighborhood of the business area at Cloverdale Road and Fair- view Avenue, and leased and operated by Alabama Theatres, Inc., headed by R. B. Willy.

Washington House Sub-Leased
WASHINGTON, Aug. 13—The Rex at Newport, Wash., has been subleased to Bennett & Son, who operate the Rex at Priest River, Idaho. The Rex formerly was operated by James Ewing, manager of the Spokane Orpheum.

Building Augusta House
AUGUSTA, Ga., Aug. 13—The Lakewide, with a seating capacity of 500, will be located at the end section of Augusta, it will be operated by Sam and Jacob Bogo.

Little Closed for August
Baltimore, Aug. 13—For the first time in its six years, has been operated by Herman Blum. The have not been closed for the month of August. Reopening is planned after Labor Day. The Little usually plays foreign films and revivals.
You know it's a HIT!

NOW TURN THIS QUESTIONNAIRE INTO MONEY!

Are you giving it the best playing time?

Are you planning extra playing time?

Are you starting advertising well in advance?

Are you doing everything you can...to get the most profit out of the most laughs you ever had in your theatre?

MOTION PICTURE DAILY says: "A sure-fire cure for the troubled box-office!"

LORETTA YOUNG and MELVYN DOUGLAS

HE STAYED FOR BREAKFAST

with ALAN MARSHAL • Eugene Pallette • Una O'Connor

Based upon Sidney Howard's adaptation of the French play, "Liberte Prévisoire", by Michel Duran • Screen play by P. J. Wolfson, Michael Fessier, Ernest Vajda

Produced by B. P. SCHULBERG

Directed by ALEXANDER HALL
New York, U.S.A., Thursday, August 15, 1940

**MOTION PICTURE DAILY**

**GOVT. REJECTS FOX PEACE TERMS; WARNS PARAMOUNT**

**Nazis Insist Metro Leave Their Areas**

**Germans Order Company Out in 24 Hours**

Cabled dispatches from Berlin yesterday that German authorities had given M-G-M 24 hours in which to withdraw all its films from circulation in “Greater Germany” were answered by M-G-M’s home office for-

erign department officials to refer to isolated representatives of the company on the Continent who may have disregarded the original German order banning M-G-M films from Germany and occupied territory. Home office officials said that the company had notified its offices affected by the ban to cease distribution in compliance with the original order which demanded withdrawal from Germany by Aug. 2 and from occupied territories by Aug. 12. M-G-M has not protested the ban to the State Department at Wash-

ington, though 20th-Century-Fox, whose product was banned simultane-
ously, has done so. No reply to the protest has been received by the lat-

ter company. State Department officials indicated yesterday there was little they could do with respect to such complaints.

**Coast Flashes**

**HOLLYWOOD, Aug. 14—Basil Bleck, counsel for Alexander Korda, has resigned to join the Brit-

ish war service. In preparation for his Hollywood production program, Korda has obtained the services of R. A. Klane as production manager on loan from David O. Selznick.**

* A score of Hollywood personalities were charged with being members of the Communist party, secret symp-


tizers or contributors, in a transcript of testimony given before the Los Angeles County Grand Jury and disclosed today.

**D. of J. Has No Plan For Exhibitor Meet**

**Washington, Aug. 14—The Department of Justice has given copies of the latest draft of the proposed consent decree to various exhibitor organizations, it was learned today. The Department, however, is said to have no intention of calling the mass meeting at which exhibitors can express their views as to the acceptability of the pro-


posals.**

**Will Open ‘Young’ In Four Theatres**

**SALT LAKE CITY, Aug. 14—With all seats sold out at three local the-


atres for the Aug. 23 premiere of 20th Century-Fox’s “Brigham Young,” tickets have gone on sale at a fourth the-


tre. A fifth house has been held in reserve if needed. Tickets are priced at $1.10. The three houses sold out are the Centre, Paramount and Capitol. The Utah is the fourth house. Tyrone Power, Linda Darnell and Dean Jagger will head a group of Hollywood players who will attend the premiere. A civic celebration will feature the opening. After the premiere, the film will con-


inue at the Centre at increased prices.

**M.P.T.O.A. May Call Mass Meeting On Decree, Kuykendall Tells Cohen**

Ed Kuykendall, president of the M.P.T.O.A., yesterday assured Max A. Cohen, president of Allied of New York, M.P.T.O.A. affiliate, that a general mass meeting of exhibitors will be called in connection with the proposed consent decree, should the organiza-


tion’s executive committee be unable to obtain the “right” consideration from the Department of Justice. Kuykendall asserted that the independent exhibitor will be pro-


ected and that if a meeting is arranged between the executive committee of the M.P.T.O.A. and the Department of Justice, no proposals will be accepted by that body which will be “injurious to the independent exhibitor.” A meeting of the executive committee, Kuykendall stated, will be called soon in New York or Washington to consider such action as may be necessary with regard to the expected conferences with the Department of Justice.

Kuykendall’s action followed a telegram which was sent to him by Cohen urging an immediate meeting of the executive committee to consider the proposed decree terms.

**Department of Justice Warns Paramount and 20th Century-Fox to Accept Consent Decree**

**Draft of Aug. 3 Which Warners, RKO and M-G-M Have Accepted or Stand Trial in Oct.**

WASHINGTON, Aug. 14.—The Department of Justice tonight warned 20th Century-Fox and Paramount that unless they joined with M-G-M, RKO and Warner Bros., in the proposed consent decree which the last three have worked out, the Government will pro-


ceed to try against them at the conclusion of the present continuance in October.

No further time will be spent in attempting to reach an agreement acceptable to the two companies, it was indicated at the Depart-


ment of Justice, and the proposals made by M-G-M, RKO and Warner Bros., if acceptable to U. S. Attorney General Robert Jackson, must be accepted by 20th Century-Fox and Paramount, if the two desire to escape a long and expensive trial.

It was emphasized that Attorney General Jackson has not yet ap-


proved the August 3 draft of the proposed consent decree which M-G-M, RKO and Warner Bros. have accepted, but it was indicated that it probably would prove ac-


ceptable to the Justice Department head.

The Government has not indicated whether its course would be in connection with the three companies which have accepted the proposed decree.

Department officials made it known that they had received proposals from 20th Century-Fox, which had been rejected after con-


sideration, and have advised the company that unless they accept the decree as worked out in con-


ference with the other companies, they must stand trial.

No proposals have been received from Paramount, but it is under-


stood that the company is in accord with 20th Century-Fox on the escape clause, although the Depart-


ment did not know Paramount’s at-


titude with respect to other pro-


visions.

However, it was stated, Par-


amount is in the same position as 20th Century-Fox and has been told it either must come in under the decree or stand trial.

There was no reference in the above warning to Universal, Co-


lumbia and United Artists.
British Theatres Camouflage Roofs

London, Aug. 14.—Following a lead from the Gov- ernment, Motion Picture Allied Workers' houses are camouflaging their roofs. The Ministry of Home Security has ordered them to do so in order to allay public anxiety about vulnerable objectives. It is not considered necessary to camouflage Dawn when it is in a town and among large or similar buildings. Grey oil bound distemper is being used.

Schine Managers Discuss Sales Plan

GLOVERSVILLE, N. Y., Aug. 14.—Merchandising plans and policies featured the discussion at the three-day semi-annual district managers meeting of the Schine circuit here, which will end tomorrow. Schine President, and Louis W. Schine, vice-president in charge of operations, are presiding. More than 50 field and home office executives are in attendance. A barnstorming tour of individual Schine cinemas will be held at the concluding session tomorrow.

Petrillo to Meet Bernhard on Strike

Joseph Bernhard, general manager of Warner theatres, is scheduled to meet with James C. Petrillo, president of American Federation of Musicians, this week to discuss the musicians' strike at Warner Philadelphia houses, Petrillo said yesterday. Petrillo declared that the use of an artificial organ at the State, Elkhart, Ind., had not been called to the attention of the national office by the local union, and that no action would be taken unless the local requested it. Petrillo said he contemplated no national action against theatres using music machines at the present time.

Large Coast Group To 'Carson' Opening


Delay Price Decision

London, Aug. 14.—It is understood that one circuit, believed to be Associated, holds a meeting next week to consider a decision by the circuits on the admission increase policy. Again today no statement was made as to the deliberations, which are continuing daily.

Club Golf Sept. 16

CINCINNATI, Aug. 14.—The Cincinnati Variety Club will hold its annual golf tournament at nearby Summit Hills Country Club, Sept. 16.

Personal Mention

WILL H. HAYS will leave for the South tomorrow to spend another month there.

LEONARD GOLDMAN and SAM DEMO- low left for Buffalo yesterday for a few days of business conferences with officials of the Shea circuit.

R. B. WILBY left for Charlotte yester- day following a brief visit here. R. E. WILBY will leave for Dallas tomorrow.

O. C. DORING, Jr., of counsel for RKO, is vacationing in Wisconsin.

MRS. E. K. O'SHEA, wife of M-G-M's Eastern district manager, and their daughter, Patricia, return from Can- ada today.

WILLIAM MANSELL, Warner Phila- delphia branch manager, returned to his office yesterday from a business trip here with Roy Haines, Eastern sales manager.

HARRY KOGUE, cashier at the M-G-M New York exchange, has announced his engagement to Ethel Fiering.

C. A. VAN DONNEN, Altec service engineer at Tulsa, is the father of a boy born to Mrs. Van Donnen this morning.

NORMS J. NELSON, assistant man-ager of the Stanley, Baltimore, leaves at the end of the week for a two-week vacation by plane Saturday. Harry Martin, publicist at the house, will spend the weekend in Richmond.

SAM ROSEN of New Haven, exhibi- tor in Lakeville and Winsted, Conn., became the father of a girl this week.

THOMAS SKOURAS plans to return to Greece in about two weeks.

RUBE JACKER, Maurice Silver- stone, lunched yesterday at Linda's (31st St.).

GEORGE ABBOTT arrives from the coast today.

Republic Meeting In Memphis Today

James R. Grainger, president of Rep- ublic, left yesterday by plane for Washington. From there he will go on to Memphis, to preside at a Southern regional sales meeting today at the Peabody Hotel. He will return to the home office this afternoon.

The Memphis meeting will be at- tended by: William G. Underwood and Claude C. Essel, Dallas franchise holders; Lloyd Rust, manager of the Dallas office; Arthur C. Bromberg, regional manager; Alfino Guarneri, franchise holder; Henry Glover, Atlanta branch manager; Harold Laird, Tampa manager; J. H. Dillon, charter manager; L. V. Selnick, New Orleans branch manager; William M. Snelson, Memphis branch manager; Sol Davis and his son, L. D. Davis, Newspaper, Oklahoma City franchise holders.

U' Honors Ethel Black

Home office employees of Universal yesterday gathered in honor of Ethel Black of the purchasing department, on her 25th anniversary with the company. She was presented a check in appreciation of her long service and was tendered a surprise luncheon.

J. CHEEVER COWDIN, Universal-Isle's board chairman, and Joseph Siedekman, vice-president and foreign department head, left for the Coast yesterday for conferences. C. H. J. BLUMBERG, and Cliff Work, studio head.

Jack Kirsch, president of Illinois Allied, visited here yesterday while en route back from Chicago to Wash- ington, where he attended the Allied States executive committee meeting.

NATE SPINDLER, Irving Berlin, J. L. Weintraub and Louis Brandeis (next the Rivoli) for lunch yesterday.


Monogram to Run Northwest Branch

Monogram will operate the recently acquired Monogram Pictures of the Northwest, Inc., in conjunction with Monogram Pictures of California, Inc., of which Howard Shubin is pres- ident. W. Ray Johnston, president of Monogram, will become a member of the board.

Johnston is scheduled to arrive from the Coast today. He has been at the studio since May 15, conferring with Scott R. Dunlap, vice-president in charge of production.

Wanger Host Today

Walter Wanger will be host this af- ternoon to screen personalities, actors and artists on a preview and re- view of the paintings recently made in Hollywood by nine artists for his new Museum of Modern Yard. The reception will be at the As-sembled American Artists gallery, where works remain on view through Sept. 10.

Republic Names White

HOLLYWOOD, Aug. 14—Fiddy White today was appointed Republic associate pro-\n
MOTION PICTURE DAILY

Thursday, August 15, 1940

Conn, Allied Scores Block-of-Five Selling

NEW HAVEN, Aug. 14.—Allied Theatre Owners of Connecticut was unanimous in expressing disapproval of the method of selling in blocks of five pictures copyrighted in the courts decree, at a luncheon-meeting at the Hofbrau House.

The organization members were agreed in declaring they preferred the method of selling as outlined in the Neely bill. There was also a general discussion of the recent appointment of Charles Repass, of the Crown, Hartford, president in the absence of Presi- dent A. M. Schuman.

N. J. Allied to Honor Myers at Banquet

The convention committee of Allied Theatre Owners of New Jersey has decided to honor Abram F. Myers, general counsel and chairman of the board of the League, at its testimonial banquet in conjunction with the local organization's 21st annual con- vention at the President Hotel, Atlantic City, Sept. 25-27.

Other Allied units are expected to send delegations to the half-honored Myers. Manufacturers and supply dealers will have an exhibition of equipment in connection with the con- vention.

Pollock's Mother Dies

LOS ANGELES, Aug. 14—Mrs. Paul- mert, mother of Leslie Pollock, Universal Eastern advertising manager, died at the Cedars of Lebanon Hospital here yesterday. Surviving also are her husband, Max; a daugh- ter, Ethel, and another son, Benjamin, Louis Pollock is due here by plane for the funeral.

'Iron Lung' Sent
To Paralysis Area

Cincinnati, Aug. 14.—The Cincinnati Variety Club has sent its ‘iron lung’ to the Cabel County Department of Public Instruction, at Huntington, W. Va., to be used in the infantile paralysis epidemic which is particularly serious in that vicinity.

The equipment, purchased four years ago, has been returned for use without cost in just such an emer- gency.
Already finished, already previewed and all ready for shipment! From the rousing Rex Beach saga, starring
JOHN GARFIELD (his biggest!) FRANCES FARMER (lovely!) PAT O'BRIEN (powerful!)
Directed by Alfred Green

THE COMPANY THAT HAS THEM NOW AND THE COMPANY THAT HAS THEM COMING IS WARNERS

JACK L. WARNER in Charge of Production  •  HAL B. WALLIS Executive Producer
British Reels Join in Single Empire Issue

By AUBREY FLANAGAN

LONDON, Aug. 14.—All of the British newsreels are planning a regular—composed of pooled negatives—to be distributed throughout the Empire. The issue will be devoted exclusively to war subjects. For this proposed reel has the support of the Ministry of Information of the British Government.

The London Philharmonic Orchestra, leading British group, recently saved from dissolution, will make its bow Aug. 26 at a London film theatre, the Gaumont State, largest house in Europe. The week's run will feature a daily change of program.

The Ministry of Home Supply has asked the industry to cut in half its requirement of metal for film containers. With the Kinemacolor graph Renters Society has discussed the matter with raw stock producers and is experimenting with other materials. A 50 per cent reduction is believed impossible at once.

Film theatre tickets are being "re-pur-pled" to make new ones. The idea is initiated by two branches of the Cinematograph Exhibitors Association and was approved by the Customs and Excise Department of the Government.

Although tea is rationed in England, British film house employees are not going without their afternoon cup. The Government is making special ar-

rangements to allot limited supplies to offices and shops, and the C. E. A. has seen to it that the staffs of theatres get their share.

After eight years of wordy warfare, Manchester is to have films on Sun-

day. A City Council vote favored the Salkith picture by $5 to 3.

B. & K., CBS Seek

Television Permits

WASHINGTON, Aug. 14.—Balaban & Katz, Paramount theatre affiliate which recently received a license for a television station in Chicago, today filed application with the FCC for permission to construct a relay tele-

vision station in that city. It will operate in the 204-210 and 210-216 m.c. channels with 250 watts power. CBS has asked permits for television stations at Los Angeles and Chi-

cago, both in the 66-72-L channel with 1,000 watts. CBS has already granted a license for its New York station. The new applic-

ations are in line with the allot-

ment originally made by the FCC.

Television Productions, Inc., which has signed up with 15 eastern sta-

tions, made application for a mobile unit license to operate in the 180-186 and 186-192 m.c. channels with 200 watts.

Showmanship Flashes

Search for Old Cabbie Abby’s "Prem судice" Run

SAN FRANCISCO, Aug. 14.—Part of the ballyhoo for the opening of "Pride and Prejudice" at the Warfield consisted of a city-wide search for San Francisco's oldest ex-cabbie. An ex-

clusive tieup with the Chronicle re-
tailed daily story also included photo and picture of James McCullough, 86, who won the search. McCullough was driving in an old wheeler-dealer back to the Palace Hotel for lunch, accompanied by a pretty model, wearing a gown worn by Greer Garson in the picture.

"Zanzibar" Campaign Features Altered Lobby

SIOUX FALLS, Aug. 14—Howard D. McBride and Ray Howie of the Gran-

ada put over a campaign here on Monday featuring $100 bus-

trips, reading "Go to Zanzibar," planted on taxicabs 10 days in advance. To tie in, ads were broken four days in advance reading "For Thrill of Your Life Go to Zanzibar." An "over-all" lobby was constructed of cardboard and press staples, to the huge banner 50 feet long with cut out-

ters 33 inches high. The box office was moved into grandstands and leaves giving jungle effect.

Winn Canada Contest For 'Invisible' Stunts

TORONTO, Aug. 14.—Manager W. C. Tyers of the Granada, St. Thomas, W. Ont., earned the award as latest competition for the best campaign among the 23 houses of Hanson Thea-

tres in Ontario for their promotion on "The Invisible Man Returns." Tyers' stunts included a rocking chair in a large display window sur-

rounded by the doorman with the help of a long black thread, the card an-

nouncement reading, "Shh! The In-

visible Man is now rocking his chair, etc."; black footprints painted on the floor of the outside lobby with a card in the lobby which was sur-

rounded by the doorman with the help of the title card; a card placed on a mirror which read: "Look in this window and you don't see yourself we will receive a pass to see the Invisible Man Returns," and similar stunts.

Lloyd to Tour Country To Aid 'Spring Parade'

Garrett J. Lloyd has been assigned by the Universal studio to visit from 30 to 40 major cities throughout the country in the interests of "Spring Parade," the new Deanna Durbin pic-

ture.

He will give special showings of a two-reel picture tracing the course of a young career. The trip will include every city in which Universal has an exchange as well as other nearby large communities.

Bathing Contests Used To Plug 'Pago Pago'

NEW YORK, Aug. 14—United Artists is exploiting 'South of Pago Pago' in the Adirondack Mountain belt with bathing beaches and holding Sea Island competi-

tions among the women. Girls will bathe at the famous adirondack

beaches to exploit the picture, at Lake George, Lake Placid, Lake Pleasant, Schroon Lake, Chestertown and Ellicottville. A swimming set is being handled by Harold Sigma, of the Odellbourne.

Hold Preview on 'Hall'

For Frisco Organizations

NEW YORK, Aug. 14.—A re-

view of "Pastor Hall," the anti-Nazi British film being released by James

Roosevelt through United Artists, was held Tuesday night at the War-

schlaifer, manager of the local United Artists Theatre. Many patriotic and anti-Nazi groups were contact-

ed by Schlaifer for the film's local rollout. Radio also was used.

Comford in Tieu

With Grocery Firm

WILKES-BARRE, Pa., Aug. 14.—The work of James Riley, as-

sistant manager at the Capitol, all cen-

tral city Comford Theatres have a tie-up with the local grocery and

shops, where air-conditioned restau-

rants feature the fact that the fixtures and tables are all wooden. The firm also lists current attractions at the theatres. Same data is included on all delivered orders by the grocery de-

partment.

Stresses Comedy Angles In Selling 'Turnabout'

PHILADELPHIA, Aug. 14.—The

Bronley played up all comedy angles for "Turnabout." A man with clothes on backwards, carrying his "head" in his arms, walked the streets near the house with a sign reading: 'I laugh on any head off and can turn around after seeing a preview of 'Turn-

about.' A laughing record was run off for a half minute in advance of the regular trailer, a single frame flashed on the screen explaining: "Pardon us for laughing, but you'll roar with laughter too when you see 'Turn-

about.'

New Haven Gives 'Sybarite' $5,000

NEW HAVEN, Aug. 14—"The Boys from Sybarite," dually with "Three Faces West," took $5,000 at the Para-

mount, "Pride and Prejudice" and "We Who Are Young" grossed $7,-

500 at the Loco-Poli. Heat and humidity hurt grosses.

Estimated takings for the week ending Aug. 9:

L 

The "Awful Truth" (Col.)

COLLEGE—1,099 (28-36c) 7 days.

The "Pride and Prejudice" (M-G-M)

LOS ANGELES—6,286 (W.

"Three Faces West" (Rep.)

PARAPYMNI-1,200 (30-35c) 7 days.

"Four Sons" (20th-Fox)

LADIES—5,701 (W.

"Three Faces West" (Lad.)

ROGER SHERMAN—1,100 (3c5e) 7 days.

"The Gold Rush" (M-G-M)

NEW YORK—1,400 (4c-5c-6c) 7 days.

"We Who Are Young" (M-G-M)

NEW YORK—1,850 (3c-

"Pride and Prejudice" (M-G-M)

NEW YORK—1,300 (4c-5c-6c) 7 days.

Hunt accuses B.P. of releasing toxic gas into the Council of the State Board.

Hunt, who will stay in the State House and go without eating until the State Government is kept to the council, is a member of the United Theatre.
"GOOD MORNING!"

Here's the News!

"BOOM TOWN" advanced price engagements
HELD over and continuing phenomenal success at
INDIANAPOLIS, New Orleans, Harrisburg, Reading
LOS Angeles (two theatres), Cincinnati and
WATCH the papers for more!
"BOOM TOWN" is the industry's front page news!
"PRIDE And Prejudice" held over 2nd Week in
RADIO City Music Hall summer-record run!
"I LOVE You Again" fulfills M-G-M prophecy:
HAPPY customers — happy box-offices!
IT'S a sensation wherever it plays and
JOINS the parade of M-G-M hold-over hits!
"STRIKE Up The Band" is the talk of Studioland —
M-G-M's Rooney-Garland musical tornado is
ALREADY picked for the top grosser of 1940-41!
GOOD morning, isn't it a lovely day!
Ronald

Ginger

COLMAN ★ ROGERS

LUCKY PARTNERS

with

SPRING BYINGTON • JACK CARSON
CECILIA LOFTUS • HARRY DAVENPORT • HUGH O'CONNELL
HARRY EDINGTON Executive Producer • Directed by LEWIS MILESTONE
Produced by GEORGE HAIGHT
SCREEN PLAY by ALLAN SCOTT & JOHN VAN DRUTEN • ADAPTED FROM THE STORY, "BONNE CHANCE" BY SACHA GUITRY
The possibility of a settlement of the dispute between the radio networks over new licensing terms took definite shape yesterday when it was learned that the name of M. H. Aylesworth, former NBC and RKO president, has been put before the board as a prospective mediator.

There is some likelihood that Ascap's attitude in the matter will be explored at a special meeting of the council with board of directors to be held today. Ascap officials, however, asserted yesterday that the meeting had been called only to hear reports from Gene Buck, president, and John G. Paine, chairman, of their recent West Coast meetings and for a general discussion of the radio network problem. They rejected the suggestion that the possibility of a settlement would be discussed at that meeting. Ascap has always been regarded as likely nothing has occurred up to this time to furnish substance for a discussion.

For this reason, Ascap officials said, they regarded any comment on the designation of Aylesworth as mediator at present. However, they expressed the belief that relations between the society and the networks were not "so strained" at this time as to necessitate the appointment of a mediator to conduct negotiations.

"In the event that discussions with the networks become much worse than they now are," one Ascap official said, "there is no reason to believe that we cannot talk to other directly." Reminded that NBC and CBS officials had walked out of the Ascap meeting at the time the new contract terms were submitted to them and had refused to attend subsequent meetings, and that Ascap officials had been refused permission to speak at the recent NAB San Francisco convention, the Society official described these occurrences as "gestures which are part and parcel of every negotiating procedure."

However, it was learned that some pressure to bring about a settlement is being brought to bear by advertising agencies handling radio accounts. A recent letter to agencies setting forth Ascap's position in the current controversy with the networks brought the response from agencies that while Ascap "undoubtedly has a case, they are most interested in learning what the other sides are doing to get together."

Indicating the conviction within Ascap that an ultimate settlement is certain was the prediction made privately by an Ascap official that Broadcast Music, Inc., "will become a music publisher in the near future."

M. H. Aylesworth

Off the Antenna

DESPITE the criticism metered out to all networks by the FCC for the handling of last year's World Series, in its tentative report on monopoly in radio, it now appears that none of the webs has changed its attitude. NBC and CBS again notified affiliates that they must not accept this program as Mutual's, it is reported, and are again pointing to contract provisions. Mutual, on the other hand, is continuing to offer the program to non-Mutual stations in markets where there is no Mutual coverage but is refusing to testify in now seeking to renew Mutual at.

The public thus will continue the loser in many areas, it is pointed out, and many stations will be denied business which could be used to advantage during an increasingly competitive time. Fred Weiler, Mutual general manager, whether a position of his network on the ground that Mutual was the last of the webs to take over exclusive rights to sports events. He points to exclusive broad-

Purerly Personal: William Kostka, NBC press department manager, has returned from a fishing trip in Pennsylvania... Lawson Zerbe is now playing the part of "Denny Davis" on the "Honest Abe" show over CBS Saturdays... William Murphy has been named continuity editor for the NBC Central Division.

... "The Green Hornet," dramatic serial produced by WXYZ, Detroit, which was heard over Mutual two years ago and went on NBC-Blue last fall, will be heard Mondays and Wednesdays at 8:30 P.M. It is planned to offer the show for separate sponsorship in different cities. The program has no sponsor, and will have a good rating.

Program News: Clint Fadiman will act as master of ceremonies on "Back Where I Came From," the 10th of the CBS "Forecast" series Mondays. From Hollywood, the double feature technique will be introduced to radio this year. Following Edgar Bergen's success, two acts, also under the "Double Feature," concept, are to be sponsored by Lever Bros. This fall, NBC will offer a series of "Uncle Jim's Question Box" quartet which will be heard over the Blue Tuesdays at 8.30 P.M. beginning Nov 12, after "Information Please" shifts to the Red for Lucky Strike cigarettes... "Cavalcade of America" will return to the air for its sixth season Wednesdays Oct 2 under the sponsorship of E. I. duPont. Formerly heard on the Blue, it will be heard over NBC-Red stations this Fall. General Electric has renewed for 52 weeks 'The Hour of Charm' heard over NBC-Red Sundays at 10 P.M.

Theatre Changes

Lyric to Be Enlarged

Bolivar, N. Y., Aug. 14.—Reconstruc-

truction and enlargement of the fire-

damaged Lyric is under way. The $25,000 cost will be completed early next month, according to Samuel Gandel, owner. The capacity will be raised by 125, the auditorium will be enlarged and a stage added.

Named Lawrence Manager

Lawrence, Mass., Aug. 14.—B. Gruber, former assistant manager at the Broadway, has been appointed manager of the Modern, succeeding William Kelly, who died while on va-

tion recently.

Greecul Manager of State

Toirington, Conn., Aug. 14.—Er-

ma Greecul, former manager of the Avon, Stamford, has been appointed manager of the State here.

Reopen in Columbus Aug. 20

Columbus, O., Aug. 14.—The RKO Grand, which went dark early in the season, has been scheduled to reopen for the season Aug. 30.

Atlanta Theatre Opens

Atlanta, Aug. 14.—Upon what looks like a new theatre operated by the Grant & Fairview Amusement Co., has opened here. Charles A. Adams is general manager of the company.

Cuts Scale for August

Avoca, Ia., Aug. 14.—J. A. Mer-
odith has reduced adult admission price for Friday and Saturday nights to 20. This is the only price change during the month of August.

Pittsburgh Drive-In Ready

Pittsburgh, Aug. 14.—Third-run pictures will be shown at the new drive-in theatre to be opened this month near suburban South Park, ac-

cording to manager George Davis, Con-

structed to accommodate 400 automo-

biles, the drive-in is financed main-

ly by Norbert Stern, loan company

executive.

Renovate Stratford Theatre

Stratford, Conn., Aug. 14.—Alber- Pickens has agreed to return to the Stratford for two weeks for installation of 200 additional seats, air-conditioning, new floor and acoustical treatment.

Install Air-Conditioning

Columbus, O., Aug. 14.—Air con-

ditioning equipment has been installed in the Northern and Empress, local neighborhood houses.

Dayton Theatre Reopens

Dayton, O., Aug. 14.—The RKO Colonial, shuttered about 60 days ago, has reopened.

Arnold on BMI

It is reliably reported that Thurman W. Arnold, head of the Department of Justice anti-trust division in discus-

sion Broadcast Music, Inc., with a view toward securing recently, observed that in de-

veloping their own music suppl-

y source the networks "are trying to set up an Ascap of their own." Arnold's depart-

ment is engaged in a Federa-

litigation which is considering the renomination of Thad H. Brown to the FCC.

Sullivan declared that he had prepared the report "tentative" and had warned that it should be checked be-

fore using. Subsequently, he found much of the report inaccurate, Smith said, adding that he was "surprised" when RCA followed the report by recommending the merger.

Rodmund Mahaffie, who admitted that he had resigned from the bar last month after irregularities had been found in his accounts, yesterday said he had been convicted and worked on RCA matters for Fish, Richardson & Nieve, RCA attorneys in the monopoly case, denied that he had or claimed to have any influence with his uncle, H. C. Mahaffie, Jr., Wilmington Federal Court clerk.

Substantiate RCA Charge, Smith Told

WASHINGTON, Aug. 14.—Substan-
tiation of the charges made against RCA in a financial report prepared for Senator Burton Wheeler, chairman of the Senate Agriculture Committee, which is investigating the renomination of Thad H. Brown to the FCC, was declared that he had prepared the report "tentative" and had warned that it should be checked before using. Subsequently, he found much of the report inaccurate, Smith said, adding that he was "surprised" when RCA followed the report by recommending the merger.

Rodmund Mahaffie, who admitted that he had resigned from the bar last month after irregularities had been found in his accounts, yesterday said he had been convicted and worked on RCA matters for Fish, Richardson & Nieve, RCA attorneys in the monopoly case, denied that he had or claimed to have any influence with his uncle, H. C. Mahaffie, Jr., Wilmington Federal Court clerk.

Communication Unit

Awaiting Approval

WASHINGTON, Aug. 14.—Orders un-
der which a coordinating body for communications, including broadcast-
ing, is to be set up under the provisions of the defense program await only President Roosevelt's signature to become effective, it is learned.

The coordination plan, it was disclosed, now has the approval of the War, Navy and Justice Departments and other Federal agencies. Details have not been revealed and it is not expected that any statement will be made by the personnel of the body dissolved until after President Roosevelt has given his approval.

Musicians Settle

Fight with AGMA

James C. Petrillo, president of the American Federation of Musicians, and Lawrence Tibbett, president of the American Guild of Musical Artists, yesterday reached a basis of settlement to the dispute between the two unions. No details were disclosed. Tibbett will submit the settlement terms to his directors, with support being asked from the Four-A actors' group if they are rejected.
Houses Along Broadway Are Enjoying Boom.

Aided by Cool Weather, Theaters Hold Gain

Aided by cooler weather, Broadway first runs continued to hold business gains during the past week. Most of the current attractions are playing to smash grosses and are being held over. "Pride and Prejudice" ended its first week at Radio City Music Hall with $101,000.

At the Strand, "The Sea Hawk," with Philip Spitalny's orchestra on the stage, had a capacity first week with an estimated $51,000. "The Return of Frank James" with a stage show at the Roxy also played to good business with an estimated $37,000. A second week of "Andy Hardy Meets Debutante" drew an estimated $24,000 at the Capitol.

"Gone With the Wind," which appeared to be near the end of its run about a month ago, has taken a new lease on life and the figures for the past four weeks for the Astor road-show have shown steady gains. During the past four weeks, it grossed an estimated $9,400, which is almost $2,000 ahead of the grosses of several weeks back.

D. Held over are "Pride and Prejudice" at the Music Hall, "The Sea Hawk," "The Return of Frank James," and "Gone With the Wind." "The Great McGillycuddy" opened big at the Paramount on Wednesday and "I Love You Again" was also strong at the Capitol at its opening yesterday. "Young People" will go into the Roxy next Friday.

SAG Defends Actors Against Red Charge

Hollywood, Aug. 15.—A statement in defense of its members charged with Communism in testimony given the Los Angeles County Grand Jury was issued today by the Screen Actors Guild.

"Members of the SAG," the statement, "hate Nazism, Communism, and fifth columnists. Because they do, the Guild feels it necessary to point out that the present smear campaign against certain prominent actors is playing squarely into the hands of the real fifth columnists, whom America must smash." Y. Frank Freeman, Producers' Association president, tonight called for "a complete and impartial investigation" by the Government and asked the public to deter judgment.

British Producers Deny Filming Halted

London, Aug. 15.—A group of active British producers today cabled the British Consul in New York, refuting statements recently published there alleging the cessation of British production. The producers said: "It is not true that production is continuing actively here, and is assisting materially in the propagation of British ideals abroad.

Korda Names Bagnall Production Manager

Hollywood, Aug. 15.—George L. Bagnall, former Paramount vice-president and studio manager, today was appointed general manager of Alexander Korda Productions. The negotiations concluded yesterday were begun after Bagnall left Paramount recently.

The appointment is in preparation for Korda's Hollywood production program, in which S. A. Kline, on loan from Selznick, and Zoltan Korda will also figure.

Coast Independent Group Functioning

Hollywood, Aug. 15.—Culminating the plan inaugurated several months ago, business managers of the "independent major" Hollywood producers met yesterday at the Hollywood Athletic Club to initiate the functioning of their own group along lines similar to the Motion Picture Producers Association.

Members have pointed out with the recent increase in the number of leading independents producing for

Monogram Plans to Move Offices to Coast in the Fall

Monogram headquarters will be established on the Pacific Coast some time this Fall, according to present plans, W. Ray Johnston, Monogram president, said on his arrival from the Coast yesterday.

Johnston said that while details of the move have not been finally decided yet, it appears likely that all of the home office departments and officials with the exception of the general sales manager, foreign department, and an advertising-publicity representative will be transferred to the West Coast. The move may be made on the expiration of Monogram's current office lease in Radio City in about two or three months.

The move is being made for reasons of efficiency and economy, Johnston said. He reported that production has been speeded up considerably and the studio is well ahead of release dates, largely as a result of the ability of studio officials to obtain prompt decisions while Johnston was making his headquarters at the studio. During his stay there 17 pictures were completed and work on seven others was started.


Scott Dunlap, Monogram production head, and Trem Carr, member of the board, will arrive from the Coast today to attend a meeting of the Monogram board this afternoon. Johnston will remain in New York three or four weeks.

Loew's, RKO and W.B. Re-explore Their Assets; 20th Century-Fox Ready to Go to Trial; Paramount Will Discuss Views

By SAM SHAIN

Twentieth Century-Fox will fight. Paramount expects to discuss its views with the Government. Among the companies which already have asserted in principle to the consent decree, the sentiment is growing that an out-of-court settlement chance is dead as a result of the Government's ultimatum of yesterday, and that trial of the suit in New York will proceed in October.

The Government's action caused officials of these asserting firms, Loew's, Warner Bros. and RKO, to explore their situations. These companies are now trying to learn whether the decree to which they have assented will be prospective in the event the Government goes to trial against Paramount, 20th Century-Fox, Universal and Columbia.

They also wish to discover what their positions will be in the event that the Government loses the suit against other five companies if the Government obtains only a partial victory. These companies are now studying the situation seriously as they also wish to learn whether they will be granted the benefit of any gains which the other defendants may realize in the event that the Government loses the suit.

Additionally, they began to try to ascertain whether the Government will involve them in the trial as co-conspi- rators, in order to try to prove its case, despite the fact that they have already agreed to consent decree.

Answers in Schine Trust Suit Ready

Answers of defendants in the Government's anti-trust suit against the Schine Circuit and major companies were drafted here yesterday and will be filed in Buffalo today or tomorrow. Saturday is the final day for filing.

The answers for the most part will consist of general denials of the Government's allegations of violations of the anti-trust laws. John O'Brien, chief defense counsel in the case, came to New York from Buffalo yesterday to confer on the answers with major companies' counsel and Willard S. McKay, attorney for the Schine circuit.
Skouros to Leave
On Tour Tomorrow

Spyros Skouros, head of National Theatres, will leave here tomorrow on his annual tour of the circuit's division headquarters. He will visit five cities, arriving in each in time to attend the first day's session of division meetings.

Skouros will meet his brother, Charles, in Chicago, on Sunday, and the three will fly to Milwaukee on Monday. They will attend meetings in Kansas City on Aug. 20, in Denver on Aug. 21, in Portland on Aug. 23 and Los Angeles on Aug. 26. John Hayly will accompany Skouros.

Neil Agnew West for
De Mille Screening

Neil F. Agnew, Paramount vice-president and distribution head, left for the Coast by plane last night to see Cecil B. De Mille's "Northwest Mounted Police" at San Diego this weekend. Scheduled for Thanksgiving release, the picture is one of the top 15 patented productions on Paramount's new season list, starring Gary Cooper, Madeleine Carroll and Paulette Goddard.

H. M. Rich ey, director of exhibit relations for RKO, will leave for Canada tonight for several weeks' vacation at his summer home.

Louis R. Goldberg, district manager of Fabian Theatres, and Joseph Shure, district booker, are here from Albany for conferences with St. Fabian, and will remain over the weekend.

Lester S. Tobias, Morgantown New Jersey representative, has been placed in charge of the New York area for the Civilian Air Reserve, national organization of licensed pilots.

Albert Sindlinger, advertising and promotion manager for March of Time, is in Buffalo.

Joseph E. Lewis, J. J. Milstein, L. J. Schlaifer, Irving Berlin, are at Lindy's (51st St.) for lunch yesterday.

Jack Kirsch, president of Allied Theatre Owners of Illinois, will leave for Chicago tonight.

Jack Carr, assistant manager at the Tri-States Paramount in Des Moines, will be married at the end of the week to Jeanne Robinson.

Dwight E. White, projectionist at the Hallstead in Hallstead, Pa., was married recently to Celestine B. Giovanni of Susquehanna, Pa.

Al Daff, Universal Far Eastern general manager, will sail next week for Bombay after a visit here.

H. A. Cole, Allied States president, will leave for Dallas over the weekend after a few days in New York.

Maurice Silverstone, Harry Gold, Emanuel Silverstone, Sol Edwards, Max Weisfeld in Canada today.

Rene Clair will arrive from Europe today.

Lloyd J. F. Varney, former Hollywood director and now publicity officer of the Royal Canadian Navy, will be the guest of honor at a luncheon of the Rotary Club of Ottawa this week.


Colin Brown, Oscar A. Doob, Adolph Schimmel, Charles Goldman, Maurice Berman, Max Schlesinger, George Watler, Robert Weitman, Max Cohen, Sam Shain, Ted O'Shea, John Hicks, Louise Deppeus lunch at Nick's Hunting Room at the Astor yesterday for lunch.

Emme Schwarz, James Cnr, Sid Weis, Misha, Charles Paine, Louis J. Barbaeo, Al Marks, Harry Gell, Benny Jacobson, Milton Weis at the Tavern yesterday for lunch.

War on Swindler

A warning is issued by New York police to theatre managers in the metropolitan area that a woman giving the name of Fawn L. Swanson of Williston Park, L. I., has been obtaining money from theatre managers on the pretense of having lost her purse while in their theatres. The residence address given by the woman in each case is a non-existent one, police say.
Stand of U. S. Seen Killing Decree Chance

(Continued from page 1)

Some legal minds assert that the answer to the argument is that the pact must be brought into the case, if it comes to trial and thus they will have to bear the burden of carrying a suit, which they expected to avoid.

The asserters are also exploring the possibilities of the Government's coming in in the question of divestiture when the trial starts, while omitting it from the pact.

This, officials of these companies yesterday, indicated would be inconsistent procedure, although if the Government had in mind the injection of the pact into the trial, they would not have assented to the Aug. 3 pact.

Before Jackson's Approval

It is asserted that the Government issued its ultimatum to 20th Century-Fox and Paramount before Attorney General Robert H. Jackson, for the Government, had given his approval to the Aug. 3 draft. The Attorney General's approval is still to be given.

In the meantime, the Government has halted Universal, Columbia and United Artists from further canvassing the possibilities of coming under the pact, which they in the decided to look into after renewed efforts were made by officials of other companies to bring the pact.

Government officials in New York yesterday indicated that the Department of Justice was again making preparation for trial, and the injective plan to send Seymour Krieger and Seymour Simon, both special assistants to the Attorney General, to Boston to interview prospective witnesses and gather evidence on the situation there.

Paramount Leaves Way Open

While Paramount's views essentially were those of 20th Century-Fox, the company had not submitted any written modifications and had left the way open for further discussion with the Government.

The principal modification which 20th Century-Fox had asked be made in the tentative draft was that the decree shall provide for an absolute and automatic phase clause in the event that the Government shall be unable, after nine months from the effective date of the decree, to bring Universal, Columbia and United Artists into the pact.

It has been the contention of 20th Century-Fox that the industry is having "a half and half" and that the provisions of the decree must be such as to apply equally against the trade and not just part of the trade.

Twentieth Century-Fox also asked that the language of Section 7 and some other sections be somewhat changed. Section 7 covers discrimination in selling, and it was the stand of 20th Century-Fox that the "complainting theatre" under this provision be a "better theatre" than that against which it makes a complaint.

When conditions of the proposed decree were first made known, independent exhibitors began to show more opposition to the proposal, than to the other major defendants, according to officials.

The Department of Justice received an extraordinary number of communications protesting against the selling provisions in the decree, and under this pressure, spokesmen assured them that they would be hearing for exhibitors. That hearing probably will not be held now, authorities believe.

Edward Grey

"G" denotes general classification.

Pa. Sunday Show Fights Narrowing

Philadelphia, Aug. 15. — The proposed state-wide campaign for and against Sunday films promised by the religious forces and theatre interests will narrow down to only seven local option fights, it appears.

The two groups believe that the Sunday film issue will be lost due to the decision of President Roosevelt for dates and for this reason decided to postpone a number of the county fights, including Philadelphia, until next year or later. The church forces of the State will fight Sunday pictures in only three key cities, Reading, Allentown and Easton. The film men, on the other hand, will try to get Sunday films for Harrisburg, Bethlehem, Williamsport and probably Lancaster.

Pride’s Pulls Good $15,800, Philadelphia

Philadelphia. Aug. 15. — There was added activity at the downtown box-offices with the weather more considerate. "Pride and Prejudice" at the Boyd led the field with $15,800. At the Fox, "Crowded Night" continued strong with $12,500 for a second week and "All This, and Heaven Too," playing second run at the Capitol one of its best grosses of the year with $9,500. Estimated takings for the week ended August 7-11:

"The Way of All Flesh" (Para.) $13,800;
"Andy Hardy Meets Debutante" (M-G-M) $12,800;
"Pride and Prejudice" (M-G-M) $12,500;
"When, the Daltons Rode" (Univ.) $10,700;
"The Divoy By Night" (W. B.) $11,700;
"South of Page Page" (U. A.) $8,500;
"The Man I Married" (20th-Fox) $8,100;
"Karatous" (W. B.) $6,500;
"Charly And Heaven Too" (W. B.) $5,900;
"The Man Who Talked Too Much" (W. B.) $5,500.

Coast Independent Group Functioning

(Continued from page 1)

major release, there is a need for some sort of association devoted exclusively to that purpose. What group members define as "protection and advancement of our interests.

The organization is expected to meet monthly to discuss problems covering all phases of production, strictly informal in setup, the organization is to have no officers, but merely a presiding chairman. The Producers Association has invited representatives of the group to attend its meetings.

Included in the independent group are: Dan O'Shea, Selznick; C. W. Thornton, Small; Barney briskin, Loew's; Al Shub, Rodyk; William Holman, Capra, chairman; Marvin Ezell, Godfrey; Clarence Erikson, Wanger; Stanley Kramer, Loew's; Henry Blatt, Korda; Jack Skirball, Lloyd; Sidney Van Buren, Roach. With the completion of his production for the year, Howard Hughes also is slated to be represented.

Two Companies Formed

Albany, Aug. 15.—Two motion picture concerns incorporated here by the Tattaglia family are Valenti Lithusk, New Market, N. J., Michael Rodyk, Bayside, L. I., and Michael Sincia, Monsey, Pa., and Leeo Production, Inc., by Gail Buchalter, Sally Jacobs and Dorothy Weinberger, New York.
Every one of these exhibitors agrees with MOTION PICTURE DAILY that:

````HE STAYED A SURPRISE````

Loretta YOUNG and Melvyn DOUGLAS

HE STAYED FOR BREAKFAST

with ALAN MARSHAL • Eugene Pailette • Una O'Connor
Based upon Sidney Howard's adaptation of the French play, "Liberté Pris暹" by Michel Duran - Screen play by P. J. Wolfson, Michael Fessier, Ernest Volda

Directed by ALEXANDER HALL

Produced by B. P. SCHULBERG
FOR BREAKFAST' IS FIRE CURE FOR THE DOUBLED BOX-OFFICE!"*

They've SEEN audiences eat it up at special previews!

SAM DEMBOW
Paramount Theatres

JOHN HARRIS
Harris-Alvin Theatre, Pittsburgh

I. M. RAPPAPORT
Hippodrome Theatre, Baltimore

ED HINCHLEY
Warner Bros. Circuit

EUGENE PICKER
Loew's Theatres, Inc.

FRED MEYERS
R. K. O. Theatres

RODNEY PANTAGES
Pantages Theatre, Hollywood

CHARLES HAYMAN
Lafayette Theatre, Buffalo

BERT JACOCKS, Warner Bros., Boston • HERMAN RIFKIN, Rifkin Circuit, Boston • LOUIS GORDON, Gordon and Lockwood, Boston • MAX LEVENSON, Levenson Circuit, Boston • MIKE BARD, HARRY HOLLANDER, Colorado Corp., L. A. • MARTIN TOOHEY, Pawtucket

MILTON ARTHUR, Cabart Theatres, Los Angeles • CHRISTINA ARMOUR, Majestic Theatre, Santa Monica • JACK BROWER, Drive-In Theatres, L. A. • BEN PESKAY, Peskay Theatres, Los Angeles • HERMAN LEWIS, Whitson Lewis Circuit, Los Angeles • MIKE ROSENBERG, Principal Theatres, Los Angeles • JENNIE DODGE, Mission & Mayfair Theatres, Ventura

Just a few of the hundreds—MORE ON REQUEST!

*THIS IS TYPICAL OF THE MARVELOUS PRESS COMMENTS
**Hastings Calls RCA Charges 'A Plain Lie'**

WASHINGTON, Aug. 15.—Charges that he had paid H. C. Malahffy, Jr., Wilmington Federal Court clerk, $2,500 to secure a pardon that the Government anti-trust suit against RCA in 1932 today were characterized as "a plain damn lie" by former Sen. Daniel O. Hastings before the Senate Interstate Commerce Committee which is considering the renomination of the H. C. Brown as a member of the FCC.

Hastings admitted his inability to explain clearly the disposition of a $2,500 check given him as a retainer by Roger Whitfield, Washington attorney, but denied he had gone to Malahffy. Hastings was asked to submit a list of cases tried before Federal Judge Nields of the Wilmington court, together with a list of those won and lost and the number of times Judge Nields had appointed him master.

Albert Hislop, former mayor of Portsmouth, N. H., denied that any part of a $2,500 check sent him by Whitfield, nor had he ever referred to former Sen. George Moses. Although Hislop could not produce his 1932 record, he said he was in regular court. The check itself mysteriously disappeared from Whitfield's office.

**'Pride' Kansas City Leader at $13,000**

KANSAS CITY, Aug. 15.—Big money went to "Pride and Prejudice," which played with "We Who Are Young" for $13,000 at the Midland. Clyde McCoy and his Sugar Babies Orchestra plus "Love, Honor and Oh Baby!" at the Tower, drew $9,000, one of the best weeks the house has had.

Estimated takings for the week ending Aug. 6:

- "Love, Honour and Oh Baby!" (Univ.)
- "The Boy from Syracuse" (Univ.)
- "We Who Are Young" (M-G-M)
- "My Man" (M-G-M)
- "The Great McIntyre" (Para.)
- "The Spirit Affair" (M-G-M)
- "The Boys from Syracuse" (Univ.)
- "Pride and Prejudice" (M-G-M)
- "We Who Are Young" (M-G-M)

**'Syracuse' $7,600 Leads Indianapolis**

INDIANAPOLIS, Aug. 15.—Despite continuing hot weather, "The Boys from Syracuse" and "Private Affairs" brought a strong $7,600 for the reopening of the Indiana.

Estimated takings for the week ending Aug. 9:

- "Maryland" (20th-Fox)
- "South's 1st play" (20th-Fox)
- "Circle" (20th-Fox)
- "The Boys from Syracuse" (Univ.)
- "Private Affairs" (M-G-M)
- "We Who Are Young" (M-G-M)
- "Lyrics" (M-G-M)
- "Pride and Prejudice" (M-G-M)

**Consolidated Dividend**

The board of directors of Consolidated Film Industries yesterday declared a dividend of 25 cents a share on the company's preferred stock, payable Oct. 1 to stockholders of record Sept. 13.

**Late News Flashes from the Coast**

HOLLYWOOD, Aug. 15.—Robert Benchley will have the only "live" role in a feature cartoon, "The Reluctant Dragon," which Walt Disney will make for release next winter, following "Fantasia." The film will have a Disney studio locale, with Benchley playing a visitor lost in the plant.

The Motion Picture Relief Fund board last night voted against a resolution submitted by Henry McIsaac that the Fund should sponsor an unemployment service bureau. The proposal was called beyond the Fund's powers and purposes.

Republic today shelved its "Superman" serial because of restrictions imposed by the copyright owners. "Dr. Satan," in 15 episodes, will be substituted.

Rudolph Ising has been given a long-term contract renewal as M-G-M卡通 producer. The arrangement will be closed Saturday until after Labor Day for plant and equipment changes.
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<td>Howards of Virginia (D)</td>
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<td>Sept. 13</td>
<td>Before I Die (D)</td>
<td>D. Fairbanks, Jr.</td>
<td>Busman's Honeymoon (O)</td>
<td>R. Montgomery</td>
<td>C. Cummings</td>
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<td>Sept. 20</td>
<td>Who Is Guilty? (D)</td>
<td>Bad Man of Wyoming (D)</td>
<td>The Ape (D)</td>
<td>Boris Karloff</td>
<td>Riding the Western Plains (O)</td>
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<td>Sept. 27</td>
<td>We Who Are Young (D)</td>
<td>Lona Turner (D) John Skelton</td>
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<td>Margie Ryan</td>
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<td>Oct. 4</td>
<td>Boys of the City (D)</td>
<td>East Side Kids (O)</td>
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<td>Richard Dix</td>
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"Pride" Tops $100,000 In Music Hall Week

M-G-M's "Pride and Prejudice" knocked off several records in its first week at the Music Hall. Having played to some 150,000 patrons, with the seventh day topping the first, the picture joins the small number to gross more than $100,000 for a week at the Hall. Additionally it was the biggest non-holiday attraction for the year and the biggest August grosser in the eight-year history of the house. Second week starts today.

From Film Daily, Aug. 15, 1940

"PRIDE AND PREJUDICE"

starring GREER GARSON, LAURENCE OLIVIER, with Mary Boland, Edna May Oliver, Maureen O'Sullivan, Ann Rutherford, Frieda Inescort. Screen Play by Aldous Huxley and Jane Murfin. Directed by ROBERT Z. LEONARD. Produced by HUNT STROMBERG. An M-G-M Picture
Government Makes New 'Big 5' Peace Overtures

Appointing Companies Probably Will Serve As Intermediaries With Other Two; Separate Peace Also Possible

By SAM SHAH

There have been definite signs over the weekend that another effort is being made to bring about an armistice between the Government and the warring companies on the proposed terms of settlement of the New York anti-trust suit. It was semi-officially indicated that the Department of Justice was ready to soften its attitude and if it can be gracefully accomplished, will accept its ultimatum of last week to 20th Century-Fox and Paramount, and consider a peace with the "Big 5." The appointing companies, Loew's, Warners and RKO, probably will be the intermediaries in the new peace move with the other two companies.

Spokesmen on all three fronts expressed the opinion that an out-of-court peace would still result.

This inconsistent state of affairs and reversal of the trend of the situation is being accepted by all authorities in the matter with matter-of-factness.

However, Government spokesmen in New York on Saturday said that negotiations will start tomorrow with Warners, Loew's and RKO toward a "separate peace" with those three. The discussions will revolve about the escape clause and possible changes viewed as necessary by the fact that only three companies may be parties to the decree. The last draft of the escape clause was predicated on participation by five companies. Other parts of the tentative decree also will be re-examined.

Robert Sher and James F. Hayes,

(Courtesy page 4)

Deny Defense Plea
In Crescent Case

NASHVILLE, Aug. 18.—Federal Judge Elmer Davies yesterday overruled two motions of defendants and granted a third in the Federal anti-trust suit against Crescent Amusement Co., and major producers and distributors.

The court denied the defense motion to strike out the following paragraph from the Government's original bill of complaint: "The defendant exhibitors have been able to take over the operations of numerous theatres and keep other theatres closed in said Crescent towns during the past five years by virtue of the control exercised by them over the licensing of

(Courtesy page 4)

Bondy Grants $638,000 for RKO Services

Cuts Final Amount from $2,025,000 Asked

Federal Judge William Bondy on Friday ordered the payment of a total of $638,000 and $2,025,000 shares of common stock of RKO as the final allowances to attorneys and interested parties for services rendered to RKO in the company's reorganization proceedings. The court reduced the total allowed from $2,025,000 and 100,000 shares of stock sought by all petitioners.

The total amount granted is in line with requests of George J. Schafer, RKO president, and the Securities and Exchange Commission that the applications be drastically reduced.

Cost of the seven-year reorganization, one of the longest on record, will approximate $1,000,000, excluding the payment of more than 200,000 shares of common stock, after distribution of the final allowances ordered by the court. Atlas Corp. is the recipient of all stock payments for services.

(Monthed on page 4)

Milwaukee Houses
To Singles Sept. 3

MILWAUKEE, Aug. 18.—All but the World House, Atlas and Fern, independent houses, of this county's 72 theatres, have agreed to revert to single features effective Sept. 3, according to Harry Perlwitz, business manager of the L.T.P.A. of Wisconsin.

An effort will be made before the deadline date to get the hold-out houses to go along with the others, Perlwitz declared. Both Warner and Fox have agreed to make the switch with the independents. According to Perlwitz, if successfully promoted in Milwaukee County, the single feature policy may become general throughout the state.

'C' Studio Bars All Visitors Due to Rush

HOLLYWOOD, Aug. 18.—In the first such move in recent years, Universal has announced a ruling prohibiting all visitors from the studio. The ruling is "in the interests of economy and efficiency," with a number of big pictures shooting and set to start also given as a reason.

"The Great Profile" [20th-Century-Fox]

HOLLYWOOD, Aug. 18.—This, Ladies and Gentlemen of Show Business, is a film for selling, for telling friends about and for laughing with and an attraction of the motion picture, The picture and the field of entertainment.

It presents John Barrymore, "the great profile" of the newspaper headlines, as "The Great Profile," a fiction character built to conform in whole and in detail with the personality of John Barrymore as the facts and the columnists have taught the public to believe it to be. It is as a great actor of the American stage, derivative of his art, fond of his cups and bizarre in his romances, that the newspapers have pictured Barrymore, and it is as exactly this that Barrymore plays the part, pouring into it, in a mell-mell performance that never for a mo-
Personal Mention

WILLIAM C. GEHRING, Central division manager for 20th Century-Fox, returned over the weekend from Toronto.

M. A. SCHLESINGER and Arthur A. Lee arrive on the Coast today.

Will H. Hays left for the Coast by train over the weekend.

TREM CARR and Scott R. DUNLAP are en route to the Coast after the Monogram board meeting. Dunlap is stopping in Chicago.

H. A. COLE, president of Allied States, will leave New York for Dal- las tonight.

BEN ADLER of Chicago is attending the Sign Association convention here.

GEORGE L. CARRINGTON, Altec general manager, has returned from a month's trip around the country.

HAL WALLIS, Warner executive producer, has received a trophy for his feat in hooking marlin swordfish weighing 204 and 250 pounds at Catalina.

DAVID LESSER of the M-G-M home office will be married Sept. 1 to HATTIE MAY.

FRANK HENSLER, M-G-M Kansas City branch manager, and THOMAS KIRK, Memphis office manager, observed birthdays yesterday.

WOLFE COHEN, Warners' Canadian district manager, is here from Toronto to confer with Roy HAINES, Eastern and Canadian sales manager.

HENRY L. NATHANSON, president of Regal Films, Ltd., Canada, was a year older yesterday.

E. W. McCLELLAN of Epi's foreign department is on a trip to Iceland to install equipment in two theatres.

MRS. BERTA ROTHAFEL BUR, daughter of the late S. L. "Roxy" Rothafel, is engaged to LAWRENCE H. LEVY, son of former Manhattan Borough President and Mrs. SAMUEL LEVY.

HELEN TENDLER of the 20th Century-Fox New Haven exchange was married Saturday to LEIGHTON POTKIN.

ADOLPH G. JOHNSON and A. ROBINS of the Strand, Hamden, Conn., have returned from Maine.

SIBBY RECHTZIN of Warners is vacationing at New London, Conn.

U. S. Post to Rockefeller

WASHINGTON, Aug. 18.—Nelson A. Rockefeller, president of Rockefeller Center, Inc., New York, has been appointed by President Roosevelt as co-ordinator of commercial and cultural relations between the American republics for the Council of National Defense. He will serve without pay.

Would Like an Open Market

Editor, Motion Picture Daily:
The (consent) decree won't affect Baltimore exhibitors to any great extent since in this city we all have franchises to use the output of various companies and the contracts, in most instances, I believe, run for several years.

However, I personally would like to see an open free market, literally "eliminating an outright competitive bidding for pictures."

MORRIS MECHANIC New Theatre, Baltimore.

DAMON RUNYON, who time after time has rocked this nation with laughter, says:

"IF THERE'S A LAUGH IN YOU, 'HE STAYED FOR BREAKFAST' WILL BRING IT OUT!"

A COLUMBIA PICTURE

Readers' Say-So

Should Try Five-Unit Policy

Editor, Motion Picture Daily:
I believe we should have the opportunity of trying the five-unit policy of buying. I think it would eliminate the double bills and act as a stimulant for producing better pictures. True, people are paying higher rentals but summing it all up good pictures do business, so with the burden of fill-in features the public could well afford a slight increase in prices for more toppings.

The arbitration system with a properly selected board would have it the past proved quite satisfactory.

I have failed to find any clause in my contracts that would allow me for a 20 per cent cancellation; however, I have not yet been denied the 20 per cent privilege. Due to so many clinks produced the past season, my 20 per cent cancellation did not solve our problem. What we need most of all is a better quality of pictures that would not have been cancelled account of being poor productions.

C. D. MILLER Ritz Theatre, Spokane, Wash.

Decree Is Good and Bad

Editor, Motion Picture Daily:
The (consent) decree has its good and bad points. In the present setup, we have no trouble since we are allowed, in our contracts with producing companies, to reject 25 per cent of the company's product. For example, if of 40 pictures last year, we could eliminate 10.

Then the decree in the field of individual pictures for first run theatres would be a hardship. The first run houses would experience a much higher tariff with out contracts. And without the contracts, the producers wouldn't have any incentive to where they stand. They wouldn't know how many exhibitors would use their product, or how much they could spend on productions.

Pau SCHULTZ, Art, Keith's Theatre, Baltimore.

Truths—but Rats in Wrong Court

Editor, Motion Picture Daily:
With reference to the Goldwyn article in the latest issue of The Saturday Evening Post:

My first thought is that there is no question but what Mr. Goldwyn is taking advantage of situation. A double feature is at the root of many of the evil conditions existing in this industry, and I believe the suggestions that he has made could well be followed with profit to all. I am wondering, however, if perhaps Gold- wyn is not guilty of some this indus- try serious injury when he at- tempts to criticise and pick to pieces in such a widely read publication as The Saturday Evening Post, a business that has been so good to him.

Mr. Goldwyn quoted an oft-quoted line from this article to the effect that, "there is nothing wrong with this business which good pictures will not cure," a phrase credited to Nick Schenck some years ago. Every- one connected with this business I am sure believes just that, but "be- hooves not sufficient; this fact must be appreciated. Apparently, however, that appreciation on the part of the producers will not be forth- coming until such time as their pocket- book begins to run dry, and this will soon happen either through legisla- tion or events now taking place.

When Barnum said, "You can't fool all the people all of the time," he was talking about show business. With a smile on his face, he pointed out a place somewhere in excess of 85 million people, it comes pretty close to being all of the people. I think for the people in this business will concede that the past year, the quality of product has reached a new low for recent years, and what is this but an effort to fool the people? The result then seems obvious; and the climax of this little many exhibitors.

There is no question in my mind but what Goldwyn has stated a lot of truths, but I am sure in my own mind that he has stated the wrong court. Perhaps a "Better Business Bureau" technique sincerely applied to this industry would be the answer, but I wouldn't know, I'm just an exhibi- tor.

John WRIGHT, Manager Sheldon Muen, Auditorium, Red Wing, Minn.
Richey Joins M-G-M

As Trade Contact

Henderson M. Richey, for the last one and a half years director of exhibitor relations for RKO, has resigned and will join M-G-M early in September in a similar capacity.

Richey will take over the duties of the executive staff and will assist William F. Rodgers, general sales manager, in exhibitor and trade relations, spending much time in direct contact with exhibitor problems.

Rodgers said that the appointment was in line with M-G-M's policy to maintain a close possible contact and relationship with its customers.

Richey came to RKO after a decade in the exhibitor organization field, during which he was a leader in Allied. He was general manager of Allied Theaters in Hollywood from 1931 to 1938, and then became associated with Cooperative Theatres of Michigan.

Grainger to Coast

For Sales Meeting

James R. Grainger, president of Republic, left over the weekend for an extended trip to the Coast, with stopovers at Pittsburgh, St. Louis, New Orleans, Dallas, Oklahoma City and Los Angeles.

Grainger will preside at a Western regional sales meeting in St. Louis, Aug. 29. He will then visit San Francisco and Chicago, and is expected back at the home office about Sept. 15.

Attending the Western meeting will be studio executives, J. T. Sheffield, Northwestern franchise holder, and the following branch managers: Edward Walton, Seattle; J. H. Sheffield, Portland; Charles Gerber, Denver; G. S. Fennell, Salt Lake City; C. E. Loy, Butte; Francis Bateman, Los Angeles; Sid Wisbaum, San Francisco.

Ask Governors to ‘Carson’ Opening

DENVER, Aug. 18.—The governors of Colorado, Northwestern Territory, Kansas, and Wyoming have been invited to a luncheon here Aug. 26 as part of the celebration for the premiere of "Kit Carson," Edward Small's film to be released by United Artists.

The luncheon will be given for a delegation of eastern producers following the premiere there will be a motion picture ball, at which Gov. Ralph Carr of Colorado and Mayor Stapleton of Denver will be hosts.

"The Great Profile"

[20th-Century-Fox]

(Continued from page 1)

ment spares his subject, the whole of that art which made him the great actor he was and is.

Nothing quite like this has come to the screen until now. No actor but Barrymore could have dared burlesque Barrymore as Barrymore does; any other would have been subject to libel action and, in all likelihood, to excommunication from that large public which reveres the memory of the Barrymore that was "Hamlet" on the stage, "Beau Brummel" on the screen. Neither could any other actor have made this story, adapted itself to the subject without a show, stand up as entertainment. It is, despite other worthwhile performances in it, a solo entertainment with "the great profile" furnishing the amusement, subject matter and title.

Milton Sperling and Hilary Lummis are credited with the screen play, which opens in the Hollywood section this week, and for four days previously, who stumble in, drunk, with no knowledge of where he's been, and full of dramas. His manager, enacted as a headlong munster and almost as entertainingly by Gregory Ratoff, informs him that the studio has fired him for holding up production of "Macbeth," and his wife, former acrobat turned actress, leaves him. Anne Baxter, playing a girl playwright, crashes the home with a play written for the actor and he, learning she has a fiancé with money ready to back its production, seizes the opportunity to get back into show business. The show opens in Chicago and from that point on, every thing happens in a story patterned after recent Barrymore precedent does.

Others in the cast are John Payne, Mary Beth Hughes, Lionel Atwill, Edward Brophy, Willie Fung and Joan Valente, to mention a few of many. Raymond Griffith served Darryl F. Zanuck as associate producer and Walter Wanger as associate producer and Walter Wanger as associate producer. Running time, 78 minutes.

Roscio Williams

British Attack

Inaccurate Reports Here

The British Consul General in New York has disclosed the text of the cable he has received from British producers regarding the recently published elsewhere in New York that English production has ceased. Motion Picture Daily published this story prefaced by the mention: "London regarding this refutation, in which British producers asserted that they are carrying on for the duration of the war.

Text of the protest received by the British Consul follows: "The undersigned British producers, carrying on for production for the duration of the war, and anxious to make films projecting at home for export purposes, protest against the statements currently being made to the effect that there is no production in England at present. These statements are contrary to the general statement of the British government and in keeping with the spirit of Anglo-American film trade relations at a time when America is showing an interest in our products."

The protest cable was signed by Associated Talking Pictures, Associated British Pictures Corp., British National Films Service and Ealing Studio, Alexander Korda Productions and Gaumont British Pictures Corp.

Dies to Call Coast

Talent to Hearings

LOS ANGELES, Aug. 18.—All of the actors, actresses, writers and directors who have been charged with being Communist sympathizers or contributors to the movement will be called before the Dies Committee, and either cleared of the charges or found guilty, said Representative Dyes, chairman of the committee, which is holding hearings here on subversive activities in Southern California. Meanwhile, a number of those charged with Communist leanings in the industry given the Los Angeles County Grand Jury have issued flat denials.

Legion Approves 6
Of Seven New Films

Six of seven new films have been approved by the National Legion of Decency, three for general patrolling and three for adults. One was condemned. The new films and their classifications follow:

U.S. Makes New Overtures for 'Big 5' Peace

(Continued from page 1)

assistants to the Attorney General, will represent the Government in the conferences with the three companies.

Sidney R. Kent, president of 20th Century-Fox, was welcomed to Salt Lake City today. He will be leaving for Salt Lake City and the premiere of "Brigham Young," which will be held in the Utah city on Friday. While Kent is in town, counsel for the assisting companies are expected to communicate with him or his representatives with regard to "talking things over with the Government."

Conferences Held Friday

Special Assistant Attorney General Robert Sher was in the city Friday and met with representatives of some of the companies, as well as reporters of the newspapers there. Reports of a possible reversal of its ultimatum by the Government followed these conferences.

Until today, there has been no indication that 20th Century-Fox will do anything but fight its case along the lines of Sidney R. Kent's alternative terms of peace. Also, up to today there have been no reports of any change in the attitude of Paramount, whose position on the proposed decree parallels that of 20th Century-Fox.

From Washington, it was learned, no reply has been received at the Department of Justice to the notification to 20th Century-Fox and by inference, to Paramount, that their proposed decree modifications of the Aug. 3 had been rejected.

20th-Fox Status the Same

Department of Justice officials in the Capital, stated the other day that nothing has transpired with respect to the consent decree since the 20th Century-Fox proposals were turned down and with Paramount warned to join in accepting a decree to which RKO, Warner Bros. and M-G-M already had agreed to, or to stand trial in October.

In Washington, spokesmen stated that Assistant Attorney General Thurman Arnold and Special Assistant General James Hayes and Special Assistant Attorney General Robert Wright, Arnold is described by officials as wishing to dispose of the case quickly and definitely.

Sue to Reestablish Union in Hollywood

Los Angeles, Aug. 18.— Asking $2,500 each for 10 petitioners, an application is on file in Superior Court by Louis Kaye, president of one of the members of Local 37 seeking to compel the L.A.T.S.E. to re-establish the local at the Los Angeles plant of the Matson Oil Company, with the Studio Technicians Guild.

The petition quotes an apology to William Bloff, former Hollywood I.A. leader, which they allege they were asked to sign.

Critics' Quotes . . .

"I LOVE YOU AGAIN" (M-G-M)

William Powell and Myrna Loy have lost none of their skill in provoking laughter . . . A witty and inventive plot . . . Recommended as well

Johnson to Do 'Road'

Hollywood, Aug. 18.—Nunnally Johnson who wrote and produced "Grapes of Wrath" for 20th Century-Fox, will act in the same dual capacity on "Tobacco Road."

'Bondy Grants $638,000 for RKO Services' (Continued from page 1)

(Continued from page 1)

as proponent of the plan and underwriter of a new stock issue.

Atlas will receive 120,000 shares of common stock and $190,516 disbursements as its total compensation, under court order. The ruling also reduced the request of Atlas for a total of $875,057 in expenses to $170,000 for payments to Simmons, Thacher & Bartlett, and attorneys, and $30,516 allowed to cover expenses listed as $200,000.

Substantial awards were also made to the Irving Trust Co., as trustee of RKO, and William J. Donovan, trustee of the corporation, seeking $95,000, received $80,000, and Donovan, who asked for $195,000, was awarded $90,000 for ordinary services and $27,541 for representing RKO in the Government anti-trust suit.

The request of Lehman Brothers for $76,772 for services in helping with the plan of reorganization was disallowed.

Judge Bondy also disallowed the petition for $13,614 for gold melts going to attorneys who appealed the court decision approving the plan. Petitions of Florence Sullivan for $64,500 and of Ernest E. Janes for $59,930 and of three attorneys for a total of $97,788 were also disallowed.

Judge Bondy disposed of other applications for payments totaling $40,608, making $30,674.

The Chemical Bank & Trust Co., trustee of the Eastwood and Kensington, attorneys asked $9,092, granted $3,914.

Thus, a total of $7,000 was granted.

J. N. Callahan, attorney for the U. S. National Bank of Denver; asked $1,500; granted $500.

Central Hanover Bank & Trust Co., trustee of the gold indentures; asked $16,991; granted $10,141.

Charles A. Perry, attorney for Central Hanover Bank; asked $12,926; granted $6,042.

City Bank Farmers Trust Co., trustee of extended and per cent gold note indentures; asked $1,500; granted $1,000.

Walter Reid, attorney for City Bank; asked $1,049; granted $1,000.

J. W. Selligman & Co., depositary of an agreement with RKO; asked $8,759; granted $7,600.

Stockholders Protective Committee (Eski现实: loaded) asked $6,000; granted $5,000.

Stockholders Protective Committee (Eski现实: loaded) asked $6,000; granted $5,000.

The Independent Protective Committee of Common Stockholders; asked $11,721; granted $11,721.

George L. Schein, attorney for Independent Protective Committee; asked $38,404; granted $9,325.

The Independent Protective Committee for Independent Protective Committee; asked $30,000; granted $2,872.

Universal Creditors Committee; asked $10,000; granted $10,000.

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GO with UNIVERSAL FOR 1940-1941!

GO with DEFINITE pictures—

GO with DEFINITE release dates, from September 6th to December 27th—to start the season!

GO with the GREATEST LINE-UP of ATTRACTIONS ever READY FOR YOU ...in the history of Universal!

—the list begins here ...
For Release SEPT. 6

ARGENTINE NIGHTS

starring
THE RITZ BROTHERS
and THE ANDREWS SISTERS

with
Constance Moore · George Reeves · Peggy Moran
Anne Nagel · Kathryn Adams · Julie Duncan

Screenplay by ARTHUR T. HORMAN, RAY GOLDEN and SID KULLER
Original story by J. Robert Bren and Gladys Atwater

Directed by
ALBERT S. ROGELL
Assoc. Producer
KEN GOLDSMITH

For Release SEPT. 13

RICHARD · ANDY
ARLEN · DEVINE

in THE
LEATHER PUSHERS

with
ASTRID ALLWYN · HORACE MacMAHON
SHEMP HOWARD · DOUGLAS FOWLEY · EDDIE GRIFFON

Directed by JOHN RAWLINS · Associate Producer, BEN PIVAR
Screenplay by Larry Rhine...Ben Chapman...Maxwell Shane.

For Release SEPT. 20

JOHNNY MACK BROWN

in RAGTIME COWBOY JOE
For Release SEPT. 13

Rosalind RUSSELL • Brian AHERNE
VIRGINIA BRUCE in HIRED WIFE

with
ROBERT BENCHLEY • JOHN CARROLL
HOBART CAVANAUGH • RICHARD LANE

Asso. Producer
GLENN TRYON

Produced and Directed by
WILLIAM A. SEITER

Screenplay by
RICHARD CONNELL & GLADYS LEHMAN
Based on original story by George Beck

For Release SEPT. 20

THE MUMMY'S HAND

with
DICK FORAN • PEGGY MORAN • WALLACE FORD
CECIL KELLAWAY • EDUARDO CIANNELLI
GEORGE ZUCCO • TOM TYLER

Original Story by Griffin Jay  • Screenplay by Griffin Jay and Maxwell Shane

Directed by
CHRISTY CABANNE
Associate Producer
BEN PIVAR

with FUZZY KNIGHT, NELL O'DAY
and THE TEXAS RANGERS

Original Screenplay by Sherman Lowe  • Directed by RAY TAYLOR
For Release SEPT. 27

Deanna DURBIN in Spring Parade

with

ROBERT CUMMINGS • MISCHA AUER

Butch and Buddy • Henry Stephenson • Anne Gwynne • Walter Catlett
S. Z. Sakall • Samuel S. Hinds • Allyn Joslyn • Reginald Denny
Original Story by Ernst Marischka • Screenplay by Bruce Manning and Felix Jackson
MUSIC by ROBERT STOLZ
LYRICS by GUS KAHN
A HENRY KOSTER PRODUCTION

Directed by
HENRY KOSTER
Produced by
JOE PASTERNAK

For Release OCT. 4

VICTOR McLAGLEN in DIAMOND FRONTIER

with

John Loder • Anne Nagel • Philip Dorn • Cecil Kellaway

Original Screenplay by Edmund L. Hartmann and Stanley Rubin
Directed by HAROLD SCHUSTER • Associate Producer MARSHALL GRANT

For Release OCT. 1

DEAD END KIDS and Little Tough Guys in JUNIOR

SERIAL EXTRAORDINARY!!
For Release OCT. 11

MARLENE DIETRICH
Tropical Sinners
(TENTATIVE TITLE)
with JOHN WAYNE
ALBERT DEKKER • BRODERICK CRAWFORD • MISCHA AUER
BILLY GILBERT • ANNA LEE • RICHARD CARLE
and OSCAR HOMOLKA
Produced by JOE PASTERNAK Directed by Tay Garnett

For Release OCT. 18

HUGH HERBERT
Slightly Tempted
with PEGGY MORAN • JOHNNY DOWNS
GERTRUDE MICHAEL • GEORGE E. STONE • ELISABETH RISDON
Screenplay by Arthur T. Herman Original story by Max Marcin and Manuel Seff
Directed by LEW LANDERS • Associate Producer, Ken Goldsmith

G-MEN
with Billy HALLOP • Huntz HALL • Gabriel DELL
Bernard PUNSLY • Harris BERGER • Kenneth HOWELL
Original Screenplay by GEORGE H. PLYMPTON • BASIL DICKEY
Directed by FORD BEEBE and JOHN RAWLINS • Ass. Producer HENRY MACRAE
For Release OCT. 25

A LITTLE BIT of HEAVEN
starring Gloria Jean with
ROBERT STACK • HUGH HERBERT
C. AUBREY SMITH • STUART ERWIN
NAN GREY • EUGENE PALLETTE
BUTCH & BUDDY • BILLY GILBERT
DIRECTED by ANDREW MARTON

For Release NOV. 1

RICHARD ARLEN • ANDY DEVINE
in
SOUTH OF SUMATRA
(TENTATIVE TITLE)
with JEANNE KELLY • JAMES FLAVIN • FRANCIS McDONALD • MALA
An Original Screenplay by Paul Huston
Associate Producer BEN PIVAR • Directed by Christy Cabanne

For Release NOV. 8

JOHNNY MACK BROWN
Original story and screenplay by Sam Robins Directed by Ray Taylor
For Release NOV. 1

I'M NOBODY'S SWEETHEART NOW

with
DENNIS O'KEEFE • CONSTANCE MOORE
HELEN PARRISH • LEWIS HOWARD
Laura Hope Crews • Berton Churchill • Samuel S. Hinds • Margaret Hamilton
Original Story by W. SCOTT DARLING and ERNA LAZARUS
Screenplay by W. SCOTT DARLING, ERNA LAZARUS, HAL BLOCK
Directed by ARTHUR LUBIN • Associate Producer, JOSEPH G. SANFORD

For Release NOV. 8

"Baby" SANDY
in
FIREMAN
SAVE MY CHILD!
(TENTATIVE TITLE)

with
STUART ERWIN • UNA MERKEL • WILLIAM FRAWLEY
EDGAR KENNEDY • EDWARD BROPHY • WALLY VERNON

Original Screenplay by Jane Storm and Sy Bartlett

in
PONY POST
with FUZZY KNIGHT • NELL O'DAY
For Release NOV. 15

Caribbean Nights

with
ALLAN VIRGINIA
JONES · BRUCE
Bud Abbott & Lou Costello
(famed stage and radio comedians)
Robert Cummings · Leo Carrillo
Based on "LOVE INSURANCE" by EARL DERR BIGGERS

Directed by
A. Edward Sutherland
Associate Producer
Leonard Spigelgass

For Release NOV. 22

Meet the Wildcat

with
Ralph Bellamy · Margaret Lindsay
Joseph Schildkraut · Allen Jenkins
Jerome Cowan

Directed by ARTHUR LUBIN
Associate Producer Joseph G. Sanford
For Release NOV. 29

BACK STREET

starring

JOAN FONTAINE

From the novel by

FANNIE HURST

Screenplay by George O'Neill
Directed by
ROBERT STEVENSON
Asso. Producer Leonard Spigelgass

For Release DEC. 6

MARGIE

with

MISCHA AUER  •  NAN GREY
TOM BROWN  •  EDGAR KENNEDY
ALLEN JENKINS  •  EDDIE QUILLAN
WALLY VERNON  •  JOY HODGES

Screenplay by Erna Lazarus, W. Scott Darling, Paul Gerard Smith
Original Story by Erna Lazarus and W. Scott Darling

Directed by
OTIS GARRETT and
PAUL GERARD SMITH
Associate Producer
JOSEPH G. SANFORD
For Release DEC. 13

THE INVISIBLE WOMAN

Original story by Joe May and Kurt Siodmak
Screenplay by Kurt Siodmak, Robert Lees and Fred Rinaldo

Associate Producer
BURT KELLY

For Release DEC. 20

STREETS OF CAIRO

starring Sigrid Gurie
For Release DEC. 24

The GREEN HORNET STRIKES AGAIN

with
Warren Hull • Wade Boteler
(As BRITT REID) (As MICHAEL AXFORD)

Keye Luke • Anne Nagel • James Seay
(As KATO) (As MISS CASE)

Directed by FORD BEEBE and JOHN RAWLINS
ASSOCIATE PRODUCER HENRY MAC RAE

Based on the radio dramatic adventure serial of the same name, owned and copyrighted by Green Hornet, Inc.

15 EPISODES
In the Year's Outstanding SERIAL

For Release DEC. 27

W. C. FIELDS

in
The Bank Dick

Directed by EDWARD CLINE
Here's your complete list!*

SEPT. 6 — "ARGENTINE NIGHTS"
Ritz Brothers... Andrews Sisters

SEPT. 13 — "HIRED WIFE"
Rosalind Russell... Brian Aherne... Virginia Bruce... Robt. Benchley... John Carroll

SEPT. 13 — "The LEATHER PUSHERS"
Richard Arlen... Andy Devine

SEPT. 20 — "THE MUMMY'S HAND"
Dick Foran... Peggy Moran... Wallace Ford

SEPT. 20 — "RAGTIME COWBOY JOE"
Johnny Mack Brown... Fuzzy Knight

SEPT. 27 — "SPRING PARADE"
Deanna Durbin... Robt. Cummings
Mischa Auer... Butch and Buddy

OCT. 1 — "JUNIOR G-MEN" (Serial)
Dead End Kids & Little Tough Guys

OCT. 4 — "DIAMOND FRONTIER"
Victor McLaglen... John Loder

OCT. 11 — "TROPICAL SINNERS"
Marlene Dietrich... John Wayne

OCT. 18 — "SLIGHTLY TEMPTED"
Hugh Herbert... Peggy Moran

OCT. 25 — "LITTLE BIT OF HEAVEN"
Gloria Jean... Robert Stack... Hugh Herbert

NOV. 1 — "I'M NOBODY'S SWEETHEART NOW"
Dennis O'Keefe... Constance Moore
Helen Parrish

NOV. 1 — "SOUTH OF SUMATRA"
Richard Arlen... Andy Devine

NOV. 8 — "FIREMAN, SAVE MY CHILD"
Baby Sandy... Stuart Erwin... Una Merkel

NOV. 8 — "PONY POST"
Johnny Mack Brown... Fuzzy Knight

NOV. 15 — "CARIBBEAN NIGHTS"
Allan Jones... Virginia Bruce
Bud Abbott & Lou Costello

NOV. 22 — "MEET THE WILDCAT"
Ralph Bellamy... Margaret Lindsay

NOV. 29 — "BACK STREET"
Joan Fontaine

DEC. 6 — "MARGIE"
Mischa Auer... Nan Grey... Tom Brown

DEC. 13 — "THE INVISIBLE WOMAN"

DEC. 20 — "STREETS OF CAIRO"
Sigrid Gurie

DEC. 24 — "THE GREEN HORNET STRIKES AGAIN" (Serial)
Warren Hull... Wade Boteler
Keye Luke... Anne Nagel

DEC. 27 — "THE BANK DICK"
W. C. Fields

GO WITH UNIVERSAL!

* Keep This List Handy for Reference!
Showmanship Flashes . . .

Elaborate Promotion
Book Out on 'Howards'

COLUMBUS, Aug. 18.—A volume of "Pride and Prejudice," autographed by Greer Garson of the cast will be auctioned to the highest bidder in the lobby of Loew’s Ohio during the current run of the film at that house. Proceeds will be turned over to the war relief fund of the American Red Cross.

Auction ‘Pride’ Copy
To Benefit Red Cross

Camera Fans 'Shoot'
'Frank James' Double

Detroit, Aug. 18.—Fifty candid camera fans who took the best pictures of the scene-studched double play of "Frank James," played each a pass to the Fox to see "The Return of Frank James." The double played the streets for three days in Detroit, and proved as popular as a film star.

'Drive' with $6,000
Leads in New Haven

NEW HAVEN, Aug. 18.—"They Drive by Night" and "Pop Always Pays" took $6,000 at the Roger Sherman. "I Love You Again," "Tom Brown’s School Days," and "Loew's Poli" duced, grossed $7,500. The weather was fair and warm.

Estimated takings for this week ending Aug. 15:
"Pride and Prejudice" (M-G-M)
COLLEGE (9.30-11.00) (9.30-11.00) 7 days, 2nd week. Gross: $1,500. (Average, $214.)
"I Love You Again" (M-G-M)
"Tom Brown’s School Days" (RKO)
LOEVELOP (3.00-5.30) (3.00-5.30) 7 days. Gross: $7,500. (Average, $1,071.)
"Blaschke’s Eighth Wife" (Para.)
"The Trail of the Lonesome Pine" (Para.)
PARAMOUNT (2-348) (7.30-5.30) 7 days. Gross: $3,000. (Average, $428.)
"They Drive by Night" (W.B.)
"Pop Always Pays" (RKO)
ROGER SHERMAN (2.00-2.00) (3.00-5.30) 7 days. Gross: $6,000. (Average, $857.)

Mexico City Houses Get Wage Demands

Mexico City, Aug. 18.—Demand for higher wages has been made upon the proprietors of eight large local houses in Mexico by the Cinematographic Workers’ Union. In presenting these demands, the union said that it hopes they will not be obliged to call a strike to get its members what they want.

Film strikes are being made by the Mexican Government to stimulate interest in military service and training. These films are to be exhibited free throughout Mexico in connection with the Federal law requiring army service and military training.

Columbia Opens Own Branch in St. John

St. John, N. B., Aug. 18.—Columbia has established its own exchange here to cover the provinces of New Brunswick, Novascotia, and Prince Edward Island, part of Quebec, Newfoundland, Bermuda, St. Pierre and Miquelon.

Columbia product formerly handled through Maritime Films here, operated by Joseph Lieberman and Mitchell Bernstein, has been closed, with Lieberman becoming Columbia exchange manager and Bernstein concentrating on a circuit operated by the two men for several years.

Showmanship Flashes . . .

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Mexico City Station Gives 85% Pay Rise

MEXICO CITY, Aug. 18.—Station XEFO here, operated by the Party of the Mexican Revolution, which dominates Mexican politics, unions, and the strike threat in two months by capitulating to employee demands. The union contract provides an 85 per cent wage increase, 20 days' vacation with full pay, and free medical attention and death benefits to employees and their families.

P.C.C. Authorizes Two New Stations

WASHINGTON, Aug. 18.—The Federal Communications Commission has issued construction permits to the Van Curaier Broadcasting Corp. for a new 1,210-kilicycle, 250-watt broadcasting station at Schenectady, N. Y., and W. Birdwell for a 1,210-kilocycle station at Knoxville, Tenn., with 100 watts power.

The commission also authorized Stations WMIB, Mobile, Ala., to increase its power from 100 to 250 watts and KYLO, Lexington, Ky., to increase its night power from 100 to 250 watts.

Applications for a new station at Schenectady, N. Y., were ordered for hearing, and Sept. 30 was tentatively assigned as the hearing date for the application of George F. Meyer for a new 1,500-kilocycle, 100-watt station at Madison, Wis.

Mexico Suppresses Secret Broadcaster

MEXICO CITY, Aug. 18.—Suppression of a clandestine radio station that broadcast seditious messages in code and on the air from three Mexican stations in the raid on a residence is announced by the Secret Service. The raid resulted from long and patient detective work prompted by numerous complaints against the station. One of the landed men is the private secretary of a Federal official who is not implicated in the case. The other two were leaders in the rebellion of Gen. Lazaro Cardenas ten years ago. Cepillo was killed while trying to escape in January, 1939.

Senate RCA Quiz Drawing to Close

WASHINGTON, Aug. 18.—Indications that the Senate Interstate Commerce Committee's investigation of the RCA and Teleprompter Corp. in 1932 is drawing to a close were seen here today in the last minute cancellation of the day's hearing because of the lack of witnesses. The investigation is an outgrowth of hearings on the re-nomination of Thad H. Brown for another term as FCC commissioner. The committee plans to resume hearings on Tuesday.

Off the Antenna

UNLESS some prior agreement on television standards is reached before October, it appears probable that NaBO and CBS, respectively, will not operate on the same basis. With NaBO using 507 lines instead of its previous 441 lines, both DuMont and CBS will have 525. The latter figure is about as high as definition can go without reducing the frame size from 30 to 15, although some engineers believe it can go up to 605.

RCA engineers believe that 507 line definition is the highest that can be achieved within the limits of present receiving sets and frequency bands, but it is pointed out that in television, the clarity of the image depends on both the vertical and horizontal resolution. While vertical resolution goes up as the number of lines increases, horizontal resolution decreases by a similar amount. RCA engineers state. They declare that the only satisfactory transmission is with a definition somewhere between 400 and 507 lines.

No mechanical adjustment will be required to permit RCA or DuMont sets to receive the signal. On DuMont sets, of course, are flexible and can receive signals up to 881 lines with 15 frames per second. RCA sets also will be able to receive up to 525 lines although that is about the limit, it was said.

Program News: Five time shifts are scheduled at Mutual, as follows: "Where Are You From?" to 8 P.M., Wednesday on Aug. 21; "The Sheik and Goats Club" to 9 P.M., Thursday night; "Ed Mayhew's on the Town" to 10:30 P.M. Thursdays on Aug. 29; "Cats 'n' Janitors" to 8:15 P.M. Tuesdays beginning Aug. 27; and "The Song Spinners" will be heard Thursdays at 8:15 P.M. after Aug. 29. "Pot o' Gold" has added four Arizona stations to its NBC-blue hookup for a total of 100. "Nels Love" will receive sponsorship of Robert Ripley's "For Get It or Not" over 93 stations beginning Friday, Sept. 13 at 10 P.M. "Everyman's Theatre," over NBC Sept. 4.

With all legal steps for the acquisition of Little Pea Island in Long Island Sound completed, WABC has started construction of sea walls to permit the erection of a new 30,000-watt transmitter. The complete cost will be in the neighborhood of $50,000, it was said. By sinking the lines directly into the salt water, a materially improved signal is anticipated.

Theatre Changes

Marlentes Takes House

NEW BRITAIN, Conn., Aug. 18.—Nick Marlentes, operator of the Royal, Tarporn Springs, Fla., has acquired the 960-seat Rialto here, operated for the past three years by Max Tabackman, of the Rivoli, West Haven, Marlentes will take over Sept. 1 and plans to install a new screen, new sound, carpets, and redecorate the lobby.

Fishman Closes Two

NEW HAVEN, Aug. 18.—Fishman Theatres, Inc., have closed the 500-seat Apollo Theatre indefinitely, after playing a third of its summer schedule. The 500-seat Windsor, operated by Fishman, has also been closed.

Remodel Indiana House

BLOOMINGTON, Ind., Aug. 18.—The Princess here is closed for a month during remodeling.

Close Indianapolis Granada

INDIANAPOLIS, Aug. 18.—The Granada, de luxe neighborhood house, has closed for an indefinite period.

Fosse to Open New Theatre

LA POSTE CITY, Ia., Aug. 18.—Marvin Fosse plans to open the new theatre under construction for the past several months on Aug. 22 under the name of the Marx. He expects to close the Poste here after the opening of the new theatre.

Conn. House Renovated

ANSONIA, Conn., Aug. 18.—Warriors have completed renovation of the 1,800-seat Capitol, including new seats, new stage, lobby and interior decoration.

Opens Theatre in Missouri

SHELBURNE, Mo., Aug. 18.—G. J. Spencer has opened the Shelby here. Spencer formerly operated the Ritz at Trenton, Mo.

To Manage New Theatre

KANSAS CITY, Aug. 18.—Frank Nelson has been named manager of the Palace at Osage Beach, Ky., by H. J. Griffith Theatres, Inc. Ex-ceeds Jack Jeffries, who goes to Paola, Kan., when the new theatre now being completed by the circuit is opened there late next month.

Short Subject Reviews

“Pipe and Tobacco Drive”

(PARAMOUNT)

In this Max Fleischer creation, the pair of donkeys, Spanky and Hunkey, have a bit of excitement when they discover that the three New York stations, which are broadcast in their imagination get full rein and Popeye has recourse to his spinach. Funny. Running time, 7 mins.

“Pinky Tomlin and His Orchestra”

(PARAMOUNT)

The popular band leader, Pinky Tomlin, takes his band on a tour of the country with a selection of songs which he considers the most popular in each section. Included, too, is a tune Tomlin composed himself and he says it "I Did It and I'm Glad." Should please. Running time, 11 mins.

“Paramount Pictorial, No. 2”

(PARAMOUNT)

The highlight is a presentation of the manufacture of optical lenses, from the roughed out product. There is an explanation of the proper style of glasses to enhance women's appearance. A comic subject recounts a man's problem with his hair. A fair short. Running time, 11 mins.

“The Full Bluff Man”

(PARAMOUNT)

One of the Stone Age cartoons, this tells of the salesman who does no business among the cave-dwellers until he sells clubs to two gentlemen engaged in an argument. The whole thing is in the scrap, and the salesman cleans up—until the battle turns in his direction. Running time, 7 mins.

“Fightin' Pals”

(Fleischer-Paramount)

Popeye drops his old feud with Bluto in this cartoon and when the latter gets lost in an exploration trip to Africa, Popeye sets out to rescue him. He has a tramp and is out-raged when he finds Bluto entertaining himself with a group of native girls. Lots of fun. Running time, 8 mins.
25th Anniversary
Martin Quigley and the Motion Picture

Martin Quigley’s twenty-five years in the service of the motion picture industry, contributing to its world estate of financial, commercial and artistic leadership will be signalized in a special edition of Motion Picture Herald.

A quarter of a century of the rise and growth of the screen to its present stature as the world’s greatest entertainment will find recognition in the Martin Quigley 25th anniversary edition. It will be the chronicle of the most remarkable period in the history of the motion picture and it will salute the work of one who, under an unvarying commitment of service, has devoted himself and his enterprises to the advancement of the motion picture and the industry.

The Martin Quigley twenty-fifth anniversary edition of Motion Picture Herald will not only be the meeting place of the vital personalities and institutions of the motion picture business—but, more important, it will be the show-window of the industry for the world to read and see.

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER
NEW YORK
**Mexico City Station Gives 85% Pay Rise**

**Mexico City, Aug. 18.—**Station XEFU here, operated by the Party of the Mexican Revolution, which dominates Mexican politics, today increased its employees' wage by 85 per cent in two months by capitalizing to employ demands.

The contract providing an 85 per cent wage increase in 20 days' vacation with full pay, and free medical attendance. A new contract employing themselves and their families.

**F.C.C. Authorizes Two New Stations**

**Washington, Aug. 18.—**The Federal Communications Commission has issued construction permits to the Van Curlier Broadcasting Corp. for a new 1,210-kilocycle, 250-watt broadcasting station at Schenectady, N. Y., and J. W. Birdwell for a 1,210-kilocycle station at Knoxville, Tenn., with 100 watts power.

The commission also authorized Stations WMQB, Mobile, Ala., to increase its power from 100 to 250 watts with an interference range of 250 miles, and WJY, Teex, to increase its night power from 100 to 250 watts.

Applications received at the commission included a petition from Station WBRC, Birmingham, to increase its night power from 1,000 to 5,000 watts.

Applications of Mohawk Radio Inc., and Western Gateway Broadcasting Corp., for new 150-watt stations at Schenectady, N. Y., were ordered set for hearing, and Sept. 30 was tentatively assigned as the hearing date for the application of George F. Meyer for a new 1,500-kilocycle, 100-watt station at Medford, Wis.

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**Off the Antenna**

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**Purely Personal:** Bill Norris, NBC trade news editor, and Florence Marks, of the press department, left over the weekend for vacations. Tom Lewis will supervise production of the "Scenes Guild Theatre" show over CBS when it returns to the air Sunday, Sept. 29. John Cameron Sweeney, motion picture and feature editor of the Kansas City Journal-Post, will join the news staff of KMBC, Kansas City, Aug. 25. Craig Davidson has been elected a vice-president of the Quayson Agency.

**Work will be started shortly on a new transmitter for WVOV, which has the capacity to increase its 5,000 to 10,000 watts. The signals will be beamed toward the Northeast and is expected to give WVOV a signal strength in New England equivalent to 40,000 watts. WVOV engineers state.**

**Program News: Five time shifts are scheduled at Mutual, as follows: Where Are You From? to 8 P.M., Wednesday on Aug. 21. "The Shep and Goat's Club" to 9 P.M., Thursday, Sept. 10. "The Reade Show" to 10:30 P.M. Thursdays on Aug. 27. "Cats and Jammers" to 8:31 P.M. Sundays beginning Aug. 27. and "The Song Spinners" will be heard Thursdays at 8:15 P.M. after Aug. 29. "Pot O' Gold" has added four Arizona stations to its NBC-Blue hook up for a total of 90. Yeko Live, will resume sponsorship of Robert Ripley's "Believe it or Not" over 93 stations beginning Friday, Sept. 13 at 10 P.M. Arch Oboler will start a new series "Everyman's Theatre," over NBC Station WJZ.**

With all legal steps for the acquisition of Little Pea Island in Long Island Sound completed, WABC has started construction of sea walls to permit the erection of a new 50,000-watt transmitter. The complete cost will be in the neighborhood of $500,000. It was said by sinking the lines directly into the salt water, a materially improved signal is anticipated.

**Theatre Changes**

Marlens Takes House

New Britain, Conn., Aug. 18.—Nick Marlens, operator of the Royal, Tarpon Springs, Fla., has acquired the 963-seat Royal here, operated for the past three years by Max Talmackman, of the Rivoli, West Haven. Marlens will take over Sept. 1, and plans to install a new, clean, new sound, carpets, and redecorate the lobby.

Fishman Closes Two

New Haven, Aug. 18.—Fishman Theatres, Inc., have closed the 500-seat Apollo Theatre indefinitely, after placing a theatre on a three-week Summer schedule. The 500-seat Winchester, operated by Fishman, has also been closed.

Remodel Indiana House

Bloomington, Ind., Aug. 18.—The Princess here is closed for a month during remodeling.

Close Indianapolis Granada

Indianapolis, Aug. 18.—The Granada, de luxe neighborhood house, has closed for an indefinite period.

Foss to Open New Theatre

Pittsburgh, Pa., Aug. 18.—Marvin Foss plans to open the new theatre under construction for the past several months on Aug. 22 under the name of the Mars. He expects to close the Pastime here after the opening of the new theatre.

Conn. House Renovated

Ansonia, Conn., Aug. 18.—Walters have completed renovation of the 1,800-seat Capitol, including new seats, a marble lobby and interior decoration.

Opens Theatre in Missouri

Shelbyville, Ill., Aug. 18.—G. J. Spencer has opened the Shelby here. Spencer formerly operated the Rita at Trenton, Mo.

To Manage New Theatre

Kansas City, Aug. 18.—Frank Nelson has been named manager of the Theatre at Kansas City, Kan., by H. J. Griffith Theatre Co., succeeds Jack Jeffries, who goes to Paola, Kan., when the new theatre now being completed by the circuit is opened there late this month.

**Short Subject Reviews**

"You Can't Shoe a Horse Fly" (Paramount)

In this Max Fleischer Popeye cartoon, Max Fleischer's creation, the pair of donkeys, Spanky and Hunky, have a bit of excitement, with a hungry horse, Spanky, the youngsters, is hard put to it to defend himself from the marauder and his cohorts, until Hunky comes to the rescue. Amusing. Running time, 7 mins.

"Wimmin Hadn't Oughta Drive" (Paramount)

In this color cartoon, Max Fleischer's Popeye cartoon, the redoubtable and muscle-bound hero takes Olive Oyl for a ride in his shiny new car. It was a mistake, as he realizes when she insists on learning to drive. From this point the cartoonist's imagination gets full rein and Popeye has recourse to his spinach. Funny. Running time, 7 mins.

"Pinkly Tolmin and His Orchestra" (Paramount)

The popular band leader, Pinky Tolmin, takes his band on a tour of the country with a selection of songs which he considers the most popular in each section. Included, too, is a tune Tolmin composed himself, "I Did It and I'm Glad." Should please. Running time, 11 mins.

"Paramount Pictorial, No. 2" (Paramount)

The highlight is a presentation of the manufacture of optical lenses, from the raw materials to the finished product. The feature is an exploration of the proper style of glasses to enhance women's appearance. A comic subject reconciles a man's problem with his hair, A fair short. Running time, 11 mins.

"The Fulla Bluff Man" (Paramount)

One of the Stone Age cartoons, this tells of the salesman who does no business among the Stone Age primitive until he sells clubs to two gentlemen engaged in an argument. The whole thing in the scrap, and the salesman cleans up—until the battle turns in his direction. Running time, 7 mins.

"Fightin' Pals" (Fleischer-Paramount)

Popeye drops his old friend with Bluto in this cartoon and when the latter gets lost in an exploration trip to Africa, Popeye sets out to rescue him. This is quite a trek and is out-raged when he finds Bluto entertaining himself with a group of native girls. Lots of fun. Running time, 8 mins.
Martin Quigley's twenty-five years in the service of the motion picture industry, contributing to its world estate of financial, commercial and artistic leadership will be signalized in a special edition of Motion Picture Herald.

A quarter of a century of the rise and growth of the screen to its present stature as the world's greatest entertainment will find recognition in the Martin Quigley 25th anniversary edition. It will be the chronicle of the most remarkable period in the history of the motion picture and it will salute the work of one who, under an unvarying commitment of service, has devoted himself and his enterprises to the advancement of the motion picture and the industry.

The Martin Quigley twenty-fifth anniversary edition of Motion Picture Herald will not only be the meeting place of the vital personalities and institutions of the motion picture business—but, more important, it will be the show-window of the industry for the world to read and see.

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER
NEW YORK
"BOOM TOWN" BOOMING!

The grosses in M-G-M's 9 Advanced Price Test Engagements started far ahead of the biggest pictures of the past and every day the margin gets BIGGER and BIGGER!

<table>
<thead>
<tr>
<th>&quot;BOOM TOWN&quot;</th>
<th>YESTERDAY</th>
<th>TODAY</th>
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<tbody>
<tr>
<td>BEATS &quot;SAN FRANCISCO&quot;</td>
<td>by $35,795</td>
<td>by $37,640</td>
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<tr>
<td>BEATS &quot;TEST PILOT&quot;</td>
<td>by $43,654</td>
<td>by $45,014</td>
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<td>BEATS &quot;BOYS TOWN&quot;</td>
<td>by $45,961</td>
<td>by $49,928</td>
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<tr>
<td>BEATS &quot;BABES IN ARMS&quot;</td>
<td>by $51,489</td>
<td>by $56,484</td>
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<tr>
<td>BEATS &quot;NORTHWEST PASSAGE&quot;</td>
<td>by $58,604</td>
<td>by $65,474</td>
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NOTE: All figures are in the same 9 situations in which "Boom Town" is now playing, and for the same number of days. In order for this message to appear in today's trade press these figures were compiled on Friday. Watch the papers for further reports!

YOUR TOWN WILL SOON BE A "BOOM TOWN"!
Films Vital to Rapid Growth Of Television

Will Play Major Role as Program Material

Films will play a critical role in the next phase of television, which is expected to start within the next few months, according to broadcasting officials. With 20 to 30 stations due to be launched before the end of the year, each committed to at least 10 hours of television programs weekly, the problem of obtaining sufficient program material at low cost will be a major one, it was said.

Live talent shows probably will be kept to a minimum because of the expense, it was said, with most stations likely to devote about half of their schedules to films even if only an inferior grade of product is available. Many of the telecasters will be compelled to start negotiations in the near future if they are to have sufficient contracts to start operations.

The one bright aspect of the situation, it was pointed out, is that an increased number of stations may provide a market which will interest distributors. Heretofore, film buyers for television have been unable to get very far with major companies because, among other things, the rentals were not sufficient to warrant the trouble.

NBC, with a New York to Los Angeles airmail on the air about 14 hours weekly, (Continued on page 8)

Broadway Enjoyed Weekend of Plenty

Broadway enjoyed a weekend of plenty as a result of strong attractions, cloudy skies and moderately cool weather. The Music Hall, with "Pride and Prejudice" in the second week, is headed for a $90,000 stanza, and will hold the title a third week. The picture did $62,000 from Thursday to Sunday, inclusive.

For the three days ending Sunday, "The Return of Frank James," with a stage show, drew $19,100 at the Roxy. It will end its two-week run Thursday and be followed by "Young People." On Friday, The Strand with "The Sea Hawk" and Phil Spitalny's orchestra on the stage took $25,400 for the three days of the weekend in its second week, and will be held a third. (Continued on page 6)

British Reported Establishing New Films Commission

London, Aug. 19. — Carefully screened backstage movements on the part of the British Board of Trade and financial interests here seem to indicate that the Government is completing plans for the formation in the near future of a Film Industry Commission.

Following the appearance on July 17 of Sir Andrew Duncan, president of the Board of Trade, at a Films Council meeting, when he said he favored such a commission, a secret committee has been at work. Duncan asked the council to appoint members to collaborate with the Board of Trade in framing legislation designed to establish a Films Credit Bank.

It is believed that the committee includes, among others, Arthur W. Jarratt, for exhibitors: Capt. Rich.

(Continued on page 6)

Clair, Thwarted by War,
To Produce in Hollywood

By SAM SHAIN

Trice in the past three years, Rene Clair, one of France's greatest film directors, started work on a new picture, only to be thwarted and forced to suspend production, because of the threat of war, and war itself, which finally came.

Finally, he is here, with the three scripts upon which, at one time or other, he has already done considerable work, and hopeful of producing one and maybe two pictures in Hollywood. Myron Selznick is guiding him, which fact of itself may be considered the strongest kind of assurance that Clair will realize his Hollywood hopes. Clair did not discuss conditions in France.

To American eyes, Clair is a typical Frenchman, tall, slim and trim, with black hair and brown eyes, one of the other of which he slides into a wink, to emphasize his words. He (Continued on page 7)

“Lucky Partners”

[HOLLYWOOD, Aug. 19.—A Pantages Theatre audience on preview night for the full running time of “Lucky Partners” either was laughing at such episodes as one of the finest comedy courtroom scenes to come out of Hollywood for a long time, or else it was the conclusion of the hilarity called forth by sequences differing in kind rather than the degree of amusement they afforded.

It is the fourth consecutive dramatic role essayed by Ginger Rogers, this time opposite the polished Ronald Colman, and the result is calculated to wet full film appetites.

With her dancing restricted to a brief sequence in which she is seen (Continued on page 6)


No Decision Yet on ‘Fantasia’ Release

Whether RKO will distribute Walt Disney’s “Fantasia,” next season has not yet been decided. The company, it is stated, will have first call on the picture but no deal has been made as yet. Hal Horne, Disney vice-president, upon his return yesterday from conferences in Hollywood, said that the picture will be roadshown before regular release. The picture’s running time is said to be two or a half hours.

Will Attempt to Mediate Decree with 20th-Fox and Paramount

A separate consent decree peace with Loew’s, RKO and Warner Bros. is expected to be concluded, in principle, by the Government not later than Thursday, spokesmen revealed yesterday, should 20th Century-Fox and Paramount hold out.

In the meantime, a mediation meeting of the Big 5 is to be held this morning at the Hays office. This meeting will be a prelude to an afternoon conference by the three assenting firms, RKO, Loew’s and Warners.

That the assenting companies will have to stand trial even though accepting a decree was revealed informally by Government officials. They indicated also that the assenting companies have been pressured on fears about such a trial, and that it was the Government’s intention not to press issues against those accepting the decree, but to press them strongly against the dissenting companies, particularly on divorcement. It is also the Government’s intention, spokesmen stated, to ease the trial burdens for those assenting as against those who will fight.

Both 20th Century-Fox and Paramount officials have stated that they do not fear the divorcement issue and that they can beat the Government on that point in court.

Authorities cite the following possible results which might grow out of the mediation meeting, despite any (Continued on page 3)

MPTOA Asks U.S. Hearing on Decree

The M.P.T.O.A. has requested the Department of Justice to give the exhibitor organization’s executive committee a hearing on the Federal consent decree before any final decisions are made. Ed Kukendall, M.P.T.O.A. president, revealed yesterday.

At the same time Kukendall urged all exhibitors, regardless of affiliation, to protest to the Department against the proposed block-of-five sales plan, on which the M.P.T.O.A.’s principal objections to the decree are centered. Unless exhibitors inform the Depart-
Personal Mention

William Smith, RKO sales manager, and Cresson E. Smith, Western sales manager, left for Chicago last night for a conference with Walter Branson, Midwestern district manager, and Jack Oskerman, Chicago branch manager.

W. G. Van Schime, managing director of the Radio City Music Hall, is recovering rapidly at his Summer home in St. James, L. I., from a recent operation.

W. B. Morgan, 20th Century-Fox manager in France, is expected to leave Paris today for Cannes, where he will spend several days at Boston and New Haven exchanges.

Phil Engel, field exploiter, accompanied Schnitzer to Boston.

Robert M. Gillham, advertising and publicity director, will remain at the studio several days longer, and is due back next week.

Lou Pollock, Universal Eastern advertising and publicity director, returned to New York from the Coast by plane yesterday.

Charles D. Fratam, Universal vice-president and general counsel, is en route to Canada and the West Coast for a month's vacation.

Lynn Farnol, United Artists advertising and publicity director, will leave for the Coast next Sunday by plane.

Mrs. Carl Brison, wife of the actor, will undergo a major operation at Murray Hill Hospital today. The Brisons arrived from Europe recently.


Jack Levy of the RKO home office publicity staff returned from vaca- tion yesterday. Irving Shiffer of the same department began a two weeks' rest in New England.

Del Goodman, Far Eastern manager for 20th Century-Fox, arrived at the home office yesterday after a brief stay in Hollywood and Chicago.

Autre Seeking His Parents in France

Advises from the London office of Quigley Publications indicate that Pierre Autre, Motion Picture Daily and Motion Picture Herald correspon- dents in Paris, France, many years, left his engineers' com- pany recently at the dismem- beration of Saint Nazaire in Britain. With a British army car, and carrying supplies of gasoline and all Autre proceeded South, hoping to reach his parents, whom he believed to be near Bordeaux.

Para’s ‘Rhythm on River’ Hailed at Del Mar Preview

By William R. Weaver

Del Mar, Calif., Aug. 19—It is 11:30 a.m. PACIFIC COAST TIME. Above a Santa Fe special drawn up hard by the Del Mar Turf Club (Bing Crosby, pres.), where a $3,900,000 gross greet a huge audience presently engaged in maneuvering for seats of vantage and talking about it with all the enthusiasm and applauded “Rhythm on the River.”

This was a full, long day for the ladies and gentlemen of cinema journalism—what with catching the spic- e from Hollywood at 10:30 A.M., threading the throngs to the race course by news of what would be going on and of stars who'd be present, lunching, dining, some even trying to persuade the pari mutuel machines to pay them extra for the pleasant hardship—and it's to be a full, long night as the moon under a metallic moon that will give way to dawn before home and bed are arrived at.

“Bing’s Best Yet”

It's five hours now since the NBC network carried a broadcast notifying the public that all this was going on in the interests of “Rhythm on the River,”—a $3,900,000 enterprise in behalf of the attraction and its attractions-to-be.

Would be the pattern of expedi- tions of this kind for the guests above to express varying opinions with respect to the attraction perhaps to catch the mood of others, and to point out the elements of the takeoff. It’s best, yet, or thereabouts, for such is the way of the ladies and gentlemen who have owned so many stars in Hollywood. Particularly such is their way, it may be remarked, what with Bing Crosby, the biggest showman of them all, Crosby, best liked, close up, of all the stars the critics come to know as both names and neighbors.

Gay and Tunteal Kidding

It's just a few minutes since the picture ended, out there on a huge screen erected in the outfield, and if it evokes from audiences every- where as much indication of pleasure as did in this setting there'll be profits for all parties concerned. It might be called a light offering, gay and tuneful Kidding of song-writing and song-publishing pro- fession, and there is no seriousness in it. There is, though, an immense amount of fun in the picture, and a kind, enough of it and enough kinds of it to satisfy the needs of all the several types of showmen and their several needs.

Top value, of course, is Bing Cros- by, enacting a ghost-composer, singing and playing, and generally fleecing the public at large and otherwise, and being himself all the time.

There is value in the presence of Oscar Levant, the "Information Please" genius of the piano, who plays some and acts some but, like Crosby, works chiefly at being himself.

There is Mary Martin, enacting a ghost-lyricist, singing two songs with Crosby and one alone, carrying the sentimental moment in the romantic situation. There is Batti Rathbone, doing comedy, and Oscar Shaw, of the Broadway stage, and there are Scott Trotter and his band (Kraft Music Hall), Ken Carpenter at the microhone, and C. G. Seigle, Jean Janc- hey, William Frawley, Harry Barris and many another.

Yes, there is plenty of showmanship and fun, and, by way of reminding the fact that William Le Baron, Par- monut director-in-chief of produc- tion, produced the film in person, and Bill Victor, who di- rected "Road to Singapore," directed this picture also, in the same manner, and wrote one of the six songs, Johnny Burke and James V. Monaco contributing the other five. The screenplay is by Dwight Taylor, the dialogue by Billy Wilder and Jacques Thery.

Built for Ready Market

Built to order for the mood of an era in which audiences are understood to be in the market for mirth and sentiment and "Rhythm on River" is dated for release Sept. 6. By then the tunes should be all over the radio and the magazines full of pictures snapped by their cameramen here today. By then the dispatches sent off by this trailload of critics and correspondents should have appeared in print and focused the attention of the multitude upon the picture. From here on, it would seem, any showman worthy of the name should be well able to handle the details of necessary arrangements for building a nice gross.

Running time, 90 minutes. “G”

“G” denotes general classification.

RKO to Build in Trenton

Wreckers will start on the RKO lot of Trenton to make way for a new theatre building which will scat 1,000, scheduled for opening Christmas Day, John J. O’Connor, RKO Theatres vice-president and gen- eral manager, said yesterday. The circuit will operate the house through and then Victory-Neptune Corp., now operating nine theatres.
Hollywood Reviews

"The Golden Fleecing" (M-G-M)

HOLLYWOOD, Aug. 19—A story unique in conception and development sets this Lew Ayres-Rita Johnson picture apart from anything that is coming above it. Ayres plays a young insurance salesman who discovers that a man to whom he has sold a $50,000 life policy is a gangster with a reward of $25,000 offered for his capture dead-or-alive and sets out to do what he can about keeping the criminal alive.

The gangster, played by Lloyd Nolan, desires of obtaining the $25,000 reward, which he needs to add to his own funds in order to pay expenses of bailing himself out of jail and fleeing the country, forces Ayres to pretend to capture him, collect the reward money and turn it over. A sequence of unpredictable incidents, all well plotted, conspire to keep the gangster in custody and the insurance salesman not only safe but, finally, richer by $25,000 and happily married to Miss Johnson. Enhancement of the market value of supposedly worthless aviation stocks, due to Government financing of the company, is the factor which produces the required solution of the financial equation.

Virginia Grey and Nat Pendleton are present as associates of the gangster, Leon Errol as the salesman's song-writing uncle, George Lessey, Richard Carle, Ralph Byrd, Marc Lawrence, Thurston Hall, James Burke, Spencer Charters and William Demarest are the others in the cast.

The story is an original by Lynn Root, Frank Fenton and John Fans; the screenplay a collaboration by S. J. and Laura Perelman and Marion Parsonnet. Production is in the polished manner of Edgar Selwyn and director is Frank Fenton. Although gangsterism is dealt with as a basic element, treatment is for humor only.

Running time, 69 minutes. "G."* Roscoe Williams

"River's End" (Warner)

Hollywood, Aug. 19—Based on the James Oliver Curwood novel, "River's End" takes its title from the name of a town in Alberta. There a young man convicted of murder breaks away from his Canadian Mounted Police guards, flees to a haven in the woods. The "Mountie" assigned to track him down dies in the process, first pursuing the alluring killer to take him to justice.

Both roles are enacted by Dennis Morgan, who as the "Mountie" returns to River's End and tracks down the real murderer. Seen as the Sergeant's sister and romantic lead is Elizabeth Earl, while George Tobias appears as a French-Canadian guide and Victor Jory as the killer. Stella Duna helps provide comedy relief.

The screenplay was written by Harry Trivers and Bertram Millhauser, directed by Ray Enright. William Jacobs acted as associate producer.

Running time, 70 minutes. "G."* W. S.

"Ladies Must Live" (Warner)

Hollywood, Aug. 19—Wayne Morris, Rosemary Lane and Roscoe Karns are the principals in this light tale of pre-marital misunderstanding. Morris appears as a gentleman farmer whose insistence upon bringing Karns, etching his best friend, to New York to be his best man almost breaks up his romance when the latter interprets the actions and attitudes of Miss Lane and her family as fortune hunting.

George Reeves, Lee Patrick, Ferris Taylor, Lottie Williams and De Wolf Hopper are in principal supporting roles, while Cliff Saum, as "Thunderbird," an Indian butler, provides a large share of comedy relief.

As a night club enterainer, Miss Lane sings "I Could Make You Care" and "It Shows You What Love Can Do." Robert E. Kent contributed the screenplay from the stage play by George M. Cohan, with Noel Smith directing and William Jacobs acting as associate producer.

Running time, 59 minutes. "G."* W. S.

*"G" denotes general classification.

Peace With Three Firms Is Probable

(Continued from page 1)

prior discussions among the defendants with Government lawyers:

(a) No change in the stand of 20th Century-Fox and Paramount.

(b) The mediators to reopen "escape clause" discussions with the Government, on behalf of all.

(c) A settlement between the three assenting companies.

(d) Collapse of the whole thing.

Big 5 Peace Likely

Motion Picture Daily reported yesterday that a peace program to cover 20th Century-Fox and Paramount was regarded likely over the weekend, with the three assenting companies acting as intermediaries.

The Government says:

"There can be only one kind of a decree for all."

Paramount and 20th Century-

Fox say:

"The decree terms must apply to all equally."

The dispute arises that the hold-out companies wish to modify some of the provisions and particularly the escape clause so that it will operate absolutely and effectively at the end of nine months from the effective date of the decree.

MPTOA Asks U.S. Hearing on Decree

(Continued from page 1)

ment of their views, Kuykendall pointed out, "the Government officials can't be expected to have a full understanding of them."

The M.P.T.O.A. president said he believes the Department will welcome expressions of opinion by exhibitors, "particularly because of the fact that exhibitors have not been permitted to participate in the hearing to date, and he is sure the Department is trying to impartially and fairly work out the trade differences in this industry."

He said the M.P.T.O.A.'s objections to the block-of-fives sales proposal are based upon a belief that it would increase film costs to the exhibitor, cause him much unnecessary confusion and work. elimination of the exhibitor's cancellation right and establish a more severe block booking system then ever before.

Spear to W. B. in Seattle

SEATTLE, Aug. 19—John Spear, formerly with 20th Century-Fox, has joined the Warner exchange here as sales manager, succeeding Arthur Collofons, resigned.

Far Eastern Business Is Holding Pace

By SHERWIN A. KANE

Business in the Far East is holding rather steady despite the waging of war in China and the effects of the trade war in Japan, British officials said yesterday on their arrival in New York for home office conferences.

No new trade problems of major import have arisen in the Far East during the past year, Goodman said. British possessions were described as being very fair, a surfeit of currency regulations and most of them have given assurances that no restrictions will be placed on currency exports until such a move is absolutely necessary.

India is considering imposing restrictions on imports, he said, but American distributors do not regard the proposals which have been discussed so far as damaging to their interests. No legislation on the subject is anticipated until next year.

Future of the Japanese market remains a doubtful question, Goodman said. He is not optimistic about currency export or film import regulations being liberalized by Japan in the immediate future.

War Department

Bids for Film Jobs

WASHINGTON, Aug. 19—The film industry's first national defense job will be to provide photographers and technicians for the War Department.

This was disclosed today when the Department, through the Civil Service Commission, called for applications for appointment as motion picture photographers and technicians at salaries ranging from $2,600 to $1,440 a year, a total motion picture cameramen at $2,000 a year, photographers and technicians at $2,600 to $1,440 a year.

No definite information is available as to how many positions are to be filled or where they will be located.

Applications will be received from men not over 35 years of age. Examinations will be held probably in October.

Schine Suit Answers Are Due on Sept. 3

BUFFALO, Aug. 19—Universal, Columbia and United Artists have until Sept. 3 to file answers to the Government's complaint in the antitrust suit against the Schine circuit and the major companies.

The answers of Loew's, RKO, Paramount, Warners and 20th Century-Fox were filed on Saturday, the last day for those five defendants.

The suit probably will be placed on Federal Judge John Knight's calendar at the November term for trial.

Answers consisted mostly of general denials, although Paramount contended that it is not a resident of this judicial district and, therefore, not subject to jurisdiction of the Federal court here.

Cammann to Argentina

Ben Y. Cammann, formerly of the RKO home office foreign department, en route to Buenos Aires to take over new duties for the company as manager for Argentina, succeeds Nat Liebeshkind, resigned.

Warner Newark Meeting

Joseph Bershards, general manager of Warner Theatres, will preside today at a meeting of managers and district managers in the Newark zone. He will be accompanied by Harry Goldberg, advertising manager.
Most widely publicized screen event of the year! Worth and Hollywood Theatres, Fort Worth, September 19th, followed September 20th by day-after-date premiers in more than 100 Texas cities! Forty Texas newspapers now featuring contest to select guard of honor to welcome Gary Cooper, Doris Davenport, Walter Brennan and other star celebrities to Fort Worth as radio stations prepare to broadcast event from coast to coast. Samuel Goldwyn gratefully thanks Bob O'Donnell, Harold Robb, Ed Rowley, Julius Gordon, R. E. Griffith, Governor O'Daniel, Karl Hoblitzelle, Mayor McCrary of Fort Worth and the Chambers of Commerce of Texas for their enthusiastic cooperation!
Schine Circuit Completes New Division Setup

GLOVERSVILLE, N. Y., Aug. 19.—A new setup of operations of the Schine Circuit was disclosed here today by J. M. Schine, president of Schine Enterprises. The changes embrace the three divisions in which are about 170 theatre operators.

Most important change is the appointment of Gus Lamp, for nine years city manager of the Schine-RKO theatres in Syracuse, as head of a new division comprising territory including Maryland and Delaware, Northern New York and the Mohawk Valley. Lamp will have his headquarters in Gloversville, where he will begin his new duties Sept. 1.

Major Louis Lazur will remain in charge of the Ohio-Kentucky territory. Frank M. Boucher heads the important Western New York division and, in addition, will supervise all zone operations.

Schine announced that no employee of the circuit would lose his position should he be called for military training. An unconditional guarantee was given against any employee would have their jobs back when they return from duty.

No Agreement on Cincinnati Wages

CINCINNATI, Aug. 19.—Although negotiations are under way for agreement for several weeks, no definite agreement has been reached between theatre operators and the independent union. In the major or independent classifications, on wage scales to become effective Sept. 1, upon expiration of current contracts. A number of angles are understood to have been introduced, due to existing tax and other business conditions.

Coast Flashes

HOLLYWOOD, Aug. 19.—United Artists today announced definite release dates of 23 features, including the new season's distribution period from Sept. 6 to Dec. 27. Fifteen are already completed.

James Cagney will arrive here tomorrow and leave by plane immediately. The picture of a contract is appear voluntarily before the Dies Committee to refute accusations of Communist.

A general membership meeting of the Screen Writers Guild was held here today under chairmanship of Sheridan Gibney, who reported on progress to date on negotiations for recognition by the producers.

James Roosevelt is confined to his home with the flu, which is believed to have begun his appearance at Thursday's opening of "Pastor Hall" in Philadelphia.

Deems Taylor has arrived here to collaborate on the final stages of production of Walt Disney's "Fantasia," feature-length musical cartoon.

"Lucky Partners" [RKO]

(Continued from page 1)

doing a tango with her co-star, she appears as a hunch-playing assistant in her aunt's Greenwich Village book store. One such hunch brings her into contact with Colman, an artist who has for some years refused to exhibit his work because of its previous banning on grounds since repudiated.

Together, and with Miss Rogers' fiancé's consent, the two buy a sweatpukes ticket, with the understanding that, if they win, they are to go away together and never tell anyone that his work will no longer be denied the world. But between start and finish, the result of pattered casting and story choice, as of direction and production values, are more than mere evident.

In addition to the stars, sure and able performances were turned in by such name-worthy support as James Craig, Spring Byington, Cecilia Loftus, Harry Davenport, Hugh O'Connell, in addition to Leon Belasco, Lucile Gleason and others in smaller roles.

Harry E. Edington was executive producer, with George Haight producing and Lewis Milestone, returning to the comedy field, directing. Allan Scott and John van Druten wrote the screenplay from a story by Samuel Goldwyn. The musical score, a definite asset in carrying the mood of the film, was contributed by Dimitri Tiomkin.

Running time, 95 minutes. *G.*

*W. S.*

=“G” denotes general classification.

Pool Ten Theatres In Atlantic City Deal

ATLANTIC CITY, Aug. 19.—A pooling deal involving 10 Warner and 10 RKO houses in New Jersey, which have been running steadily for the past several years, with the town obviously oversold. Terms of the pooling provide that some houses will close during the current season, allocation of pictures to the open houses and a corresponding correction of clearance problems. Further merger was made on a temporary basis with the option of renewal.

The competing houses of the pool houses will be headed by Joseph Bernhard, general manager of Warner Theatres, and Weilland, representing the RKO houses. Both companies.

Considered the biggest pooling arrangement in years in this area, the houses involved included Warner's, Warner, Stanley, Colonial and Virginia; and Weilland-Lewis' Apollo, Strand, Embassy, Capitol, Margate and Ventnor.

Ask Pre-Release on St. Louis Single Test

ST. LOUIS, Aug. 19.—Cooperation of producers and distributors is essential to the success of the new single ticket law of the Ambassador here, according to Harry C. Arthur, Jr., president and general manager of Fanchon & Marco, operators of the 3,100-seat theater.

Arthur, in a statement issued over the weekend, said the one way in which the producers and distributors can help during the test period is to arrange that pictures played under the policy be given a pre-release of three to four weeks in this particular territory "so that there will be no simultaneous runs in the territory serviced by St. Louis exchanges."

Cincinnati Houses Increase Prices

CINCINNATI, Aug. 19.—Prices at the RKO Albee, Palace, Capitol and Keith's will be increased on Thursday, Sept. 1, the RKO distributor, inclusion of State and Federal taxes, will be 33 cents 1. P.M., 40 cents matinee, and 50 cents evening. Present admissions are 39 and 47 cents for matinee, evening.

The opening of the new RKO Lyric is expected to be effective at the new RKO Lyric beginning Thursday, and will apply to the entire house, regardless of whether under floor or balcony, including State.

The 33 and 42 cents matinee and night scale at the RKO Lyric remains the same, with the addition of a 28 cents admission until 1 P.M., 40 cents beginning of the show. The suburban RKO Paramount, which heretofore was dark from 3 to 7 P.M., will operate on a continuous basis. Matinee prices will be reduced from 26 cents to 25 cents, including taxes. Evening top of 39 cents will be unchanged.

Wisconsin Exhibitor Convention on Oct. 2

MILWAUKEE, Wis., Aug. 19.—An I.T.F.P.A. Wisconsin convention meeting will be held Sept. 6 in Merrill and the association's annual convention has been scheduled for Oct. 2 and 3 at the Schroeder hotel, Milwaukee.

Lucille Forbes, owner of the Cosmo at Merrill, is chairman of the regional meeting. The state convention will consist of an all-day business meeting on Oct. 3, which will include several well known speakers in the industry. Delegates will have opportunity to register Oct. 2 and participate in a get-together in the evening with representatives of firms exhibiting at the convention. The annual banquet will be held the evening of the second day.

Broadway Enjoys Weekend of Plenty

(Continued from page 1)

The week will also be $3,000 for the first week ending today of "The Great Magician" and Cab Calloway and his band on the stage. The bill will go a second week. The Riot will open "Golden Gloves" today, after a weak $3,000 for three days on the dual revue, "The Gorilla" and "The Hound of the Baskervilles." The Globe took an estimated $3,000 for "Saturday Night." "River's End" on Saturday. "Foreign Correspondent" will reopen the Rivoli next Tuesday.

British Reported Establishing New Films Commission

(Collapsed from page 1)

and Norton, for producers; Francis Ford, George H. Elvin, labor; Simon Rowson, trade expert.

Despite the secrecy attending the proceedings, it is understood in informed quarters that legislation is being developed leading to the formation of a national body. It is further understood that a select body with control of foreign film investments here, rental terms, admissions and other phases of operation.

Personnel Shifted in RKO Circuit Division

CINCINNATI, Aug. 19.—Local RKO division offices have made the following changes in personnel, effective this week: Norman Lina, manager of the suburban Paramount and Orpheum, has been named manager of the downtown Capitol, succeeding James Pendegast. The latter has been transferred to the Suburb, where Henry Sommers recently resigned to take charge of the Sam Lee circuit in Kentuck.

Tom Davis, formerly with the Paramount at Louisville, but more recently with the Libson-White Paramount, Ashland, Ky., succeeds Linz, William T. Hastings, of W. T., has gone to the new Grand, and has been replaced by Lake Jones, assistant at the Albee. Albee, manager, assistant at the Orpheum, has taken a similar post at the Grand. Elwood Jones has been transferred from assistant at the Shubert to assistant at the Albee, and Stanley Gerhardstein, formerly chief of service at the Shubert, has been named assistant manager of that house.

Rice Sabotage

Tokyo, Aug. 19.—National journals are demanding the withdrawal of a native-made picture as "unpatriotic" because it contains a frightening example of the misuse of rice in times of food rationing. A dramatic poster, according to the news reports, is pictured with "his face plastered with cooked rice."

Tuesday, August 20, 1940

MOTION PICTURE DAILY
**Clair, Thwarted by War, To Produce in Hollywood**

(Continued from page 1)

wears an air of assurance and speaks with a sureness of feeling that he knows from the start what he is talking about. Clair is best remembered by American audiences through "The Ghost Goes West," which he made in England with his brother, John Korda, which enjoyed a wide popularity here. His best known French-made pictures which were released in the U.S. were "Sun Les Toits de Paris" ("The Roofops of Paris") and "Le Million."

**Has Slight Accent**

His English would be perfect except for a slight accent, and as he tells the story of how his production plans were blocked, time and again since 1937, he grosses his lips and tips his cigarette from mouth to ashtray, as if it were all part of the story he is telling, sitting behind his desk in Salsnick's office, in the International Building.

Like all Frenchmen, he is polite and courteous, yet he isn't anybody waiting—but can he help it, in this big city, to some minutes late, he says, when he gets lost because he has been smoking a cigarette that was when United Artists with much fanfare held the premiere of the Robert Enzer's "The Great Dictator." Clair stayed in New York for about three weeks, visited the suburbs, saw the shows and lunched at the usual places and then returned home.

**Non-Smoking Method**

Clair's visitor on this occasion doesn't smoke, and this impresses the director who says wishes that he also didn't smoke, but he knows of only one method by which to react to this, and that is by keeping his cigarettes in a separate room, so that when he feels like smoking he must leave the particular room and go into some other in order to get one. That would be inconvenient and not always the courteous thing to do when they are good for a couple of years. Has he tried it? Well, he didn't say.

This time—ah, that time is different. Clair experts to reach the wood and stay there for a while with his wife and son. Of course, he will return to France. No Frenchman can desert that "poor country"—because certainly if his country needs him he is going back. That may be in a year perhaps.

Clair might have been over here sooner, he says, and he had permission from his Government to leave, but he felt that it was his duty to stand by, during the war, in case he was needed in the service. He is only 46 and although he bore in the World War, he was still subject to call in the Army.

**Want to Make "Pure Air"**

Clair hopes to be able to make a kid picture here. He has a script of "Air Pur" ("Pure Air") on which he has already shot some French backgrounds and which was in work for five weeks or so when France's Mobilization Day arrived and he had to suspend work. There he was in the French 700 miles or so from Paris, with 17 or 18 children and a company of 34 adults, including actors and technicians. Besides, two of the children were stricken with fever. That was in August, 1939. One week later his chief assistant fell in battle. The second was the second time that his work was interrupted by an international incident.

The first time, was when he was preparing to start working on "Rue Gaiete" ("Gaiety Street") a story of the Times Square area of Paris, when the Battle of Paris broke loose, and again Clair had to suspend operations.

**Plans One or Two Films**

Well, he still has these three scripts and still believes that they are good enough to make and still hopes to make one or two of them. Clair had never worked with children before, but he wanted to try. "Air Pur" with the cooperation of France's Ministry of Information, and he says he was surprised of the quick and easy understanding his kid actors had of their work, although none of the 18 which he had selected from a batch of 3000 that he went through. He had to start work on "Rue Gaiete" ("Gaiety Street") a story of the Times Square area of Paris, when the Battle of Paris broke loose, and again Clair had to suspend operations.

**Universal**

Finished: "Spring Parade," A Little Bit of the Old 750-
Post," "The Devil's Pipeline."" Seven Sinners," "The Green Hornet Strikes Again," "Vigilantes Save My City," "Meet the Wildcat."" Warners

**Roach**

Finished: "Roadshow." 20th Century-Fox

**In work: "The Californian," "Jennie." Universal**

**In work: "Spring Parade," A Little Bit of the Old 750-
Post," "The Devil's Pipeline."" Seven Sinners," "The Green Hornet Strikes Again," "Vigilantes Save My City," "Meet the Wildcat."" Warners

**High Sierras."**

**Hall' Opening Set Despite Objections**

PHILADELPHIA, Aug. 19—"Pastor Hall" will open at Warners' Aldine Thursday despite objections by the local musicians' union, which has been on strike against the circuit for nine months. James Roosevelt, who is releasing the film through U. A., and Mrs. Franklin D. Roosevelt, who contributed a prologue to it, are not expected to attend the premiere, according to Robert B. Bosko, United Artists branch manager here.

**Proceeds to Charity**

ST. LOUIS, Aug. 19—The Women's Allied War Relief local organization which is sending clothing and medical supplies to England, received half of the proceeds of the Ambassador Theatre at one night's showing of "The Queen of Destiny."
Films Vital to Rapid Growth of Television

(Continued from page 1)
an average of three or four features each week. Rents ranging from $75 to $150 were paid. While these rentals are insignificant singly, it was observed, if multiplied by 10 or 20 stations, the rental areas the distributors may show interest. This is especially true, it was pointed out, because radio can use features several evenings and the reverse screen represents a clear profit to the distributors. Television authorities believe that many stations would be willing to pay more than the present rentals if product from a major company could be assured.

The FCC has emphasized that it will not permit "squatters" on the television channels. This is generally understood to mean that stations will be required to fulfill program commitments or relinquish their licenses.

It was added, however, that the station may be altered materially if an agreement is reached. Financial aid and full commercialization is granted by the FCC. In such event, it was said, larger appropriations would be available for film purchases.

Four Stations Sign Pacts with A.F.R.A.

SAN FRANCISCO, Aug. 19—Con-tracts have been signed with KPO, KGO, KROW, and KQW by the American Federation of Radio Artists here, covering announcers, sound effects men and staff artists. Five-day, 40-hour weeks are provided, with slight pay increases for announcements. Negotiations are beginning with KSFO and KYA, only remaining local stations unsigned with the A.F.R.A.

Baltimore Outing Set

BALTIMORE, Aug. 19.—The Variety Club here has chartered a small cruise on Chesapeake Bay Wednesday. A private excursion boat has been chartered. A buffet supper will be served. Howard Burman of the club has arranged a four-page "gag" newspaper for distribution among the excursionists. Edward Perelka is chairman.

Fight Seattle Censor

SEATTLE, Aug. 19.—Mayor Arthur B. Langlie and the Seattle Board of Theatre Supervisors have been cited in a 19-day suit by directors who say they should not be restrained from interfering with the showing of "Doped Youth," a state right film being distributed here by Clarence Wicks.

Women Ask Previews

PHILADELPHIA, Aug. 19.—Mrs. Harry B. Miller, newly appointed chairman of the Mother's Picture Department of the Philadelphia Federation of Women's Clubs, has asked exhibitors and exchanges to provide several previews during the year of "worth while" pictures though they may not have popular appeal.

Off the Antenna

THE Radio Manufacturers Association reports that its National Television Systems Committee, organized July 21 in cooperation with the FCC, is making rapid progress in its technical studies under W. R. G. Baker, chairman, and Virgil M. Graham, secretary. Jan. 1 is the informal goal of the committee to complete its studies.

The Industry Committee has been completed, with the appointment of Ray H. Manson of Stromberg-Carlson, Dr. Ralph Brown of Bell Telephone Laboratories and Paul R. Raboun, head of Paramount's television activities. Nine sub-committees, which completed the study, and the sub-commit-tee chairman will meet at the Roosevelt hotel tomorrow.

Purely Personal: Clem McCarthy will be heard daily over WHN in a series as the Old Gold Sports Reporter. He will give results during the afternoon each day from 2 to 6 P.M.... Gail Patrick and Brian Ahern will guest stars on the Kraft Music Hall show next Thursday. Miss Patrick will replace Elia Kazan, originating in Chicago. Miss Qualely has been visiting the Schenectady-Albany area, lining up football broadcasts. He is in charge of Atlantic Refining Co. sports announcers for N. W. Ayer Agency.

General Electric Co. is distributing a new 15-page short-wave station guide, which lists several hundred stations, their frequencies and call letters. The booklet contains operating schedules of stations throughout the world. It is printed in Spanish, English and French.

Program News: General Foods has renewed over 75 CBS stations so far for its "Fitch Committee" radio series, including "Gabriel" with a repeat at midnight, starting Oct. 4. "We the People" has been renewed and will continue Tuesday nights, 9 to 9:30, with a midnight repeat, over 41 CBS stations. ... A new CBS concert series by Benjamin Britten will be heard Wednesdays, 9:30 to 10 P.M., starting tomorrow, as a sustainer. ... Arch Oboler will return to NBC on Oct. 4, with a Friday 9:30 to 10 P.M. series, "Everyman's Theatre," for Proctor & Gamble, to be heard over 54 standard network stations. The shows will originate here, in Hollywood and in Chicago.

In connection with one of NBC sales organizations, Vice-President Albert Nelson of KGO and KPO, San Francisco, has named Gene Grant to head sales for the Blue network and Harry Bucknell for the Red. William Ryan remains as general sales manager.

Republican Assigns Record Ad Budget on 'Hit Parade'

HOLLYWOOD, Aug. 19.—The highest advertising and publicity budget ever has been allocated by Hit Parade, set by board chairman H. J. Yates for "Hit Parade of 1941." Yates has extended his stay at the studio from three to eight weeks. He plans to keep his distribution quarters quarterly production schedules during his stay.

With a supporting cast headed by DIANA LEWIS, MARION MARTIN, WALTER WOLF KING and ROBERT BARRATT, the Marx Brothers have started their third M-G-M picture, which is also their first period story, being filmed in 1937. The comedians will employ frontier garb but keep their own facial makeup for "Go West," is Larry Darmour, who has signed principal for the first of the "Ellery Queen" detective stories he is producing for Columbia, MARGARET LINDSAY has the feminine lead and RALPH BELLMAN will portray the title character.

Due to production delay occasioned by union scalawag, boy's brother's leg, HARRY SHEARMAN may double up as an extra in the production of the next two "Haploing Cassidy" pictures, with BOYD, RUSSELL HAVENS, and ANDY GLOE "bicycling" between two units. ... FRANZ WAX- MAN, M-G-M composer and scoring di-rector, has received a new long term contract. ... MANNO SERY has re- ported to M-G-M to start work on the screenplay for his story "Married Bachelor," which John W. Considine will produce.

ERICH POMMER is completing the editing of two of his pictures, "What They Knew," with Bette Davis and "Lorelai," with Dave Hackett and Luise Rainer. "Laughton and "Dance, Girl, Dance," with MAUREEN O'HARA. ... ALEX- ANDER KORAS has released a new original screenplay, which he will direct and produce, for MELLE OBERON. The story is called "I Have Been Here Before," this title coming from the poem by DANTE GABRIEL ROSETTI.

HORACE HURST and his band have arrived from Chicago for a mid-Sep-tember start on "Pot o' Gold," in which they will be featured by Globe and Warn's. The song, "JUNE DEIVAL," has been com- posed by the late Henry Mancini, and is now being produced by RADOLPH BELLAMY, who will portray the title character.

Keep the Change

ALBANY, Aug. 19.—When Russell T. Overy of the Auto Vision outdoor theatre here, was seated in the ticket office the other night, the cashier quoted a $20 bill and said, "Keep the change." Overy revealed that the patron was Steve Wil-liamson, Coast technician, to whom Holmes had loaned $20 about 25 years ago, when he started West.

Hearing on Brown Is Off Until Friday

WASHINGTON, Aug. 19.—Because witnesses scheduled to be heard tomorrow have been ordered by the Senate Interstate Commerce Committee tonight off its hearing on the renomination of Thad H. Brown and the other member of the Federal communications commission.

The next hearing will be held Fri-day. The judicial author of a financial report attacking RCA, is expected to give further testimony regarding the situation which led to the preparation of the report and its contents, which have been challenged by both RCA officials and Senator Charles W. Tobery.

Alabama Schools to Use Teaching Films

BIRMINGHAM, Ala., Aug. 19.—Organized visual education will come to Alabama schools for the first time during the coming school year through a network circuiting library of sound films by Birmingham-Southern College. The talking films will be used in primary grades, high schools and colleges. Sixty-five films have been purchased for distribution during the first year.

Warners to Screen Shorts on Thursday

WARNERS will hold a screening of 1940-41 short subjects here at 2:30 P.M. Thursday for the New York exchange sales staff, bookers and exhibitors. Similar screenings will be held in Warner branches throughout the country.

DeSylva Plans Musical

CHICAGO, Aug. 19.—B. G. DeSylva, film producer and songwriter, is planning a Broadway musical, "Panama Hustle," with Ethel Merman, James Cagney, George Murphy, and David Carr. DeSylva is due back in Hollywood Nov. 15 to start on a Bing Crosby-Bob Hope picture for Paramount.

Republic Seeks Dismissal

Republic Pictures Corp. and Republic Productions, Inc., will apply to a Federal Judge, Edward J. Conner, for an order dismissing the dis- suit of Marquis James for alleged plagiarism of the latter's book, "The Raven, a Biography of Sam hornet," in the Republic film, "Man of Con- quest."
British Circuits Set Higher Price Scale With 9-Pence Base

London, Aug. 20.—English theatre circuits today made known through the Motion Picture Exhibitors Association their agreement on a new scale of admissions, to become effective on Oct. 6. Opposition to the scales is expected from some independents. Substantiating forecasts of the new scale published recently in Motion Picture Daily, the minimum admission is disclosed at nine-pence, with one shilling, two-pence and one shilling, nine-pence as the chief prices in first run theatres. The scale also includes prices of one shilling, one shilling, six-pence, two shillings and six-pence. Prices in individual situations are to be selected from this range of six different prices.

Theatres now operating on a scale of six-pence, nine-pence and one shilling will operate under the new policy with eight-pence, one shilling and one shilling, two-pence. Other areas now using a six-pence minimum will change to a minimum of eight-pence or nine-pence.

Fund from U.S. Firms Is Given to Kennedy

London, Aug. 20.—Headed by Fayette Allport, representative here of the Motion Picture Producers and Distributors of America, a delegation of American film men today presented to U. S. Ambassador to England Joseph P. Kennedy, a check for $16,000 ($64,000)

The money, the contribution of American companies operating in England, will be used to assist organizations working to relieve and protect the English civilian population.

Compromise Weighed in ‘Big 5’ Peace

But 20th-Fox Reasserts Escape Clause Stand

Industry officials and Government authorities are studying the possibility of compromising, at least in principle, with 20th Century-Fox and Paramount, following yesterday’s mediation meeting of the Big Five, which was held at the Hays office. Despite Century-Fox reasserted its stand at yesterday’s meeting for an absolute and automatic escape clause, and Paramount continues to study the situation. Should these two firms stick to their positions, Loew’s, RKO and Warners may sign the Government’s peace terms, anyway.

At yesterday’s meeting, the assenting companies made no counter offers of peace, and 20th Century-Fox and Paramount only stated their stand.

Sidney R. Kent, Barney Balaban, Nicholas M. Schenck, George J. Schaefer and Robert Rubin were among those who attended yesterday’s meeting.

Until the session, the assenting companies’ only information regarding the future will be based on government’s agreements.

(Continued on page 5)

Hollywood Groups Press Cong. Dyes For Hearing on Communist Charges

Hollywood, Aug. 20.—Screen Actors Guild today telegraphed Congressman Martin Dies, who is in San Francisco, the complete texts of wires received from Lucille Ball, Frances Lederer, Lionel Stander and Jean Muir, who volunteer to testify in denial of charges of Communist affiliation, sympathies or contributions to the movement.

Following the stand already taken by the actors’ guild and the Producers’ Association, the Screen Writers Guild, through its executive board, last night denounced “recent actions of State’s Attorney Byron Fitts and Congressman Dies” in connection with Communist charges against Hollywood talent.

San Francisco, Aug. 20.—Congressman Dies late today cleared James Cagney, Humphrey Bogart, Fredric March and Philip Dunne of Communist sympathies. The Congressman previously had conferred with Cagney.
**Personal Mention**

**L. EoNARD GOLDENSON, Paramount theatre department executive, will leave for Washington today.**

JOHN HOWLEY of Donovan, Leisure, Newton & Lombard is in Canada for a vacation.

ADOLPH SCHMIDT of Universal is confined to his home with a cold.

TERRY TURNER, manager of the RKo field staff, has left for Little Rock, Ark.

LARRY GRAVER, Warner Theatres' district manager in Philadelphia, is recovering from an operation at Lankenau Hospital.

GERTRUDE MEBRER of the Motion Picture Herald's Managers' Round Table is vacationing in upstate New York.

MARY LOUISE WALKER, film critic for the San Antonio Express, is vacationing in the Colorado Rockies.

MAXWELL WEINBERG, manager of the Little Theatre, Baltimore, was in town yesterday.

CHARLES BIEBBAUER, managing director of the Colonnade and Sahaleum, Alaska, Pa., is driving to Florida for a vacation and plans to return by plane.

C. C. PEPPEE, M-G-M salesman in Philadelphia, sustained a broken arm in an auto accident.

**A. M. GEORGE, comptroller of United Artists Theatre Circuit, has returned from Maine.**

ALFRED HARDING, editor of Equity, official organ of Actors Equity, left yesterday for a two-week vacation.

D. A. K. SMASON, manager of the Fox, Portland, Maine, and formerly with leading merchants, played host to 1,000 youngsters at an annual picnic at Winnisquam Park.

THEODORE ROUTON, manager of the Hippodrome, Baltimore, leaves at the end of the week for a vacation.

J. J. BERGIN, 20th-Fox booker in Philadelphia, and J. A. FLYNN, Columbia circuit booker there, are back from a Canadian trip.

MARSHALL SABLE, chief of service at the Stanley, Baltimore, is assistant manager while Norris Nelson is vacationing.

JACK GORSZ, CHARLES STERN, JAMES MULVEY, ARTHUR SILVERSTONE, ARTHUR SCHNEIDER, MORTIMER WORZER, BENjamin MILSTEIN, ISAAC LEON, PATSY LEE, and GOODEY (S. 54 St.) for lunch yesterday.

JACK Cohn, Max WEISEFELD lunched yesterday at Lindy's (next to the Rivoli).

STANFORD GRAYES, AUSTIN KOUCHAN, WILLIAM SCULLY, CLAYTON BOND, ALEC MOSS, VICTOR TROTTA, ARTHUR MAYER, TOBY GREEN, SIDNEY PHILLIPS, ALEXANDER INCE, JOHN GOLDEN, LEE SHUBERT, JIMMY SAVO, MARTIN Bock, JOHN HERTZ, JR., EDWARD E. HORTON at Sanders' for lunch yesterday.

WILLIAM F. ROGERS, TOM CONO ROSE, EDWARD SAWORD, ROBERT WOLFE, JOHN HICKS, JR., RUSSELL HOLMAN, JOSEPH UNGER, JOHN ELIOTT, MORRIS KINZLER, LOUIS WEINBERGER, and JACOB MOSKVITZ lunched yesterday at Nick's Hunting Room at the Astor.

MARTIN QUIGLEY, LESTER HAMLIN, LOUIS POLLOCK, ROBBY BUSH, MO WAX, FRED J. MCCONNELL, PAUL LAZARUS, SR., MAURICE BERMAN, CHARLES CURRAN, OSCAR DOUG, MURRAY SILVERSTONE, ARTHUR KELLY, EDWARD C. RAPPET, RUDY ROGERS, WILLIAM ETHELTON, MORRIS SARGENT, JULIUS ABELES, ALBERT MARQUES, HANK LINETZ, L. E. LORF at the Tavern for lunch yesterday.

**3 More 3rd Week 'Boom' Holdovers**

"Boom Town" has been held over for a third week in three additional situations, according to M-G-M. The new holdovers, which make a total of seven, are Philadelphia and at the State and Chinese in Los Angeles.

**Circuit Sets Dividend**

TWO, Aug. 20 — Hamilton Union Theatres, Ltd., operating three theatres in Hamilton, Ont., as units of the Famous Players circuit, has declared a dividend of 1½ per cent on the preferred shares for the current quarter, payable Sept. 30.

**$500,000 by FWC On Improvements**

Los Angeles, Aug. 20.—Fox West Coast will spend more than usual this year for repairs and rehabilitation of theatre properties. The circuit has under way a program of improvement at 10 California houses, in addition to construction of two theatres. Work started so far this year calls for an expenditure of about $500,000. A normal year's outlay is several hundred thousand dollars.

**British Production Carrying On: Kane**

Hollywood, Aug. 20.—Robert T. Kane, until recently head of British production for 20th Century-Fox, said today that production is continuing in London despite intensification of the war. Of four films on the 20th Century-Fox program, one is finished, one will be completed in 10 days and two are in the planning stage, he said. Kane has been here six weeks and will remain to make two pictures for the company.

U. A. Circuit Dividend

Regular quarterly dividend of $1.25 a share on the five per cent preferred stock was declared yesterday by the directors of United Artists Theatre Circuit, Inc. The dividend is payable Sept. 15 to stockholders of record Sept. 3.

**Newsreal Parade**

THREE news events of international significance occupy the major share of attention in all the newsreel and movie editors' acceptance of the Excellence of Wendell Willkie, President Roosevelt's Canadian defense conference with Prime Minister of Great Britain and the invasion warning of U. S. Ambassador Bullitt are spotlighted, while the affable Winchesters are pictured assuming their official duties in the Bahamas.

**MOVIEVENTE NEWS, No. 69—Willkie makes new Canadian campaign. Roosevelt discusses Canada defense with Prime Minister; Bullitt warns of invasion threat. The Winchesters take up duties in Bahamas.**

**NEWS OF THE DAY, No. 297—Willkie goes on President's campaign. Roosevelt discusses Canada defense with Prime Minister; Bullitt warns of invasion threat. The Winchesters take up duties in Bahamas.**

**PARLIAMENT NEWS, No. 102—Willkie accepts nomination. Roosevelt concludes discussions with Canadian Ambassador Bullitt issues invasion warning. Windsors take up duties in Bahamas.**

**UNIVERSAL NEWSREEL, No. 903—Willkie's acceptance speech. Roosevelt and Prime Minister arrange Canadian defense unit.**

**PHOTOGRAPHIC NEWS, No. 114—Willkie has his first Canadian campaign. Roosevelt discusses Canada defense with Prime Minister; Bullitt warns of invasion threat. The Winchesters take up duties in Bahamas.**

**See Big Philadelphia Legitimate Season**

Pittsburgh, Aug. 20.—The Nixon expects its best season in years, manager Harry Brown predicted before opening night for New York, to book more plays.

Definitely set are “Too Many Girls,” with Helen Hayes in premiere; "Twilight in the Park," and "Life With Father." Secretary Dorothy O'Connell of the American Theatre Society reports that subscriptions this year are on a par with last year's at this date. More than 4,000 subscriptions were sold here last year, for the city's only legitimate theatre.

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**C A L I F O R N I A**

**T E X A S * A R I Z O N A**

4 FLAGS Philips DAILY COAST-TO-COAST

**AMERICAN AIRLINES Inc.**

ROUTE OF THE FLAGS
A proposal to raise actors’ salary minimums from $40 to $50 weekly was voted down by the council of Actors Equity at a stormy meeting yesterday in New York. The vote was 11 to 1, with 4 on the table, to continue the present salary rates for members. The council report was tied up with several other proposals which were not discussed. The entire matter will probably come up again on Sept. 7 when a quarterly meeting of the members will be held in New York.

The council postponed action on the request of the League of New York Theatres for permission to hold Sunday shows on Broadway beginning immediately to pay double wages. The present Equity regulations require double pay.

James F. Reilly, executive secretary of the League, Milton Weinerberg, its attorney, and Lee Shubert, Martin Beck and Brock Pemberton, producers, attended yesterday’s meeting and advised the council that Sunday shows had been approved by the stage managers and musicians and asked Equity to take similar action. Because of the long discussion on the minimum salaries, the question of Sunday shows was postponed until the next meeting, which will be a special order of business.

**UA Enters Denial in Schine Action**

BUFFALO, Aug. 20.—United Artists today entered a general denial of Government allegations in filing its answer to the bill of complaint in the Federal court suit here against the Schine circuit and major companies.

The answer, prepared by O’Brien, Droisell & Raftery, New York counsel for the company, asked a judgment dismissing the complaint.

Answers were filed last Saturday by Paramount, Loew’s, 20th Century-Fox, RKO and Warners. About Allied and Columbia have until Sept. 3 to file their answers.

**Quits Astor Pictures**

O. K. Bourgeois has resigned as general sales manager of Astor Pictures in New York and has acquired the Astor franchise in Texas, Arkansas and Oklahoma, with headquarters in Dallas.

**Larry Clinton in Short**

Larry Clinton and his orchestra are featured in a Paramount “Headliner” short being completed at Eastern Service Studios under direction of Leslie Roush. Bill Steiner is the cameraman.

**Motion Picture Daily**

**Compromise Weighed in ‘Big 5’ Peace**

(Continued from page 1) ing the position taken by 20th Century-Fox and by Paramount came from the Government and the trade unions. For the first time, the assenting companies officially were told what 20th Century-Fox and Paramount were fighting for.

In signing a separate peace, Loew’s, RKO and Warners expect the Government to waive all issues and relieve them of all trial costs; suspend the decree and waive all other anti-trust suits now pending against them everywhere.

It is expected that discussions among the Big 5 will resume today.

The scheduled session between the Government and the assenting companies was called off yesterday. No reason was given.

**Critics’ Quotes . . .**

"PRIDE AND PREJUDICE" (M-G-M)

As full of pathos and humor as when Jane Austen wrote it—Laura Lee, Philadelphia Bulletin.

A gentle, charming photoplay . . . sumptuously produced by M-G-M and it is every bit as wise and humorous as its stage original.—Henry T. Mar- dox, Philadelphia Ledger.

Entertaining escapist stuff . . . M-G-M has given it a production as smart as the eye of a new Valentine, a cast that does justice to its quaint charm and often catty dialogue; while Robert Z. Leonard has provided tongue-in-cheek direction that maintains the spirit of the novel without ever quite permitting his players to descend to bawdy burlesque.—Mildred Martin, Philadelphia Inquirer.

Has just the light, quizzical attitude that is imperative, if the dated story was to go over with a swingtime audience, and the acting, clever, potenti, but never unduly emphasized, blends in with the rich background of costumes and settings so as to make the whole seem a living tapestry.—Chicago Tribune.

A gay and delightful film.—Doris Arden, Chicago Daily Times.

It is very entertaining and amusing, well acted. . . . Everybody should enjoy it and especially the older generation.—Peace James, Chicago Daily News.

The story is fairly simple and without many tense moments . . . benefited by many a good directorial touch . . . the picture is recommended.—Garrett D. Byrnes, Providence Journal.

"YOUNG PEOPLE" (20th-Fox)

A bright, lively and entertaining saga, somewhat on the fabulous side.—I. E. Oliver, Los Angeles Herald Express.

Miss Tovey’s appeal to her public in “Young People,” whether it be temporary or lasting, with odds to the former, is accomplished in a good picture.—Harry Mims, Los Angeles Daily News.

Director Allan Dwan maintains a decisive tempo throughout . . . there’s life in the young player, played by Alice Faye, in Times—Times.

If you are a Temple fan, “Young People” will please you because you will see the same Shirley you have admired since her babyhood. If you are not, you will find much to entertain you.—Los Angeles Examiner.

"MY LOVE CAME BACK" (Warners)

Here is as smooth a blend of the spy and the picturesque with the sweet and the sentimental as Hollywood comedy usually affords, and thoroughly delightful it all is, too.—Gilbert Kanony, Baltimore Evening Sun.

The writers have taken their situations, made them look sophisticated and out and has popped a gag little comedy. We feel that you will have an enjoyable time.—Norman Clark, Baltimore News-Post.

"THE BOYS FROM SYRACUSE" (Universal)

We think you’ll enjoy its humor. . . . It is good-natured fun.—Philadelphia Ledger.

The trio who like their fun sophisticated will get a few laughs, but fans who dote on a daily chain of gags, no matter how obvious or how often repeated, will find this a riot.—Laura Lee, Philadelphia Bulletin.

Our neighbors at the theatre almost danced in the aisles in celebration of its obvious humor.—What’s-What in Times.

A humdinger . . . presented with more than typical Hollywood lavishness. . . . A comedy masterpiece.—Klita Starn, Baltimore News-Post.

**West Indies Face Strict Enforcement of Quota Law**

Strict enforcement of the exhibitor quota laws in British Guiana and the British West Indies has been ordered despite war conditions, according to Saul Jacobs, Paramount manager for that territory, who arrived in New York from Trinidad yesterday for a home office visit.

Jacobs said that during the past three years exhibitors in the territory had not been successful in complying with the quota law, which requires them to use British product equivalent to 20 per cent of their total bookings. After a lengthy investigation, the Government suspended penalties with the warning that the quota laws would be strictly enforced henceforth. To meet the new situation, the exhibitors, about 85 in number, are forming a cooperative film importing company to provide them with sufficient British product to meet the quota requirements.

It is reported, Jacobs said, that the Government purchased a first deal recently for 30 Gaumont British films.

High building costs in the territory have acted as a deterrent to new theatre construction activities, Jacobs said, and also forced the abandonment recently of plans for erection of a film exchange in Trinidad.

A wartime restriction on export of British goods to the West Indies equivalent to the freezing of 35 per cent of distributors’ revenue was recently invoked in the territory. The war has not affected business materially, Jacobs said, but the importation of Indian films is increasing.

Three-fourths of the population of the territory is Hindu.

**Arnold Nominated As SAG President**

HOLLYWOOD, Aug. 20.—Screen Actors Guild at a meeting last night nominated Edward Arnold for president; George Murphy, first vice-president; Pauline Lord, second vice-president; Walter Abel, third vice-president; Lucile Gleason, recording secretary, and Patric Knowles made by James C. Petrillo, president of the American Federation of Musicians, that his union include all musicians.
MR. EXHIBITOR GETS THE BIGGEST SHARE OF THE "BOOM TOWN" DOLLAR PIE!

Oh Boy! How the money rolls into the box-offices of theatres that are playing this phenomenal M-G-M attraction at advanced prices! You’re next, Mister Showman!
"CUT YOURSELF A BIG PIECE OF 'BOOM TOWN'!"

Here are the amazing figures up to Friday!

("Boom Town" grosses in 9 key situations are compared with grosses of M-G-M's biggest previous hits in same situations, same number of days.)

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<th>&quot;BOOM TOWN&quot;</th>
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<td>Beats &quot;Test Pilot&quot;</td>
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And below are latest figures!

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HELD OVER A THIRD WEEK!

As we go to press! Imagine this!
7 out of 9 test engagements
Held over for 3d advanced-price week!
Business was so terrific in the first few days of the second week (9 out of 9 held over!)
That a 3d advanced-price week is essential!

Your town will soon be a "Boom Town"!

Flash!
Oklahoma City, a new "Boom Town" advanced-price test engagement, in 4 days beats 7 days of "San Francisco," "Test Pilot," "Boys Town," "Babes in Arms," "Northwest Passage" and many others.
Motion Picture Daily

Wednesday, August 21, 1940

Off the Antenna

Trend of New Tax Fades in Ontario

TORONTO, Aug. 20.—Official announcement has been made by Finance Minister Mitchell Hepburn that the fourteenth year of the Liberal Administration is such that no new taxation will be necessary. This is the first indication that any interest was present in the Ontario Government that the amusement tax would be restored and in the absence of the admission levy for three years. Hepburn declared that current revenues are meeting budget requirements for the fiscal year and income due to increased war imports of the Federal Government which had cut into the provincial field.

Music Hall Files Test Suit on Security Tax

Radio City Music Hall Corp., yesterday filed a test suit in the U. S. District Court against the U. S. Government to recover $1,079 which the company paid under the provisions of its 1938 tax under the Social Security Act.

The plaintiff states that the tax was assessed on the salaries of star performers such as Jan Pepper and Henrietta Schumann and on specialty acts such as T. Judgment and Bubbles and Top, Toe which supplement the permanent troupe. The plaintiff contends that the tax was illegal and as such independent contractors and as employees for which the company is subject to tax.

AFRA Certified at KXOK in St. Louis

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The certification is the result of a secret election held July 31, which resulted in a unanimous vote for AFRA over the objectors, as reported by the Star-Times Publishing Co.

Para. Leads League

Paramount is still leading the Motion Picture Baseball League in the second half with 20% of the season's series, with three games won and none lost. Skouras and M-G-M are tied in second place, followed by Universal.

Tilling French Film

Ralph Roeder has been assigned to head the motion picture unit of the French new fact picture, "Le Cheminée," to be released in the early Fall.

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They Drive’ Pulls $15,000 Loop Gross

CHICAGO, Aug. 20.—“They Drive by Night” scored a good $15,000 at the Roosevelt. “Going on the High Seas” opened on Pauline, which has been doing a good business in the Loop, and the theatre will be ready for opening this Fall, Basil Brothers also have acquired the Capitol, Niagara Falls, from Marvin Atlas.

Schines Shift Addison GLOVERSVILLE, N. Y., Aug. 20.—Mr. L. H. Addison is now manager of Schine’s Glove Theatre here, having been transferred from the Olympic in Watertown, N. Y.

Thomas Mack Transferred MADISON, Wis., Aug. 20.—Thomas Mack, Jr., formerly assistant manager at the Capitol here, has been transferred to the National, Warner-Sex neighborhood house in Milwaukee, as house manager.

Take Over Kansas House KANSAS CITY, Aug. 20.—The Rosedale theatre in Kansas City, Kan., formerly operated by James A. L. Davis, has been taken over by Homer F. Pautz and C. W. Rhode, who operate the Sunset. Little Feet and Rhode have completely re-modelled the theatre, installed air conditioning and 500 new seats.

Theatre Firm Formed WINNINNEE, Wis., Aug. 20.—The Winnie-McNamara Co. has been organized here with Helen M. Sweet, Christine Peterson and Victoria L. Speere as incorporators. The firm plans to operate a theatre here.

Daly Sells Theatre LOWELL, Mass., Aug. 20.—Michael Daly has sold his interest in the Capitol to the Lowell Bank and is now confining himself to operation of the Daly, Hart, and Plainfield, Plainfield, Conn.

Hartford House to Reopen HARTFORD, Conn., Aug. 20.—The Harris Brothers will reopen their 400-seat State, closed for the Summer, on Aug. 30.

Managing Drive-In MIDDLETOWN, Conn., Aug. 20.—F. V. M. Parkhurst, former manager of the State, Torrington, has been appointed manager of the E. M. Loeve’s Drive-In here.

Fishman Theatres to Build ROCHESTER, N. Y., Aug. 20.—Fishman Theatres, Inc., has acquired property on Boston Post Road and South Benson Road for construction of a new theatre.

Renew Altec Pacts D. D. Quigley, general manager of Lincoln Theatres Corp., and King Coal Theatres, Inc., Lincoln, Neb., have renewed with Altec Service, Sam Bendheim, Jr., has renewed an Altec service agreement for 24 Neighborhood Theatres, Inc., houses in Virginia towns.

House Is Air-Conditioned TORONTO, Aug. 20.—The Oriole Theatre in North Toronto, operated by 20th Century Theatres, has been equipped with an air-conditioning and ventilation system.

‘Heaven’ Gets Fine $10,200, Leads Seattle

SEATTLE, Aug. 20.—“All This, and Heaven Too” was the best bet, taking $10,200 at the Palace. “I Love You Again” at the Fifth Avenue grossed $8,500. The weather was fair.

Estimated takings for the week ending Aug. 16:

"The Boys from Syracuse" (Unav.): $3,200.
"Dr. Christian Meets the Woman" (RKO): $1,000.
"Blue" (M-G-M): $2,000.
"I Love You Again" (M-G-M): $5,000.
"The Way of All Flesh" (Para.): $5,000.
"I Married Adventure" (Col.): $6,000.
"Military Academy" (Col.): $3,500.
"Liberty" (W. B.): $4,000.
"Pride and Prejudice" (M-G-M): $6,000.
"The Man I Married" (20th-Fox): $5,000.
"Love, Hee and Oh Baby" (Unav. Paramound): $3,000.

Lesser Signs Writers

Hollywood, Aug. 20.—Sol Lesser has signed Rose Franken and her husband, William Brown Mconey, to write “Strange Victory.”

Kansas City Gives ‘Love You’ $17,200

KANSAS CITY, Aug. 20.—“I Love You Again” and “Florian” took $17,200 at Loew’s Midland. Cool weather also helped “The Man I Married” which took $20,000 at the Esquire and $3,500 at the Uptown.

Estimated takings for the week ending Aug. 13-15:

“Man I Married” (20th-Fox): $11,000.
“ESQUIRE” (M-G-M): $9,000.
“I Love You Again” (M-G-M): $7,000.
“Florian” (M-G-M): $6,000.
“Midland” (W. B.): $4,500.
“Snow White and the Seven Dwarfs” (RKO): $3,500.
“Sailor’s Lady” (20th-Fox): $2,500.
“The Man I Married” (20th-Fox): $1,500.
“Uptown” (M-G-M): $1,000.

‘Love’ Is St. Louis Smash at $18,800

ST. LOUIS, Aug. 20.—Enjoying its best business since “Gone With the Wind” left town, less than a week has registered a record-breaking week for this time of the year with “I Love You Again,” grossing $100,000. Bus was up at other houses.

Estimated takings for the week ending Aug. 16:

“I Love You Again” (RKO): $8,000.
“We Who Are Young” (M-G-M): $7,000.
“Love’s Worth” (RKO): $6,000.
“The Man I Married” (20th-Fox): $5,000.
“Girl From Avenue A” (20th-Fox): $4,000.
“Pier 13” (20th-Fox): $3,500.
“Bataan” (20th-Fox): $3,000.
“Return of Frank James” (20th-Fox): $2,500.
“Grand Ole Opry” (RKO): $1,500.
“Broadway Melody” (Unav.): $1,000.

Sponsoring Eye Clinic MILWAUKEE, Aug. 20.—The local Variety Club will sponsor an eye clinic for underprivileged children. The club will provide glasses and complete treatment.

Rob Theatre Safe INDIANAPOLIS, Aug. 20.—Thieves yesterday broke into the Vogue, neighborhood house operated by Carl Niese, and escaped with $1,500 taken from a safe.

The N. Y. JOURNAL and AMERICAN calls "HE STAYED FOR BREAKFAST" A "RADICAL-RIBBING, RIB-TICKLING COMEDY!" 

A COLUMBIA PICTURE
AMBUSH! 10,000 yelling
Shoshones attack the helpless pioneer wagon train.

STAMPEDE! See hundreds of horses running wild—and only one man to stop them!

DEAD MEN RIDE!
Kit Carson outplays the wily red men...his only allies dead men!

DYNAMITE! Tons of TNT roaring headlong to destruction...a never-to-be-forgotten thrill!

FIRE! Renegades make a seething cauldron out of the first American town on the Pacific!
**British Film Commission Worries U.S.**

**Fear Wide Control Over Foreign Product**

LONDON, Aug. 21.—American film interests here are understood to be greatly concerned over the probability that a new British Film Industry Commission is to be established by the British Government in the near future.

*Motion Picture Daily* on Tuesday reported the development of legislative plans designed to establish such a commission, which, it was indicated, would have far-reaching power in controlling the activities of the industry virtually in all its key phases. Subsequent investigation has authoritatively confirmed the original reports that a commission is being formulated.

American interests are especially concerned, it is understood, over the extent of the industry control which will be exercised by the commission. It is pointed out that obviously the commission aims at a greater control of the industry, by the British, and especially the

(Continued on page 5)

**Attendance at Fair Behind Last Year**

The New York World's Fair had a total paid attendance of 9,433,100 up to 5 P.M. yesterday. This figure is about 4,000,000 behind last year's total for the same number of days of operation. Bad weather conditions were a major factor in keeping attendance down. Rainy weather all of June, followed by a heat wave in July kept many away. The cooler weather this week resulted in immediate gains.

**Decree Views Deluge U.S.**

WASHINGTON, Aug. 21.—Department of Justice officials said today that communications from exhibitors and exhibitor organizations are pouring in regarding the proposed consent decree and that the views so expressed will be duly considered. Officials, however, refused to comment on individual communications.

While no information was made available as to the reactions of the various groups and individual theatre owners to the decree proposals, it was intimated that many of the points

(Continued on page 5)

**'Fantasia' to Be Roadshorn In 12 Spots In November**

Premiere of Walt Disney's "Fantasia" will be held in New York early in November, Hal Horne, Eastern representative for Walt Disney Productions, said yesterday.

In all of its initial engagements the musical feature will be exhibited on a roadshow basis. There is a possibility that it will never be generally released, so that the matter of distribution of the picture does not enter into consideration at this time, Horne said. The initial roadshow engagements will be handled directly by Disney Productions.

Admission price policy has not been decided yet but it will probably range from 75 cents to $1.50 in most engagements. The picture runs two hours and 30 minutes. It has been in production for two years and is estimated to have cost more than $2,000,000.

Disney regards the reproduction of the Leopold Stokowski music in the picture as of prime importance and will install a new type of sound equipment developed by RCA in each theatre in which the picture is shown. Cities and theatres in which the initial engagements will be dated have not been determined yet, but the plan at this time is to order 10 or 12 of the special sound units for installation in theatres to be leased by Disney in as many cities. When the runs of the picture in these cities ended, the equipment would be moved elsewhere for later engagements. Thus, the picture probably will be playing in no more than a dozen localities at a time.

In the film, Disney employs for the first time oils and pastels in his cartoons. New cartoon characters, with the single exception of Mickey Mouse, are introduced in it and, also for the first time in a Disney production, "real" people are blended in the animation.

**'Big 5' Accord Is Near As Formula On Peace Is Set**

Government Reported Ready to Accept Kent-Balaban Escape Clause But Seeks Permanent Tradeshowsing Provision

By SAM SHAIN

An agreement on the consent decree between the Government and the Big 5, it was learned last night, may be reached today or tomorrow. It is reported that the Government may accept the Kent-Balaban formula on the escape clause, provided that the Big 5 will eliminate blind buying permanently by means of trade showings.

Meeting on Compromise Today

These reported compromises of themselves indicate that substantial progress has been made towards an agreement. At a meeting of the Big 5 which is scheduled to be held today, these proposed compromises will be taken up and decided.

The compromises are the result of discussions held yesterday at a meeting between Government counsel, including Assistant U. S. Attorney General Thurman Arnold, and a distinguished person in whom both the Government and the motion picture industry has complete confidence. This meeting is described by spokesmen as having resulted in the fullest realization of its purpose to bring about an accord between the Government and the Big 5 on the consent decree.

Whatever the Government's intentions may be in regard to Universal, Columbia and United Artists is still an open question.

Text of New Escape Clause

The modified escape clause which 20th Century-Fox had proposed follows. It was first printed in *Motion Picture Daily*, on August 14.

"At any time after June 1, 1942, upon the filing of an application under oath by any distributor defendant which has consented to the entry of this decree, with proof of service upon the other consenting defendants and the petitioner, stating that during the nine months' period next preceding the filing of such application an aggregate of 25 or more feature motion picture films (Feature motion picture films as used in this section shall not include westerns and foreign) have been licensed by one or more distributors of motion picture films operating on a national exchange basis to an exhibitor or exhibitors other than in accordance with the provisions of Sections 1 and 2 hereof (Trade Showings; Unit Selling in Blocks of Five), and setting forth the titles of at least 25 such feature motion picture films, the name of the distributor or distributors so licensing the same and the name of the exhibitor or exhibitors to whom they have been so licensed, the court shall forthwith enter an order relieving all such consenting defendants of further compliance with the provisions of Sections 1 and 2 hereof, except with respect to agreements to be made prior to September 1, 1942, licensing feature motion pictures to be released prior to said date."
Another Film First:
Preview of a Poster

Acting on the theory that if films and art shows are entitled to previews, why not poster advertising, United Artists will stage the first "preview" of a poster on the Alexander Korda production, "The Thief of bagdad" at 48th Street and Sixth Avenue at noon today.

Willy Pogany, artist, will officiate, and Lynn Farnol, United Artists advertising and publicity director, promises "a battle of champagne to burst, girls, pigeons and all the things that either are traditional or will become so after this event."

Pettitjohn Not Joining Selznick, Both State

"I wish it were true."

That's what Myron Selznick said yesterday when asked about the Coast report that Charles Pettitjohn, M.P. P.D.A. counsel, was leaving the Hays office to join the Selznick Agency. Selznick stated that the report was not true and furthermore that there hadn't been any conversations with Pettitjohn concerning that.

Further denial came from Pettitjohn, through the Hays office, which received a telegram from the counselor en route from the Coast to Chicago. He is due here tomorrow.

Morgan in 'Kitty Foyle' Hollywood, Aug. 21.—Dennis Morgan has the lead opposite Ginger Rogers in RKO's "Kitty Foyle."

WALTER WINCHELL

says:

"...HE STAYED FOR BREAKFAST LAUGHS THE COMMUNISTS RIGHT OFF THEIR SOAP-BOXES!"

A COLUMBIA PICTURE

Personal Mention

BARNYE BALABAN, Paramount president, will return today from a one-day conference with Comerford circuit executives in Scranton, Pa.

ROBERT MOCHIR, Eastern division sales manager for RKO, will return tomorrow from a New England business trip.

W. B. MORGAN, 20th Century-Fox manager in France, is due here from Europe on the Exodus on Aug. 29, according to latest advices.

WILLIAM K. SAXTON, city manager for Loew's in Baltimore, has returned from a vacation in Florida.

FRANK VENNETT, manager of the Opera House, Bat, Me., is visiting here with his family.

DANIEL POUSZNER, exhibitor in Middletown, Conn., has returned from a brief vacation at Nantucket.

ROBERT SCHWARTZ, operator of the Paramount, Thomaston, Conn., is back from a vacation at Nahant, Mass.

HARRY H. BUXBAUM, Joe E. LEWIS, WINN NATANSON, ALEXANDER INCE, JOHN HERTZ, JR., ARMANDO, LEIF ERIKSON, DOUGLAS WOOD, ARTHUR FRIEND, CHARLES LE NAID, OTTO PREISINGER, PAT DUGGAN, JOHN GOLDEN, FREDERICK LONSDALE, LEE SHUBERT, MARTIN DECK, AL LEWIS, ARTHUR KIM, JOSE FERRARI, RICHARD WROTH at Sardi's yesterday for lunch.

LOUIS D. FROHLICH of Schwartz & Frohlich returned yesterday from a vacation at Saratoga and will return there tomorrow to remain until after Labor Day.

MRS. SAMUEL HABELMAN, of the Capital Bridgeport, Conn., and her daughter, Margot, spending a month at Modus, Conn.

ABE SCHNEIDER, RUBE JACKER, SOL EDWARDS, SKYMOYER POE for lunch yesterday at Lindy's (next to Rivoli).

JACK GORZ, J. J. MILSTEIN, CHARLES STEIN, ARTHUR SILVERSTONE of Lindy's (51st St.) for lunch yesterday.

Buddy De SYLVA, STANTON GRIFFS, RUSSELL HOLSOM, ADOPLI ZUKOR, JOHN HICKS, MAX A. COHEN, THOMAS J. CONNORS, MAX DREXTERS lunched yesterday at Nick's Hunting Room at the Astor.

WILLIAM J. GERMAN, IRVING WORMER, LOU WEINBERG, LOU POLLOCK, MARVIN SCHENCK, JACK MEYER, JOE SCHOCH, MACK LITTMAN, LEONARD PAIN, SAM WEB, PAT McCONNELL, JOSEPH MOSKOWITZ, IRVING HOFFMAN, LYNN FARNOL, WALTER POTTER, SAM SHAID, DWIGHT D. WIMAN, TOM WEATHERLY at the Tavern yesterday for lunch.

ABE HOKES, M-G-M student booker in New Haven, is vacationing at BEACON, N. Y.

Kit Carson Week
Is Set in Denver

DENVER, Aug. 21.—Gov. Ralph Carr of Colorado has proclaimed next week as Kit Carson Week, in conjunction with the opening of the Edward Small-United Artists film, "Kit Carson" here on Monday at the Denver, Paramount, Broderick and Rio Grande.

A group of Hollywood players will arrive here Monday morning, where they will be met by the governor and his staff, Mayor Stapleton of Denver and city officials. A parade will follow, the Department stores and other organizations have taken blocks of tickets for employees and customers for the opening. The film will continue its run at the Denver after the opening.

Set Roxy Dividend

The board of directors of Roxy Theatre, Inc., at a meeting yesterday declared a quarterly dividend of 37% cents per share on the outstanding preferred stock, payable Aug. 30 to stockholders of record Aug. 24.

MOTION PICTURE DAILY

Thursday, August 22, 1940

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Pact for Miss Marshall

Hollywood, Aug. 21.—Brenda Marshall has been given a new year's contract by Warners.
Hollywood Review

"Men Against the Sky"
(RKO)

Hollywood, Aug. 21.—Keyed to the changed public attitude toward aviation resulting from publicity given the industrial aspects of the subject in recent months, this story about the men who build planes and fly them, filmed without furbelows and acted by a cast of capable players, attains more dramatic impact than most of the glamorized, romanticized treatments of the subject produced in the years when planes were popularly regarded as risky toys. The story by John Twist, adapted by Nathaniel West, is as down-to-earth as earlier stories in kind were not and as barren of improbability as a blue-print.

Basic interest pertains to the development of a new, swift model by a plane manufacturer "for foreign order." No spies lurk about the plant eager to steal the plans and there is no sabotage, etc., nor even a naming of the foreign power or a reference to war. There is humor in the manufacturer's financing of his enterprise and there is a thread of romance in the story. There is drama in the telling of how a down-at-heel pilot supplies the construction formula needed for success and dies when his parachute fails, as well as in two test flights made, but there are no mock heroes or other artificial stimulants to excitement. This common-sense handling of the material evoked more applause and approval from a preview audience than all the flag-waving in all the other flight pictures made since "Hell's Angels.

Richard Dix, Kent Taylor, Edmund Lowe, Wendy Barrie, Granville Bates, Grant Withers, Donald Briggs and others make up a strong cast. Direction is by Leslie Goodwins, a straightforward handling, and the production is by Howard Benedict, with Lee Marcus as executive producer.

Running time, 75 minutes. "G."*

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Expect New Haven Retention of Bingo

NEW HAVEN, Aug. 21.—With names of voters being gathered at the rate of 500 a day, the retention of Bingo here by the Board of Aldermen for another year is now virtually assured, it is reported.

The Aldermen will meet Monday in special session to ratify the state Bingo law which requires that five per cent of registered voters must signify their desire for the game before the board can act. Only churches and organizations can play the game.

Action Against Manager

Down, Del., Aug. 21—Hansel Marvel of Houston, Del., manager of the Hill Billy Playhouse at Bowers Beach, has been placed under $1,000 bail on each of two charges of obtaining the services of theatrical performers by false pretense. Charges were preferred by Joseph T. Bardo and Frank Belmont, managers of theatrical agencies in Philadelphia. The charges will go before the next Kent County grand jury.

Raise Prices for 'Town'

CINCINNATI, Aug. 21—The Nor- thio Circuit has booked "Boom Town" in all its first run houses at a 25 per cent price increase for matinees, and with the night scale increased 33 1/3 per cent. First date is at the Paramount, in Hamilton, Ohio, where the film opens for a four-day run Aug. 31.

Warner Club Elects

SEATTLE, Aug. 21—New officers have been elected by the Warner Club here, as follows: Morton Endert, president; Guy G. Maxey, vice-president in charge of entertainment; Mary Schmitz, secretary-treasurer; and Mayne Moody, chairman of welfare committee.

They Need It

CINCINNATI, Aug. 21—The following sign blinked from the marquee of the suburban Mt. Lookout:

"Torrid Zone"
New Air Conditioning.

Holt Joins 20th-Fox

SEATTLE, Aug. 21—Archie Holt will return to this city as salesman at the 20th Century-Fox exchange succeeding Jean Spear. Holt was formerly manager here for Gaumont-British, and more recently has been associated with Jesse Jones in the operation of the Granada in Portland. The house has been sold by Jones to Al Meyers of Newberg, Oregon.

Butterfield to Portland

Allyn Butterfield, director of the newspaper division of the Republican National Committee, has left Elwood, Ind., where he handled the pictures of Wendell Willkie's acceptance speech, for Portland, Ore., to make similar arrangements for Senator McNary's Vice-Presidential notification next Tuesday.

Seek Sunday Pictures

CLEVELAND, Aug. 21—Managers of local theatres will seek to reach an agreement with the mayor and city commissioners on the showing of Sunday films here, Manager Edward Hembree of the Princess said many of his patrons have been urging the move for some time.

Revivals at Playhouse

Starting tomorrow, the Fifth Avenue Playhouse will play revivals of French films for several weeks, before the opening of the regular fall season of first run foreign films.
He makes it great!

JAMES STEWART • ROSALIND RUSSELL

NO TIME FOR COMEDY

She makes it greater

Warners made it a howling success!

with GENEVIEVE TOBIN • CHARLIE RUGGLES

ALLYN JOSLYN • CLARENCE KOELB • LOUISE BEAVERS

Directed by WILLIAM KEIGHLEY

A WARNER BROS.-First National Picture

FROM STAGE TO SCREEN WITH A ROAR!
British Film Commission Worries U.S.

(Continued from page 1)

control of the marketing of foreign products.

It is feared by American interests that with the operation of the new commission, the discussion or examination of any proposed measure affecting the interests of the United States will not be permitted.

The British Board of Trade and financial interests here are believed to be back of the establishment of the film commission. A secret committee is being prepared to work on initial plans for the commission. The committee is to undertake in its membership, D. K. Grahame, one of the most prominent trade bodies here. A person

To Set Television Standards Shortly

Committee meetings to settle standards for television will get under way during the first two weeks in September, it was agreed yesterday at a preliminary conference of panel chairmen of the National Television Systems Committee.

The N.T.S.C. was organized last month to obtain agreement among all television patent holders on the best practicable and most satisfactory standards, thus paving the way for a grant of full commercialization by the Federal Communications Commission.

At yesterday's meeting, the full membership of each panel was agreed upon. No announcement was made as to when the meetings would be held later that the objectives of the N.T.S.C. had been "crystallized."

Following this meeting, the various panels will meet the objectives of the panel chairmen in September. It is expected that the next meeting will set the pace and determine the objectives for future work. It is..

Issues Standards Data

Hollywood, Aug. 21.—The Research Department of Motion Picture Arts and Sciences has distributed to interested exhibitors a "Western Preview-Theatre Auditorium Fader" and "Standard, Preview-Theatre Variable Equalizer."

Western on Weekend

Reported that its western pictures, "The Adventurer," starring Man Haye, has been booked into the Roxy, Panama City, for the weekend of Aug. 30-31. It is said that this is the third time a western has been booked for the weekend in that city.

Exhibitors' Views Deluge Washington

(Continued from page 1)

raised were given consideration during the session.

Officials said the communications are being studied and that the department is glad to have the views of such organizations.

ITOA Sends Decree Opinion to Arnold

The New York I.T.O.A., at a special meeting at the Hotel Astor yesterday formulated an organization opinion on the consent decree proposed in the New York antitrust suit, and forwarded the opinion to Thurman W. Arnold, assistant U.S. Attorney General. Harry Brandt presided at the meeting.

Ohio ITO Asks for Reactions on Decree

COLUMBUS, Aug. 21.—P. J. Wood, secretary of the I.T.O. of Ohio, has asked exhibitors for their opinion on the block-of-five provision of the proposed consent decree.

The matter is to be given consideration at a meeting of the organization's board of directors here Aug. 29.

Steuer, Goldwyn's Counsel, Dies at 70

Max Steuer, New York attorney, who was counsel for Samuel Goldwyn and other industry figures from time to time over a period of many years, died yesterday of a heart attack at Jackson, N. H., where he had been vacationing. He was 70 years old. Steuer was counsel for Goldwyn in his celebrated attempt to withdraw from United Artists.

Coast Flashes

HOLLYWOOD, Aug. 21.—Robert Davis was elected chairman of the Screen Actors Guild at a meeting last night.

Y. Frank Freeman, Producers' Association president, today said progress was made at last night's meeting with Screen Writers Guild representatives at which a contract was discussed. Another meeting will be held shortly.

A hearing before the N.L.R.B. today on certification of the Screen Free Employees Guild was interrupted when the A.F. of L. stenographers' union intervened with a petition for certification as the bargaining agent for casting directors and assistants. The board wired Washington for instructions whether a consolidated hearing should be held.

Sponsored by the Television Engineers Institute, the first national television convention opens here tomorrow.

'Nobody's Children' Cast

Hollywood, Aug. 21.—Russell Hicks, Ivan Miller and Dorothy Miller have been assigned parts in Columbia's "Nobody's Children," based on the radio serial.
"Wildly funny farce. While you're watching the screen at the Capitol you can't possibly worry about the state of the world; you're too busy laughing."
—EILEEN CREELMAN, N. Y. Sun

"One of the brightest comedy splurges of the current heat wave makes you double up with roaring laughter."
—LOUIS BIANCOLLI, World-Tele.

"Mr. Powell and Miss Loy one of our most versatile and frisky connubial comedy teams. Can make an hour and a half spin like a roulette wheel."
—BOSLEY CROWTHER, N. Y. Times

"Powell and Loy top a hilarious comedy as goofy as has been turned out of Hollywood since 'My Man Godfrey'."
—KATE CAMERON, Daily News

"Slick entertainment at the Capitol-Theatre."
—ROSE PELSWICK, N. Y. Jal.-Amer.

"Uproarious. One of the brightest comedies that has been shown hereabouts."
—HOWARD BARNES, Her. Trib.

"Fast and funny. A perfectly grand picture. If you have any cares at all you will forget them. A 'must'."
—LEE MORTIMER, Daily Mirror

The best biz at Capitol since "Gone With The Wind"!

starring WILLIAM POWELL
MYRNA LOY

with FRANK McHUGH • EDMUND LOWE

Directed by W. S. VAN DYKE II

Screen Play by Charles Lederer, George Oppenheimer and Harry Kurnitz

A Metro-Goldwyn-Mayer Picture

WHILE "BOOM TOWN" BOOMS HERE'S ANOTHER M-G-M HIT TO BOOM BOX-OFFICES!
Hold-overs are a habit when you play M-G-M pictures. They’ve got to be GREAT!

M-G-M’s Greatest Comedy Hit is the Sensation of America!

("I Love You Again—and Again!" Says the public from Coast to Coast)

New York, N.Y. . 2nd Week
Denver, Colo. . 2nd Week
Seattle, Wash. . 2nd Week
San Francisco, Calif. 2nd Week
Louisville, Ky. . 2nd Week
Salt Lake City, Utah 2nd Week
Philadelphia, Pa. . 2nd Week

(First time in history day and date engagements at Stanley and Earle first run and they’re terrific!)

Cleveland, Ohio . 2nd Week
Detroit, Mich. . 2nd Week
Columbus, Ohio . 2nd Week

Providence, R. I. . 2nd Week
St. Louis, Mo. . 2nd Week
Baltimore, Md. . 2nd Week
Minneapolis, Minn. 2nd Week
Houston, Texas . 2nd Week
Atlanta, Ga. . 2nd Week
Dayton, Ohio . 2nd Week
Richmond, Va. . 2nd Week
St. Paul Minn. . Extended
Des Moines, Ia. . Extended

(And more hold-overs as we rush to press!)

It’s all M-G-M on Broadway! And at famed Radio City Music Hall “Pride and Prejudice” holds for 3d Week!
**Critics' Quotes**

"I LOVE YOU AGAIN" (M-G-M)

As goody a comedy as has been turned out of Hollywood since the age of nonsense was inaugurated ... Ably directed by W. S. Van Dyke, II—Kate Cameron, N. Y. Daily News.

It's remarkable how perfectly a grand picture can be built around a crack on the head ... It would be a shame to miss the days of extra funny in this sweet, laugh-provoking film ... A fast and funny comedy.—Lee Mortimer, N. Y. Herald Tribune.

A anything but dull romantic comedy ... Mr. Powell and Miss Loy are on top form. The days are broad and spacious pace in a realm of high farce.—Lunts and Lynn, N. Y. World-Telegram.

Myrna Loy and William Powell provide slick entertainment ... The gags supplied them are funny and the general idea of it is one of wacky gaiety.—Rose Feltsman, N. Y. Journal and American.

"THE GREAT PROFILE" (20th-Century Fox)

The production qualifies as hitting the topical trend in a new way ... If an age can be solved ... the picture may be rated excellent entertainment ... It is cock-full of laughs, and the star plays his role to the hilt.—Edwin Schiller, Los Angeles Times.

No one can accuse John Barrymore of being a poor sport ... He ridicules himself ... Barrymore abounds in humor and comedy galore ... Much of the credit goes to Walter Lang, who does a top job of directing.—Loella O. Parsons, Los Angeles Examiner.

You must catch it at the top-ranking comedy ... Comedy mar marital mix-ups, his eccentric manerisms have found their way into this daily-farce comedy.—Jimmy Starr, L. A. Evening Herald and Express.

"THEY DRIVE BY NIGHT" (Paramount)

Ilda Lupino's brilliantly tragic acting in "They Drive by Night" makes that film stand out above Hollywood's "tough guy" and "wise-cracking" episodes.—C. J. Bulliet, Chicago Daily News.

"They Drive by Night" is a good melodrama, with its fast story over on the jump ... There is a most admirable portrayal by Ilda Lupino.—Norman Clark, Clark's News Letter.

Pretty exciting for the better part ... The real star of the occasion, in our estimation, is Ilda Lupino.—Gibert Kain, Baltimore Evening Sun.

Acting honors go to Ilda Lupino ... The role gives her an opportunity to run the gamut and stand out in every scene ... Can be put in the good entertainment.—Baltimore Morning Sun.

"RETURN OF FRANK JAMES" (20th-Century Fox)

Now 20th-Century-Fox has followed up the adventures of Jesse James with an exciting and happy tale of what happened to brother Frank ... Enlivened by excellent riding episodes.—Boston Daily Globe.

I have the time of your life at "The Return of Frank James," which brings him back, two-gun excitement in color to the screen ... Henry Fonda gives a splendid performance.—Boston Record.

Western thriller ... Fonda gives a colorful performance ... Gorgeous scenery abounds ... The picture is entertainment every foot of the way.—Rita Scann, Baltimore News-Post.

Under Fritz Lang's intelligent direction, the action does not lag for a minute ... Well-paced picture is marked by several short scenes that give the picture definite touches.—Baltimore Morning Sun.

"THE SEA HAWK" (Warner Bros.)

We can't think of another actor in Hollywood better fitted than Flynn for the swashbuckling costume dramas ... Gorgeously mounted, with spectacular scenes, the film is a thrilling, hair-raising, eye-filling yarn.—Mildred Martin, Philadelphia Inquirer.

Here is glorious adventure ... Two hours of perfect adventure story ... Howard Hawks' film is far and few between ... You can believe some of it, or none, but it's wonderful.—Arthur Bronson, Philadelphia Record.

It is familiar with many breath-taking adventures, though somewhat slow-moving in parts.—Dorothy G. Gainan, Philadelphia Daily News.

It is a gorgeous spectacle, probably the most elaborate of its species since the advent of sound ... It is straight from the shoulder cinema with an agle cast headed by Errol Flynn ... We were entranced.—Ollie Wood, Philadelphia Ledger.

The popularity of "The Sea Hawk" will be in direct proportion to lovers of your film is far and few between.—Lee. Lee, Philadelphia Bulletin.

**'Love You' Is Philadelphia Best, $32,000**

Philadelphia, Aug. 21. — Grosses at the downtown houses continued on ascending trend with the strongest showing registered by "I Love You Again," at the Earl and Stanley, with a booking of $2,000. It took $14,000 at the Earl and $18,000 at the Stanley.

Estimated takings for the week ending Aug. 14:

- "Andy Hardy Meets Debutante" (M-G-M) $700.
- "Untamed" (Para.) $600.
- "Maryland" (20th-Fox) $1,200.

**'Boom' With $19,000 Indianapolis Smash**

Indianapolis, Aug. 21. — "Boom Town" at Loew's was one of the theatre's best pictures, both in attendance and gross, drawing a super-smash $19,000, exceeded in the last decade only by "Gone With the Wind," which it surpassed.

Estimated takings for the week ending Aug. 16:

- "The Thin Man Too Much" (W. B. $4,000.
- "My Love Came Back" (W. B.) $3,000.
- "Cry Brock Drive by Night" (W. B.) $2,500.
- "Top Always Pays" (RKO) $2,000.
- "蹶" ( Warners) $1,500.
- "Scatterbrain" (Warners) $1,000.

**'Heaven' at $8,500 Scores in Montreal**

Montreal, Aug. 21. — "All This, And Nothing" opened next week and excellently at Loew's with $8,500. The Palace drew $7,200 with "Maryland." The Orpheum was closed down for a general decoration.

Estimated takings for the week ending Aug. 16:

- "The Two Mules Are Mules" (Para.) $3,500.
- "Ladies Must Live!" (W. B.) $2,500.
- "CAPTOL" (20th-Fox) $2,000.
- "All This, and Heaven Too" (W. B.) $1,500.
- "The Two Mules Are Mules" (W. B.) $1,000.
- "Gold Rush Maiden" (M-G-M) $750.
- "PRINCESS" (20th-Fox) $750.

**'Dalton's at $6,500 Does Well in Detroit**


Estimated takings for the week ending Aug. 14:

- "When the Dalton's Rode" (Univ.) $1,500.
- "The Man I Married" (20th-Fox) $2,000.
- "The After Party" (M-G-M) $900.

**Frisco Unions Merge**

San Francisco, Aug. 21. — Theatrical Employees Union Local 400, which has absorbed Theatre Workers' Union, has been organized in the theatre industry, formerly the Walter Sutherland, business agent of the former. Mrs. Ines Dodson, business manager of the latter, has become a steward in the larger union.

**Heads Sales for Astor**

W. J. Fitzmorris has been named general manager of Astor Pictures Corp., succeeding O. K. Bourgeois, who has taken over the Texas, Arkansas and Oklahoma franchise.
SCATTERBRAIN
A SCREAMINGLY FUNNY JAMBOREE OF GAIETY AND MUSIC

JUDY CANOVA • Alan MOWBRAY • Ruth DONNELLY • Joseph CAWTHORN • Eddie FOY, JR. • GILBERT
WALLACE FORD • ISABEL JEWELL • LUIS ALBERNI • EMMETT LYNN • JIMMY STARR • CAL SHRUM'S GANG
MATTY MALNECK AND HIS ORCHESTRA

A REPUBLIC PICTURE
Frisco Fair Passes 4 Million Attendance

San Francisco, Aug. 21.—With only six weeks left to go, and nearly 4,000,000 mark, officials of the World's Fair here are lining up a series of free features to increase attendance even higher. Events planned include free entertainment, educational features, concerts, and many celebrations, including San Francisco Day on Sept. 15.

Off the Antenna

IRVING CAESAR, president of the Songwriters Protective Association, yesterday issued a seven-page statement assailing Broadcast Music, Inc., for refusal to accept the basic contract which has been in use with other music publishers. He calls attention to the fact that BMI agrees to pay royalties on all original works, orchestral music, and synchronization with motion pictures while no provision is made for royalties for sale or licenses for the use of titles, electrical transcriptions, dramatizations, television or sources to be developed in the future. Caesar also points out that there is no specific contract for payment for radio rights.

Puriy Personal: C. W. Fitch, business manager of the NBC program department, on Sept. 1, will join the Chicago Museum of Science and Industry, headed by Leo Cohn, former NBC president. Fitch has been named WINS general manager. Fred Mears, formerly of the NBC press department, will join the Mutual publicity office Monday.

Edgar Kobak, NBC vice-president in charge of blue network sales, will launch the sales drive in earnest tonight at a dinner for all Blue salesmen at the Engineers Club. An item expected to receive attention is that a Blue program, H. V. Kaltenborn's newscasts, is tied for first place with Major Bowes' "Amateur Hour" among all evening shows. According to the latest Hooper survey, both Kaltenborn and Bowes have ratings of 11.6.

Program News: Parks Johnson and Wally Wattles have been renewed for the Fall over CBS with their "Vox Pop" program by Penn Tobacco. WNYC for the third year will give daily coverage of the Eastern Tennis Championships. CBS will sponsor "Symphony Hour," over WQXR for 26 weeks beginning Sept. 4th. Andrew Jergens Co. has renewed "Playhouse Theater" for 13 weeks over 62 NBC-Red stations. "It's My Life," at 1 P.M. on CBS. "Confidentially Yours" returns to Mutual Oct. 1 after a Summer layoff, under the sponsorship of Richfield Oil Corp. "Wake Up America," a new forum series, will be sponsored over Mutual Mondays at 9 P.M. by the American Economic Foundation, non-profit society.

Request Permit for Station in Oklahoma

WASHINGTON, Aug. 21.—Construction permit for a new 600-kilowatt, 50,000-watt broadcasting station in Tulsa, Okla., has been asked of the Federal Communications Commission by the Fred Jones Broadcasting Co.

The application was not filed for immediate construction, but was offered in anticipation of the application of the Havana treaty.

Other applications received by the commission included the requests of Stations WHBU, Anderson, Ind., for increase of night power from 100 to 250 watts; WLBZ, Bangor, Me., for increase of power of 500 watts night, 1,000 watts day, to 5,000 watts, and WEVD, New York, for authority to move the transmitter from Brooklyn to New York and increase power from 1,000 to 5,000 watts.

Theatre Changes

Plans Cincinnati Suburban

CINCINNATI, Aug. 21.—Maurice Chase, has broken ground for a 50,000-watt theatre in suburban Hartwell, to be known as the Vogue. Chase, who formerly conducted an independent operation here, operates the Roselawn and Crescent, and is interested in the Aven, local suburban.

Reopen Wilmington House

WILMINGTON, Del., Aug. 21.—The Arcadia, Stanley-Warner, Wilmington downtown theatre, will reopen Aug. 21. The manager, an independent operator here, operates the Roselawn and Crescent, and is interested in the Aven, local suburban.

Chattanooga, Tenn., Aug. 21.—Abe H. Borissky, secretary-treasurer of the Independent Theatres, operators of six neighborhood houses here, plans a new open-air, drive-in theatre in Brainerd, to cost between $32,000 and $40,000 and to accommodate between 500 and 600 parked automobiles.

Georgia Town Gets 4th House

VALDOSTA, Ga., Aug. 21.—Valdosta's fourth theatre, the Grand, has opened in the downtown business section.

Indiana Firm Changes Name

DOVER, Del., Aug. 21.—Indiana Theatre Corporation, a Delaware corporation, has changed its name to Indiana Illinois Theatres, Inc., the secretary of state has announced.

Showmanship Flashes...

Hubby Contest Used

CLEVELAND, Aug. 21.—A "hubby contest" was used here by Loew's State to plug "Pride and Prejudice." Open to all comers, the contest was run with a new package of five rules for winning a husband. Prizes included $15 in cash and 15 pairs of tickets. The stunt was done in cooperation with the Cleveland Plain Dealer.

Envelopes on Street

PHILADELPHIA, Aug. 21.—Leo Trainer, manager of the Rialto, attracted attention for "My Love Came by," by passing out on the street 1,000 envelopes on which it was printed that they contained a penny and another "one for an excellent motion picture. Inside was an actual penny and a herald on the picture.

Review Contest Used

For 'Love You Again'

Newspaper readers were asked to turn copies of the campaign on "I Love You Again" put out by Robert Cornick of the Michigan Theatre in Detroit. He planted a contest in which the first 150 readers were asked to see the picture and then submit reviews. The best entries were awarded cash prizes and guest tickets.

Standing Figure Is

Ready on 'Sea Hawk'

"Sea Hawk," in addition to posters, window cards and similar usual accessory material, the Warner advertising department has prepared a life-size standing figure of heavy stock, done in 12 colors, with a double-wing casel. In addition, a four-page, tabloid size, roto herald has been prepared.

Promotes Giant Tractor

To Plug "Boom Town"

Ford's campaign on "Boom Town," Rodney Toupes of Loew's State in New Orleans promoted a "marsh buggy," giant tractor with 10 feet high, and sent it through the city streets, carrying film and theatre copy on the picture.

Kit Carson Grandson

Will Tour Country

In a pre-selling campaign for "Kit Carson," Edward Small-United Artists film, Kit Carson, III, grandson of the American frontier scout, will make an extensive tour of the country. He will carry the personal greetings of Gov. Ralph Carlin of Washington state's chief executives. He will arrive here Sept. 12.

Portable Derrick Is

'Boom Town' Exploitation

An eight-foot portable derrick, with five-foot electric ropes around the base, was installed on the television house lawn at Tulsa, Okla., as part of the "Boom Town" campaign put over by Ralph Talbot, Orpheum. A former oil worker buddy of Clark Cable, one of the stars of the film, was brought to Tulsa from his new home town and provided newspaper reminiscences.
THE 1940-41 INTERNATIONAL MOTION PICTURE ALMANAC IS ON THE PRESS. WORLD-WIDE DISTRIBUTION WILL BEGIN SOON. RESERVE YOUR COPY NOW!

THREE DOLLARS THE COPY

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER NEW YORK
## MOTION PICTURE DAILY'S BOOKING CHART

*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*

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<th>July 26</th>
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<th>20TH-FOX</th>
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<td>Gold Rush Maisele (C)</td>
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<td>Haunted House (D)</td>
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<td>Untamed (D)</td>
<td>John Miljan</td>
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<td>Aug. 2</td>
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<td>William Powell</td>
<td>Doomed to Die (D)</td>
<td>Myrna Loy</td>
<td>Too Many Girls (M)</td>
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<td>Laughing at Danger (D)</td>
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<td>Aug. 9</td>
<td>The Durango Kid (O)</td>
<td>The Secret Seven (D)</td>
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<td>I Love You Again (D)</td>
<td>William Powell</td>
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<td>Aug. 23</td>
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<td>Aug. 30</td>
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<td>Edith Fellows</td>
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<td>Sept. 6</td>
<td>Fugitive From a Prison Camp (D)</td>
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<td>Miss Houston (O)</td>
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<td>Miss Houston (O)</td>
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<td>Two Men on Bait (O)</td>
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<td>Sept. 20</td>
<td>Howards of Virginia (D)</td>
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<td>Two Men on Bait (O)</td>
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<td>Sept. 27</td>
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<td>D. Fairbanks, Jr.</td>
<td>Haunted Honeydew (D)</td>
<td>Anna Sothern</td>
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<td>Two Men on Bait (O)</td>
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<td>Oct. 4</td>
<td>Haunted Honeydew (D)</td>
<td>Anna Sothern</td>
<td>That Gang of Mine (D)</td>
<td>Ann Sothern</td>
<td>Under Texas Skies (O)</td>
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<td>Oct. 11</td>
<td>Old Swimmin' Hole (D)</td>
<td>Morgan-Jones</td>
<td>The Quarterback (C)</td>
<td>Wayne Morris</td>
<td>The Villain Still Pursued Her (C)</td>
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David Selznick Forms His Own Film Company

Dissolves His Partnership With J. H. Whitney

David O. Selznick, yesterday realized a lifelong wish when he became sole owner of his own producing company, which is to be known as David O. Selznick Productions, Inc. The former Selznick International Pictures, Inc., in which he was financially associated with John Hay Whitney, John D. Hertz, Robert Lehman and others will be dissolved. Selznick will continue to produce for United Artists. He has two more pictures to make under his U.A. contract.

Selznick's new company takes over S-I's contracts with Vivien Leigh, Ingrid Bergman, Joan Fontaine, Alfred Hitchcock, Alan Marshal and Hattie McDaniel. In the new company, Daniel O'Shea will be general manager and the firm will include such executive personalities as Katharine Brown and Val Lewton. John Hay Whitney, Frank Altschul and David Selznick, himself, will serve as trustees in dissolution of S-I.

Broadway Grosses Continuing Strong

Aided by cooler weather and the customary influx of visitors to the city during the latter weeks of August, Broadway first runs continued to draw substantial grosses during the past week. Although several hours had elapsed since go time, the take for the second week almost equaled opening grosses.

"I Love You Again" had a smash opening at the Capitol where it drew an estimated $50,000 for its first week and it will be held for three weeks. At the Music Hall "Pride and Prejudice" with a stage show grossed an estimated $97,000 for its second week and continued strong yesterday when it started its third. If weekend business...

U.S. and 'Big 5' Reach Agreement in Principle

Leading figures in the decree negotiations

Left to right: Sidney R. Kent, president of 20th Century-Fox; Barney Balaban, president of Paramount; Thomas D. Thueker, chief counsel for Paramount, and Thurman W. Arnold, Assistant U.S. Attorney General.

History of Negotiations

On Monday, June 3, trial of the Government anti-trust suit against the eight major companies opened before Federal Judge Goddard in New York. Following representations to the major company defendant attorneys by Assistant Attorney General Thurman W. Arnold during that week, the trial was adjourned on Monday, June 10, until Wednesday, June 12.

Judge Goddard, in granting the first of several adjournments, urged that every effort be made to reach a settlement of the suit. The five theatre owning companies were represented at the first settlement discussions. The Government's initial proposals as a basis for settlement embraced

The New Escape Clause

Following is the text of the new escape clause (Section 9 of the proposed consent decree) which has been agreed to in principle by the Big 5:

"If on June 1, 1942, no final decree shall have been entered herein requiring each of the defendants, United Artists, Universal and Columbia to trade show their features and to license them in groups for exhibition, Sections 1 and 2 of this decree shall be inoperative and of no binding force and effect upon any of the defendants consenting to this decree as to features released after August 31, 1942.

"If prior to June 1, 1942, such a decree shall have been entered against United Artists, Universal and Columbia, any defendant consenting to this decree shall upon its election be relieved from further compliance with Sections 1 and 2 of this decree upon complying with all provisions in such decree requiring United Artists, Universal and Columbia to trade show their features and to license them for exhibition in groups, and an order or supplemental decree to that effect shall be entered herein upon the application of the defendant or defendants so electing. Such election may be made at any time after the entry of such a decree against United Artists, Universal and Columbia."
July Tax Revenue
Is Up To $1,650,163
WASHINGTON, Aug. 22—Federal admission tax collections in July totalled $1,650,163, a gain of approximately $4,300 over the June revenue of $1,654,603 and nearly $116,000 over the $1,534,250 recorded for July, 1939, it was reported today by the Bureau of Internal Revenue.

The month’s collections represented the return of taxes on June business, the last month in which the 40-cent exemption applied.

The sixth successive month in which collections were above those for the corresponding month of a year ago, the July receipts brought the total for the first seven months of the year to $12,817,934, well over $2,000,000 ahead of the $10,869,477 collected in the same period last year, the bureau disclosed.

Following the normal season trend, collections in the Third New York (Brooklyn) District rose dived in July to $1,491,161, from $1,551,904, the bureau reported.

Box-office collections dropped from $246,371 to $243,748, and admissions to roof gardens and cabarets dropped from $37,587 to $31,033, but receipts in the other categories increased. Tickets sold by brokers returned $16,937 compared with $14,193, tickets sold by proprietors in excess of established prices were $1,250, compared with $135 in June.

UNITED INAGURATES
SLEEPER FLIGHTS
TO LOS ANGELES
WITH NO CHANGE OF PLANES

The CONTINENTAL

The OVERLAND FLYER

The CALIFORNIAN

Reservations: travel agents, hotels, or
UNITED AIR LINES
58 E. 42nd St. MU-2-7300
67 Wall St. MU-2-7300

PERSONAL MENTION

CARLTON BARRON, Loew’s Eastern division manager, and Dax Terrell, the new publicity director of Loew’s in Washington, were home office visitors yesterday.

Oscar A. Doon, director of advertising and publicity for Loew’s circuit, will fly to Denver tomorrow to attend the “Kit Carson” premiere.

Charles Raymond, Loew’s district manager, has returned to Cleveland after conferences with home office executives.

Mr. and Mrs. A. H. Blank have returned to Des Moines after a stay of several weeks at Colorado Springs.

Thomas M. Hoffman of Comerford Theatres real estate department in Scranton, Pa., has announced his engagement to Catherine O’Boyle of Scranton.

SIRNEY DNEAU, head Fabian booker, has returned to the home office after a trip to Albany. Louis R. Golberg, district manager in Albany for the circuit, has returned there after several days at the home office.

Paul Wallin, manager of the Leland Theatre, Tulsa, is vacationing with relatives at Mt. Vernon, N. Y.

S H. FABIAN, head of the circuit bearing his name, has returned to his desk after an illness of several weeks.

AL YOUNG, Jack Goetz, Joseph Pincus, Joseph Moskowitz, J. J. Milstein, Arthur Silverstone, Clara Engelman at Silverstone’s (31st St.) yesterday for lunch.


William Keighley, Warner director, has been named to an honorary professorship at the University of Southern California to conduct a weekly class in motion picture direction.

Emil Frank, manager of the RKO Orpheum in Des Moines, has returned with Mrs. Frank from a vacation in Chicago.

Jerry Massigo, manager of the Warner New Haven house, has returned from a trip to New York, where he attended a conference at the Strand and conferred with the former Gertrude Sullivan of the RKO New Orleans exchange, are spending their honeymoon here.

Virginia Price of the Paramount Des Moines exchange leaves Sept. 1 for a vacation in Kansas City.

Newsreel Paradise

VIRTUALLY no news event of outstanding importance came to the attention of the newsreelists for unannounced inclusion in their recent releases, but some of the layoffs at Coca-Cola’s and Wendell Willkie’s visits to his farm, and most of them recorded the arrival on these shores of outstanding personalities. The Quintuplets holding a “press conference” at their Canadian home, and some pictorial reference to England’s defense activity were other leading clips. Content of the reels follows:

News of The Day, No. 258—British ship led by a “Parasol” roll into the harbor. Willkie visits Anne’s, Royalty greets India troops. Willkie’s visit to his farm, Wings play host to Canadians. Willkie’s farm brings British refugee children for American homes. Dione Quin meeiing American editors.


Republic Sets Seven

Hollywood, Aug. 22.—Republic today announced seven pictures will go in work during the first three weeks in September.

MOTION PICTURE DAILY

Lindy’s RESTAURANTS

1626 BROADWAY 1655
(Next to the
Rivoli Theater)

For over 20 years the
lunchen and dinner place for
Motto People
Solo agents in New York for
FAMOUS

BLUM’S ALMONDETTES
from
San Francisco, California

PROMOTION:

Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Fame. Entered as second class matter, Sept. 23, 1938, at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $4 in the Americas and $12 foreign. Single copies 10c.
Decree Will End Suit Pending Two Years

Suit Legal Batteries

For Decree Are Traced

Negotiations

(Continued from page 1)

three major points: (1) arbitration; (2) changes in distribution; and (3) changes in exhibition (theatres).

Successive postponements of the trial of the suit followed. On Oct. 17, Judge Goddard granted the fourth adjournment, this time to June 26, to permit continuation of discussions. Arbitration was first taken up.

Meanwhile Allied States Association demanded that theatre divorce cases be a major part of a consent de-

settlement. On June 26 Judge Goddard again postponed trial, this time to July 22.

It was said that the Big 5, to achieve harmony, were willing to de-

centralize national purchasing power of affiliated circuits and would yield on blind buying, and the Government, in turn, would offer an "escape" clause to enable the companies to regain their status quo in the event a final agree-

ment is found to be "unworkable."

By July 22 a tentative draft on the proposals for a consent 'decree were ready, with the exception of the "escape clause" and an arbitration plan. On July 22 Judge Goddard ad-

journed the trial once again, this time to Oct. 7 at the request of J. Stephen Doyle, special assistant Attorney Gen-

eral.

At that point the Paramount the-

atre partners, operating about 1,250 of the country's leading theatres, re-

ected several of the proposals in the consent decree. Their objections were in blocks of five; designation of every theatre as a run and permitting one theatre to deprive another of product local buying; arbitration; and circuit expansion. The partners, seen-

holding the key to negotiations, demanded that their objections be sustained as to theatre showings, sales in units of

Series of Regional Suits

Was Begun in April, 1939

The Government campaign to de-

solve key regional independent circuits started April 28, 1939, as an auxiliary to the New York case, when an anti-

trust suit was filed against the Griffith Amusement Co. and major companies seeking dissolution of the circuit which operates in Oklahoma, Texas and New Mexico.

Additional Suits Threatened

Additional "regional" actions were threatened by the Government against large independent circuits in Chicago, Philadelphia, Cincinnati, Boston, At-

lanta and elsewhere. About one month later, however, Department of Justice-

officials revealed that there were insuf-

icient funds to prosecute the 10 suits originally outlined and declared that actions would be concentrated on a lesser number.

On Aug. 7, 1939, the Government filed a regional suit, its second, in But-

falkin in Schine Enterprises, seek-

ing dissolution of the circuit which has theatres in New York, Ohio, Ken-

cucky, Maryland and Delaware. This was followed, four days later, by a similar suit in Nashville against the Crescent circuit with theatres in Ten-

nessee, Kentucky and Alabama. Both suits were seen to be the Griffith case and also named the major companies involved.

Although the Department of Justice announced at that time that additional suits would be filed, the Crescent suit was the last one filed by the Govern-

ment, and with the outbreak of the war in Europe, the Government de-

clared that no further drive against the industry was under consideration.

Cases Still in Preparation

The three suits are in various stages of preparation with none of them moved for trial as yet. The Griffith suit struck a snag last May when the Government was ordered to file a bill of particulars covering data which the Government did not believe should be included. To test the ruling on appeal, the Government moved to discontinue the suit and the defense waivered their rights under the order and the dismissal plea was withdrawn.

Late last month the Government filed a long list of answers to interrog-

atories in the Schine suit. However, in all three suits there are many preliminary moves still to be made.

(Continued on page 6)
Great Showmen Recogn

WARNERS STAYED FOR DAY AND DAY

STANLEY THEATRES, E

The third picture in the history of th
A GREAT PICTURE!

BOOK "HE BREAKFAST"

ATE AT THE AND EARLE HILADELPHIA

the theatres to play day and date
U.S. and 'Big 5' Reach Accord

In Principle

(Continued from page 1)

according to the expectations of some of the industry's legal and accounting men, Attorney General Robert Jackson has to approve the terms before such an armistice can be declared. After that, however, none of the negotiators must work out the form of the decree and that will take some time.

The major peace terms which were agreed upon, in principle, by both sides, are compromises achieved as a result of discussions held on Wednesday between former Federal Judge Thomas D. Thacher, as the lone spokesman for the Big 5, in whom both the Government and the film industry have complete confidence, and Government counsel headed by Assistant U. S. Attorney General Thurman Arnold.

Jackson's Approval Awaited

Officials anticipate that the approval of U. S. Attorney General Robert Jackson will be forthcoming so that the Big 5 and the industry can incorporate into final decree form and become effective Sept. 1, 1941, unless the Federal Judge finds that some of the provisions of the matter should invalidate any of its provisions.

The whole decree is subject, of course, to the approval of the Government. Jackson, however, has indicated that he would proceed with the Government's conditions intact, so long as there is no conflict between them and the law. Arnold, as the Government's attorney, has consented to the inclusion of the Big 5 and the industry.

Additionally, the final form of the decree is expected to provide for:

1. Dismissal of all existing antitrust suits.
2. Dismissal of all pending contempt proceedings.
3. Exemption from the selling provision of the decree:
   (a) Existing distributors' franchises.
   (b) Film contracts between the defendants and their own theatre units.
   (c) Rigged studio in New York state were filed here by Berkshire Theatres Corp., Brody, Benjamin Mintz, and by Gravis Amusement Co., Inc., another Brook- lyn distributor, through Langsam and Langsam.

Additionally, Lioulfil Leon Gar- gos, Ltd., has filed a change of name to Antonina Film Corp., through Fite and Mayer.

Leid, Engineer for

Loew's Dead at 62

Harry Leid, 62, chief mechanical engineer at the Loew's theatres, was the victim of a sudden heart attack.

He had been a member of Loew's struc- ture of 14 years. He was the youngest in the firm of Moskowitz, construction chief. Funeral services will be held at his home, 383 Warburton Ave., Yonkers, service at 3:30 P. M.

'Northwest' in Regina


See British Effort to Boost Foreign Sales

London, Aug. 22.—The appoi- nture here today of Robert Weilait, former public- ity director of the well-established British Pictures Corp., to the export sales section of the British Ministry of Informa- tion's Films Division, was reported to the here in informed circles as indicating that new efforts to stimulate the foreign distribution of British product are planned.

Goldenson, Dembow

To Chicago Meeting

Leonard Goldenson and Sam Dem- bow, Jr., Paramount home office executives, were in Chicago yesterday. They plan to hold meetings with the company's theatre operators and directors in the Central and North Central territories.

General operating and product mat- ters will be discussed. The two are due to return to Los Angeles Tuesday.

Among the theatre men who are scheduled to attend the meeting, which will be similar to the one held in Chicago about six weeks ago, are the following: John Balaban and Walter Immerner of B. & K.; A. H. Blank, of the Capitols; John Cohn of M. A. Lightman, Memphis; Harry David, Salt Lake City; J. J. Friedl, Minneapolis, and R. J. O'Donnell, Dallas.

Broadway Gasses

Continuing Strong

(Continued from page 1)

ness holds up at the present pace it may go four weeks.

Another top attraction was "The Sea Hawk" with Richard Barthelmess, which had an estimated 46,000 for its second week and will start its third week today. "Gone with the Wind" continued strong, an estimated $11,000 for its 35th week at the Astor and holds indefinitely there. At the second week of "The Return of Frank James" with a stage show drew an estimated $33,000. "Young People" will open at the Roxie this morning and will be followed next Friday by "He Stayed for Breakfast." "When the Daltos Rode" opened with high expectations. "The Racket Crowd Night" is set for the Rialto Tuesday.

Other opening dates include "Rhythm on the River" at the Para- mount Wednesday, "Lucky Partners" to follow "Pride and Prejudice" at the Music Hall, and "The Ramparts We Watch" to follow "Lucky Partners.

Justin Gets Writ on Walter Reade

Leo G. Justin has been granted an injunction restraining Walter Reade and American Community Theatres Corp., running the Park, Jersey and Community theatres in Morris- town, N. J., on any policy other than that which prevailed between Jan. 15 and Oct. 31, 1939. Management of the houses has been vested tempo- rarily in Reade and Justin, who will act as an "operating committee."

Negotiations

For Decree

Are Traced

(Continued from page 3)

five-and-ten stores.

The conference here of the objectionable clause and an "escape clause" was prepared which was believed satisfactory to all con- cerned.

On Aug. 2, Loew's, RKO and Warners, after consulting with counsel favoring in principle the terms of the settlement proposed up to that point, presented a new proposal, and the answer of 20th Century-Fox was awaited.

On Aug. 7, Sidney K. Kent, for 20th Century-Fox, and Barney Balaban, for Paramount, rejected the proposed consent decree terms, un- der which the films were to be "worked out" and "covered" by the distributors in the same manner as the Paramount 'howards' clause," granting automatic release at the end of nine months, was granted in part. Columbia to the one then proposed. Kent and Balaban on Aug. 16 presented to the Government their alternative terms for an "escape clause" and a "classification provision."

The Government on Aug. 14 re- ceived the new proposal from the two companies, and warned that trial would proceed against them if they did not agree to the proposed de- cree. This was followed by efforts to mediate the differences in order to arrive at the consent decree, and on Aug. 22 Mervin Field of the Government indicated that an agreement on the decree was imminent, with the Government accept- ing the "escape clause" formula, and the Big 5 elimi- nating blind buying through trade showings.

Filed in 1938, Suit

Has 167 Defendants

(Continued from page 3)

ruled in the defense's favor. The most important of these rulings had to do with the need for the Gover- nment to file a new list of plaintiffs and to comply with defense applications for more definite information with re- spect to the film to which the suit was directed.

A major effort to settle the action out of court was launched in June, 1939, by the Department of Commerce in Washington. The effort bore ten- tative fruit last February in the form of a proposed consent decree prepared by the Department and submitted to the courts for approval by Loew's, RKO, 20th Century-Fox and Warners, and rejected by Paramount, Columbia, United Art-ists and Universal.

Paramount unoffically observed at the time that it did not believe it could live under the terms of the pro- posed decree. The other three expres- sed the unofficial opinion that they could do so "as well or better by proceeding to trial."

'Howards' Preview

Set for Wednesday

Columbia will hold a trade screen- ing of "The Howards of Virginia," starring Cary Grant and Martha Scott, at the Astor Theatre here at 11 A. M. next Wednesday. Eastern ex- hibitors have been invited to attend the showing.
Guard Against Losses!

USE THIS SIMPLIFIED THEATRE ACCOUNTING SYSTEM

New • Easy • Complete • Accurate
Requires no bookkeeping experience!

ALL SECTIONS ARE DEVISED SO THAT FULL TAX INFORMATION IS READILY AVAILABLE

QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK
Here is my check for $2.00. Send me "Theatre Management Record".

Name
Address
City and State
Theatre

ORDER TODAY MAIL COUPON
**Off the Antenna**

WITH the relaxation of NBC's ban on laxatives for the Blue network, there is considerable speculation in agency circles about the possibility that the ban on liquor advertising may also be lifted to help build the junior web into a position of importance.

A number of stations have been reported to have made many overtures for the privilege of sponsoring programs. They are said to be willing to pay large amounts for the right to be associated with an important program and are willing that the commercials be made to order. Indeed, one company is reported to have offered to sponsor lectures on temperance.

Edgar Kofahl, vice-president in charge of sales for the Blue, states he was told yesterday whether there was any truth to the rumor answered, "The matter has not been discussed."

**Charge Web Aid to Conspiration Bill**

WASHINGTON, Aug. 22.—Charges that the major networks are lending their facilities to "paid propagandists" advocating compulsory military training were made today by Senator Rush D. Holt.

Senator Holt, in the course of a long speech against the pending conspiracy bill, asserted the networks are "in the field of internationalism" and are giving radio time to paid speakers supporting the legislation. Senator Holt named specifically H. H. Kaltenborn, NBC commentator. The West Virginia Senator, who has been defeated for renomination in the primary, is a leader among the group of Senators who are seeking defeat of the bill.

**Two Stations Seek Power Increases**

WASHINGTON, Aug. 22.—The Federal Communications Commission has disclosed the receipt of applications from Stations KSD, St. Louis, for an increase of night power from 1,000 to 5,000 watts, and WGOV, Valdosta, Ga., for an increase of night power from 100 to 250 watts.

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**Philadelphia's Golf Tournament on Sept. 13**

Philadelphia, Aug. 22.—The Exhibitor-Victor Club golf tournament, one of the local events which will be held at the Philmont Country Club on Sept. 13. A dinner-dance to be held at the Willow Grove Country Club will be the swimming pool and tennis court will be available to visitors.

Milton Rogosner, chairman of the committee in charge of the tournament, Harry Ball and David V. M. Leonard, co, stated that arrangements have been completed with the Pennsylvania Railroad for a special parlor car for those coming from New York. The trip will be met by private cars at North Philadelphia.

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**Showboat to Compete in Cincinnati Area**

CINCINNATI, Aug. 22.—Local exhibitors will see an additional competition for business because of a showboat entering in the early September in the "Cotton Blossom," a showboat with a seating capacity of 1,000, newing completion by the owner-manager, James Bonelli.

The craft will be anchored at Covington, Ky., immediately across the river from here, and will have a stay of 30 in its initial attraction.

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**Start on 'Hullabaloo'**

Hollywood, Aug. 22. — "Hullabaloo," story with a radio background, has started in work at M-G-M, with Louis H. McCord, formerly in charge of WJN, New York, as the producer. Frank Morgan and Virginia Grey head the cast.

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**Sues Broadcaster**

Select Theatres Corp., Alberto Cosella Berti Cutti and Walter Ferris filed suit yesterday in the U. S. District Court against International Broadcasting Corp., WOV Artists Inc., Revonzi Macaroni Co., Syd Leipzig and Gino Caioli for alleged plagiarism of the play, "Death Takes a Holiday" in two Italian plays broadcast over WOV.

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**Miss Ray, Morris Signed**

Hollywood, Aug. 22.—Mona Ray has been signed to appear in "LTI Abner," RKO release being produced by Vogue Pictures, with Albert D. Rogell in charge of production.
Selznick, MGM
Protect ‘Wind’
For Exhibitors

Prohibit CBS Broadcast
Of Film Script

Seeking to avoid possible harmful
effects on box-office grosses when
“Gone With the Wind” is generally
released early next year, David O.
Selznick and M-G-M over the week-
en refused to grant permission for
the radio dramatization of the script
over CBS. The film has already
grossed more than $22,000,000.
The story had been set for broad-
casting over 65 stations of the net-
work to begin Oct. 1 and to be heard
weekly between 9:30 and 10 P.M.
Tuesdays. Vicco Chemical Corp.
makers of cough drops and cough
medicines, was signed as the sponsor.
Although there had been many
rumors of the sale of “Gone With the
Wind” to radio, Selznick had stated
on a number of occasions that the
story was not available for broadcas-
ting. Early last week it was learned
that the program was actually in re-
hearsal with Edward Wulit, an ar-
(Continued on page 4)

Denver Ready for
‘Carson’ Premiere

DENVER, Aug. 25—With the arrival
here today of a Hollywood group and
another from New York by plane,
this city is ready for the elaborate
opening night evening of the Ed-
ward Small-United Artists picture,
“Kit Carson.”
Headed by Jon Hall and Lynn
Bari, who have the leading roles, the
Costant group includes: Carole Landis,
Victor Mature, Anita Louise, Simone
Simon, Bruce Cabot, Fay Wray,
Muriel Angelus, Olympe Bradna, Jack
(Continued on page 4)

Silverstone to Coast
On ‘Dictator’ Policy

Maurice Silverstone, United Artists
chief executive; Harold Gold and L. J.
Schlaifer, vice-presidents and sales
managers, and Arthur W. Kelly,
foreign manager, plan to leave for the
Coast at the end of the week to set
the sales policy for “The Great Dicta-
tors” in conferences with Charles
Chaplin.
Lynn Farrow, advertising and pub-
licity director, and Monroe Greenhal,
exploitation manager, will leave for
the Coast for further conferences with
Chaplin about midweek.

2 London Theatres
Damaged by Bombs

London, Aug. 25—Two Lon-
don film theatres were dam-
aged by bombs striking in the
London area in the early
hours of Friday morning.
It is learned that in one
of the the scenes where
one bomb landed on the
roof, plunged through to
the basement and exploded in
the boiler room. Both theatres
were entirely empty at the
time of the attack.

DRAFTING OF ARBITRATION
STARTS TODAY

Work on the arbitration sections of
the Federal consent decree is sched-
uled to begin today.

The arbitration committee for the
operative companies, including John
Caskey, counsel for 20th Century-
Fox; Austin C. Keough, Paramount
general counsel, and Joseph H. Hazen,
Warner Bros., will meet American
Arbitration Association headquar-
ters this afternoon with Robert Sher,
special assistant L. S. Attorney Gen-
eral, representing the Government;
Sylvan Gottschalk, attorney and mem-
ber of the A.A.A. board of directors,
and J. Noble Braden, A.A.A. execu-
tive secretary.

Paul Felix Warburg, chairman of
the A.A.A. special committee on film
industry arbitration, is now on vaca-
tion but will join the conferences
later, as will Herman Iroon, A.A.A.
vice-president.

Efforts were made to begin the ar-
bitration discussions on Friday but the
absence from the city of a number of
principals prevented this. The con-
(Continued on page 4)

Nazi Order Para.
OUT OF GERMANY

British Drive
To Americas

London, Aug. 25—The British
Government has made a concentra-
ted effort to stimulate the sale of news-
reels and short subjects in Latin
America and features and shorts, but
not newsreels, in the United States.
Official confirmation has been ob-
tained of the report recently published
in Motion Picture Daily that the British
Ministry of Information is or-
ganizing a drive to promote the export
of British product.

It is known that the 100 per cent
British newsreel, organized recently as
a joint effort of all British newsreel
companies, is already distributed weekly in Latin
America. Also, the Paramount British
reel, which is sent regularly to Latin
America, Canada, Australia and other
parts of the world, carries a certain
(Continued on page 4)

Evacuated British
Children in Canada

MONTREAL, Aug. 25—A number of
children of film company employees in
Canada have arrived here as evacuees
and will be cared for by American
benefactors for the duration of the war.
Included in the group are 25 brought out
by Warners through a fund established
by employees in America, and 39 from
Welwyn Garden City, a British film
center. The children's parents paid
for their passage. The entire group
of 64 children arriving included a number
who will be cared for by Eastman Kodak
employees and the Chase National Bank.
(Continued on page 4)

“Brigham Young”
[20th Century-Fox]

HOLLYWOOD, Aug. 25—The seven
theatres given over to the
premiere of this film in Salt Lake City
on Friday were not too many,
the first in Film and
Radio News
10 CENTS
TEN CENTS

All American Companies
Must Leave Occupied
Areas Before Oct. 1

By SAM SHAINE

Paramount, the only American
company which has still been dis-
tributing in Germany, has been
ordered out by Sept. 12. Product of
all other American companies
has been banned for several weeks.
Paramount and all other American
firms, according to word from
abroad, must withdraw before Oct.
1 from all Nazi occupied zones.

Because American companies
have been out of communica-
tion with France since the at-
tack by Germany on England
began, the new Nazi ban has the
effect of excluding American
films from most of Europe. The
British market, of course, re-
mains open, but Holland, Ger-
many, Belgium, Norway, Den-
mark and France are now cut
off. Italy has been closed for
nearly two years.

Germany looks upon its own films
as an arm of conquest and its chief
cinematic soldiers. The ban on
American products, analyzed by com-
pany officials as an effort to speed up
the Nazification of the occupied terri-
tories because Nazi efforts in this
regard have not proved too successful
thus far. The Nazis don't wish to
have any kind of screen competition
to their propaganda films.

In America, meanwhile, Nazi films
are not restricted despite their propa-
ganda use. (Continued on page 4)

Sen. Tobey Demands
Radio Investigation

WASHINGTON, Aug. 25.—Sen.
Charles W. Tobey introduced a reso-
novation in the Senate Friday calling for
a searching investigation of the FCC
and the radio industry. The resolution
was introduced following the comple-
tion of hearings by the Senate Inter-
state Commerce Committee on the fit-
ness of Thad H. Brown to serve an-
other term on the FCC. The hearings
traced the CBS-Paramount stock deal
of 1928-32 and the RCA consent
decree in 1932. A resolution on Brown
is expected this week.

The investigation called for by
Sen. Tobey would cover
the procedure and methods fol-
(Continued on page 8)
Planes Contributed By Gaumont British

London, Aug. 25.—Three Spitfire fighters are to be given to the nation by Gaumont British Picture Corp. and its associated companies including every member of the G. B. personnel who have made contributed fighters. Exhibitors in Cardiff have asked the K. R. S. locally to assist them in raising a Spitfire Fund.

Roosevelt Moves From Goldwyn Lot

Hollywood, Aug. 25.—James Roosevelt has removed his production activities from the Samuel Goldwyn studio to the RKO Studio lot in Culver City, known in recent years as Selznick International, he disclosed over the weekend.

Roosevelt thus makes his severance from the Goldwyn studio complete, following his resignation several weeks ago as president of the studio company. Roosevelt said the move was prompted by the need for additional space, as he plans to start in two weeks work on "Pet O' Gold," his first production for U. A. release. His second film will be "Martin Eden," based on the Jack London novel. These are in addition to "Pastor Hall," British film which Roosevelt acquired for release here.

Herbert Hentig, general manager of Roosevelt's production, said he will begin work in the new quarters on the first 30 of 300 scheduled one-machine shorts for Mills Noveltv Co.

Korda Sets Titles Of 6 New Features

Alexander Korda Films, Inc., on Friday announced an American schedule of six features to be made in Hollywood, which will include: a story based on the life of Lord Nelson and Lady Hamilton, co-starring Vivien Leigh and Laurence Olivier; "New Wine," the life of the composer, Franz Schubert, with Ilona Massey; "I Have Been Here Before," starring Merle Oberon in a story written by Korda; "Jungle Boy," the Rudyard Kipling story with Salo, and "Cyrano," starring Laurence Olivier.

The Lord Nelson film will go into production at General Service Studios in September.

Loew-Poli Outing Set

New Haven, Aug. 25.—The Loew-Poli employees will join for a corn roast Tuesday night at Park McLaury, East Haven, with Harry F. Shaw, division manager, as chief cook.

Frank Manente, Marshall Blevins, Al Warner, and Sam Swift contributed, and Ben Greco made up the committee in charge.

Rockne' Opens Oct. 4

Premiere of "Kmte Rockne-All American" will take place at South Bend, Ind., Oct. 4, it was announced by James A. Copeland, president of the University of Notre Dame, in Burbank discussing the details.

NEIL AGNEW, Paramount distribution chief, returned to New York from the Coast over the weekend.

Y. FRANK FREEMAN, Paramount vice-president in charge of production, arrived Saturday from the Coast for home office conferences.

A. W. SMITH, RKO general sales manager, has returned from business conferences in Chicago.

JOSEPH SEIDELMAN, Universal vice-president and foreign department head, returned from the Coast by plane Saturday.

RUBE JACKER, Columbia assistant sales manager, went to Boston on business over the weekend.

MRS. THEODORE SULLIVAN is recovering from a recent operation at St. Elizabeth's Hospital.

JACK POST and AT BOOKSPAN of Fishman Theatres, New Haven, are spending a few days at Lebanon, Conn.

KEEVA GOLDBERG, sister of STANLEY KODA, former Monogram salesman in Kansas City, will be married Sept. 1 to HARRY BIEDELMAN, manager of the Fox Linwood, Kansas City.

HERMAN G. WEINBERG is vacationing at Dundalk, Md.

HARRY JOE BROWN, 20th Century-Fox producer, and his wife, SALLY BROWN, sailed Saturday for America for a 12-day West Indies cruise.

LOUIS G. LOWER, former insurance broker, has been named assistant manager at the Municipal Auditorium in Kansas City.

'Howards' to Open Sept. 4 in Richmond

Columbia's feature, "The Howards of Virginia," starring Cary Grant and Martha Scott, will open at the Byrd, State and Westminster here on Sept. 4. A civic celebration will be held in Richmond on that day, in conjunction with the opening.

The festivities will start with a water pageant in the morning, followed by the welcoming of Frank Lloyd, director, and Miss Scott by Gov. James H. Price. The two from Hollywood will be honor guests at a luncheon at the John Marshall Hotel. The Patrick Henry "Liberty or Death" oration will be reenacted in the afternoon, preceding a pageant and folk dancing at Byrd Park. Miss Scott and Lloyd will make personal appearances at the three theatres in connection with the showing of the picture in the evening, following which they will be guests at a ball at the hotel.

Raise Cincinnati Price

CINCINNATI, Aug. 25.—The upward price revision of 3 cents to 1 P. M., 40 cents matinee, and 40 and 50 cents evenings, inaugurated by RKO, also applies to the RKO Shubert, which last week reopened after having been dark for 60 days. The house for the present is playing straight pictures.

Personal Mention

PHIL REISMAN, RKO foreign department head, is en route to Argentina and Brazil for conventions in Argentina and Brazil of the company's sales representatives there.

JAMES ROOSEVELT is due here today from the Coast to appear on the "Information Please" radio program tomorrow night.

ROBERT M. GILLIAM, Paramount advertising and publicity manager, is scheduled to arrive from the Coast today.

DAVID THOMAS, assistant manager of the Indianapolis Lyric, and Mrs. Thomas are parents of a baby girl, the couple's first.

FRANK J. FINNEGAN, projectionist at the Irving Theatre, Mandan, N. D., has become engaged to JULIA HORAN of Carbondale. The wedding will be held on Sept. 21.

ISA CONKLING, secretary to R. M. COPELAND, manager of the Paramount exchange at Des Moines, is spending a two-week vacation visiting his brother, ROBERT CONKLING, at Rochester, N. Y.

HERMAN MILLER, cahsier at the M-G-M exchange in New Haven, and GERALDINE FLOOR, secretary to Branch Manager THOMAS H. DONALDSON, are vacationing.

WAYNE CARRIGAN, 20th Century-Fox shipper at the Albany exchange, will be married on Aug. 31 to HELEN BOKAR.

ST O'TOOLE, Warner Theatres sound engineer at New Haven, is vacationing at HotelClairee Grove, Conn.

North Dakota Unit Elects Weltschitz

MINNEAPOLIS, Minn., Aug. 25.—FRANK WELTSCHITZ, manager of the Mandan theatre, Mandan, N. D., was elected governor from western North Dakota, at a meeting of the Independent Theatre Owners' Association of North Dakota, held recently in Mandan.

The group in endorsing Northwest Allied urged its members as individuals to join Northwest Allied. However, the move was decided to retain the North Dakota organization for social reasons and to cope with such legitimate problems as are of interest only to North Dakota exhibitors.

Sues to Enjoin 'Brigham'

Eleanor Harris sued in Federal court here Friday seeking to enjoin 20th Century-Fox from exhibiting "Brigham Young" unless she is given "normal credit" as collaborator with Louis Bromfield on the story. She claims she was employed as a screen writer by the company, to which she had sold sole rights in Brigham Young called "Prophecy of Empire."

To Honor Lame

SYRACUSE, Aug. 25—On Limpe, district manager here for the 25th Circuit, will be tendered a testimonial dinner Wednesday night.

Plug to Cashiers

COLUMBUS, Aug. 25.—The Saturday before the other day ran a four-column art spread showing cashiers "on location" in the box- offices and at certain theatres.

"They sit in their little booths, meet the public in a friendly fashion, and recognize that funny money," read the appended story, which added that 65 percent of the cashiers take in to go the theatre expense, and about 35 percent for film rental.

Doubles Condemned By Northwest Allied

MINNEAPOLIS, Aug. 25.—Dual bills were condemned at a recent meeting of the All-List District of Northwest Allied, held here. The group adopted and sent to exchanges a resolution in the case which declared that they will refuse pictures that have been previously shown on a double bill.

If the 16 mm. problem continues to grow, members of Northwest Allied will ask the next session of the Minnole State legislature in 1941, to remedy the situation. This course was decided upon at a recent meeting of the newly elected board of directors. Meanwhile, all members have been asked to forward facts and figures.

Duals Discussion Is Heard Over CBS

The double feature problem was debated on "The People's Platform" program on CBS Saturday evening from 7 to 7:30 P.M., with three speakers in support of duals and three opposed.

Speaking for the practice were L. E. Chilton, the President of an independent producers, and Mrs. Arthur Beck, a California housewife. In opposition, Bank, Carl Hibbitt of the Interstate Circuit, Dallas, and Mrs. Leo B. Hedges, President of the American Teachers' Publishing Co., F. P. Wollett, professor of education at the University of California, Los Angeles, was chairman.

MOTION PICTURE DAILY

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DRAMATIC lighting and unusual camera angles are only partly responsible for the startling beauty of modern screen productions. It takes Eastman negative films to do full justice to the cameraman's wizardry—to really complete the picture. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., Distributors
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
Nazis Order Para. Out of German Areas

(Continued from page 1)
ganda aims and obvious fifth column purpose.

Late last week, the foreign managers of the major film companies met to discuss the European phase of their foreign operations, but no course of action was decided upon.

Theaters owned by American interests, such as Loew's and Paramount, in expansion of their foreign house, have been obliged either to close or to run Nazi propaganda films.

A summary order barring Loew's 20th Century-Fox, United Artists and Warner films from Czechoslovakia was issued at Prague recently. The ban is expected to be extended to all other American films in the future.

Home office officials are taking the expansion of their product from most of Continental Europe in a philosophical vein. The development is not unexpected and, from a dollar-and-cent viewpoint, it is of minor importance since the Continental markets actually wooed, and the emergency withdrawals from occupied territories were prohibited months ago. At that time, American distributors ceased ship-ments, the occupied territories, and have been operating more or less haphazardly since with prints in stock there.

British to Promote Sales to Americas

(Continued from page 1)
portion of British Information Ministry propaganda sequences.

It is considered virtually certain that the British drive will include the dispatch of a representative to North and South America to stimulate distribution of British films.

A British Government official declared that the changed attitude of Americans and the gradually changing attitude of the British service departments toward propaganda has added the plan.

The Ministry of Information distributes weekly news films in 17 languages in the Balkans and the Near East. There is no intention otherwise of breaking in on the American newsreel market, it is understood.

Selznick and M-G-M

Keep "Wind" Off Radio

(Continued from page 1)
ists' representative, negotiating the sale of the rights. On Tuesday, Stack-Goldberg, without any further urgency, confirmed the fact that the program would go on the air Oct. 1. On Friday, CBS formally confirmed the purchase of time by Vickers and announced that the program would be broadcast. However, this statement was hurriedly withdrawn after the Selznick announcement.

Stack-Goldberg refused to comment on the situation and Wolf could not be reached.

"Brigham Young"

[20th Century-Fox]

(Continued from page 3)

is a tribute to the career of the studio that made it. The story opens in Illinois with Joseph Smith as leader of the Mormons and reaches its first dramatic high point in the persecution of the sect by political bigots, its second in the trial of Smith for treason and its third in his assassination by an armed mob. It continues in high key with the crossing of the frozen Mississippi into Iowa, the struggles across the state to the encampment at Council Bluffs and the long journey from there, with Brigham Young holding the band together through hardship and internal dissension, until the site of the present Salt Lake City is reached.

The rigors of the first winter build up a tension that creeps into the story with the exigencies to devours the locusts furnishes the peak of melodramatic interest.

This master thread of the narrative, against which are played the personal stories of several members of the band, is a vital account of stirring events animating and animated by strong men andϊnian going.

This is mere stringing together of actionful incidents, no art
d Pier Luigi Bonfiglioli, for his treatment of it the screen and its followers owe a narrative free of hokum and false heroes, full of solid interest, tactful but candid in its inci-dental allusions to polygamy. To Kenneth MacGowan, associate producer, and Henry Hathaway, director, the trade owes a vote of thanks, for an attraction with a basis to challenge any and all competition inside and outside the field of exhibitor operation.

Running time, 114 minutes. "G"* "G" denotes general classification.

RoscC WILLIAMS

'D Brigham' Gets Big Salt Lake Welcome

SALT LAKE CITY, Aug. 25— "Brigh-

Young," 20th Century-Fox feature, opened here Friday with a room-
ing reception for the visiting Holly-

wood stars at the premiere. A total of

8,700 seats were occupied in less than

seven theaters for the opening, the Cen-
tre, Capitol, Utah, Paramount, Victory, 
Studio and Milano, at $1.10 admission.

The festivities began Friday after-
noon, with the arrival from the Coast by plane of Tyrone Power, Linda

Darnell, Mary Astor, Brenda Joyce, 
Cesar Romero, Dean Jagger, Jane 
WITHERS, William F. Goettler, 
Joy and Mr. and Mrs. Darryl Zanuck. 

A parade in the morning was fol-

lowed by a luncheon, at which the 
guests included Sidney R. Kupferman, 
Director of 20th Century-Fox, and Mrs. 
KENT; Herman Wober, general man-
ager, the Hollywood Players; Walter 
J. Hagen, general foreign manager, 
and state and city officials. The home 
office guests for the premiere are due back in New York early this week.

After their personal appearances at the theaters in connection with the premiere, the guest left on the return trip to the Coast late Friday night.

A 10-day exploitation campaign pre-
ceded the opening, arranged by Harry 
Brand's studio publicity department.

Denver Ready for 'Carson' Premiere

LARUE, Sahu, William Farmen, Ray-

mond Hatton, William S. Hart, 
Harold Huber, Ralph Bird, Mr. and 
Mrs. Joseph Smith, Charles Judkins, 
Murphy McHenry and Arthur Unger.

Arriving from New York were 
Oscar Dohr, Sam Shain, Charles 
(Chick) Lewis, A-Mike Vogel, J. J. 
Milestone and Maurice W. Greenhal.

L. J. Schlaifer, U.A. vice-president and 
Western general sales manager, will 
fly here from Chicago.

With Gov. Ralph Carr of Colorado 
having proclaimed this as "Kee Carson 
Week," the program calls for a 
two-day celebration. The schedule to-
more includes a parade, luncheon and 
a dinner in the evening. The official 
premier will be held at the Denver Theatre, while the film also at the Paramount, Broad-
way and Rialto. Station KOA will 
broadcast the premiere celebration over the coast-to-coast NBC Blue 
network.

Following the opening, a ball will be 
held at the Civic Auditorium, with 
admission by invitation. Denver 
principal streets have been decorated for several days. Tuesday will be de-
crated by the stars in various 
hospitals. A cocktail party will be 
given by the Screen Club for the 
starlets for which they will leave for the Coast and New York.

Drafting of Arbitration

Starts Today

(Continued from page 1)

forces hope to have a first draft of the arbitration proposals ready for 
submission to the five consenting com-
panies and the Government in about 10 days.

Government spokesmen indicated over the weekend that the New York suit and the Buf-
fo, Nashville and Oklahoma City actions would be prosecu-
ted against all defendants except those signing the consent decree.

If this course actually is followed it would be necessary for the Govern-
ment either to obtain the dismissal of Los Angeles, Paris, 20th Century-
Fox and Warners as defendants in these actions or to obtain the dis-
missal of the actions themselves and file a suit for the non-consenting defendants. In either case, Government sources said, the consent-
ing companies would not be involved in the actions even though they were named as co-conspirators with those against whom the suits are prose-
te.

Even as co-conspirators, in the event the Government won these suits, the consenting companies would be outside the suit, it was said, because they would not be named as defendants.

Industry reactions to the agreement in principle on the decree were varied, although it was generally conceded that the industry should benefit from having the threat of a long and costly court battle removed, largely because it would permit key industry executives to devote all of their time once more to normal operations.

Even critics of the decree within the industry expressed the belief that the lengthy negotiations which brought about the agreement and industry leaders into personal contact for the first time, were worthwhile in themselves and may have lasting benef-
icial results.

U. S. May Reject

Exhibitor Meetings

Government sources indicated over the weekend that the Department of Just-
"mice probably will reject all exhibitor 
outdoorPicture meeting with Department officials 
would be given consideration.

Indications are that Para-
mount's theatre partners who registered a vigorous protest against block-of-five sales and other major phases of the de-
ree will not be granted the same ac-
tion. No meeting of the the-
atre partners is planned for the immediate future.
Showmen Say—

HARRY C. ARTHUR, JR.
A. H. BLANK
PHILLIP CHAKERES
CHARLES R. GILMOUR
L. C. GRIFFITH
JOHN H. HARRIS
VINCENT R. McFAUL
M. J. MULLIN
CHARLES ROTH
SPYROS P. SKOURAS
TONY SUDEKUM
WALTER VINCENT
R. B. WILBY

Martin Quigley
25th Anniversary
MOTION PICTURE HERALD
HARRY C. ARTHUR, JR.
St. Louis

"No one individual has earned a more highly-
esteemed place in the cinema sun than Martin
Quigley, whose devotion of one quarter-of-a-
century to the steady improvement of motion pic-
tures has had an indelible effect upon everyone
concerned, upon matters ranging from sales
policies governing distributor-exhibitor relation-
ships, to the moral soundness of film product and
the practical exploitation and publicizing of that
product in theatres throughout the world.
"His keen, clear mind, and honest criticisms, set
forth in unmistakable print week in and week out,
have given to us all the benefit of his pointed
observations.
"Tearing down' is a common fault of many who
find negative criticism an easy road to renown.
Such is not a possession of Martin Quigley, who
writes without rancor or prejudice, whose criti-
cisms pull no punches, yet which constantly strive
to view matters from a constructive viewpoint."

A. H. BLANK
Des Moines

"All of the amazing developments within the mo-
tion picture industry are commonly taken with too
little genuine enthusiasm. We are living and ex-
periencing these developments and naturally we
cannot see the forest for the trees. It is so with
our industry's keen appreciation of Martin Quigley.
We take him and his tremendous service to motion
pictures too much for granted. We seldom take
time to genuinely admire the courage and the fore-
sight with which he has directed the policies of his
publications. His faith in, and love for, motion pic-
tures have enabled him to foresee the dangers that
threaten the industry, and without fear of failure
or criticism he has ventured out to chart a safe
course. It is to his credit that many in the indus-
try have not always agreed with him and his
policies, but always he refused to be swayed and
his persistence has invariably proved his keen
judgment, his broad vision and his high courage.
When the development of our industry is recorded
in motion picture history, Martin Quigley's name
with his career will stand out from the accomplish-
ments of the truly great, high and proud and
magnificent!"

PHILLIP CHAKERES
Springfield, Ohio

"Martin Quigley's contributions through his pub-
lications in the last quarter of a century will al-
ways be symbolic in the minds of all of us as how
a great showman has contributed his time and
efforts to help build this industry to its place in
the world today."

CHARLES R. GILMOUR
Denver

"We feel a deep obligation to Mr. Quigley and his
very capable staff for the fine job they have done
in presenting facts concerning our industry as
they saw them, particularly in the issuance of the
Better Theatres section of the Herald, which has
been responsible for many constructive changes in
our operations."

L. C. GRIFFITH
Oklahoma City

"Martin Quigley has contributed as much, or
possibly more than any other executive in the in-
dustry to the end of making the motion picture
industry one of the foremost of all industries. By
his ceaseless labors he has been able to write edi-
torials that give a clear understanding of all im-
portant matters that have come before the indus-
try through the years; and, in my opinion, these
have helped all men in all branches of the industry
to understand the viewpoints of the other about
most everything."

JOHN H. HARRIS
Pittsburgh

"I first heard about Martin Quigley from my
father, Senator John P. Harris. In the years that
have passed since I myself became actively en-
gaged in the motion picture business, I have found
Martin Quigley's editorial policies consistently
fair, unbiased, and at all times considerate of
the proper advancement of the motion picture
industry."
25th Anniversary

VINCENT R. McFAUL
Buffalo

"Martin Quigley's work in this industry has been constructive throughout. I consider his two mediums, 'Motion Picture Herald' and 'Motion Picture Daily,' of great value to us in the theatre operating end of the business particularly. He attacks sincerely the destructive forces that from time to time show up in our business, but always with sensible, constructive arguments, never in a radical or troublesome manner."

M. J. MULLIN
Boston

"Martin Quigley and Motion Picture Herald have been guide and inspiration to showmen since the inception of motion pictures. We salute their twenty-five years of service to a grateful industry."

CHARLES ROTH
Harrisonburg, Va.

"It is impossible to evaluate the excellent service Martin Quigley has rendered to exhibitors and the trade, generally, with his outstanding publications, as well as his personal service and interest in all matters which have affected the motion picture industry."

SPYROS P. SKOURAS
New York

"From its humble and obscure beginning the Motion Picture Industry in the short span of a lifetime has risen to heights that the most optimistic could never foresee. That development and the policies that assured it are traceable to men like Martin Quigley. In its early stages confused or avaricious trends would have irreparably injured this Industry's growth. Temptations were many and the monetary inducements, however questionable, were strong. It took courage to advocate then the same policies that now identify our Industry with the most wholesome agencies of consequence in building character and disseminating culture. "It was Martin Quigley's inspiring and tireless efforts that brought this about. It was his all-consuming devotion to the welfare and progress of our Industry that it owes to him in large measure the esteemed position it occupies in the eyes of the world today."

TONY SUDEKUM
Nashville

"The splendid constructive work of Martin Quigley for the past twenty-five years, as evidenced in the policies of Motion Picture Herald, should be recognized by all those who are in any way connected with the industry, and I want you to know that his work is appreciated by me, and I am grateful for his accomplishments in improving the various phases of this field of endeavor."

WALTER VINCENT
New York

"Martin Quigley has been a leader with vision and with courage, and I trust that the policy that has obtained with the Motion Picture Herald will continue."

R. B. WILBY
Atlanta

"It is only complimenting my own perception to say that I feel that Martin Quigley has been a highly valuable asset to this industry, for his papers have not only furnished a valuable service to the individual retailer struggling with the operation of his theatre but he has been a fine and constructive influence in the industry as a whole."
CBS Gets Permit on Short-Wave Station

WASHINGTON, Aug. 25.—The Federal Communications Commission has granted a construction permit to Columbia Broadcasting System for a new interior broadcasting station with 50,000 watts power, to be located at Brentwood, N. Y.

The new station will operate on six frequencies, sharing time on three of them with Station WCAB, Newton Square, Pa., and with Station WCBX, near Wayne, N. J., and on the sixth with both stations and with Station WCAB, Oshkosh, Wis. Eventually, Station WCBX, also a Columbia station, will move to Brentwood and increase its power from 20,000 to 50,000 watts, and Station WCAB will discontinue operations. The commission also announced that it has writ to members of the stations WTNJ, Trenton, N. J., for change of frequency from 1,220 to 1,280, in order to increase power of the station from sharing to unlimited and increase of power from 500 to 1,000 watts and WCNS, St. Louis, for change of frequency from 1,370 to 1,450 cycles.

Sen. Tooby Demands Radio Investigation

(Continued from page 1)

owed by the FCC in allotting licenses, contracts and cross-contacts between licensees and also with and between networks, together with any indications of licensees, networks or their agents "reaching" public broadcast with subtle and insidious practices found to exist.

Senator Tooby made public letter a report to the members of the FCC saying that during the recent hearings he received information "some members of the commission have in the past evaded Federal Court regulations, gifts, or emoluments" from either the stations, broadcasters, networks or FCC and asking for full information as to such receipts by each commission.

Senator Tooby said it had been indicated that these favors were made in the form of traveling expenses, gifts of radio and television sets, and in other ways.

Sigbert Wittman Files as Bankrupt

A petition in bankruptcy listing liabilities of $46,314 and assets of $16,900 was filed Friday in the Federal Court here by Sigbert Wittman, former exhibitor and part owner of the Triad circuit in the Bronx. Largest creditors are Joe Hornstein, Inc., Credit-America Corp., and Walter Heller Co. on a joint obligation of $15,746 arising from Wittman's endorsement and a promissory note made to these three companies by Triad Theatres, Inc.

William Richards Dies

KANSAS CITY, Aug. 25.—William H. Richards, general manager of the Orpheum, RKO first run here, died last week at the age of 49. He had been at the Orpheum and its predecessor, the Mainstreet, also an RKO house, more than 20 years.

Hollywood Review

"Floating Gold" (Warner's)

HOLLYWOOD, Aug. 25.—Splitting emphasis among even the dramatic and comic contents of a film in which action predominates, Warner's have paired John Garfield and Pat O'Brien as rough characters with hearts of gold in the oil fields of Oklahoma, supplying Frances Farmer as the girl with whom both are in love and a supporting cast including Raymond Walburn, Cliff Edwards, Tom Kennedy, Granville Bates, Jody Gilbert, Edward Frawley, Frank Mayo and others. The merging in of a grasher, the firing of the well by a lightning bolt and the extinguishing of the fire under conditions requiring heroism are high points of dramatic interest. A number of fights, some earnest and some in the interests of comedy, contribute to story momentum.

O'Brien's machine-guns like delivery of dialogue lines stands him in good stead as boss of a well boring crew and Garfield is in characteristic casting as a future lawyer who saves O'Brien's life, joins him in an oil enterprise, falls in love with O'Brien's girl and yet declines, until the pinch of circumstances changes his view of ethical values, to surrender himself to the law for trial on a charge of murder which he is innocent of self-defense grounds. Frances Farmer portrays the girl, daughter of oil wild-catters, whose love for the oil well fire which threatens financial disaster to all brings about a happy ending.

Alfred E. Green directed from an original screenplay by Kenneth Gernst based on a Rex Beach story. William Jacobs acted as associate producer.

Running time, 80 minutes. "**G**

ROSCOE WILLIAMS

"**G**" denotes general classification.

Fox Midwest Makes Many Shifts Throughout Circuit

KANSAS CITY, Aug. 25.—Arthur Zimmerman, manager of the Fox Midwest Theatres at Springfield, Ill., has been transferred here as manager of theatres in the Greater Kansas City district. This will permit Lon Cox to devote more time to his job of buying film and assisting E. C. Rhoden, first assistant manager of Fox Midwest, in his duties as manager of the circuit.

Others Transferred

At the same time Fox Midwest is making other managerial changes throughout the circuit. C. C. Murray is being shifted from Belleville, Ill., to Springfield, Ill., as manager; C. H. Zile from Arkansas City, Kan., to the manager's office in Kansas City; Floyd Davis, Marshall, Mo., to Arkansas City; Dale Have-Jone, Brookside, Kansas City, to Marshall; Max Van Burten, Council Bluffs, Kan., to the Brookside here; Hugh Sivert, Atchison, Kan., to Winfield, and Alan Karl, home office booker, as assistant manager.

James Fromiker, who has been at Newton, Kan., as manager, goes to Iola, Kan., in the same capacity; L. Rockhold of Iola to Wellington, Kan.

British Theatres As Raid Shelters

London, Aug. 25.—If British exhibitors allow their theatres to be used as air shelters—and many say they will—they have to deposit their keys at local police stations.

Manchester has been one of the first districts to come forward in this matter and here it has been finalized it is expected that picture houses in the borough will be open as air raid shelters at night by the police. It is agreed that one key of the premises will be deposited at the local station house and another with the central police station in the City of Manchester itself.

St. John Operators In Searchlight Unit

St. John, N. B., Aug. 25.—All of the projectionists employed by the theatres of St. John have formed a searchlight battery of the anti-aircraft artillery, for home defense, as members of the neighborhood. They are doing their training several mornings each week.

Silverstone, Schenck Felicitate Selznick

Statements of felicitation were sent to David O. Selznick on Friday, following the announcement of the formation of his new film company, by Murray Silverstone, chief executive of United Artists, and Nicholas M. Schenck, president of Loew's, Inc.

Schenck said in part, "I wish Mr. Selznick success. He has shown great creative ability . . . and I look forward to a continuation of this quality in his future productions."

Silverstone declared in part: "May I extend our earnest good wishes . . . and wish the new company the privilege of distributing your next productions . . . The public and the exhibitors share our anticipation . . . Good luck, David, and lots of it."

Para. Partners' Meet In Chicago Delayed

A scheduled meeting of Paramount theatre operators in Chicago over the weekend was postponed until tonight because Leonard Goldenson and Sam Dembow, Jr., of the Paramount home office staff were held in New York for conferences with Y. Frank Freeman, Paramount studio head.

The Chicago meeting will continue throughout tomorrow. Goldenson and Denbow will go to Detroit from Chicago to New York at the end of the week.

Harris and Warner Close With Republic

Republic has closed a deal with the Harris Amusement Co. for its complete 1940-41 program, covering 22 theatres in Western Pennsylvania, James R. Gurley, president, also disclosed a deal with Warner Theatres on the new season's product in the Philadelphia, Washington, New Jersey and Pittsburgh territories. Granger, traveling West on a tour of exchanges, will arrive in Los Angeles Aug. 25. Republic also has closed with Fanchon & Marco for 35 theatres.

John Krimsy Sues U. A.

Claiming that U.A. wrongfully withholding his salary as "Emperor Jones," which was distributed by U.A., John Krimsy, and Gifford Cochran, Inc., producers of the film, filed suit in Federal Court here for $258,582 damages. The plaintiffs also withheld $8,582 of the English grosses and the distribution contracts without cash.

Delay Conn. Meeting

NEW HAVEN, Aug. 25.—The meeting of the M.P.T.O. of Connecticut has been postponed until Sept. 23.
British Exhibitors Carry On

LONDON, Aug. 26.—Another British film theatre, this time in Portsmouth, was struck by bombs yesterday. The attack, during the day, caused several fatalities, although the majority of the patrons were under shelter at the time of the raid.

Many British film houses which normally carry on during the day despite raids, remain open all night as air raid shelters. Games, singing contests and tea parties are organized to help pass the time.

Fly Urges Adapting Studio Facilities for Television

WASHINGTON, Aug. 26.—The adaptation of film studio facilities to television production was recommended today by James L. Fly, FCC chairman. Fly explained that during his recent visit to the Coast he toured the Warner, Paramount and RKO studios to study the effect of television on films and possible coordination of the two industries.

He said he found that film companies are using techniques, methods and sets which could be adapted for television purposes.

"We may have lacked too little emphasis on the production end of television and may not have appreciated all that the motion picture people have to offer from that point of view," said Fly. Films will be used in television to a considerable degree, he declared, but the spacious lots, the enormous stock of properties and the advances in sound technique by the studios may also offer facilities for live talent television programs.

Films are far ahead of television in production methods, he found, and it may develop that methods can be worked out for taking advantage of film facilities for television, he said.

Fly made his tour of film studios after attending the National Association of Broadcasters convention in San Francisco early this month. The

RKO Six Months Profit Is $220,819

RKO yesterday reported net profit after all charges of $220,819 for the six months ended June 30, the first half-year following the company's emergence from reorganization.

Comparative figures for the same period last year are not available due to the fact that the new bookkeeping basis was not set up until the end of the reorganization last December.

Consolidated profits from operations before depreciation, taxes and provision for dividends on Keith-Albee-Orpheum preferred stock, amounted to $1,425,300. Depreciation and taxes were $539,182, and the provision for the K-A-O dividends was $145,387.

The figures, according to William J. Merrill, RKO treasurer, are in part estimated and subject to adjustment at the end of the year.

4-Week Films Setting Rapid Pace on B'way

Strand Continues 'Hawk'; Hall Holds 'Pride'

With two top grossing films, "Pride and Prejudice" and "The Sea Hawk," setting a sufficiently strong pace to warrant being held for four weeks, Broadway first runs hit a high peak over the weekend. Holdover attractions maintained their pace, aided by continued cool weather and the usual influx of visitors at this season.

"Pride and Prejudice" joined the select list of films to be held for four-week runs at the Music Hall. With estimated $37,000 for the first four days of its third week, the film will start its fourth week Thursday. The policy of other films to achieve this distinction were "Snow White and the Seven Dwarfs," "Rebecca" and "All This, and Heaven Too." It is to be noted that three of the four were pictures released this summer.

The other film of the week to go four weeks is "The Sea Hawk" with Phil Spitalny's band on the stage at

Denver Goes Wild At 'Carson' Opening

By SAM SHAIN

DENVER, Aug. 26.—Denver glued with Hollywood splendor today. Twenty studio celebrities are here for the world premiere of Edward Small's-"Kit Carson." More than 75,000 persons, probably the biggest crowd Denver has seen in many years, turned out to welcome them and witness the morning "Frontier Parade," which started off the week's festivities in conjunction with the premiere.

In the evening, an estimated 12,000 men, women and children, including 300 exhibitor guests of United Artists,

"Kit Carson"

[Small-United Artists]

AGAINST a sweeping background of rolling hills and jagged mountains, this story of the opening of the West, the break-through of wagon trains and the U. S. Cavalry under Capt. John Fremont, and the part played by the famous frontier scout, Kit Carson, in that epochal adventure of American history, make for fascinating and exciting screen entertainment. It should be a box-office attraction anywhere.

The broad sweep of the period in American history concerned is there by implication, while the picture itself concentrates on the successful efforts of Carson and Fremont to take a wagon train successfully.


Circuits Set 3-Year Deals With 'U,' Col.

Seek Backlog to Offset Decree Provision

Large circuits in many parts of the country are negotiating three-year franchises with Universal and Columbia in an effort to provide a product backlog in the event the Federal consent decree is made operative and the block-of-five selling provision brings about either a product shortage or an uncertain film market.

It was learned that several such deals have been completed, although many more requests for them have been made by circuits that are being seriously entertained by the distribution companies.

It is understood that United Artists, which like Universal and Columbia has rejected the proposed consent decree, largely because of the block-of-five sales proviso, also has received offers for long term deals with large circuits but has not accepted any of them. United Artists' policy has been not to make any franchise deals.

Meanwhile, Government sources indicated yesterday that Assistant U. S. Attorney General Thurman W. Arnold may make known his views on the revised escape clause of the proposed decree on Thursday, when James F. Hayes, assistant to Arnold, is scheduled to return to New York from Washington. Hayes may call a meeting of company representatives to present Arnold's views.

It is understood, however, that the Government's final word on the pro-

RKO Settles Suit Against J. L. & S.

CHICAGO, Aug. 26.—The RKO breach of contract action against Jones, Linick & Scharf, based on the reduction of admission scales at the Oriental last month, was settled out of court by John Jones, representing the local circuit, during a weekend meeting with RKO home office officials in New York.

Jones, who returned to Chicago today, refused to disclose the settlement terms. Three RKO features which had been set for the Oriental were cancelled when the admission scales at the house were reduced. RKO subsequently filed suit for damages.
Fay's Drops Shows After 23 Years' Use
Providence, Aug. 26.—Fay's Theatre and an adjoining vaudeville and film house for the past 23 years, will operate with a straight film program. The Alphard, the stage shows originally had been eliminated for the summer only and were to be reinstated. The two action films will be shown at popular prices.

Agnew Calls Meeting On 'Northwest' Policy
The possibility of roadshowing Cecil B. DeMille's "Northwest Mounted Police" will be discussed at a special meeting of Paramount district sales managers called by Neil Agnew for Sept. 10 in Kansas City.

Coast Flashes
HOLLYWOOD, Aug. 26.—Approximately 250 members of National Theatres' Western division will attend the organization's annual gathering at the Beverly-Willsdale Hotel tomorrow. Winners of the Skouras Showmanship drive will be announced and plans made for the fifth campaign starting Sept. 1. Spyros Skouras will leave for New York on Wednesday.

Artists Films, Inc., has been formed here to produce 21 short subjects with outstanding musicians and vocalists for distribution to schools and colleges. Associated with the new company are the president of Columbia Artists Bureau and Walter Lowell and John Erskine, the latter to do commentaries for some of the subjects.

Harry Ratheur, president of Producers Releasing Corp., is here from New York for product conferences.

Personal Mention
Y. FRANK FREEMAN, Paramount vice-president and studio head, who arrived from the Coast by plane Saturday for conferences with home office executives, is scheduled to leave for Hollywood by plane tonight.

MORRIS HELPMAN, production assistant to Alexander Korda, arrived from the Coast over the Airline to work on the campaign for " Thief of Bagdad," Korda's new release.

A. J. O'CONNELL of Interstate Circuits is here from Dallas for a brief visit.

JAMES P. CLARK, head of Hor- lacher Delivery Service, Philadelphia, has been named chairman of the Philadelphia Democratic Campaign Committee.

SID MEYER, Warner publicist in Philadelphia, is back at his post after two weeks' air service with the R.O.T.C. at Roosevelt Training Field here.

PAUL CASTELLO, Warner district manager in Philadelphia, returned from a St. Louis vacation.

HARRY HELT, operator of the Park, Highland Park, Pa., has announced the engagement of his daughter, HILDA IRNA, to DR. BERNARD KUSH.

ISAAC LIBSON, managing director of RKO Midwest, Cincinnati, is here on business.

EDWARD BOSIE, manager of the Liberty, Providence, has returned from a Coast vacation.

RUTH FARNHAM has resigned from the M-G-M Seattle office to become secretary to L. J. McGreavy of Universal's branch in that city. JOSEPHINE FARLEY of Boise will succeed Miss FARNHAM at M-G-M.

MR. AND MRS. IRVING H. LUDWIG yesterday morning became parents of a girl.

Smith Takes British Grand National Firm
LONDON, Aug. 26.—Sam Smith, managing director of British Lion Film Corp., today announced the acquisition of all the assets and business of Grand National here.

British Lion will distribute all of Grand National's British and American films, take over existing contracts and the like. Grand National is expected to continue as a producing organization. The British Grand National company has no connection with the former American company of the same name.

Injunction Settles Chaplin-Life Case
Stipulation settling the $1,000,000 damage suit of Charles Chaplin and Charles Chaplin Film Corp. against Time, Life, and other publications, filed yesterday in the U. S. District Court.

The plaintiffs waive all claims to damages, profits or costs. The stipulation provides that the defendants are to deliver within 10 days all the pictures in their possession.

Brightam at Higher Scale in St. Louis
ST. LOUIS, Aug. 26.—First advance to "Brightam Young," 20th Century-Fox film, other than Salt Lake City, will start here Sept. 1. Presented by Jack Beminchon & Marco house. The engagement will be for an extended run at 75 cents top. The Ambassador's top has been 60. Also will be presented at the Centre, Salt Lake City, where the film was given its world premiere Friday, the scale has been advanced 25 per cent for matinees and third- and third-for-evening shows.

B. & K. Raises Scales For 'Town' in Chicago
CHICAGO, Aug. 26.—B. & K. will raise the admission scale at the United Artists and Roosevelt for the engagements of "Room Town" starting Saturday at the two Loop houses. The increased scales will follow M-G M's recommendations of an advance of 25 per cent for matinees and 33 1/3 per cent for evenings.

E. A. Phalen Dies
WEST ALLIS, Wis., Aug. 26.—E. A. Phalen, 64, owner of the Allis Theatre and member of the Century circuit, died yesterday of heart attack. He was president of the West Allis fire and police commission for many years, and is survived by his wife and a daughter.

Films' History on NBC Program
The history of the film industry will be dramatized this Sunday at 4:30 P. M. over the NBC Red network as part of a series known as "The World Is Yours." Called "The Story of the Silver Screen," the program will trace the development of films from the days of Thomas Edison to modern times.

The series is produced by NBC in cooperation with the U. S. Office of Education and the Smithsonian Institute. Gail Kubik has prepared a musical score which features music from "The Big Parade," "Birth of a Nation" and "The Jazz Singer."
You’ll Like It...

It hasn’t a name. You can’t draw a picture of it. If it were not there you’d be conscious of its absence. Its presence pleases you. It is the most important ingredient in sincere, successful public service!

Operating American Airlines is a highly technical affair, most of whose intricacies you can measure with mathematical exactitude. But there is something more... a human something that transcends material things. It is deep-rooted in the spirit of those who serve you.

American has set the pace in creating scores of ingenious methods of making its passengers comfortable and at ease, to make their journeys by Flagship enjoyable, to surround them with conveniences unique in the world of travel.

There is the simplicity of making a reservation, the dependability of Flagships as a means of transportation, the many convenient flights which enable you to go when you want to go, the downright luxury of a Flagship cabin, and all the services a Stewardess performs to fulfill your least desire.

But beyond these visual evidences of American’s service there is that characteristic something about American which creates confidence and assures your peace of mind. You’d miss it if it were not there. But because it’s there, you recognize it and like it.

It starts and ends with the people who operate American’s far-flung Flagship system. They’ve caught hold of something—all of them, from mechanic to engineer, from porter to pilot—that inspires them to meet the public more than half way.

Define it as you may—you’ll like it.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS
Kit Carson
[Small-United Artists]

(Continued from page 1)

through the wild Indian country, and their defeat of the Mexicans in the establishment of the Republic of California by the beleaguered Americans of Southern California.

It is high adventure of the West, fashioned in elaborate style, and enhanced by fine pictorial values. Kit Carson is played with admirable restraint and ease by Jon Hall, in the role of the courageous and frontier-wise scout. His companions in trouble are portrayed by Ward Bond and Robert Huber, the latter an amusing characterization as Lopez, a Spaniard. Lynn Bari is the girl, westward-bound in the wagon train to her California home, with whom both Fremont, played by Dana Andrews, and Hall fall in love.

The romance plays a relatively small part in the story, serving merely to impede the conflict between the two men. When Carson and his companions reach Fort Bridger, they are sought by Fremont as his scout and as leader of the wagon train which has sought his protection. He refuses, despite the pleading of Miss Bari, since he will not help without him he overtakes them and offers his services.

Against the marauding Indians, incited by the Mexicans, Carson uses his skill to bring them safely through, but not before Fremont's men, ignoring his advice, are trapped. He blasts them out, and they join him in beating off an attack. In California, after Carson refuses the girl's love, since it means restriction, he learns of the Mexicans' raid on all Americans in the territory. With Fremont he contrives a plan which results in the defeat of the marauders and the freedom of California, but at the cost of the lives of Carson's two companions. Made chief of the U. S. Army scouts for Carson rides with Fremont in the war then declared against Mexico.

George B. Seitz directed George Bruce's story for maximum of action and has achieved an adventure story of a high order. It is a romantic chapter of American history, captured with skill and imagination.

Running time: 96 minutes. "G."

Charles S. Aaronson

Governor Carr was a speaker. In the audience were Mr. and Mrs. Harry Huffman at cocktails at their magnificent mountain home, Shangri-La.

On Sweden, the visiting trade and newspaper men and U. S. executives were guests of Frank H. Rickerson, from Fremont station. 其他 Rickerson for cocktails and dinner.

In the opinion of showmen, there have been few events of this kind which have climbed so thoroughly. Murphy McHenry, Edward Small's advertising and publicity director, has been a useful man to the company in cooperation with local theatre heads and Monroe Greenthal, U.S. advertising and distribution chief, and J. J. Milstein, Small's New York representative. George Gottmers assisted McHenry.

The supervision was in the hands of Rickerson, Huffman, Benjamin Hines, manager of the Denver Theatre; Earl Collins, U.S. branch manager; Ben Fish, U.S. Pacific Coast manager, and L. J. Schlaifer, vice-president and Western Sales manager of U.A.

Fly Urges Adapting Studio Facilities

(Continued from page 1)

A problem of production techniques in television has been a bone of contention before the FCC for some time. At the FCC hearings last Spring, RCA contended that television had progressed sufficiently in its technical phase and that progress in production could be accommodated only by permission for commercialization with regular telecasts and a critical audience.

Circuits Set 3-Year Deals With 'U,' Col.

(Continued from page 1)

posed decree, in its entirety, may not be forthcoming until U. S. Attorney General Robert F. Kennedy returns from Washington on vacation next week.

The revised decree was the subject of discussion yesterday by Department of Justice officials in Washington, Robert Sher, special assistant Attorney General, who was scheduled to return from New York yesterday on the arbitration provisions of the decree was prevented from doing so by a hurried summons to Washington to join in the conferences there.

Abortion Drafting Started

Although Sher is the Government's sole representative in the group drafting the arbitration provisions, yesterday morning (Wednesday) Sher was without him. Held at the offices of the American Arbitration Association, Sher met Robert, of Chicago, representing the company of the competing companies, including John Casey, attorney for 20th Century-Fox, Austin C. Keough, of Warner Bros., Arnold H. Scheiner, of United Artists, and S. J. Marshall, of Warners, and also by John Nolte Borden, executive secretary for C. A. A., and Sylvan Gotschall, attorney and board member of A. A. A.

At the end of the meeting was described as having been confined to a general discussion of the various possible methods of procedure for arbitration.

West Virginia Meet To Hear Kuykendall

WHITE SULPHUR SPRINGS, W. Va., Aug. 26—Ed Kuykendall, M. P. T. O. president, arrived here today to address the annual convention of the West Virginia Theatre Managers Association, which will be held at the Greater Hotel tomorrow and Wednesday.

Tex Ritter, Monogram cowboy is expected here tomorrow morning by plane from Charleston, W. Va., when he is making personal appearances. He will be a guest of honor at the convention dinner.

Convention arrangements are in charge of J. C. Shanklin of Roanoke, Va.; R. P. Holt of Richwood, secretary-treasurer of the organization. S. J. Hyman, president, will be chairman at the meeting.

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from
the
DIRECTOR
of
"Rebecca"
Everything Points to A Box

Masterful Mystery by the Master of Suspense... Director ALFRED HITCHCOCK!

Giant Sea-Plane Crashed to Bring Your Screen Its Most Spectacular Thrill!

Walter Wanger presents

ALFRED HITCHCOCK'S production of

FOREIGN CORRESPONDENT

from ALFRED HITCHCOCK who directed "Rebecca"

Starring

JOEL McCREA with LARAINEN DAY - HERBERT MARSHALL GEORGE SANDERS - ALBERT BASSERMAN - ROBERT BENCHLEY

Released thru UNITED ARTISTS
OFFICE HIT
MULTIPLIED BY FIVE!

Story-Drug Plus in the
most Hollywood Script Written
especially for Hitchcock!

Six Popular Players In
Their Greatest Roles Under
Magic Hitchcock Direction!

An Irresistible Title That The
Public Mind Translates to
Mean Adventure and Romance!
Later
to be presented by Walter Wanger

JOHN FORD'S
PRODUCTION OF
EUGENE O'NEILL'S

The LONG VOYAGE HOME

JOHN THOMAS IAN
WAYNE • MITCHELL • HUNTER
BARRY FITZGERALD • WILFRID LAWSON
JOHN QUALLEN • MILDRED NATWICK
Directed by JOHN FORD
Adapted for the screen by DUDLEY NICHOLS
Produced by Argosy Corporation • Released thru United Artists
Feature Reviews

"Public Deb No. 1"
(20th Century-Fox)

HOLLYWOOD, Aug. 26—Full, or perhaps optional, title of this comedy is "Elsa Maxwell's Public Deb No. 1," by which or any other name it would be as funny and frothy and frisky in its handling of the experiences of a rich girl turned Communist and a poor boy who spanks her for it. Brenda Joyce as the girl and George Murphy as the boy are supported in their performances by Miss Maxwell, who plays herself in the picture without figuring importantly in the story, Mischa Auer as the Communist butler, Ralph Bellamy as a Republican candidate for Congress, Charlie Ruggles as a capitalist who isn't home much and Maxie Rosenbloom as the rich girl's boxing instructor who turns out to be a Finn. Berton Churchill plays a comedy judge and Franklin Pangborn steals a section of the picture as a bar tender inebriating his own Micky Finn.

The story is for laugh purposes only and amused a Hollywood preview audience immensely. It opens with the debutante leading a Communist parade which terminates in a riot. Enchanting publicity based on her participation in the Red cause ruins her soup business, whereupon she pretends to turn against her comrades, planning to sell the business when it regains prosperity and give the money to the Party. As she is about to do so, newspapers announce that Russia has invaded Finland, the Finnish boxer knocks out the Russian butler and calm returns to the capitalist's home. The romantic angle is brought to finalistic conclusion simultaneously.

Gene Markey produced the picture with Gregory Ratoff directing. Karl Tunberg and Don Ettinger wrote the story, Darryl Ware collaborating with Tunberg on the screenplay.

Running time, 85 minutes. "G.**

Roscoe Williams

"Dance, Girl, Dance"
(RKO)

Dancing is dancing whether done in a cheap night club, in a modern ballet group, or in a burlesque house as a prelude to a strip tease, and Maureen O'Hara does all three types during the course of "Dance, Girl, Dance." Erich Pommer, who produced, has assembled an impressive cast for this bit of lively entertainment.

There is not much of a plot but the action does not lag as the camera shifts from the bawdy to the artistic and back again. There is an excellent ballet sequence interpreting everyday American life and there are some interesting shots of a typical burlesque audience. Lucille Ball does a modified strip tease with the aid of a wind machine while Miss O'Hara does a solo ballet number to arouse the ire of the customers who call impatiently for Miss Ball's return.

Miss O'Hara is compelled to take the job in burlesque after she loses faith in her own ability. She falls in love with Louis Hayward, a playboy millionaire whose wife is about to divorce him, but Miss Ball also is interested in Hayward because of his money. Ralph Bellamy, head of the leading American ballet group, is mistaken by Miss O'Hara for a masked and she rejects him without knowing who he is. Ultimately, of course, Bellamy and Miss O'Hara get together. Others in the cast include Mary Carlisle, Katharine Alexander, Edward Brophy, Walter Abel, Harold Huber, Maria Ouspenskaya and Ernest Truex.

Harry Edington was executive producer and Dorothy Arzner directed. Tess Slesinger and Frank Davis wrote the screenplay from a story by Vicki Baum.

Running time, 90 minutes. "A."**

Edward Greif

"The Mummy's Hand"
(Universal)

Hollywood, Aug. 26—Horror and humor are chief ingredients in this tale of an Egyptian mummy which has lived since its burial alive in a prior civilization.

Principally seen are Dick Foran, as a young archeologist in Egypt; Wallace Ford, as his side-kick; Peggy Moran, daughter of a Brooklyn magician, and supplier of romantic interest; Cecil Kellaway, as the magician; Eduardo Ciannelli, as the "high priest," and George Zucco, Charles Trowbridge and Tom Tyler.

Foran, with money borrowed from the magician, organizes an expedition into the Egyptian desert, there to discover the secret of the living mummy. An original story by Griffin Jay, the screenplay was written by Jay and Maxwell Shane.

Ben Pivar produced and Christy Cabanne directed.

Running time, 67 minutes. "G."**

W. S.

**"G." denotes general classification,
Webs’ Fears Delay Defense Program: Fly

WASHINGTON, Aug. 26.—Fears of broadcasters that their stations might be taken out of their hands have been responsible for delays in perfecting plans for the coordination of time expenditures under the national defense program, it was disclosed today here by James L. Fly, FCC chairman.

These apprehensions have now been allayed, Fly continued, and it is probable that President Roosevelt may approve the establishment of a coordinating body within the next week or 10 days.

Fly said the coordinating plans are directed primarily at communications and not at broadcasters, although the latter group has been the only one which has presented objections to the plans. Broadcasting will not be affected to any appreciable degree, he asserted.

RKO Promotes Two In Exchange Shift

RKO has promoted Arthur Hill, former office manager in Sioux Falls, to the managership and head booker in Des Moines. Marvin Wolfish, former booker in Minneapolis, has been named office manager in Sioux Falls. Ernest Lund succeeds Wolfish in Minneapolis, and Douglas Desch has been named office manager in Dallas.

The change is necessary by the resignation of Robert E. Helms and Timothy Evans, office managers in Dallas and Des Moines, respectively.

More Power Asked By Chicago Station

WASHINGTON, Aug. 26.—An application for authority to increase power from 5,000 to 10,000 watts and to change hours of operation from unlimitted to certain hours in the limited time has been filed with the Federal Communications Commission by Station WIFC, Chicago.

The commission also received an application from Station WPFG, Atlantic City, N. J., for an increase of night power from 100 to 250 watts.

Phil. AGA Head Removed by Board

PHILADELPHIA, Aug. 26.—Tom Kelly, executive secretary of the American Guild of Variety Artists branch here, was removed from office over the weekend by the national board, which charged him with incompetency and negligence. Hoyt S. Haddock, national executive secretary, will supervise affairs of the branch until a new official is selected.

Hart Republican Aid

VINCENT G. HART, formerly Eastern head of the Production Code Administ-ration at M. P. P. D. A. headquar ters, has been appointed assistant to Edwin F. Jaekle, chairman of the New York Republican State Com mittee, for the duration of the presidential campaign.

Off the Antenna

WASHINGTON, Aug. 26.—The start of registration of aliens today, New York stations which feature foreign language programs are offering their facilities to alien groups. WHOM at 10 o’clock this morning will broadcast the opening ceremonies from the New York Post Office. Postmaster Albert Goldman has been given the purpose of trying to interview the registrants, all information is confidential.

Program News: The Democratic National Committee yesterday engaged all the 112 stations of CBS for a one-hour broadcast at 11 P. M. on Nov. 4, the eve of the election. . . . Sherrin Williams Co. has renewed “Metropolitan Post of the Air” for Sundays at 5 P. M., beginning Oct. 20, over 49 NBC-Red stations. . . . Young People’s Church of the Air has renewed over 19 Mutual stations for Sundays at 3:30 P. M., beginning Oct. 6. . . . Quaker Oats has renewed “Girl Alone” over 40 NBC-stations effective Sept. 23, 1940. . . . Monday nights at 8 P. M., “Jack Armstrong,” through NBC-Red, 21 stations, has been renewed by General Mills over 18 NBC-Red stations, effective Sept. 30. It is heard Mondays through Fridays at 5:30 P. M.

Some of the New York foreign language stations have considered establishing policies of English broadcasts only and one of them, WOV, has limited non-English broadcasts to morning and afternoon hours.

Radio equipment exports to Latin America and other non-belligerent areas have more than offset the losses caused by the war, the Radio Manufacturers' Association reports. For the year ending June 30, exports and imports, $1,028,638 to a total of $234,463,453, a rise of 4.6 per cent over the previous fiscal year. All classes of exports, with the exception of loud speakers, showed a decrease was reported. In dollar volume, sales increased 3.6 per cent, component parts 61 per cent, and transmitters 37.1 per cent. Loud speakers dropped 24.6 per cent.

Purley Personal: Niles Trueman, NBC president, left over the weekend for a one-week vacation. . . . John F. Royal, NBC vice-president in charge of programs, left by Clipper for England Friday and will return in about a month. . . . Alfred Hallowell, WOR-listing director, returns from his vacation next Tuesday. . . . Phil Cook yesterday resumed his “Morning Almanac” over WABC. . . . Alton Kaiser of NBC press department returned from vacation yesterday.

British Production Insurance in Effect

London, Aug. 25.—The “produce insurance scheme,” developed by the British Board of Trade and now formally announced, is now in operation. Weekly premiums are paid on the basis of a percentage of production cost. It is designed to safeguard British producers against war risks.

Legion Approves 10 Of Eleven New Films

The National Legion of Decency approved 10 of the 11 films listed for the current week, seven for general patronage and three for adults. One was found objectionable in part. The two films and their classification follow:

Class A-1, Unobjectionable for General Patronage—“High Noon.”
Class A-2, Unobjectionable for Adults—“Captain Caution.”
Class A-3, Unobjectionable for Adults—“Not for the World.”
Class A-4, Unobjectionable for Children—“Rome Adventure.”
Class A-5, Unobjectionable for Children—“Sweethearts.”
Class A-6, Unobjectionable for Children—“For the Love of Miss Violet.”
Class A-7, Unobjectionable for Children—“The Mummy’s Hand.”
Class A-8, Unobjectionable for Children—“The Old Dark House.”
Class A-9, Unobjectionable for Children—“The Beast of Broadway.”
Class A-10, Unobjectionable for Children—“The Shadow of the Eagle.”

Kunzman President Of Wisconsin Union

Janesville, Wis., Aug. 26.—The Wisconsin Association of Stage Employees and Projectionists, meeting here in connection with the annual conven tion of the Wisconsin State Federation of Labor, elected John Kunzman, Sheboygan, president; Jack Warner, Milwaukee, vice-president; Steve Thomas, Racine, secretary, and Stanley Przolinski, Kenosha, treasurer.

The federation adopted a resolution asking that Congress make it clear that funds appropriated to the Justice Department shall not be used to prosecute or interfere with labor unions under provisions of the anti-trust laws.

Stage Hands Sign Kansas City Pact

KANSAS CITY, Aug. 26.—The stage hands’ contracts with the downtown houses (Tower, Midland, Esquire, Newman, Orpheum, Rex and Liberty) and the suburban Fox Plaza and Fox Uptown will be renewed Sept. 1 for one year, the operators indicated here. According to Felix Snow, I. A. T. S. E. vice-president here.

The operators’ contracts have not yet been signed. Walter Croft, insurance agent, indicated there was some delay due to the union’s request for some changes in conditions.

Walter Ebeling Murdered

Walter Ebeling, manager of the Garden Theatre in New York’s Yorkville section, was murdered in South Bend, Ind., July 31, according to the police of South Bend, Ind., who said they obtained a confession from a youth of that city implicating him and another hickcher. Ebeling was on vacation at the time.

39 New Films Now Shooting: Nine Started

Hollywood, Aug. 26.—Thirty-nine pictures were before the cameras this week, five more than last week, while work was completed on four and started on nine. Eighteen were being prepared, with 72 being edited. The tally by studios:

Columbia

In work: “Ghost Guns.”
Started: “Alias the Lone Wolf,” “Passage West.”

M-G-M

In work: “Bittersweet,” “Go West,” “Flight Command,” “Third Finger, Left Hand,” “Little Nellie Kelly.”
Started: “Hullabaloo.”

Paramount


RKO

In work: “Little Men,” “Citizen Kane,” “You’ll Find Out,” “The Fargo Kid,” “No, No, Nanette.”

Republic

In work: “Hit Parade of 1941,” “Melody and Moonlight,” “Young Bill Hickok.”
Started: “Frontier Vengeance.”

20th Century-Fox

In work: “The Californian,” “Jen nie.”
Started: “Chad Hanna,” “Hudson’s Bay.”

Universal

In work: “Seven Sinners,” “The Green Hornet Strikes Again,” “Fer man Save My Child,” “Meet the Wildcat.”
Started: “Give Us Wings,” “Trail to Paradise.”

Warners

Finished: “Honeymoon for Three.”
In work: “Meet John Doe,” “Santa Fe Trail,” “East of the River,” “Four Mothers,” “High Sierras.”

Freuler to Reenter Coast Production

John R. Freuler, president of the American Film Corp., Chicago, and production veteran, has disclosed tentative plans for the production of five features and 12 Westerns in Hollywood this season. The company is now disposing of its amateur laboratory equipment prior to entering the new field.

Inspect Disney Studio

Hollywood, Aug. 26.—An inspection tour of the new Disney studio in Burbank and a discussion of cartoon production by William Garity, production manager of the studio, have been set tomorrow for members of the Academy of Motion Picture Arts and Sciences.
"There's a big difference in the expression of my audiences since I installed the new 'One-Kilowatt' High Intensity Arcs. They smile and seem more alert and interested. Of course that makes me smile too, because they like my show and come back for more.

"Yes sir! Quality projection pays! That fifty per cent extra light on the screen—that snow white light of daylight quality put my small theatre in a class with the best. It's a great feeling to know that your projection is modern and up-to-date.

"The smiles on the faces of my patrons and better box-office receipts tell me that I used good judgment when I installed the new 'One-Kilowatt' High Intensity Arcs, especially since the installation and operating costs of this new equipment are so reasonable."

The words "National," "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.
Beats "Mr. Smith Goes To Washington"!

...... IN FIRST 20 ENGAGEMENTS "HE STAYED FOR BREAKFAST" OPENED TO SENSATIONAL BUSINESS ... AND IN 12 SITUATIONS OUTGROSSED THE GREAT "MR. SMITH"!

A COLUMBIA PICTURE
U.S. Companies May Be Forced Out of Japan

Government Tactics Make Operation Difficult

Major distributors may be obliged to withdraw from Japan unless restrictive legislation there is relaxed or other operating methods can be introduced, it was learned yesterday from Washington sources.

The situation by major company foreign managers during a meeting last week at M.P.D.A. headquarters.

The operating problems confronting the distributors stem largely from Japan's failure to issue import permits for films in accordance with an agreement of 1938. More than 60 film permits should be available to the major companies now under this agreement but none has been issued by Japanese authorities for many months.

Faced with insufficient product with which to maintain their offices in Japan

(Continued on page 6)

EXHIBITOR DEGREE HEARINGS CALLED

Department of Justice Invites Organizations Which Asked to Present Views on Pact; M.P.T.O.A. Meets Arnold on Tuesday

WASHINGTON, Aug. 27.—Exhibitor organizations will be given an opportunity to express their views on the pending Federal consent decree to Department of Justice officials in Washington next week, officials of the industry today.

It was indicated, however, that the Department already will be hearing the requests for such hearings have been forwarded to the Department already will be heard. The M.P.T.O.A. executive committee, which will meet Tuesday with Thurman W. Arner, assistant to the U. S. Attorney General, probably will be the first to be heard, it is understood.

Other organizations which have requests for hearings on file now and therefore undoubtedly will be heard subsequently, include the I. T. O. A. of New York; the Pacific Coast Conference of Independent Theatre Owners and Allied States.

Regional organizations such as the U.M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware and Allied Theatre Owners of New York, which have protested to the Department against certain provisions of the decree and have asked that exhibitors be given a hearing, will be represented by their national affiliate.

MAY REOPEN WAGE STATUS

WASHINGTON, Aug. 27.—Reclassification of "executive, administrative and professional" employees in the film industry under the Federal Wage and Hour law may be reopened by the Government, it was indicated today by Colonel Phillip B. Fleming, Administrator of the Wage and Hour Division, in an interview here.

Specifically citing the film industry and newspapers as among those which have urged that new distinctions be drawn for the Wage and Hour law and he may proceed to make the distinctions within two weeks.

Hearings on the industry's petition for such distinctions under the law were halted abruptly in Washington several weeks ago. Studio unions at the time were threatening to press demands for widespread wage increases should the distinctions be made.

(Continued on page 6)

DUALS VOTE MIXED IN DES MOINES POLL

Des Moines, Aug. 27.—First four days' returns in Tri-State's poll of patron preference on single or dual bills at three local houses indicate that the downtown theatre patrons prefer double bills.

At the suburban Roosevelt 75 per cent voted for singles and 25 per cent for duals. At the downtown Des Moines, 70 per cent voted for duals. The Roosevelt and Des Moines are single bill houses, while the Paramount runs double bills.

G. Ralph Branton, general manager of the circuit, is seeking to determine the accuracy of the Gallup Poll.

(Continued on page 6)

“Foreign Correspondent”

[Wanger-United Artists]

Here are excitement, melodrama and thrill in a newspaper man's adventure in the Europe immediately prior to the opening gun of World War II, attuned to the immediate yesterday of the newspaper headlines, and as such, susceptible of crackling exploitation by alert showmen everywhere.

Here, there and everywhere throughout the lengthy film are the unmistakable touches of that master craftsman, Alfred Hitchcock, who handled the direction of this Walter Wanger production. Wanger originally purchased Vincent Sheean's autobiography of a newspaper man, “Personal History,” but he discarded the idea of filming the book as it appeared. However, it provided the germ—but only the germ.
**Personal Mention**

SHEIFIED R. KENT, president of the 20th Century-Fox, who returned yesterday from Salt Lake City, will leave tomorrow for the Thousand Islands, where he will remain until after Labor Day.

WALTER J. HUTCHINSON, director of foreign distribution of 20th Century-Fox, has gone to the Coast from Salt Lake City, and is due back here at the end of the week.

JOSEPH SEITZELER, foreign sales manager for Universal, and LARRY GODDARD, Eastern story editor, have returned from studio conferences.

M. A. LIGHTMAN, head of Malco Theatres, Memphis, is in New York.

Y. FRANK FREEMAN, Paramount studio head, who was scheduled to leave for the Coast last night, has postponed his departure until tomorrow night.

LYN DRESCH of United Detroit Theatres is in New York on vacation.

SOL SACHS, manager of the RKO Dallas exchange, is visiting the home office.

F. H. GILDEMEYER, Western Electric manager in Havana, is conferring here with Erpi officials. He will vacation in Detroit and Ocean City, N. J., returning to his post in October.

RAYMOND A. BERRY of Bailey's Theatres, Atlanta, is visiting here.

**Gold Medal to Warner**

LOS ANGELES, Aug. 27—The national enscasmation of the Veterans of Foreign Wars tomorrow will present a gold medal for citizenship to Harry M. Warner, citing his services in producing a series of historical shorts.

**Eddy Will Manage B. & K. Television**

Balaban & Katz has engaged William E. Eddy, formerly chief of the television effects division for NBC, to head the new Chicago television station for which the FCC has granted a license. Eddy has a number of television inventions to his credit. For two years he was in charge of studio operations for Proctor & Gamble Television. He joined NBC in 1937, and has been active in television research.

**Newsreel Parade**

**AIR defense is featured in the new issues of the newsreels. However, with the exception of Movietone and News of the Day—bothhorseraceclips—the new issues are made chiefly of varied events comparatively light in nature. The coming of the midwest's biggest football contest is followed.**


**Lawrence Resigns as Aide to Goldwyn**

Hollywood, Aug. 27—Jock Lawrence has resigned as production assistant to Samuel Goldwyn. His association with the producer began six years ago as press representative. Although reported to be under consideration for the Producers Association publicity post vacated by Tom Pettry two months ago, Lawrence said today he has no definite plans for the future.

**Associates Meet Sept. 12**

Motion Picture Associates will inaugurate their meetings for the season Sept. 12 at the Hotel Astor. Jack El lis of RKO, president, announced yesterday. At the meeting a chairman for the entertainment committee will be appointed and plans discussed for the annual dinner and dance in November.

**OH, THAT SOUNDS TERRIBLE!**

Yes, Baby, and that's what theatre patrons say when the sound reproduction is allowed to develop distortion. To prevent discomfort—enjoyment of entertainment and relaxation—modern exhibitors protect their patrons' enjoyment with an Altec sound service contract, and an Altec booth repair and replacement contract. Change to Altec today!
MINOR LEAGUE BALL Has Poor Season

ALBANY, Aug. 27---Baseball, long regarded as the most accurate barometer of Summer amusement draw, has suffered a bad financial season in the minor league circuits of the country and Canada. Magnates unanimously blame war scare psychology and poor early Summer weather for the poor showing.

While the condition is general, the Eastern League, which is represented by The Bridgeport, Elmira, Binghamton, Williamsport, Hartford and Springfield, with an average city population of approximately 13,000, is a typical example. The league, during the season ending Sept. 3, will draw but 800,000 paid admissions as against 1,012,400 in 1939.

Four states are represented in the survey—New York with Albany, which may hit 150,000 as against 212,000; Binghamton will play to 75,000; Pennsylvania has the keynoter, Scranton, which has drawn 210,000 so far against a 300,000 total last year, Wilkes-Barre with but 40,000 to 50,000, and Wilkes-Barre with the out state clubs being represented by Hartford, with 55,000 and Massachusetts with Springfield, which has drawn approximately 50,000.

Every city has had fewer fans per cent lower attendance than a year ago, despite a very close race in which interest has remained high in six of the eight entries up to the close.

Drama Guild Sees Strong B’way Legitimate Season

PROSPECTS for a strong season on Broadway legitimate stages are excellent, according to Dramatists Guild officials, who declared yesterday that the number of contracts coming into their offices for approval are far ahead of the number at any similar time during many past seasons.

Both options and production plans for the coming season are being actively discussed, and Guild officials declined to disclose the exact number. Pointing out that prospects generally look "tough" at this season, and that not all plans can be expected to mature, they said nevertheless that the volume of prospects was considerably greater.

Guild officials are working with Actors Equity to aid in the establishment of experimental theatres and hope to have a plan formulated early this fall. Generally, the plan is expected to be carried on in the form of a "box office" arrangement under which the minimums required for performers and for a waiver of some of the provisions for royalties by the Guild. These over runs will be available to cooperative groups, which provide for a sharing of profits among actors and dramatists if the ventures are successful. It is hoped that such groups will stimulate new approaches to the legitimate stage and introduce new techniques which will improve the art.

The Board of Directors has negotiated with the League of New York Theatres for a new minimum basic agreement to succeed the current one, which will be started during September, it was said. Provisions for purchase of film rights by production companies in advance of stage production have been shelved by the League but the Guild believes that the plan may here today for the coming season and negotiations on the basis agreed upon by the general Union.

Guild officials expressed doubt that many of the companies will be able to put on the productions which will be for at least three months, there will be a probability that the League will get very far in its request for a 30-50 per cent division of the revenue from performances on sale to film companies.

Hearing in Tacoma

ASCAP Case Sept. 7

Hearing has been set for Sept. 7 in Tacoma on Ascap's motion to confirm the special master's report finding that the Federal statutory court has jurisdiction over Ascap's action to have the Washington anti-Ascap law declared unconstitutional.

Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, Ascap counsel, will leave for Tacoma Sunday for the hearing.

Ascap has been given until Sept. 26 to file objections to the record to be forwarded to the U. S. Supreme Court in connection with an appeal by State of Nebraska from a Federal statutory court decision holding its anti-Ascap law unconstitutional.

Discontinue Action Against Universal

Stipulation was filed in the U. S. District court yesterday discontinuing the suit of American Feature Picture Co. against Universal Pictures Co. for $1,350,000 damages. The suit, which was filed by Universal in 1931, claimed that the plaintiff had a five-year contract made in 1919 and renewed for an additional five years in 1923, which gave it exclusive distribution rights in New England of all Universal shorts and features produced under the name "Jewel."

Attention, Chairman Flynn

President Roosevelt is leading Wendell Willkie by a slight margin in polls being conducted in three theatres of Newsreel Theatres, Inc, 39-30 36th St, votes having been cast for the incumbent and 38,069 for Willkie. Willkie received 21,841 and Roosevelt 24,038 at the Embassy on Broadway, while Willkie is leading 11,549 to 8,503, at the 50th St. Theatre. At the San Francisco Newsreel Theatre, Roosevelt is ahead, 8,540 to 5,719. Patrons indicate their choice by selecting Roosevelt or Willkie buttons.

Metro Production Is Far Advanced

Hollywood, Aug. 27—M-G-M reports its production schedule far advanced for the new season, with several films ready for release and others in advanced preparation.

Following "Boom Town" are "Strike the Band," starring Judy Garland and Mickey Rooney, and starring Wallace Beery; "Haunted Honeymoon," with Robert Montgomery and "Dr. Kildare Goes Home."


Delaware Blue Law Modification Sought

DOVER, Del, Aug. 27-A plank favoring modification of Delaware's ancient Sunday blue laws is included in the bill which will go before the Democratic State Convention meeting in the Capital Theatre here today. The plank was introduced as a new hobby of the Filibuster.

Three-year-old blue laws have been under fire for the past several years and the last session of the Delaware legislature appointed a special committee to study possible changes with a recommendation to the next General Assembly.

To Vote on Sunday Films

PITTSBURGH, Aug. 27—Suburban Sunday Filmgoers in Allegheny County will vote to authorize showing of Sunday films at the Nov. 5 election. It is one of the few spots in western Pennsylvania that attorney is not available, as Mr. P. M. on the Sabbath, following the removal of the state blue law a few years ago, when local option was established.

Get's Sunday Shows

SANFORD, N. C., Aug. 27—Banned for the past few months, Sunday films will be permitted under the bill, which was a recent meeting of the board of aldermen a motion was adopted to allow R. F. Ondor, operator, to resume the showing of Sunday pictures.

Seek Sunday Films

DANVILLE, Pa., Aug. 27—Petitions for a vote on Sunday films have been presented in a number of towns, and these are addressed to the Borough Council and seek to have the question of local option for Sunday pictures placed on the ballot in November, 1940.
THE FRIENDLY WAY OF DOING BUSINESS!
To the thousands of exhibitors who have co-operated voluntarily in advancing their admission prices for "BOOM TOWN", we take this means of expressing our grateful thanks.

Leo of M-G-M
U.S. to Hear Decree View Of Exhibitors

(Continued from page 1)
in these cases the M.P.T.O.A. Delegates officially who were there had no intention to hold a mass meeting for the exhibitors, as had been sug-
gested, but that the said individual representa-
tive groups would be received sepa-
rate, and privately.

The exhibitors' views will be given full consideration by the Department before final action is taken on the pending decree, it was said. This gives rise to the possibility that the Gov-
ernment's response to the five consent-
ing companies on the decree, which had been expected on Thursday, may be delayed until the exhibitor hear-
ings have been held.

Members of the M.P.T.O.A. executive committee who will meet with Arnold on Tuesday are Ed Kuykendall, M.P.T.O.A. president; Morris Loevenstein, Oklahoma City; Fred Wehren-
berg, St. Louis; H. V. Harvey, San Francisco; O. C. Lam, Rome, Ga.; Arthur H. Lock-
wood, Lewiston, Conn.; Lew-
Pizer, Philadelphia; Charles E. Williams, Omaha, and L. E. Thompson, New York.

The principal objections of M.P.-
T.O.A. to the proposed decree are centered on the block-of-fives sales and trade showing provisions.

Meanwhile, James Hayes and Rob-
ert Sher, who hold special assigna-
tions to the Attorney General, still are scheduled to go to New York in time for a meet-
ning there Thursday with representa-
tives of the five consenting companies to present the Department's views.

Col. to File Answer Crescent Case

Columbia's answer to the Govern-
ment's bill in the pending Fed-
eral consent decree on circuit opera-
tions were discussed by Paramount theater operators at a meeting here today.

The discussions also cov-
ered new season's product and ad-
vertising problems. Attending were: Leon-
ard Goldenson and Sam Dem-
bow of the Paramount home office: John Balaban, A. H. Blank, Earl J. Hudson, Ed-
ward Hyman, Tracy Barham, Harold Shenfield, Harry David, Jules J. Rubens and Ralph Branton.

“Foreign Correspondent”

[Wanger-United Artists]

(Continued from page 1)

—of an idea, and an original screen story was prepared by Charles Bennett and Joan Harrison.

The fact that James Hilton and Robert Benchley prepared consider-
able of the dialogue is apparent and important to the net result. In-
cidentally, Benchley's appearance on the unflattering portrait of a veteran London correspondent, who spends most of his time decorating a bar, is the picture's humorous highlight.

The leading roles have been entrusted with considerable success to Joel McCrea, Laraine Day, Herbert Marshall, George Sanders and Albert Maltz. The former two are not supposed to be foreign correspondents, is sent to Europe to get facts on the tumultuous European situation, with war expected to break out momentarily. He meets Marshall, ostensibly head of a peace organization, who turns out to be head of a spy ring, and his daughter, Miss Day, who is unaware of her father's real activity. McCrea falls in love with the girl.

He runs headlong into a series of exciting adventures on the trail of a story from a European diplomat, who is supposedly assassinated, but actually is kidnapped. With Sanders' help he unravels the plot, and, returning on a trans-Atlantic plane with his quarry, the plane is attacked by an ‘enemy' plane. The sequence is a hair-raising one that plunges McCrea and Miss Day, rescued, return to England. The picture ends on a timely note, as McCrea, broadcasting news to this country from London, is actually arrested by a crash-landing, and cries a warning to America to ring itself with steel as the last stronghold of liberty in a war-torn world.

Running time, 119 minutes. ”G.”

Charles S. Aaronson

“G” denotes general classification.

Trade Executives

At Rivoli Opening

The Rivoli, which has been closed for about two months, reopened last night to the wonderment of “Foreign Correspondent.” John C. Wright, manager, stated that product was now assured for the house but declined to reveal the deals set.

A host of notable was present at the premiere. Industry executives included: Vice President and executive of U.A.; Harry Gold, vice-
president and Eastern general sales manager, Harry Dukley, vice-
president; and Edward Dukley, vice-


John Harris Honored

Pittsburgh, Aug. 27.—John H. Harris, president of the Harris Amusement Co., of the Arena Man-
agers Association and second in-
kicker of the Variety Clubs of Am-
erica, was this week given "The Floral\r\nBouquet" by the Jewish Outlook, a publica-
tion that honors a different Pittsburgh citizen weekly.

U.S. Companies May Be Forced Out of Japan

(Continued from page 1)
an, as a result, distributors resorted to resuing their old pictures while awaiting new import permits. Re-
cently, however, Japan prohibited the exhibition of reissues by limiting the effectiveness of permits to a maximum of three years and further directing that no film can be resub-
mitted for censorship after that period.

In addition, the distributors' cur-
rency withdrawals from Japan have been shut off since 1938 when Japan agreed to allocate approximately $900-
000 to the American companies after January, 1941, the money to be de-
posited in the Yokahama Specie Bank in San Francisco.

An international meeting of foreign man-
geners reached no definite conclusions but the belief was expressed in some quarters that Japan apparently is un-
willing to enter into any agreement with the Ameri-
can companies remain in business there.

Frederick L. Herron, M.P.P.D.A. foreign manager, returned to New York from vacation in California to attend yesterday's meeting. Others present were: Irving Mason, 24th Cen-
tury-Fox; Arthur Loew, Loew's; C. V. Kirby, Universal; George Weltner, Paramount; Maurice Branton, Columbia; Arthur Kelly, United Ar-
tists, and Harold Smith, M.P.P.D.A.

Sargent Winner

Of Skouras Drive

(Continued from page 1)

The award to Sargent was made here today at the final of a series of division meetings of the circuit, at-
tended by Spyros Skouras, National Theaters head. Skouras will return to New York by plane over the week-
end.

The theatre managers named winners in the six classifications of thea-
ture and engagement awards are: Class A, Bruce Fowler, 4 Star Thea-
tre, Los Angeles; Class B, Max Trumppower, Academy, Englewood, Cal.; Class C, Morrill Moore, Isis and Apolo, Kansas City; Class D, Philip T. Hill, Orpheum and Jay-

The basis of determining the classifications was the similarity of the competitive situation among the various houses.

Approximately 500 theatres were in-
cluded in the drive, with about 175 managers receiving awards. A new showmanship campaign will start Sept. 1.

Rooney To Make Tour

Mickey Rooney will come East Monday to do a week's stay in the area. He is scheduled for one-week engagements at two New York theatres—The Roxy, in New York City and the Roxy, Pittsburgh, and will then do a week's stay in Cleveland, Pittsburgh, Washington and New York.
"Paramount will certainly please Bing's fans with 'Rhythm on the River'." — Louella Parsons, Los Angeles Examiner

"'Rhythm on the River' refreshing entertainment. Winning, romantic comedy." — Los Angeles Daily News

"One of the best of the films with which Crosby ever has been identified. The tunes and the way they are done will go far to capture audiences."
— Edwin Schallert, Los Angeles Times

"Bing Crosby goes to town for a hit in 'Rhythm on the River'. A choice piece of entertainment. One of the most entertaining and best quality films the studio has delivered in many months."
— Marie Anna

"'Rhythm on the River' hits high note in Crosby shows. A most tuneful and tuneful piece of Crosby musical entertainment."
— Hollywood Examiner
CLIMB ON THAT BIG PARAMOUNT BAND-WAGON FOR A YEAR'S JOY RIDE...

Two Mighty Stars in the Year's Grandest Adventure in Human Emotions

"ARISE MY LOVE"

SAM ("Goodbye, Mr. Chips") WOOD'S Grandest Heart-Thrilling Action Picture

"RANGERS OF FORTUNE"

An All-Star Cast in Joseph Conrad's Immortal

"VICTORY"

(AN ISLAND TALE)

The Year's Slap-Happiest Comedy

"I WANT A DIVORCE"

The Year's Greatest All-Star Cast in CECIL B. DEMILLE'S Long Awaited Triumph in Technicolor

"NORTH WEST MOUNTED POLICE"

The Year's Comedy Masterpiece...
The Benny-Allen, Allen-Benny Picture

"LOVE THY NEIGHBOR"

... with Loads of Light Entertainment from Paramount!
Criticals' Quotes...

"THE GREAT MGINTY" (Paramount)

Political graft and showmanship are viewed with a cynical and realistic eye in "The Great McGinty." Brian Donlevy plays the lead with enthusiasm and complete success.— Boston Herald.

Brian Donlevy comes into his own as the star . . . . a powerful and enjoyable part in a big cast that typically combines comedy and personality . . . . It is one of those unheralded films which become a surprise sensation.—Brattleboro (Brattleboro), VT.

Takes political corruption for a hilarious ride in one of the most delightful comedies seen here since the year of the big wind . . . . Major credit should go to Preston Sturges, who wrote and directed the comedy . . . . The plot moves at a fast clip.—Baltimore Morning Sun.

Interesting, funny and dramatic . . . . In fact, it is one of the liveliest and best pictures seen around these parts in many a day.—Norman Clark, Baltimore Sun.

A great show . . . . The "Great McGinty" is shrewd, salty, adroit . . . . It is also an actor’s dream. Brian Donlevy makes the dream come true.—Time.

"LUCKY PARTNERS" (RKO)

"Lucky Partners" is a cream puff comedy in a class of its own and is principally distinguished by fresh and diaphanous gags—a couple for the first time . . . . The direction keeps the film rolling in moderate tempo.—Newsweek.

Teaming Ronald Coleman and Ginger Rogers, the picture is effective and useful shoveling material and the confident charm of the actors which turns out to be a romantic comedy of a delightful order . . . . The amusement of the whole adventure is cumulative, reaching its height in the courtroom finale . . . . Melvyn Douglas exhibits his versatility with a slick performance.—Edwin Schollert, Los Angeles Times.

"I LOVE YOU AGAIN" (M-G-M)

A frothy but highly entertaining marital comedy superbly suited to the talents of William Powell and Myrna Loy . . . . It’s light but extraordinarily good fun . . . . You’ll like it.—Brattleboro (Brattleboro), VT.

"He Stayed for Breakfast" (Columbia)

A delightfully sophisticated satire on Communist and bourgeois morals and manners in "He Stayed for Breakfast" . . . . Melvyn Douglas exhibits his versatility with a slick performance.—Newsweek.

"Boon Town" Draws $13,500, Cincinnati

CINCINNATI, Aug. 22—Boon Town" grossed $13,500 during its second week at the RKO Capitol, where it went into the third stanza . . . . "Boon Town" was booked ($5,200) at the RKO Palace. A sudden break in the extreme heat helped business.

Estimated takings for the week ending Aug. 22:

- "The Boys from Syracuse" (Univ.) RKO ALBEE—(2,480) 38c-45c 7 days, Gross: 15,450 (Average, $4,000).
- "I Married Adventure" (Col.) RKO SHUBERT—(2,150) 38c-45c 7 days, Gross: 9,750 (Average, $1,400).
- "We Who Are Young" (M-G-M) 2 days, "The Walt Disney Festival" (RKO) RKO LYRIC—(1,000) 38c-45c 4 days, Gross: 4,150 (Average, $1,000).
- "Haunted Gold" (W.B.) RKO FAMILY—(2,800) 38c-45c 7 days, Gross: 10,500 (Average, $1,500).
- "Pop Always Pays" (RKO) RKO FAMILY—(2,450) 38c-45c 7 days, Gross: 2,100 (Average, $300).
- "Bandle Has Servant Trouble" (Col.) KEEFS—(1,500) 38c-45c 7 days, Gross: 4,500 (Average, $600).

"Love You" Takes $4,000, New Haven


Estimated takings for the week ending Aug. 22:

- "I Love You Again" (M-G-M) Tom Brown’s School Days" (RKO) COLLEGE—(1,690) 38c-55c 7 days, 2nd week, Gross: 6,700 (Average, $1,200).
- "The Return of Frank James" (20th-Fox) "The Man I Married" (RKO) LOEW-POLO—(1,000) 38c-55c 7 days, Gross: 4,750 (Average, $700).
- "An American in Paris" (M-G-M) "Sam of the Navy" (M-G-M) PARAMOUNT—(1,000) 38c-55c 7 days, Gross: 4,500 (Average, $600).
- "Boontown" (RKO) "Private Affairs" (Univ.) SHERMAN—(2,200) 38c-45c 7 days, Gross: 3,000 (Average, $400).
- "We Who Are Young" (M-G-M) 2 days, "The Walt Disney Festival" (RKO) RKO LYRIC—(1,000) 38c-45c 4 days, Gross: 4,150 (Average, $1,000).

F. P. Canadian Dividend

Toronto, Aug. 27—The third dividend for this year has been declared on the common shares of Famous Canadian Corp., the amount being 25 cents per share, payable Sept. 27 to holders of record Sept. 16. The dividend was paid out of each of the first two quarters of 1940. It is anticipated that the circuit will round out the calendar year with a further disbursement of $1.

FILMS COUNCIL HITS TROPILES IN ST. LOUIS

St. Louis, Aug. 27—The local Better Films Council has protested to Harry Arthur, J. C. president and general manager of Fanchon & Marco, Inc., on the triple bills in the houses of Frank & M. for the St. Louis Amusement Co.

Two of the F. & M. neighborhood houses are currently featuring three features on a nightly bill and a movement has been started by the independents to persuade Arthur to discontinue the policy.
Coast House Offers
Duals and Singles

Hollywood, Aug. 27—Opened last Friday in Alhambra, some 20 miles from Hollywood, was what its sponsors call "the world's only single double bill theatre." Called the Alhambra, the theatre represents an attempt that the house will have two auditoriums under one main entrance; with both auditoriums showing the same double bill, but so altered that the public will not be able to pick the picture of his choice. Operated by James Edwards, Jr., the house represents his solution of the double feature problem.

Signings new or extended contracts recently have been Harold S. Buckaret, M-G-M director; Edward Buzzell, also of the M-G-M directorship; and Annette Lovett, given a new three-picture deal by Stephen Lang for its "Christian" series; Randolph Scott, given a 20th-Fox contract to appear in three films within the next two years.

Assignments made by studios within the last few days have included: Lewis Milestone has been assigned by United Producers to direct the first picture produced for RKO release...Carole Lombard and Dorothy Lamour will portray the starring roles in RKO's "Mr. and Mrs. Smith"...George Brent will be starred by Warners in "South of Suez"...Paramount has assigned Barbara Stanwyck the starring role in "Pioneer Woman"...Doris Morris will play the leading masculine role opposite Ginger Rogers in "Kitty Foyle" for RKO...Frances Dee and Anna Sten will appear in the new-Lewin production of "Flotam.

Abel's to Trinidad
Arthur Abele, Jr., Warner manager in Trinidad, left for his post yesterday after a visit here. Harold Dumm, Far East manager for the company, will return to his headquarters in Shanghai in about another week, while Robert Schless, European manager, plans to remain here indefinitely due to the war.

Rejects RCA Dismissal
New York Supreme Court Justice J. Sidney Bernstein yesterday denied application of General Electric Co., and Westinghouse Electric and Manufacturing Co. to dismiss the complaint of RCA minority stockholders against Victor Talking Machine Co., a dissolved subsidiary of RCA.

Grant War Bonus
To Transport Men

By AUBREY FLANAGAN
London, Aug. 27.—An agreement granting war bonuses and wage increases to transport workers working in the film industry has been signed by the British K.R.S. A previous agreement expired last December.

Lou Jackson, chairman of Anglo-American Film Co., Ltd., has recently been appointed director of British National Films.

A proposal of £195,950 ($781,596) is accepted by United Cinemas for the year ending Dec. 31, 1939.

After deductions for interest and dividend payments, National Defense and tax contributions, and $200,000 placed to reserve for depreciation and amortization, this leaves a net profit of £110,108 ($18,432). United Cinemas is under the control and management of Associated British.

Hugh Findlay, for some time publicity manager of Twentieth Century Productions, has joined the British Ministry of Information. He operates as liaison between the Ministry's Film Section and the press.

Republic Sets Film Deal with Saenger
New Orleans, Aug. 27.—James R. Copeland, president of Republic, has closed a deal for the company's 1940-'41 product with the Saenger Circuit and the New Orleans' Saenger, Arthur C. Bromberg, Republic Southern division executive, is said to be in talks with government officials, including the War Production Board, for the new production of "Chadwick's Island" for some time, according to Market Record, which reports that the deal is being worked by Louis B. Loewer of Movietone News, vice-president, and Joseph Vadala of Universal, secretary. Mrchic resigned at last night's session.

Editors' Guild Meets
The Motion Picture Film Editors Guild of New York, comprising about 150 members, heard routine matters discussed last night at a meeting in the Capitol Hotel. Officers of the organization include John Milch of the Times Union; Robert C. Van Horn of Lowere of Movietone News, vice-president, and Joseph Vadala of Universal, secretary. Mrchic resigned at last night's session.

Yorke Names Koppel
Emerson Yorke, Emerson Yorke as manager of the newly created division of Emerson Yorke Productions. Koppel formerly was connected with Alexander Film Co.

Lamour in 'Chad Hanna'
Hollywood, Aug. 27.—Dorothy Lamour will play the feminine lead in "Chad Hanna" for 20th Century-Fox.
Independent Will Demand Cancellation

Will Urge This Measure At Decree Hearing

A liberal cancellation privilege, perhaps of 25 percent, rather than unit selling in blocks of five, and national trade showings, will be urged by independent exhibitors at the Tuesday Washington hearing on the consent decree, it was learned last night. These independent exhibitors demand that the rate which has heretofore been uniformly used in all the communications on the proposed decree which have been received from such sources as the Department of Justice. Some authorities expect the exhibitor leaders to try to rip open the consent decree with their objections.

The independent exhibitors’ views on unit selling in blocks of five and trade showings coincide with those held by the Paramount theatre partners and which formed the basis of the partners’ complaints against the decree.

Some independent exhibitors who (Continued on page 5)

Crosley Television Permit Is Granted

WASHINGTON, Aug. 28.—Application of the Crosley Corp., operator of WLB, Cincinnati, for permission to erect a television station in Cincinnati was approved by the FCC today. The station, initial cost of which is estimated to exceed $100,000, will use the same standards as NBC, with 30 frames per second.

Loew’s May Raise ‘Boom Town’ Scales

Loew officials are contemplating a 25 to 33 percent increase in admission scales in all of the circuit’s first-run houses for the showing of “Boom Town.” Prices also will be raised at the Capitol on Broadway. At this main Loew showcase where the scale runs from 25 cents to $1.10, the increase contemplated will be 10 cents, exclusive of tax, on each admission. The picture follows into this theatre after the present William Powell-Myrna Loy picture, “I Love You Again.”

W. Va. Managers Condemn Decree Block-of-5 Sales

WHITE SULPHUR SPRINGS, W. Va., Aug. 28.—The proposed Federal consent decree, particularly the block-of-five sales provision, was condemned in a resolution adopted at the annual convention of the West Virginia Managers’ Association here today.

The action followed an address by Ed Kuykendall, president of the M.P.T.O.A., who said that he knew of no exhibitor who had given thought to the proposed decree, and especially the sales clause, who was in accord with all provisions.

Stating that a small minority in the industry “was causing all the trouble,” Kuykendall urged cooperation between distributors and exhibitors, or the alternative would be “disaster.” He deplored Samuel Goldwyn’s recent article in the Saturday Evening Post which discussed block and other industry practices, although he said he was in accord with some of Goldwyn’s thoughts.

Possible competition from coin film machines was discussed, as were also taxation, labor, school shows and other local problems.

The entire slate of officers, headed by S. J. Hyman, president, was re-elected. J. C. Shaulkin, vice-president, presented in Hyman’s absence. W. H. Holt, secretary-treasurer, was active in convention arrangements.

SAG to Try Members On Threat Charges

Hollywood, Aug. 28.—The Screen Actors Guild today set Sept. 4 as date for trial of two members charged with attempted extortion of jobs from studio casting directors by threats and physical violence. The charges were preferred by Howard R. Philbrick, Central Casting Bureau general manager.

LONDON DISCUSSSES 6336 8 8

NEW MONEY FACT

B.&K. Belmont Drops Triples For Dual Bills

By IRVING YERGIN

CHICAGO, Aug. 28.—Balaban & Katz will abolish triple features for a policy of duals at its Belmont Theatre here. John Balaban disclosed today Sept. 13 is the date set for the change.

Balaban’s comment was as follows: “Triple features have been a common practice in Chicago for years and continue successfully in a number of Chicag theatres today.

The Belmont adopted the triple feature policy only after competitive theatres surrounding it had been presenting three features on every program a year or more. It was apparent at the time that the triple feature policy was popular in this particular neighborhood and we adopted the idea.

We plan to restore double feature programs at the Belmont Theatre and to continue this policy indefinitely. If however, competitive theatres in the neighborhood will again go to triple features we may have no alternative but to do likewise.”

The B. & K. decision follows a strong campaign by Jack Kirsch, Illinois Allied president, against triple bills in Chicago. On June 16, at Kirsch’s behest, 14 independent theatres in the area surrounding the Bel- mont accorded to abandon triples. Although this was a verbal agreement, all concerned have lived up to it.

Projected Agreement to Replace Present One Expiring Oct. 31

Official conversations have been begun in London with the proper authorities regarding a new monetary export agreement between the American film companies doing business in Great Britain and the British Government, it was learned last night.

The present agreement expires Oct. 31. Its terms provide that conversations regarding a new agreement may be started within three months of the expiration date.

It is the hope of the American companies that there will be no adverse changes proposed in a new agreement.

U. S. Ambassador Joseph P. Kennedy was instrumental in negotiating the present agreement under which seven major companies are authorized to withdraw $17,500,000 during the one-year term of the agreement. Already 75 percent of their allotments has been withdrawn, in compliance with the terms of the agreement. The $17,500,000 represents 30 percent of the total annual business in Great Britain for the three years preceding the present agreement.

Executives Confer On Defense Films

WASHINGTON, Aug. 28.—Film industry executives are converging here with officials of the National Defense Advisory Commission on plans for industry cooperation in the nation’s defense program. Circuit heads, in particular, have been in conference on showing defense films in theatres.

Robert Collier, long connected with

Censor in Mexico Bans Nazi Picture

MEXICO CITY, Aug. 28.—The Mexican censor has banned the German-made picture, “Sport Show of the Nations,” 24 reels depicting the last Olympic Games in Berlin. The film

“THE HOWARDS OF VIRGINIA”

[ Columbia ]

FRANK LLOYD has opened on the screen the pages of one of the most glowing chapters of the early history of the United States, the period immediately prior to and carrying through the Revolutionary War, as a background for the dramatic story of a family of the Virginia colony, and has achieved a great and moving motion picture.

The picture is without question one of the finest examples of screen entertainment, and exhibitors will be proud to present it to their patrons. It rings with the underlying motif of the story, the fight of the American colonists for their own liberty and that of future generations. Today, with that same cry echoing across the minds

(Continued on page 5)
Holdovers B’way Holiday Program

Broadway first run houses will be featuring holdover attraction as the holiday fare, in most instances, next Monday when the Labor Day holiday ushers in the new season. Oldest of the holdovers, of course, will be “Gone With the Wind” which will wind up its 37th week at the Astor Monday.

The new product will include: “He Stayed for Breakfast” with a stage show at the Roxy, “Foreign Correspondent” at the Rivoli, “Rhythm on the Range” with a stage show consisting of Will Bradley’s orchestra, Ken Murray, Dinah Shore and Tito Guizar at the Paramount. It will be the fourth week for “The Sea Hawk” and Phil Spitalny’s band at the Strand and for “Pride and Prejudice” with a stage show at the Music Hall. “I Love You Again” will be in its third week at the Capitol and holdovers will be treated to a view of the “Dr. I. Q.” broadcast from the stage.

“Hell’s Cargo” will be on view at the Globe and “Gold Rush Maisie” at the Criterion.

Skouras Returns Today

Spyros Skouras, head of National Theatres, will return from the Coast by plane today after a tour of divisional headquarters and a meeting with Charles Skouras in Los Angeles.

Personal Mention

LEO SPITZ left for Chicago yesterday.

JAMES ROOSEVELT will leave for Chicago by plane today and will continue to the Coast after a brief business visit there.

JOSEPH M. SCHENCK arrived from the Coast by plane yesterday and expects to be in New York several weeks.

J. CHESTER COWIN, Universal board chairman, is expected back from the Coast next Wednesday.

M. A. LIGHTMAN will leave for Memphis tomorrow with members of his family who have been vacationing in Maine.

DAVE PALFREYMAN of the M. P. P. D. A. returned yesterday from a vacation in Maine.

NORMAN AYERS, Warner branch manager in Boston, arrived yesterday for conferences with Rov Haines, Eastern and Canadian sales manager.

MAURICE SILVERSTONE, HARRY BUCKLEY, EMANUEL SILVERSTONE and SEYMOUR POE at Lindy’s (next to the Rivoli) for lunch yesterday.

S. A. LYNCH, Miami theatre operator, is in town.

CHARLES KESSENCHE, Southern district manager for M-G-M, with headquarters in Atlanta, is at the home office.

MELVIN ALBERT of the law firm of Weisman, Celler, Quinn, Allan and Spett is the father of a son, born Monday to Mrs. Albert at Sydenham Hospital.

MORRIS ERESBEN of the Warner home office legal department, left last night via American Airlines for a visit to the Coast studio.

ROBERT WEITMAN, SAM SHAIN, MAURICE BERGMAN, LEO SPITZ, MAX A. COHEN, ARTHUR HOPKINS, ABDUL ZUKOR, BARNEY BALABAN, JOHN W. HICKS and RUSSELL HOLMAN at Nick’s Dining Room in the Astor for lunch yesterday.

JOHN D. HERTZ, J.R., MORT SPRING, L. E. LOVETT, OTTO PEDERSEN, MARTIN BECK, FREDERICK LONSDALE and JOHN GOLDEN at the Bank of America.

JACK COHN, NATE SPINGOLD and WILLIAM BRANDT at Lindy’s (51st St.) yesterday for lunch.

GORDON WHITE, ALEC MOSS, CHARLES PAINE, LOU POLOCK, HANK LINET, WILLIAM J. HEINEMANN, JEFFFREY P. HERNER and MORRIS KINZER at the Tavern yesterday for lunch.

SAM ARABANZ of Republic’s studio publicity department is vacationing here.

LOUIS CHASININKY, manager of the Capitol and Rialto in Dallas, is recuperating from typhoid and pneumonia.

COREY RICHMOND, manager of the Hollywood, East Providence, has returned from a vacation.

JOHN NOLAN, general manager of the company circuit, was in Providence conferring with E. V. PAYNE.

New Split of Profits Planned for Cohan

Columbia stockholders at the annual meeting Sept. 18 will vote on three-year employment contracts for Harry Cohn, president, and Jack Cohn, vice-president.

The contracts will provide for the restoration of part of the net profit of the 33 1/3 percent cut voluntarily taken by the two executives in September, 1939, if the company proves this cut warrants the payment. If these payments are made there will be remaining profits equivalent to about $1.18 per share on the common stock after preferred dividends.

Under the new contracts Harry Cohn will receive $2,800 weekly plus $300 a week for expenses and 12 percent of the net profits in excess of dividends on the $2,735 preferred, or $3,500 weekly. Jack Cohn will receive $1,800 weekly, plus $300 a week for expenses, and six per cent of the net profits computed in the same manner as in the case of his brother, but not more than $2,000 weekly.

Mexico Distributors Strike Against Tax

MEXICO CITY, Aug. 28.—The six film houses in Morelos State, which constitute this city’s, are deprived of new product since distributors are refusing to deliver because of the 10 per cent tax the State Government has imposed on pictures that come from the capital. The strike, the distributors declare, will continue until the Government annuls the tax.

The exhibitors are struggling along with old pictures, but they are not doing very well at it. Cuernavaca, prominent tourist resort, is in Morelos.

Opera Stars Seek To Enjoin Petrolio

Suit was brought in Supreme Court here yesterday against James C. Petrolio, president of the American Federation of Musicians, in which members of the American Guild of Musical Artists seek an injunction against Petrolio’s ultimatum that they join the A.F. of M. or be deprived of work in films, radio, concerts and phonograph recordings.

The plaintiffs include the leading concert and opera instrumental and vocal. Justice Ferdinand Pecora issued an order yesterday directing the defendants to show cause today why execution of his demands should not be stayed pending a hearing on a permanent injunction.

Cooper to Attend Opening in Texas

Gary Cooper, the star of “The Westerner,” Samuel Goldwyn-United Artists film, will attend the premiere of the film at the Worth and Hollywood Theatres, Fort Worth, Tex., Sept. 19. The film will open at the Majestic, Dallas, Sept. 20 and 51 towns are expected to show the picture during the first week. Bookings for an additional 50 towns are planned for the following week.

Seek Foreclosure Of Heart Property

Continental Bank & Trust Co. has filed suit in the New York Supreme Court to foreclose a $50,000 mortgage on five Heart-brass properties in New York, including the Ziegfeld Theatre, Sixth Ave. and 54th St., now operated by Loew’s.

UNITED INAUGURATES SLEEPER FLIGHTS

TO LOS ANGELES

WITH NO CHANGE OF PLANES

The CONTINENTAL


The OVERLAND FLYER


The CALIFORNIAN


Reservations: travel agents, hotels, or

UNITED AIR LINES

58 E. 42nd St. MU-2-7300

67 Wall St. MU-2-7300

MOTION PICTURE DAILY

Thursday, August 29, 1940

(Registered U. S. Patent Office)

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Not One Cent for Tribute—

GULFPORT, Miss., Aug. 28.—Characterizing the demands of the American Legion for 10 per cent of the proceeds from operation of Sunday films here as a tribute the theatres were being required to pay and challenging the patriotism of those who would stop Sunday shows in view of the national defense tax, Paramount Richards Theatres have refused to continue to pay this sum to the American Legion.

During the last 11 years the Legion has realized thousands of dollars from a deal with the theatres, which paid the amount to avoid arrest for violation of the Mississippi blue laws.

Short Subject Reviews

"March of Time, No. 12"

(RKO)

With the trading of naval bases for destroyers capturing the leading stories in most newspapers these days, the latest March of Time reel, "Gateways to Panama" tells the story of the necessary defensive for the Atlantic side of the Panama Canal. Using maps to excellent advantage, the reel describes the nature of Caribbean zone and its importance to the Canal. The fact that French and Dutch possessions may be dominated by Germany in the near future is stressed.

Highlighting the reel, however, are unusual shots of Devil's Island and Cayenne, the capital of French Guiana. Life in the penal colony is grimly portrayed and emphasis is laid on the possibility that the inhabitants of the island may form a "Fifth Column" group for Germany on this hemisphere. Running time, 20 mins.

"Riding Into Society"

(Warner)

The somewhat incredible and cor- polent Elka Maxwell, about to leave on a boat trip, recounts to a group of reporters and assorted friends how she crashed English society years before. The flashbacks show her accidental introduction to an English Lord and Lady, and her hectic experiences with a spirited animal at the Lord's country estate, where horses are apparently the main reason for anyone's existence. With Miss Max- well screaming and falling, alternately, and between times indulging in witticisms, the subject is active, to say the least. Running time, 19 mins.

"Malibu Beach Party"

(Warner)

A caricature cartoon in color of several of Hollywood's best known stars. Jack Benny gives a party, with the assistance of Rochester and Mary Livingstone, while in attendance are Claudette Colbert, Dod Sparks, Clark Gable, Greta Garbo, Fannie Brice and a number of others. Running time, 7 mins.

Grainger to Coast

After Griffith Deal

OKLAHOMA CITY, Aug. 28—James R. Grainger, Republic president left for the Coast today to preside at a regional sales meeting at the studio tomorrow. While here he closed a deal with the Griffith Circuit for the new season's program, covering theatres in Oklahoma and Texas. Sol Davis, franchise owner, also repre- sented Republic, with Horace Falls and O. H. Stark acting for the cir- cut.

Christopher Drowned

FEDERALBURG, Md., Aug. 28.—Roger N. Christopher, 34, former manager and owner of the Federal Theatre here, was drowned when he fell from a yacht in the Choptank River during a cruise. The body has not been recovered.

Sedif Pictures Formed

DOVER, Del., Aug. 28.—Sedif Pic- tures Corp. has been incorporated here with a capital of $10,000. The incor- porators were M. S. Cook, A. L. Raughley and F. C. McGee of Dover.
Yes! You'll have

Rosalind

James

Stewart Russell

in

No Time for Comedy

Next Week!

* There's no time for this comedy like Broadway Strand TIME—and a solid 3 weeks, at that!!

with

Genevieve Tobin • Charlie Ruggles
Allyn Joslyn • Clarence Kolb • Louise Beavers
Directed by William Keighley
Screenplay by Julius J. and Philip G. Epstein • From the Stage Play by S. N. Behrman
Produced by Katharine Cornell and the Playwrights' Company
A Warner Bros.-First National Picture

Taking Ways...

Warners took it from Broadway to team the man who took Washington and the woman who took 'The Women'—So take good notice!
**The Howards of Virginia**

(Continued from page 1)

of the entire nation, the film carries tremendous appeal for all audiences.

It is at once history pointed with broad, sweeping strokes, and the intensely human and intimate story of the development of a family into strength and power and with the love of liberty, just as the nation rising about them was developing. The best selling novel of Elizabeth Page, "The Tree of Liberty," was adapted to the screen by Sidney Buchman, and he, with the direction of the William Jefferson of Virginia to rid the colony of the dominating landowners and their hatred of liberty, is carried forward the story of the Howards and their children, seeing the light of liberty and fighting their way toward it, through internal conflict and outside interference.

Cary Grant, Martha Scott, Sir Cedric Hardwicke, Alan Marshal, Richard Carlson and Richard Gaines, and their support, offer a group of superb performances, doing full justice to the splendid material with which they had to work.

Grant, as the young Virginia frontiersman, is himself a symbol of the growth of the country as a nation. Miss Scott, daughter of the wealth and culture of the Tidewater area of Virginia, centering in the capital at Williamsburg, falls in love with this uncouth but overpowerying personality, and is carried off to the frontier to build a home in the wilderness.

The film, too, in Grant's unending conflict with Hardwicke, brother of Miss Scott, and master of their Tidewater plantation, who most ably personifies the deeply entrenched and superior aristocracy of Virginia. On the other hand there is Thomas Jefferson, boyhood friend of Grant, himself an aristocrat by birth, yet endowed with the spirit of liberty. The Jeffersonian character is splendid, while the work of Gaines, portraying Patrick Henry in the delivery of his famous utterances in the Virginia House of Burgesses, is an outstanding highlight.

Running time, 122 minutes. **"G."**

CHARLES S. AARONSON

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**"G"** denotes general classification.

**Hawk** Pulls Big $47,700

Philadelphia

PHILADELPHIA, Aug. 28.—The double opening of "The Sea Hawk" at both the Boyd and Earle cornered a record week's business with $47,700 for both houses, giving the former house $25,700 and the latter $22,000 for the "Happening Festival" at the Karlton took $5,500. Cooler weather helped.

Estimated bookings for the week ending Aug. 22-25:

- **"The Man I Married"** (20th-Fox) ARCADE—(600) 35c-46c-57c-68c 7 days, Gross: $25,700, (Average, $3,800)
- **"The Sea Hawk"** (W. B.) BOYD—(400) 35c-46c-57c-68c 7 days, Gross: $25,700, (Average, $3,800)
- **"The Return of Frank James"** (20th-Fox) EARLE—(400) 35c-46c-57c-68c 7 days, Gross: $25,700, (Average, $3,800)
- **"They Drive By Night"** (M-G-M) KARLTON—(1,000) 35c-46c-57c-68c 7 days, Gross: $2,500, (Average, $375)
- **"I Love You Again"** (M-G-M) STANLEY—(1,700) 35c-46c-57c-68c 7 days, Gross: $1,000, (Average, $143)
- **"Fugitive's School Days"** (RKO) STANTON—(3,600) 35c-46c-57c-68c 7 days, Gross: $4,500, (Average, $643)

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Executives Confer On Defense Films

(Continued from page 1)

newspaper companies, has been added to the staff of the commission's public relations division to work with the companies on making national defense clips for the newspapers.

The commission will act as a clearing house for information regarding defense activities of the respective news companies and will put the newspaper companies in touch with developments that merit good newspaper material. The newspapers have been devoting considerable attention to this phase of current events, according to commission chairman and Collier has been employed to aid them in covering nationwide activity, rather than in an attempt to induce them to cooperate, it was indicated.

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NLRB Starts Coast Bargaining Hearing

HOLLYWOOD, Aug. 28.—An attempt to determine the appropriate bargaining unit for a consent election by a group of newspaper employees of eight studios prompted the opening of the N.L.R.B. hearing before Bruce Hunt, trial examiner, here today.

The Screen Office Employees Guild is seeking the election, while the American Federation of Office Employees local had already stated that a vote be taken only in the casting offices. The hearing will continue tomorrow, with various workers detailing their duties to the examiner.

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Form Equipment Firm

ALBANY, Aug. 28.—Empire Picture Co., Inc., has been incorporated here to make and distribute motion picture machines.

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Censor in Mexico Bans Nazi Picture

(Continued from page 1)

was taken to the German legation here from the liner Columbus two days before she sailed from Vera Cruz on her scuttling voyage. The picture was acquired by Angel Trenchuelo, Mexican distributor, who spent six months and much money preparing it for Spanish-speaking audiences.

James Mason announced after it had run for two weeks at the Cine Rex here. The censors considered the film Nazi propaganda.

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55th St. Reopens Monday

"Schubert's Serenade," French musical romance, will be the opening attraction of the season of French films at the 55th St. Playhouse, starting Monday. It was produced by F. T. Films in Paris.

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Executors Attend "Howards' Preview"


Closes Deal on 'Nation'

Astor Pictures has closed a deal with Harry Aiken of Elop Productions to distribute the synchronized version of "The Birth of a Nation."
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<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
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<tr>
<td>Aug. 2</td>
<td>Pride and Prejudice (C)</td>
<td>Greer Garson L. Olivier</td>
<td>Golden Gloves (D)</td>
<td>Ranger and the Lady (O) Roy Rogers</td>
<td>Sing, Dance</td>
<td>The Man I Married (D) Joan Bennett P. Lederman</td>
<td>Captain Caution (D) Victor Mature Louise Platt</td>
<td>South to Karonga (O) Chat, Rickford James Craig</td>
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<td>Aug. 9</td>
<td>The Lady in Question (D)</td>
<td>Brian Aherne</td>
<td>I Love You Again (D) William Powell Myrna Loy</td>
<td>Comin' Round the Mountain (C) Burns-Merkel</td>
<td>One Crowded Night (D) William Haade Billy Seaward</td>
<td>Girl From Ave. (A) Dian Withers C. Aldrich</td>
<td>Boys from Syracuse (M) Allan Jones Martha Raye</td>
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<tr>
<td>Aug. 16</td>
<td>The Durango Kid (O) The Secret Seven (D)</td>
<td>Gold D用药</td>
<td>Golden Feeding (D) Lew Ayres Rita Johnson</td>
<td>Tulsa Kid (O) Barry-Beery</td>
<td>Oklahoma Renegades (O)</td>
<td>Return of Frank James (O) Henry Fonda Jackie Cooper</td>
<td>Foreign Correspondent (D) Joel McCrae Laraine Day</td>
<td>River's End (D) Dennis Morgan Victor Jory</td>
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<td>Aug. 23</td>
<td>He Stayed for Breakfast (C) Loretta Young Melody Douglas</td>
<td></td>
<td>The Great McGinty (C) Brian Donlevy Muriel Angelus</td>
<td>Who Is Guilty? (D) Brian Lyons Barbara Blair</td>
<td>Who Is Guilty? (D) Ben Lyons Barbara Blair</td>
<td>Lucky Partners (D) Ginger Rogers Ronald Colman</td>
<td>Young People (D) Shirley Temple Jack Oakie</td>
<td>Money and the Woman (D) Jeffrey Lynn Brenda Marshall</td>
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<td>Aug. 30</td>
<td>Five Little Peppers in Trouble (D) Edith Fellows</td>
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<td>Range Busters (O) Queen of the Yukon (O)</td>
<td>Rhythm on the Foot (M) Bing Crosby Mary Martin</td>
<td>Rhythm on the Foot (M) Bing Crosby Mary Martin</td>
<td>Earl of Puddletown (C)</td>
<td>Kit Carson (O) Lynn Bari Jon Hall</td>
<td>Flowing Gold (D) Pat O'Brien John Garfield</td>
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<td>Sept. 6</td>
<td>Fugitive from a Prison Camp (D) Jack Holt Marion Marsh</td>
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<td>Dr. Kildare Goes Home (D) Lew Ayres Barrymore</td>
<td>Up in the Air (O) Frankie Darro</td>
<td>Up in the Air (O) Frankie Darro</td>
<td>Ride, Tenderfoot, Ride (O) Gene Autry Smiley Burnett</td>
<td>Chan at Wax Museum (D) Sidney Toler</td>
<td>Sea Hawk (D) Errol Flynn Brenda Marshall</td>
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<td>Sept. 13</td>
<td>Before I Hang (D) Boris Karloff Evelyn Keyes</td>
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<td>Wyoming (D) Wallace Berry Leo Carrillo</td>
<td>The Ape (D) Boris Karloff</td>
<td>The Ape (D) Boris Karloff</td>
<td>Girl from Havana (D) O'Keefe-Carleton</td>
<td>Argentinian Nights (M) Rita Brothers Andrew Sisters</td>
<td>Calling All Husbands (C) Tobias-Trex</td>
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<td>Sept. 20</td>
<td>Howards of Virginia (D) Cary Grant Martha Scott</td>
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<td>Strike Up (D) Rooney-Garland Paul Whitman</td>
<td>I Want A Divorce (D) Joan Blondell Dick Powell</td>
<td>I Want A Divorce (D) Joan Blondell Dick Powell</td>
<td>Colorado (O) Rogers-Hayes</td>
<td>Hired Wife (C) Leather Pushers (D)</td>
<td>No Time for Comedy (C) Stewart-Russell Ruggles</td>
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<td>Sept. 27</td>
<td>Angels Over Broadway (D) D. Fairbanks, Jr. Glamour for Sale (D)</td>
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<td>Haunted Honeymoon (D) R. Montgomery C. Cummings</td>
<td>That Gang of Mine (D) Gorcey-Jordan</td>
<td>That Gang of Mine (D) Gorcey-Jordan</td>
<td>Under Texas Skies (O) Meuseakers</td>
<td>The Great Dictator (C) Charlie Chaplin</td>
<td>City for Conquest (D) Cogney-Sheridan</td>
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<td>Oct. 11</td>
<td>Old Swimmin' Hole (D) Moran-Jones</td>
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<td>Drums of the Desert (C) Ralph Byrd</td>
<td>The Quarterback (C) Wayne Morris Virginia Dale</td>
<td>The Villain Still Pursued Her (C)</td>
<td>Gay Caballero Cesar Romero Robert Sterling</td>
<td>Diamond Sinners (D) Dietrich-Nagel</td>
<td>East of the River (D) Garfield-Marshall</td>
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<tr>
<td>Oct. 18</td>
<td>You're Out of Luck (D) Frankie Darro</td>
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<td>A Night at Earl Carroll's (D) Betty Field</td>
<td>Victory (D) Fredric March Betty Field</td>
<td>Too Many Girls (M) Ball-Carlson</td>
<td>The Great Profile (C) John Barrymore Mary B Hughes</td>
<td>Tropical Sinners (D) Dietrich-Nagel</td>
<td>Knute Rockne-All American (D) O'Brien-Page</td>
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<td>Night Train (O) M. Lockwood</td>
<td>Slightly Tempted (C) Hugh Hervey</td>
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Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (O) Comedy, (O) Outdoor Action.
NBC and Mutual yesterday announced special programs to mark the anniversary of the declaration of war. On Tuesday NBC will present a feature by Mrs. Lucy E. Pottier, a 50-voice women's organization, who will sing the Blue, of outstanding events of the first year of warfare, including the Gref Spyce episode, the battle of the lightships, the Battle of France and the surrender in Compiegne forest. Over the Red at 11:30 P. M., NBC will present a complete remembrance of the famous "Two-Way hookup between Washington and New York of H. V. Kalchenbom, John Gunther, Lowell Thomas, John B. Kennedy, T. R. Ybarra, Bakauge, Earl Godwin and Major Gen. Stephen O. Kimball.

Mutual's program will be heard at 10-11 P. M. on the eve of the anniversary, Labor Day. Raymond Gram Swing will be heard from New York; John Steele, London; Arthur Young, London; Maj. LeRoy, New York; Sigrid Schultz, Berlin; Wythe Williams, New York; and Fulton Lewis, Jr., Washington. The CBS plans were reported in this column yesterday.

Station Notes: WRNL will become the Richmond, Va., outlet for NBC-Blue Sunday, replacing WRTD. Commitments made for WRTD will be honored by WRNL. The station operates on 880 k.c. with 1,000 watts full time. WNEV has created a sports department to increase its coverage of this fall. The department is headed by Earl Harper. WBNX is the first independent station to install the new Hammond "solocox" instruments. WOV has received permission to broadcast test programs on a portable FM transmitter to determine the best location for the permanent installation of a 1,000-watt FM transmitter.

The major networks will carry two speeches by President Roosevelt Labor Day, one from Chickamauga Dam and the other from Smoky Hill. Both talks have been classified as non-political and will be carried without charge.

With the air filled with demands for debates these days, Irving Caesar, president of the Songwriters' Protective Association, yesterday hurled the gauntlet at Broadcast Magazine challenging BMI officials to a debate before "advertising managers of American industries, exec-utives of advertising agencies and, as representatives of the public, members of the House and Senate. Mrs. Lucy E. Pottier, the executive, added that any auditorium large enough to accommodate the executives enumerated would do.

BMI, after mulling over the idea all afternoon, said they would make their decision known after Labor Day. Either the challenge will be accepted or BMI will reply to Caesar's charges in detail by letter, it was said. The dispute centers about the refusal of BMI to accept the SPA standard songwriters contract now used by other music publishers.

Theatre Changes

Several Reopen in Pennsylvania

Philadelphia, Aug. 28.—The opening and reopening season in the territory around Philadelphia and Mrs. Lucy E. Pottier, the executive, added that any auditorium large enough to accommodate the executives enumerated would do.

with Mrs. Lucy E. Pottier, the executive, added that any auditorium large enough to accommodate the executives enumerated would do.

William E. White, employed here the past few months, have bought a theatre at Wahoo, Neb., and White has left to go there. William E. White and White are to be married at her home here on Sept. 4 after which she will assist in the operation of the theatre.

Opens Theatre in Iowa

Cresco, Ia., Aug. 28.—I. A. Tuchek has opened his new Mode Theatre here.

Reopens at Decorah, Ia.

Decorah, Ia., Aug. 28.—H. Engber-ton, owner and operator of the Lyric and Grand Theatres here, has reopened his Grand Theatre after a complete remodeling and returning.

Building Cincinnati Suburban

Cincinnati, Aug. 28.—R. L. Fitz-water, who recently resined as machine operator of the Lyric and Grand Theatres here, has reopened his Grand Theatre after a complete remodeling and returning.

Installs New Lighting

Swoverville, Pa., Aug. 28.—Frank W. Pepe, owner of the Roosevelt Theatre, has installed a new lighting system and murals.

CBS International

Units Cost $300,000

Construction of the two new CBS 50,000 watt short wave transmitters recently authorized by the FCC will cost more than $300,000, the CBS engineers told the National Association of Broadcasters yesterday. The transmitters will be built on property leased from the Mackay Radio & Telegraph Co. in Brentwood, L. I. Programs will be broadcast in seven languages with 13 frequencies used.

It was disclosed that WCBX during the year ending June 30, 1941 will transmit the present programs, an increase of 26 per cent over the previous year.

AFRA Convention

Hears Reports Today

DENVER, Aug. 28.—With registration and examination of credentials over, the third annual convention of the American Federation of Radio Artists starts in earnest tomorrow. Featuring tomorrow's sessions will be the reports of Mrs. John H. Mullan, executive secretary, as well as reports from the national field representative, treasurer and the 10 local branches.

Contracts with electrical transcription firms and networks to cover sustaining programs will be the principal issues discussed. Elections will take place Saturday, the last day of the meeting. Eddie Canton is president.

Mexican Stations

Face Labor Strike

MEXICO CITY, Aug. 28.—Operators of the six radio stations in Yucatan State face a strike threatened by the National Radio Workers' Union if they refuse to make new labor contracts providing considerable increase in salaries.

Floating House Ends Run

CHARLESTOWN, Md., Aug. 28.—The floating motion picture theatre built for entertainment for riverfront towns in Maryland, Delaware, Virginia and the District of Columbia has closed the season here this week and will then leave for a West River resort south of Annapolis, Md., where it is to be renovated for a motion picture theatre.

Form Radio Firm

ALBANY, Aug. 28.—Harlem Broadcasting Co., Inc., has been licensed to conduct a radio broadcasting business in New York. Associates are C. W. Gibb-son, M. L. Benbow and R. M. Jordan, New York.

Theatre to Radio

OMAHA, Aug. 28.—Orrville Rennie, manager of Tri-State Theatres' Rivoli at Hastings, Neb., has resigned to become manager of Station KHAS, which he is to become renovated at Hastings Sept. 1.

Scoring 'U' Shorts

The first six Universal shorts of the 1941-42 season are being scored this week at the Eastern Service Studios, with a 25-piece orchestra under the direction of Jack Schindlin.
"PRIDE AND PREJUDICE"
4th Week Radio City Music Hall!
(only three other pictures have ever done it!)

"I LOVE YOU AGAIN"
3d Week Capitol, N.Y., Cleveland, Seattle, San Francisco and 2nd Week in 27 first runs with Philadelphia and Des Moines playing two theatres day and date.

"BOOM TOWN" (Advanced Prices!)
3d Week in 7 out of 9 test engagements with Cincinnati continuing indefinitely. Imagine this! Booked prior to opening of engagements for two weeks at: Rochester, Syracuse, Dayton, Providence, Louisville, Kansas City, St. Louis, Wilmington, Norfolk, Richmond, Baltimore, Toledo, Atlanta, Houston, Nashville, Dallas, San Antonio. Booked for an indefinite run at Philadelphia and in two first-run theatres day and date in Seattle and Chicago.
Television in Color Jan. 1, CBS Reveals

Needs Only Attachment, Says Paul Kesten

Paul W. Kesten, vice-president of Columbia Broadcasting System, announced yesterday that color television is now commercially feasible at hardly any greater cost than black and white and that CBS expects to make it ready for commercial use by Jan. 1.

The system long regarded by engineers as impossible, can be used over the standard wave band now used for black and white and requires only an attachment on present receivers. Kesten described the color and definition as of high quality. The invention will be made available to manufacturers. Invented by Dr. Peter C. Goldmark, CBS chief television engineer. (Continued on page 5)

Coast Flashes

HOLLYWOOD, Aug. 29.—Gradwell I. Sears, Warners’ general sales manager, arrived today by plane for conferences on forthcoming product. S. Charles Einfeld, advertising and publicity director, will accompany him when he returns to New York next week.

The industry’s contribution to the American Red Cross and Allied Relief Fund locally has totaled $440,416, Samuel Goldwyn, drive chairman, disclosed today.

Crane Wilbur has been appointed producer-editor of the “Big Town” radio show which will start its fourth year on CBS Oct. 9 with Edward G. Robinson and Ona Munson continuing in the leads.

James R. Grainger, Republic president, arrived today from Oklahoma City for a quarterly sales meeting with H. J. Yates, M. J. Siegel and West Coast franchise holders.

No Paper Monday
Motion Picture Daily will not be published on Monday, Sept. 2, Labor Day.

Jackson, Arnold Approve Consent Pact in Principle

Para. Will Continue 32-36 Films Policy Through 1941-42

Paramount will continue through 1941-42 its policy of producing only 32 to 36 features per season, apportioning to those production budgets which will aggregate as much as the studio feels it can put on 50 to 60 pictures annually, Y. Frank Freeman, vice-president and studio head, said yesterday. He left for the Coast last night at the conclusion of five days of production conferences with home office executives. Preparation for the 1941-42 production schedule is being worked on now, said Freeman, with several pictures already being planned. He revealed (Continued on page 5)

Milwaukee Singles Plan Is Abandoned

MILWAUKEE, Aug. 29.—Plans for a return to single features in Milwaukee County are definitely off as a result of the refusal by H. J. Mirisch, operator of the Oriental and Tower, de luxe neighborhood houses, to go along on the proposal. According to Harry Perlwitz, business manager of the T.T.P.A. of Wisconsin, all but one of the county’s 72 houses had been won over to the plan, which was slated to become effective Sept. 3.

Mirisch withdrew from the agreement on the ground that it would be contrary to Government rules.

Few Fall Reopenings Set For New York Territory

With comparatively few theatres in the local territory having been closed for the summer, the usual heavy schedule of Fall reopenings is not apparent this year. All the major circuits report full operation. RKO had eight houses dark during the summer, all of which were reopened earlier this month. One exception is the Kent in Trenton, N. J., which will be demolished after Labor Day to make way for a new theatre. Loew’s reports full operation of all units of the circuit with the exception of one, the Hollywood, Manhattan, which has been closed about a year.

All S各省 houses remained open during the summer while Brandt had four closed, each of which is scheduled for reopening shortly. These are the Clifton and Park, Manhattan, and the Elton and Electra, Brooklyn.

About five resort theatres on Long Island of the Prudential & Playhouses Operating Co. are expected to shut down when the cold weather sets in. Also slated to close for the Winter are three Walter Reade units in Asbury Park, the Lyric, Ocean and Paramount. Another Reade house, the Warren, in Hudson, N. Y., will reopen Labor Day after being idle a year.

Consolidated Amusement Enterprises has three theatres in the Bronx ready for reopening after the Summer shutdown. These are the Fleetwood, Ascut and Forum. Century Circuit had all theatres operating during the Summer. The Farragut of that circuit is now closed for alterations, however, and will reopen shortly.

Down Town National Theatre, Manhattan, has reopened.

Government’s ‘War’ With ‘Big 5’ Now Ended, But Just Beginning with Small Exhibitors Who Will Open Battle at U. S. Hearings

By SAM SHAIN

U. S. Attorney General Robert H. Jackson and Thurman Arnold, assistant Attorney General, have approved the proposed consent decree in principle, it was learned last night, and so the “war” is over between the Government and the Big 5. But a new “war” between the Government and the small exhibitors is just starting.

Phraseology that the consent decree has to be settled and this may take some time.

On Tuesday the battle between the Government and the small exhibitor will begin to boom at the public hearing on the decree which has been set in Washington for all those who have in writing complained to the Department of Justice about the proposed consent decree provisions.

The distributors will assume a neutral course in this Washington battle. At this hearing, the Government will hear protests from large and small exhibitors against the proposed decree. Under the tentative agreement, the Big 5 will obtain an absolute, and automatic escape from the selling and trade showing provisions of the decree, as Sidney R. Kent and Barney Balaban insisted upon, should Universal, Columbia and United Artists not be included among the signatories to the provisions at the end of nine months.

(Continued on page 5)

‘Pastor Hall’ Opens At Globe Sept. 13

“Pastor Hall,” a James Roosevelt picture, based upon the life of the Rev. Martin Niemoller, German minister who was persecuted by the Nazis, will be presented at the Globe Theatre on Broad- way beginning Sept. 13. The theatre, a Harry Brandt house, will close down on Fri- day to permit preparations for a special gala opening. The picture is released by United Artists. It has been the subject of much interest wherever it has been shown so far.
More War Films Now Than in World War I

When the first World War began in 1914 there were only two American pictures scheduled on the subject of war, there were none in 1915-16, eight in 1917, 42 in 1918, and 183 in 1919. By 1921, with the U. S. engaged, there were 23 war films among 89 leading pictures for that year, nearly 10% of which the film year progressed the total rose to almost 100.

Grosses Strong as Temperature Cools

Continued cool weather brought strong grosses along Broadway with holdovers drawing good business. "Youth with a Hat" at Roxy, which at the Roxy brought an estimated $40,000 but could not be held because "He Stayed for Breakfast" was booked today. "Pride and Prejudice" with a stage show at the Music Hall drew an estimated $98,000 for its third week. Also strong was "The Sea Hawk" with Phil Spitalny's band on the stage at the Strand with an estimated $40,000 for its third week. The second week of "I Love You Again" at the Capitol was good for an estimated $85,000. At the Astor "Come Fly With the Wind" continued its steady upward climb of the past six weeks with an estimated $12,000 for its 36th week.

Gold and Schlaifer
To Coast on 'Theif'

Harry L. Gold and L. J. Schlaifer, United Artists vice presidents and general sales managers, and Steven Pallos, assistant to Alexander Korda, will leave for the Coast by plane today to confer with Korda on sales plans for "The Thief." Gold and Schlaifer may remain on the Coast for discussions with Charles Chaplin on sales policy for the Great Dictator. Maurice Silverstone, United Artists chief executive, will go to the Coast in about a week to participate in the Chaplin conferences.

Personal Mention

EDWARD P. CURTIS, sales manager of the motion picture division of Eastern Kodak Co., is vacationing in Maine.

SINDEY R. KENT, president of 20th-Century-Fox, returned to the Thousand Islands last night.

LEONARD GOLDSMITH and SAM DEBROW, Paramount office theatre executives, are due in New York today from business meetings in Chicago and Detroit.

BEN MIGGIS, European manager for BLUM'S, has returned to New York from the Coast.

B. P. Price is expected in New York from the Coast today with Robert M. Gillham, Paramount advertising and publicity director.

P. A. McGUIGE, International Projector Corp. advertising manager, has returned from Buffalo where he attended the 50th anniversary banquet of operators Local 10.

JOSEPH MORDEWITZ, NATE SPINGOLD, JOSEPH PINCUS and JAC GÖRTZ LUNCHING at Lindy's (51 St.) yesterday.

MRS. ROBERT E. ARVIN, wife of the traffic manager at Columbia's Indianapolis branch won $1,000 in an old saying contest conducted by the Indianapolis News. Her mother, MRS. NEIL KLEINGAMAN, was secretary to the late Mrs. Harry Arvin when he was an attorney in Terre Haute.

WALTER SELDEN of the Hollywood staff of Quigley Publications, arrived by plane today to attend the funeral of his aunt, ALICE L. SELSELMER, prominent Jewish social worker.

BENJAMIN JENNINGS, sales manager for Agfa Aniso, is back from a vacation in Barb Harbor, Me.

Pettrillo Is Stayed
In Musicians' Fight

James C. Pettrillo, American Federation of Musicians' president, yesterday was stayed until Sept. 5 by N. Y. Supreme Court Justice Ferdinando Pecora from enforcement of his order barring all open air and outdoor performances from the screen, radio, stage or concert hall unless they joined the A.F.M. On Sept. 3 a hearing to determine whether a temporary injunction should be issued will be held before Justice Harold C. Wolff.

The suit was instituted by Lawrence Tibbett, as president of the American Guild of Musical Artists, and 11 other concert and opera artists who joined him as plaintiffs. AGMA attorneys asserted that Pettrillo's ruling was void, "a denial of all members of AGMA." Justice Pecora urged that an effort be made to settle the dispute.

20th-Fox Dividend

The board of directors of 20th Century-Fox yesterday declared a third quarter dividend of 35 1/2 cents per share on the outstanding preferred stock, payable Sept. 30 to stockholders of record Sept. 16.

Cecil B. deMille Is vacationing aboard E. V. Richards' yacht "Watsonia." N. C. He will return to the Coast in a few weeks.

WALTER J. HUTCHINSON, foreign sales manager of 20th-Century-Fox, is due from the Coast on Tuesday.

AL ROSENBERG, Washington State manager for Hammer-Evergreen, cleaned up $10,500 when two of his horses placed first and third in the feature at the Longacres track near Seattle.

WILLIAM B. MORGAN, manager in France for 20th-Century-Fox, is expected tomorrow from Europe on the Excelsior.

MARVIN SCHENKE, JOHN WRIGHT, EUGENE PECKER and ARTHUR SULLIVAN, next to the (Rivois) yesterday for lunch.

SAM CLARK, Warner exploitation man, is here from the Coast to work on the "Knute Rockne—All American" campaign.

WILLIAM F. ROGERS, WILLIAM ORR, JOSEPH BERNHARD, ARTHUR MACK, GEORGE W. SEATON, EUGENE WELTNER and ED SNAUBER LUNCHING at Nick's Hunting Room in the Astor yesterday.

HARRY BUXBAUM, JOSEPH LEE, NAT KARSON, ARTHUR LOEW, DAVE STANTON, at Lindy's (51 St.) yesterday.

MAX WEISFELD, TERRY RAMSEY, FRED MCCONNELL, WALTER FUTTER, JAMES CRON, ARMAND DESIUS, MORRIS KENTZEL, RUBE JACKER and WILLIAM PITTELSON at the Tavern yesterday for lunch.

C. S. ASHCRAFT has just completed a six-week business tour of the country.

RKO Closes Deal
With W. B. Circuit

RKO yesterday closed a new season deal with the Warner circuit, culminating negotiations which have extended over the past several months. The deal is for 359 theatres. Negotiations were handled by W. Smith, Jr., RKO general sales manager, and Clayton Bond of Warners.

Competition of the deal with the Warner circuit," said Ned E. Depont, RKO vice-president and distribution head, "rounds out the greater part of our operation for the current season and gives the company its most successful record in years at this stage."

"Boom Town" Starts
8-City Regular Run

With "Boom Town" starting its national release today, following a series of engagements at advanced advance than the film yesterday began region in eight key cities and will open today in 14 others, including Washington, Kansas City, St. Louis, Atlanta, Norfolk, Buffalo, Akron, Memphis, Wilmington, Nashville, Columbus and San Francisco.

Newsreel
Parade

The newsreels are strictly on the serious side this week as a substantial portion of each is devoted to the show either directly or indirectly. Shown are the arrival of the refugee ship, American Legion; the registration of aliens, defense conference, and the final day of World War II. Weekend reels include:


Mrs. Rosa Baier Dies
KANSAS CITY, Aug. 29—Mrs. Rosa Baier, 42, manager and partner with her husband, Louis Baier, owners of the Lindbergh Theatre, died here after an illness of six months. With her husband, Mrs. Baier in 1926 built the Bagdad, Kansas City neighborhood, and later constructed the Lindbergh Theatre. She leaves her husband, three daughters, five sisters, and three brothers survive.

MOTION PICTURE DAILY

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Virginia is looking forward eagerly to Columbia's world premiere of "THE HOWARDS OF VIRGINIA", which will take place September 4th at three Richmond theatres simultaneously, the Byrd, the State and the Westhampton. Never before has an attraction played a triple day-and-date engagement in Richmond. After this pre-release premiere, the picture will continue at all three houses for an extended run.
DESTINED TO MAKE SCREEN HISTORY WORTHY OF THE TREMENDOUS BACKGROUND THAT INSPIRED IT!

Meet the Howards of Virginia...

LOVE . . . LAUGH AND WEEP WITH THEM!
Live their wondrously exciting romance! See them build a nation in the wilderness! Let yourself be swept along by the relentless tide of a struggle so momentous the screen has never seen its mighty equal!

Man of the people . . . proud of his pioneer forebears, who settled far frontiers!

Aristocrat . . . spirited, stubborn . . . yet eager to dare all . . . for the man she loves!

CARY GRANT
MARTHA SCOTT

THE HOWARDS OF VIRGINIA

From "THE TREE OF LIBERTY" by Elizabeth Page

Screen play by Sidney Buchman

with SIR CEDRIC HARDWICKE, ALAN MARSHALL, RICHARD CARLSON

Presented by FRANK LLOYD PICTURES, Inc.

JACK H. SKIRBALL, Associate Producer
Produced and Directed by FRANK LLOYD

Frank Lloyd, creator of "Cavalcade", "Mutiny on the Bounty", "Wells Fargo", gives you by far his greatest, most memorable production!
German Clips Stay, Says De Rochemont

Portions of "Baptism of Fire," German film, will remain in "The Ramparts We Watch" despite the protests of Universal, it was said yesterday by Louis de Rochemont, producer of the March of Time-RKO picture. The disputed portions were removed by the court recently before the hearings opened.

Rochemont issued a statement saying:

"At a press conference this afternoon, the spokesman of the German Embassy stated that 'The March of Time' did not have property rights in the Nazi film 'Baptism of Fire,' which is also in use in our feature production, 'The Ramparts We Watch.'"

It was announced yesterday that seven prominent exhibitors, including UA, have written letters to Rochemont asking him to add the film to their prints and make available all available prints. If this is done, Rochemont will have been cooperative with them and the distributors will be made satisfied.

"I can only say that the 'Baptism of Fire' sequence is in our picture, and will be shown as an integral part of it for the time being," Rochemont said.

Para. Will Continue 32-36 Films Policy

(Continued from page 1)

that B. G. De Sylva will make two pictures for Paramount's box office schedule, one with Bing and Lee, and another with Bing Crosby and Gene Tierney. "We Watch" is exhibited from now on.

The complaint would have to be confined entirely to sales practices of the three smaller companies and all of the preliminaries to trial, such as answers of particulars and miscellaneous motions relating to these, to have been prepared anew.

The trial of such a suit would be expected to last about three months, it was said.

The five contesting companies reaffirmed an agreement made last June when the current decree negotiations were begun that any franchise dealt on after that time last would be subject to the terms of whatever final decree is agreed upon.

The request, presumably, was requested by the Government when it determined that circuit operators in all sections of the territory are endeavoring to close franchising operations as product "insurance" against the possibility of an uncertain supply should the decree not be accepted with the block-of-five-film sales proposal. Universal and Columbia, which are not affected by the decree, are reported to have closed a number of long-term deals.

Cassil Hearing Is Delayed to Sept. 16

KANSAS CITY, Aug. 29.—The preliminary hearing on the suit of Cassil Bros. against St. Joseph, Mo., against major distributors and the Dubinsky Brothers Circuit, has been postponed to Sept. 16. It was held on Thursday afternoon for $500,000 under the anti-trust laws.

'Love Again' Takes $13,500 in St. Louis

ST. LOUIS, Aug. 29.—The Stanley 'Love Again' continued to do strong business in its second week at the Loew's Theatre, grossing $13,500. Estimated take for week ending Aug. 22 $17,000.

'The Great McGitty' (Para.)

RHEA—$5,000 (32c-33c-35c-5c) 7 days, gross $27,000, average $3,830.

'The Love You Again' (M-G-M)

CENTURY—(15c-36c-35c-5c) 7 days, gross $3,000, average $428.

'The Love You Again' (M-G-M)

NEW—(15c-36c-35c-5c) 7 days, gross $3,000, average $428.

'The Lady in Question' (Col.)

HOPEDOTOME—(3c-36c-35c-5c) 4 days, gross $1,500, average $375.

'The Lyric' (RKO)

STANLEY—(2c-36c-35c-45c) 5 days, gross $1,000, average $200.

'Town' Gets $11,400, Indianapolis' High

INDIANAPOLIS, Aug. 29.—"The Town," in its second week, continued to lead the town and gave Loew's a powerful $11,400. "The Return of Frank James" gave the Indiana $8,100. The weather was cool.

Estimated take for the week ending Aug. 22 $15,000.

Wagoner Film in Ottawa

OTTAWA, Aug. 29.—The Walter Wagoner United Artists picture, "For the Sake of the Deal," opened its premiere at the Elgin Theatre here tonight. Wagoner, here for the opening, will return to New York on Tuesday.
**Pastor Hall’**
**Big in Frisco**
**At $10,000**

**San Francisco, Aug. 29.—Return of Frank James** and “Girl From Avenue A” had a big $19,500 at the Fox. “Pastor Hall” drew a strong $10,000 at the powerhouse house, which is generally good around town. The weather was cool.

Estimated takings for the week ending Aug. 22-23:
- “Anns of Windy Poplars” (RKO)
  - GOLDEN GATE—C. 2650 (3:00-5:00) 7 days.
  - Stages: $7,300. (Average, $1,045.)
- “The Deadly Rode” (Univ.)
  - BONNIE HAS SERVANT TROUBLE” (Col.)
  - OAKLAND—(2:40) (13:35-50c-50c) 7 days, 2nd week. Gross: $7,300. (Average, $1,045.)
- “Return of Frank James” (20th-Fox)
  - Girl from Avenue A” (20th-Fox)
  - PARAMOUNT—(2:40) (13:35-40c-50c) 7 days.
  - Stages: $7,300. (Average, $1,045.)

**Love’ Cleveland Smash at $11,000**

**Cleveland, Aug. 29.—“I Love You Again,” in its second week, gave Loew’s Stillman the biggest win in two years. Grosses across the board were running “F grade and Prejudice” had a good week at the State, drawing $11,500. Estimated takings for the week ending Aug. 22-23:
- ALLEN—(1,000) (3:30-5:00) 7 days.
  - Gross: $7,300. (Average, $1,045.)
- “Boy’s from Syracuse” (Univ.)
  - CLEVELAND—HIPPOCRATE—(1,500)
  - 3:30-5:00) 7 days. Gross: $5,000. (Average, $1,045.)
- “The Baker’s Wife” (Foreign)
  - CLEVELAND—WORLD—(2,000) (3:30-5:00) 7 days.
  - Gross: $2,500. (Average, $1,045.)

**‘Anne’ Stage Show $14,800 in Buffalo**

**Buffalo, Aug. 29.—Another hotly week found “Anne of Windy Poplars” recording a big $14,800 at the Twentieth Century, aided by Dixie Dunbar and a revival on the stage. At the Electric, “I Love You Again” brought in $16,000.

Estimated takings for the week ending Aug. 22-23:
- “I Love You Again” (M-G-M)
  - BUFFALO—(1,400) (3:00-5:00) 7 days.
  - Stages: $7,300. (Average, $1,045.)
- “Return of Frank James” (20th-Fox)
  - RKO PALACE—(2,900) (2:30-5:00) 7 days.
  - Gross: $9,500. (Average, $1,045.)

**Film Ticket Pass For English Curfew**

London, Aug. 29.—The possession of a theatre ticket is being accepted in Hove, Sussex, as a passport to movement throughout the restricted area after German troops occupied the town. The police in that town have investigated to patrons attending evening shows in the area, to allow them to re-enter the restricted area after 10 P.M. if they show the return of their admission ticket.

**‘James’ Pulls Good, $6,500, Seattle Top**

**Seattle, Aug. 29.—The return of Frank James at the Rialto Theatre was top gross in a mediocre week here, taking $5,600. Other houses without exception were below average grosses.”

Estimated takings for the week ending Aug. 21-22:
- “Prince of Ruritania” (Para.)
  - FOX—(2:30-4:30) (2:30-4:30) 7 days.
  - BLUE MOUSE—(350-40c-50c) 7 days.
  - Gross: $5,600. (Average, $1,045.)
- “I Love You Again” (M-G-M)
  - THE WAY OF ALL FLESH” (Para.)
  - THE LIFE IN PATRONS” (Col.)
  - LOVELY LIBERTY—(1,000) (3:30-5:00) 7 days.
  - “Queen of Destiny” (RKO)
  - MUSIC BEAT—(2,000) (2:30-5:00) 7 days.
  - Gross: $1,500. (Average, $1,045.)

**‘McIntyre’ at $7,800 High in Providence**

**Providence, Aug. 29.—The Great McIntyre” and “Three Faces West,” paired at the Strand, gave house $7,800 from the one-over-average gross. Estimated takings for the week ending Aug. 21-22:
- CAPTAIN CAUTION” (U.A.)
  - BAKERS FOR SALE” (Col.)
  - LOEW’S STATE—(2,125) (3:30-5:00) 7 days.
  - Gross: $7,000. (Average, $1,045.)
- “Return of Frank James” (20th-Fox)
  - WILGUS GOOSES” (Para.)
  - PARAMOUNT—(1,000) (3:00-5:00) 7 days.
  - Gross: $5,000. (Average, $1,045.)
- “The Great McIntyre” (Para.)
  - TENDERLOIN, (Col.)
  - LOEW’S ORPHEUM—(2,900) (2:30-5:00) 7 days.
  - Gross: $8,000. (Average, $1,045.)

**‘Heaven’ at $5,200 Scores in Montreal**

**Montreal, Aug. 29.—“All This, and Heaven Too!” rang up $5,200 in its second week at the Orpheum and was held for a third week. The Orpheum reopened after remodeling and “Turnabout.”

Estimated takings for the week ending Aug. 23:
- “Dr. Hasso’s Wives” (W. B.)
  - NAZI” (2:30-5:00) 7 days.
  - Gross: $5,000. (Average, $1,045.)

**Robinson Gets Scroll**

**Hollywood, Aug. 29.—Edward G. Robinson has received the scroll for his work in Warners’ “Dr. Ehrilch’s Magic Bullet” from the Mexican Assistance Center for Sick Unemployed, Mexican physicians’ society.”

**Delay T0 Meeting**

**Columbus, O., Aug. 29.—The meeting of the board of representatives of the I.T.O. of Ohio, scheduled for to-morrow, has been postponed by P. J. Wood, secretary, until next Thursday.**

**Managers in Session**

**Kansas City, Aug. 29.—The managers of the best enterprises met with George Baker here to discuss Fall plans, and then to participate in the Variety Club picnic at Ivanhoe.**

**Bus, Tucker Band $20,000 Leads Boston**

**Boston, Aug. 29.—Return of cool weather restored local houses. The Keith Boston opened its Fall pre- season with the Tucker Orchestra and Bonnie Baker, and “Wildcat Bus” on the screen, to take $30,000. “South of Pago Pago” and “Great” grossed $18,500 and $14,600 at Loew’s Orpheum and State, respectively.

Estimated takings for the week ending Aug. 21:
- “Wildcat Bus” (RKO)
  - HERSHEY—(300) (25c-50c-50c) 7 days.
  - Oritur Tucker orchestra, Bonnie Baker on stage. Gross: $10,000. (Average, $1,045.)
- “Return of Frank James” (20th-Fox)
  - “The Man I Married” (20th-Fox)
  - SHEFFIELD—(2,900) (2:30-5:00) 7 days.
  - Gross: $6,000. (Average, $1,045.)
- “Return of Frank James” (20th-Fox)
  - RANGER/l—(2,500) (2:30-5:00) 7 days.
  - Gross: $7,000. (Average, $1,045.)

**Miss Hasso in Hollywood**

**Hollywood, Aug. 29.—Signe Hasso, Swedish screen star, has arrived on the Coast, where she is under contract with Warner Bros. Films over a four-year period for RKO, after a 30-day trip from Sweden.**
BOOMING

"BOOM TOWN!"

Nationwide Columnists Reaching Every Corner of America Write About it. Here are just two of the latest! Never such publicity! Your public is hungry for this mighty advanced-price sensation!

BEST BETS OF THE WEEK

- Random Notes About Pictures You're Seeing: Employing half the stars on the Metro lot, "BOOM TOWN" simply had to be a success. And that's exactly what it turned out to be. A box office natural if ever we saw one. Here are Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr and Frank Morgan in a hard-hitting yarn, shrewdly written and brilliantly produced. "BOOM TOWN" is a big picture, combining cast and story in what turns out to be socko entertainment. It is recommended to you without hesitation, and you'll say the same thing to your neighbor...

Join to Town with

MARK HELLINGER

CLAUDETTE COLBERT

Above: Column appearing in N. Y. Journal-American and syndicated nationwide

Below: Column appearing in N. Y. Daily Mirror and syndicated nationwide


(Copyright, 1929 King Feature Syndicate, Inc. Distributed by Int'l News Service)

WE SAW A PREVIEW of a picture the other night to which we must tout our fellow cash customers of the movies. If it is not the best picture of the kind since "Cimarron," we can call it "Ananias." The title is "Boomtown.

It was made by Metro and it features a million dollars worth of screen talent. It has everything in it but a message. It is offered strictly as entertainment, which is as it should be. On that principle, few pictures would ever miss. The cast includes Clark Gable, Spencer Tracy, Claudette Colbert, Frank Morgan and Hedy Lamarr.

The latter is never going to challenge Helen Hayes or Talullah Bankhead for histronic honors, but, fellow customers, you know very well that Hedy can outlook all comers up there on that silver sheet. In this picture they have got her contesting with Claudette Colbert for the affections of Gable. Claudette wins out, and if we were not aware that a certain amount of sheer fantasy is permitted in a picture, we might challenge this incident as wholly improbable.

It would be unfair for us to reveal the details of "Boomtown" before it is publicly unveiled, but we feel justified in mentioning that once more Spencer Tracy does not get the girl. This is bound to increase theancer in the bosoms of many of us cash customers of the movies against the movie makers. Spencer Tracy practically never gets the girl, especially when he is in a picture with Clark Gable. The latter is just a hog when it comes to the girls in any picture in which he appears.

NOW MANY OF US cash customers are not at all reconciled to this situation. We hope Spencer Tracy is the greatest actor on the screen. In his pictures with Gable, he is usually the noble one. Yet Gable always walks off with the girl. In "Boomtown" Gable gets both Hedy Lamarr and Claudette Colbert and Tracy winds up with the morning line. Is that fair? Is that justice? We think not.

Allowing that, under some inexorable law of the movies, Gable is entitled to first grab at the girls, it would appear that Tracy should at least be permitted what is left, in this case Lamarr. It is true she does not love him and he does not love her, but an authentic Hedy Lamarr cannot be used to brighten up a corner of the house. She is mighty decorative, mightly decorative, folks.

What is there about Spencer Tracy, especially as weighed against Clark Gable, that prevents Tracy from ever getting the girl? He is just as good looking as Gable. He has just as much money. On the occasions when we have viewed him, in the pictures, coming to grips with the girl, we have observed nothing wrong with his technique.

Moreover, his intentions are invariably honest. You never can tell about Gable. That guy is a slicker. Often he means no good whatever to little Neil. We always leave a picture featuring Gable and Tracy; in which Gable gets the girl, with the uncomfortable feeling that Tracy would be far the better provider and the more steadfast in his affection.

There is a new face in "Boomtown" that you will probably see in many pictures in the future, and probably always in a similar role if Hollywood runs to casting form. A chap named Chill Wills plays a comedy character called "Harmony." The early locale of the picture is Burbank, in the oil fields of Texas, in 1915, and we are told that Wills made his debut as an enterainer in that town in that year, a harmony singer with a quartet.

We were greatly interested in Wills because he gives such a fine performance in "Boomtown," and we sent Irving Hoffman out to dig up some dope on him. Irving returned with this information:

Info that Wills spent twenty years singing and doing monologues in vaudeville before he went to Hollywood. He has been off the stage for a couple of years.

The dog-days are supposed to be more or less blanks for us cash customers of the movies, yet we have had some right good pictures around New York lately with the promise of many nice things to come, including "Boomtown," "He Stayed for Breakfast" and others. Bill Powell and Myrna Loy have been bringing joy to the hearts of the attaches of the Capitol with "I Love You Again," which is superpoioiy, if you will permit us to coin a word.

This is the greatest comedy team in pictures. By seven lengths.
NBC Shift to Video Channel Half Way Done

The work of shifting the NBC television transmitter to the new channel is midway toward completion, O. B. Hanson, vice-president and chief engineer, announced today. Hanson, however, declined to set a date when the station would be ready to operate.

As has been reported, the National Television Standards Committee is meeting in an effort to obtain agreement on video standards. Hanson stated that NBC had given an estimate to the FCC of two months for the completion of the changeover to the new frequency and that work was progressing toward finishing the work on time. He emphasized, however, that it would be necessary to have field tests before the station was ready to resume programs. Preliminary tests on parts of the equipment will be started within 10 days, Hanson said.

May Asks Field Tests

It is likely that the N.T.S.C. will adopt video test patterns on standards other than the network is now using to help determine which of the conflicting standards is most feasible, and it is understood that NBC may be willing to conduct such tests. Whether such tests would necessarily delay a program service by NBC is problematical, it was said. Hanson pointed out that some of the tests could be conducted during hours when the regular programs were not scheduled.

As previously reported, NBC will probably await some setting of standards by the N.T.S.C. before starting regular programs, although Hanson stated that any such policy was not within the province of the engineering department, and declined to comment on it.

Speculation on Delay

There is some speculation whether the FCC would permit NBC to defer start of its operations until Jan. 1, when the N.T.S.C. is expected to complete its study. Although the commission has repeatedly announced that it would not permit "squatters" on the television lanes, the FCC has expressed its desire to cooperate with the N.T.S.C., and if the delay is occasioned by the network's aid to the committee it is regarded as likely that the postponement of programs will be overlooked.

Don Lee to Make Quick Channel Shift

LOS ANGELES, Aug. 29.—The Don Lee television station, W2XAO, will shift down for only a few days to shift to the new channel, Don Lee, head of the station, said today. There is no intention to discontinue programs except for the short time required for the change, he said.

Increased outdoor pickups are planned for the Fall and Winter, Lee said, and negotiations are now being conducted with possible buyers for the station. Baseball games are now being telecast and programs total about 14½ hours weekly for the station. Lee declared that the $25-line image now being used is a pronounced success.

Off the Antenna

In an independent survey conducted at State College, during which 9,001 calls were taken, it was found that 91 times greater than that spent reading for women was placed at 4.04 hours and at 5.19 for men, while reading time was set at 37 hours for women and 81 for men. The average daily radio listening time for men was 3.14 hours and for women was 2.94 hours.

In answer to the question: "Can you recall the name of any product which you saw or heard advertised yesterday in a daily newspaper? In a magazine, over the radio, in a store window, in a newspaper, 19.3 per cent for men and 21 per cent for women; on magazines, 11.6 for men, and 14.7 for women; on radio, 51.9 men and 61.7 women.

Purley Personal

Tom Flanagan, formerly with Time and Associated Press as the New York desk correspondent, has become a member of the WINS radio family. Waring will be heard in "Who You Pushing Brother?" over NBC Red Saturday at 2:30 P.M. Jerry Franken, of the PM radio staff, is substituting for Jack Shado, who is ill, as conduction of "Radio News," 2:30 to 4 P.M.

Al Cormier, formerly vice-president of Hearst Radio and manager of WINS, has joined the staff of WHN and will represent the station in Philadelphia.

WORD, Spartanburg, S. C., will become the 121st affiliate of CBS Sunday. It is operated in 1,370 kilowatts with 250 watts, full time.

New FCC Holdings

DuMont Tower Ready Next Week

DuMont Television progressed another step yesterday with the installation of the tower atop 515 Madison Ave., which will serve as an antenna. The tower is almost completed and should be ready by the end of next week. Members of the press were invited to view the work yesterday.

Annenburg Holdings Are Deeded to U. S.

MILWAUKEE, Wis., Aug. 29.—Mortgages on nine local properties, including the Oriental and Tower theatres, neighborhood houses, that have been deeded by the M. L. A. Investment Co., to the U. S. government with the register of deeds here, the properties are owned by M. I. Annenburg, now serving a three-year prison term for income tax evasion, the mortgages are believed to guarantee the payment of $8,000,000 Annenburg agreed to pay in settlement of civil claims which he violated in Chicago of evading $1,217,896 taxes on his 1936 income.

Firm Plans Showboats

CINCINNATI, Aug. 29.—The United States government, as trustee, has deeded here with a capital of $25,000 by George S. Houston, James Bonelli, and H. H. Southgate, to be the name of the new firm. The government is now constructing a fleet of showboats and similar craft which it plans to operate for the Army. Bonelli is completing a showboat, the "Cotton Blossom," to be opened next month at Covington, Ky.

Metro Plans Radio Exploitation Series

M-G-M will embark on a new radio exploitation campaign for its films on Sept. 15, it was announced yesterday, with special quarter-hour programs furnished free of charge to all stations.

The transcriptions, which will be released twice monthly, will include a resume of the film, short dialogue scenes, comments about M-G-M pictures and personalities and, in the case of musicals, songs from the productions. Such arrangements will be available as sustaining programs only and will be only 15½ minutes in length to permit station announcements. The transcriptions will be prepared in the Culver City studios.

First of the series will be "Strike Up The Band" and will feature Mickey Rooney, Judy Garland and Paul Whitman and his orchestra. "Hullabaloo," "Little Nelly Kelly" and "Bitter Sweet" will follow.

20-Week Legitimate Season in Cincinnati

CINCINNATI, Aug. 29.—The local legitimate season, opening Oct. 10 with Gertrude Lawrence in "The Sky," will feature for a 20-week stretch, compared with 14 weeks last year, according to Nelson A. Hall, managing director. Second attraction will be Tallulah Bankhead in "The Little Foxes," at the Playhouse.

Other productions thus far booked include: "Too Many Girls," "Life With Father," "Step This Way," "Dark at the Gate", "Dinner," "The Philadelphia Story," with Katharine Hepburn and "There Shall Be No Night," with the Lunts. The Tart, larger of the two houses, normally is dark, and is used sporadically for legitimate attractions.

SAG Explains Trial On Charge Greats

HOLLYWOOD, Aug. 29.—Concealing the Sept. 4 trial by the Screen Actors Guild of two members on charges of attempted job extortion by violence is said to be at the heart of the charge that the Guild has issued a statement, which says in part:

"The Guild is not concerned officially with private quarrels, which its members may have with other persons. That ordinarily is a matter for the police. But the guild is vitally concerned with the unfair distribution of picture jobs which may be occasioned by such tactics."

Settle Benefit Dispute

Dispute over the dissolution of a $17,000 death benefit fund of the American Federation of Actors has been settled in the N. Y. Supreme court. The American Legion has agreed to appoint three trustees to administer the fund and to make distribution in the death of AFA members.

No Action on Brown

WASHINGTON, Aug. 29.—The Senate Commerce Committee today adjourned until next week without acting upon the reappraisal of Thad H. Brown to the FCC.
The presses are rolling, and next week new 1940-41 International Motion Picture Almanac will be ready for distribution. It will be the most exhaustive reference of the screen — complete, authoritative and right up-to-the-minute. The Who’s Who section alone will include over 12,000 biographies of industry personnel; there will be 1,100 pages crammed with facts and figures covering every phase of the business, providing an abundance of industry information, all conveniently arranged and indexed for instant dependable use.

Every showman vitally needs the Motion Picture Almanac. If you haven’t already reserved your copy, order it now!

Three Dollars the copy
Advertising built the studios in Hollywood.
Advertising built the movie theatres...big and little.
Advertising made movies a habit as well as a pastime.
Advertising made showmanship a business instead of a gamble.

Advertising made this industry!
And advertising is going to keep it in the BLACK...and nothing else but.

But that advertising must be up to the minute...novel...interesting...appealing. That advertising must have CLASS and SALES PUSH and STREAM-LINE EFFECTIVENESS. That advertising must GLAMOURIZE your theatre...GLAMOURIZE your product...SHOWMANIZE this industry...

It must make people stop to look...and stay to BUY.

That's why you need TRAILERS... LOBBY DISPLAYS...STANDARD THEATRE ACCESSORIES by

NATIONAL SCREEN SERVICE

ADVERTISING ACCESSORIES, INC.

NATIONAL SCREEN ACCESSORIES

...Best Sellers in the Business!
Urge Giveaway Programs Get Court Scrutiny

Bar Association Calls Such Action 'Wise'

By EDWARD GREIF

Calling for a clear cut legal definition of the status of giveaway radio programs such as "Pot o' Gold," "Meat's Bakery" and similar shows, the committee on communications of the American Bar Association in its annual report declares it would be "wise" to submit such programs to the scrutiny of the courts.

Giveaway programs have been the subject of protests by exhibitor organizations on the ground that they interfere with attendance at theatres. In many states giveaway or games are permitted when conducted by churches or charitable organizations but are banned in film houses.

The report calls attention to the fact that the Department of Justice has refused to prosecute sponsors of such programs despite the provisions of Sec. 316 of the Communications Act. The report adds that a court "decisio will still be useful as leaving a clear issue—whether or not the public interest would be served by new legislation prohibiting such programs."

"The conclusion of the Department of Justice," the report says, "was ap-

(Continued on page 12)

CBS Declines Data of Color Television

CBS over the weekend declined to make known the details of its invention to produce color television, which was revealed Thursday. It was explained that for competitive reasons technical data concerning the development will be withheld temporarily. It was stated, however, that Dr. Peter C. Goldmark, CBS chief engineer who invented the system, may reveal some of his methods tomorrow when color television will be demonstrated to the public.

On Friday, CBS issued a "clarifying statement" which explained the original announcement was not intended to mean that the network will start color television on Jan. 1. Pointing out that CBS does not manufacture television apparatus, it was said that "CBS does not intend that Jan. 1 will see the beginning of, or at least substantial progress toward, the manufacture of such commercial equipment by the manufacturers now in the field.

1940-41 Almanac To Appear Today

A total of 10,000 industry personalities are listed in the biographical section of the 1940-41 International Motion Picture Almanac, a Quigley publication, which appears today.

Edited by Terry Ramsaye and compiled by the staffs of Motion Picture Herald, Variety, Motion Picture Daily, Better Theatres and Fame, this 12th annual edition of the industry's reference book contains five pounds of statistics and listings of the various phases of the industry's activities, in addition to the Who's Who section.

The edition raises to cast sheet prominence no fewer than 2,011 names, a 400 per cent increase in that category, while 3,621 players, writers and technicians were reduced to merely a reference line to prior editions of the Almanac. Last year 120 new names made necessary the reduction of 986 biographies. The average player's age is 34 years, the same as last year.

The biographical data required some 920,000 words.

There are 57 division headings in the new book's 1,112 pages. In the vital statistics section of the Almanac is included the fact that the industry spent approximately $150,000,000, the same as last year, to give the patrons the 584 pictures produced and dis-

(Continued on page 9)

Des Moines Vote Shows Most Patrons Want Duals, Reverse of Gallup Poll

Des Moines, Sept. 2—Des Moines theatre patrons prefer double features to single features, if the average results of a three-theatre poll just completed can be accepted as conclusive. However, a majority of the patrons of two of the three theatres voted for single features, the average result having been determined by the large margin in favor of duals at the third theatre.

The poll, taken in the Tri-State circuit's three first-run houses here, resulted in an average vote of 57.1 per cent for duals and 42.9 per cent for single features, an almost exact reversal of the original Gallup poll on double features.

The vote by theatres was: Roosevelt (suburban): 76.3 per cent for single features, 23.6 per cent for duals; Paramount (downtown): 77.5 for single features, 22.5 per cent for double features, and the Des Moines: 55.8 for singles and 44.2 for duals.

EXHIBITORS OPEN FIGHT ON DECREES

British Warned on Financing Pictures

London, Sept. 2—The British Government should not in the future assume direct financial responsibility for the production of feature films, it is recommended in the report of a Government-appointed Committee on National Expenditure, released today.

The report, published late last week, advocated changes in the motion picture industry under the supervision of the British Ministry of Information.

The committee likewise recommended that the Government should not interfere with the distribution of these documentary films which are not of urgent importance on a commercial basis.

It was also suggested that closer cooperation be developed and maintained between the British fighting forces and the Ministry of Information and the newspapers.

The Ministry of Information, it is suggested, should be consulted when any Government departments propose expenditure for pictures.

U. S. May Probe All Amusement Unions

Washington, Sept. 2—the possibility of a sweeping investigation of the entertainment field by the Department of Justice loomed over the weekend when it was revealed that complaints had been filed against the American Federation of Musicians. It was said that many complaints against unions, including Ascap, had been made to the Department and that a Federal inquiry might be made.

Columbia Arranges 'Howards' Showings

Columbia will hold national trade screenings of "The Howards of Virginia," beginning tomorrow and continuing through Sept. 10. The scheduled screenings, first of which was held at the Astor, New York, last week, is as follows:


Sept. 9: Kansas City, Edison Hall; Columbus, O.K. Grand; Memphis, Linden Circle; Milwaukee, Tower; Pittsburgh, Rialto; Oklahoma City, State; Albany, Palace; Buffalo, Niagara; Des Moines, Orpheum, and Minneapolis, St. Louis Park, Sept. 10: Salt Lake City, Studio; Boston, Exchange; Chicago, Empire; Denver, Broadway, and Tulsa, Ritz.
Directors Request
George Skouras
To Stay as Head

The board of directors of Skouras Theatres Corp. on Friday refused to accept the resignation of George Skouras, president, following his indictment in the recent federal grand jury action in New York against Skouras and his son, Michael, born in Mexico City Aug. 22.

Carlise Barrett, Warner Theatres district manager in New Haven, now has a home in Madison, Conn.

Albert Poulton, operator of the New Colony, Sound View, Conn., is vacationing at Saratoga Springs.

André Heyman of the French Cinema Center has returned after a two-week motor tour through Canada.

Mauroe Connors, manager of Warner’s Frankford, Philadelphia, has moved over to the new Hiway at Jenkintown, Pa.

Howard Smith, salesman for 20th Century-Fox in the Harrisburg, Pa., territory for a son, David Philip, the couple’s third child.

Thomas N. Noble, Warner booker in Philadelphia, has returned from a vacation in the South.

Gertrude Hartman, bookkeeper for National Theatre Supply in Des Moines, was married over the weekend to Fred Keeley of St. Paul. Miss Hartman has been replaced by Olive Heffner.

O. W. Miller, salesman for Columbia in Des Moines, is the father of a daughter, Joseph Elaine.

Joseph Achier, head booker for Warners in Des Moines, spent the week end in Chicago.

Mary Kingsley has been named individual manager for 20th Century-Fox in Des Moines, replacing Vera Davis, who has gone to California to live.

Fraser Quits Para.
Foreign Ad Position

George Fraser has resigned as head of the foreign publicity and advertising department of Paramount. Albert Deane, formerly director of foreign publicity and advertising, again will exercise general supervision over the department in addition to his present production and censorship duties, with Paul E. Ackerman, who has been in the department for the past seven years, assuming direct charge of foreign publicity and exploitation.

Roosevelt to Start
On Pathe Lot Today

Hollywood, Sept. 2—James Roosevelt returned Friday from New York where he arranged for the opening of the 20th-Fox Pathe Lot at 20th and Buena. He spent the weekend supervising the removal of his headquarters to the Pathe studio lot where he will start operations tomorrow.

S. I. Blackout

Patrons of film houses in six States suffered some irritation Saturday, Sunday and Monday when the police in New York, Boston, Philadelphia, Baltimore, Atlanta and Washington on Friday night due to a general power failure. There was no disorder and patrons waited patiently for the power to resume.

Answers Filed by
Universal, Schine

BUFFALO, Sept. 2—Answers to the Consolidated Pharmacists’ trust suit against the Schine circuit and major distributors were filed here on Saturday by Universal Pictures and the Schine companies.

The Universal answers deny violations of the Sherman Act charged by the Government and deny judgment dismissing the complaint.

The answers for the Schine companies also deny violations of the trust laws and, setting up a separate defense, allege that the Government’s complaint fails to state a claim upon which a court can grant judgment for the defendants in that it fails to state facts sufficient to constitute a cause of action.

The court had previously declared the Federal Court lacks jurisdiction in the case because the Government’s complaint allegedly fails to set forth facts to prove that any of the defendant theatre companies are engaged in interstate commerce.

York Joins Goldwyn
As Advertising Head

HOLLYWOOD, Sept. 2—Cable York, former editor of Daily Variety, has joined Samuel Goldwyn and productions over the weekend as director of advertising and publicity. His first act was to charter three planes from American Airlines to transport Samuel Goldwyn, Gary Cooper and other members of the press to the premiere of “The Westerner,” Sept. 19. Following the celebration, the party will fly to Dallas where a similar celebration has been arranged for the following day.

York was formerly head of the advertising department of Atlantic City, N.J., for the Miss America Beauty Pageant, then in Atlantic City, N.J. In the past, he was in the record business.

Erlanger Services Held

Funeral services for Mitchell L. Erlanger, 83, former president of the A. L. Erlanger Amusement Enterprises, directors of the theatres and producers, were held yesterday at the Temple Emanu-El here. He was a former justice of the N. Y. Supreme Court.

made this morning covers the situation and wish to add that the vote of confidence expressed by the board of directors of Skouras Theatres Corp. will be amply justified by the ultimate outcome.

“I appeared before two different Grand Juries and they apparently saw fit to indict me. The prosecuting attorney persisted in this result by presenting only a portion of the case. I have no other choice than to await the public hearing of the basis for these charges. I regret only that until such time, all the details cannot be disclosed by either side.”

Publicists at Odds
Over Conspiration

A sharp difference of opinion has arisen in the Eastern section of the Schine circuit in New York concerning the action of the Guild on the conscription issue, it was learned over the weekend. Many of the members are in opposition to a resolution of the representative council of the Guild calling upon the membership to write to the Committee of Ninety and President Roosevelt in opposition to conscription legislation.

The conscription issue was presented to the membership, it was learned, but the general membership shelved it. Subsequently, the council called for a vote on the legislation. A move is now on foot to amend the Guild constitution to prohibit any action by the Guild on political issues. In addition, an effort will be made at the membership meeting Thursday to reverse the action of the council.

Phi. Warner Club
Headed by Blumberg

PHILADELPHIA, Sept. 2.—The local Warner Club has elected Irving Blumberg as president for the new season. Other officers are: Martin Anisman, vice-president in charge of entertainment; Joseph Feldman, vice-president in charge of welfare; Floyd Bretz, vice-president in charge of membership; Helen V. Mahoney, secretary; J. Ellis Shipman, treasurer; Joseph Feldman, chairman for contributions and loans.

The new board of governors includes: Henry Eytinge, George Campbell, Joseph Mazer, Henry Kahn, Maurice Gable, Al Cohen, Birk Bimard, Charles Moyer, Dorothy Bard, Ted Schlanger, David Weshner, A. J. Vanni and Jack Flynn.

Club Banquet Tonight

PHILADELPHIA, Sept. 2.—The Philadelphia Publicans Club will hold its annual banquet in connection with the Showmen’s Variety Jubilee, sponsored by the “Miss America” Beauty Pageant, at Hotel Traymore, Atlantic City, I. I. Altman, Metro talent scout; Vvyan Donner, fashion editor, Philadelphia News, and Vincent Trotta, Paramount art director, will judge the contest.

Personal Mention

FRANCIS HARMON, assistant to Will H. Hays, is expected to arrive from the Coast today following a four-week visit in Hollywood.

ROBERT L. GRAHAM, assistant manager in Mexico for Paramount, and Mrs. Graham are the parents of a son, Michael, born in Mexico City Aug. 22.

CARLISE BARETT, Warner Theatres district manager in New Haven, now has a home in Madison, Conn.

ALBERT POUTON, operator of the New Colony, Sound View, Conn., is vacationing at Saratoga Springs.

ANDRE HEYMAN of the French Cinema Center has returned after a two-week motor tour through Canada.

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"BOOM TOWN" AMAZES!

Its wonders never cease! Here's a show that's so sure-fire they book it for 2 weeks just as a starter, before it even opens! Here are a few of the 2-week bookings, at advanced prices!

- Rochester
- Syracuse
- Dayton
- Providence
- Louisville
- Kansas City
- St. Louis
- Wilmington
- Norfolk
- Richmond
- Baltimore
- Toledo
- Atlanta
- Houston
- Nashville
- Dallas
- San Antonio
- Pittsburgh
- Cleveland
- Columbus

Held over 3rd week in 7 out of 9 test engagements. Every day new openings set new records! Booked for indefinite run in Philadelphia and in two first-run theatres day-and-date in Seattle and Chicago. And as we go to press—

4th WEEK IN CINCINNATI DOING 517 PERCENT OF NORMAL BUSINESS AND CONTINUES INDEFINITELY!

"MY 'BOOM TOWN' COSTUME!" Mr. Exhibitor gets the biggest share of the "Boom Town" gusher!
It’s LAUGH-POWER plus NAME-POWER to make TICKET-SELLING POWER!
It’s This season’s comedy hit!
It’s This year’s MONEY show!

FROM UNIVERSAL FOR IMMEDIATE DATING!

UNIVERSAL presents,

ROSALIND RUSSELL * BRIAN AHERNE * VIRGINIA BRUCE

in

Hired Wife

with

ROBERT BENCHLEY * JOHN CARROLL

Hobart CAVANAUGH * Richard LANE

Produced and Directed by WILLIAM A. SEITER

Based on an Original Story by George S. Kaufman
Screenplay by RICHARD JOHNSON, GRADY LAMAR
Associate Producer: GEORGE TAYLOR

NATIONAL RELEASE
SEPT. 13th
JUDY—GIVE US EXPRESSION NUMBER 62!

A SCREAMINGLY FUNNY JAMBOREE

IS THAT YOUR REAL FACE—OR IS IT HALLOWEEN!

HOLD IT JUDY THIS IS A CLOSE-UP OF YOUR BRAIN!

QUIET—SHE'S SENSITIVE
**Short Subject Reviews**

**“Buyer Beware”**

(M-G-M)

The sale of stolen merchandise by retailers is the subject of a "Crime Does Not Pay" short of considerable interest. A typical case of such practice is pictured. A pseudo-distributing company furnishes a druggist with stolen chemicals which, when sold to the public, cause several deaths. The druggist declined to buy, the theft finally result in the capture of the offenders. The story is splendidly enacted by a competent cast. Running time, 30 mins.

**“Romeo in Rhythm”**

(M-G-M)

This is a travesty in cartoon on "Romeo and Juliet," produced skillfully by Hugh Harmon. It should add a bright touch to any program. The characters are cross which sing a few snappy tunes in Harlem jive fashion. Running time, 8 mins.

**“Please Answer”**

(M-G-M)

No. 3 in the "What’s Your L.Q.?" quiz shorts, with Pete Smith directing the proceedings, this is novel and mildly intriguing. Diversified questions concern the Rosetta stone, ver- rhel in the spirit of the "G" type of Roman senators. Running time, 9 mins.

**“Good Bay Boys”**

(M-G-M)

Our Gang again runs into difficulties. The trouble begins when Alfalfa is mistreated by his father. Thereafter he and the gang resolve to follow the footsteps of Jesse James and lose a house of junk which Spanky is em- ployed to dispose of. The usual complications develop. Running time, 11 mins.

**“The Capital City, Washington, D. C.”**

(M-G-M)

James A. FitzPatrick offers a comprehensine tour of official and his- torical Washington in this Travelora. The chief points of interest are visited while the off-screen commentator re- tells the history of each. The short is photographed in color and a great deal of interest for all audiences. Running time, 9 mins.

**Says Canada Gave Time German Print**

OTTAWA, Sept. 2—John Grierson, dominion film commissioner, revealed over the air that a part of the German film, "Baptism of Fire," which had been used by Germany for propa- ganda in Denmark and other neutral countries before being seized by his office to March of Time for inclusion in "The Ramparts We Watch." Officially, used the story of how the film came into Canada's possession. However, as enemy property it was seized by the official custodian and turned over to Grierson.
Feature Reviews

"Dr. Kildare Goes Home" (Hollywood, Sept. 2)—The affairs of young Dr. Kildare and his intimates come in for some adjustment at this point in the series due to the graduation of Barrymore and his acceptance of a post as hospital staff doctor. Experiences encountered this time include a somewhat different variety of incidents.

Dr. Kildare’s first act following appointment is to visit his father, an uptight practitioner, whom he finds in ill health due to overwork occasioned by a shift in population which has caused other doctors to leave the community. Enlisting the assistance of three other young doctors and aided by his mentor, Dr. Gillespie, young Kildare sets out to establish a clinic in the community, operating on a 10 cents-per-week-per-cartizen plan, meets with prejudiced opposition which he finally overcomes by saving the life of Lew Ayres, Lionel Barrymore and Laraine Day play their accustomed roles. Samuel S. Hinds portrays the senior Kildare, Gene Lockhart the leading citizen, Emma Dunn the mother, John Shelton, Nat Pendleton, Alma Kruger, Walter Kingsford and Nell Craig are others present.

Running time, 77 minutes. "G."* (Roscoe Williams)

"Colorado" (Republic)

There is action all the way in Producer-Director Joseph Kane’s latest for Rogers production. It is a tale of the old West, set in Denver during the days of the Civil War, with espionage agents of the Confederacy inciting the Indians to raids on the white man’s cities, gun-smuggling and treason.

Rogers is sent on a direct assignment from President Lincoln to clean up the troubled area. He finds that his brother, Milburn Stone, a Confeder ate sympathizer, is on the wrong side. En route to the West, Rogers enlisted the aid of George Hayes and they arrive in Denver together. Rogers finds that Stone is engaged to be married to Pauline Moore.

After several efforts to reform his brother, Rogers is finally compelled to capture him. There are gun fights in every reel, a holocaust and two encounters with Indians. The “romance” of “Gabby” Hayes with Maudie Elraine adds a touch of humor. Louis Stevens and Harrison Jacobs wrote the screenplay.

Running time, 77 minutes. "G."* (Edward Greif)

1940-41 Almanac (Continued from page 3)

Exhibitors to Open Decree Battle Today

(Continued from page 1)

ett, Virginia, all of the M.P.T.O.A. Also, Abraham L. Myers, Allied States board chairman and counsel, of Washington; H. A. Cole, Allied States board chairman, of Dallas, and Sidney Sanford, New York.

Harry Brandt, president of the I.T.O. of New York, and Robert Poole, representative of the Pacific Coast Conference of Independent Theatre Owners, are among other exhibitor leaders here for the meeting.

A number of affiliated circuit operators also are here but whether or not they actually will participate in the many divergent interests cannot be learned. Syros Skouras, head of National Theatres, arrived from the Coast by plane on Wednesday, and presumably will talk to Arnold before he leaves. Others either here or expected to arrive are: R. J. O’Donnell, A. H. Blank, De Moinres, and John Balaban and Mort Singer, Chicago.

Robert Sher and Paul Williams, assistants to Arnold, arrived from New York over the weekend to participate.

"Zero Hour" Today

Exhibitor leaders here look upon today’s conference as the “zero hour” for the theatre owners. They are outspoken in their condemnation of the block-of-five sales proposal in the decree and all of the trade showing provision. It is their foregone conclusion that they will urge the discarding of the two provisions and the adoption instead of a plan, with the right in connection with partial or whole block buys.

They charge that the decree as now written will establish a "sellers market" and that the Government’s anti-trust suit, originally launched to gain new service and distribution conditions for exhibitors will, in reality, if the pending decree is put into effect, create "a lighter production and distribution market than ever.

All Arguments Heard

Government officials reply that they “have heard all the arguments and believe that the present decree is about as good as can be devised for the dual service and viewpoints in the industry."

"It is impossible to please everyone," a Government official stated. "Frankly," he added, "we have never known an industry so difficult to satisfy as this one.

It was reported here that while most of the exhibitor representatives favor cancellation to block-of-five sales, the Government will advocate single picture sales instead.

No Allied Stand on Decree, Says Cole

Allied States has taken no stand on the pending Federal consent decree or on the franchise, according to H. A. Cole, president.

"Neither I nor Allied," he says, "will take any stand on this matter until the whole program is out lined by the Government and defendants."
OUT

1940-41 INTERNATIONAL MOTION PICTURE ALMANAC

Covering Production Distribution Exhibition Radio and Television for 1940-41

Edited by TERRY RAMSAYE

INTERNATIONAL MOTION
EDITORIAL OFFICES: ROCKEFELLER
1940-41 INTERNATIONAL MOTION PICTURE ALMANAC IS OFF THE PRESS . . .

The Almanac of the show-year of 1940-41 is the most comprehensive reference publication of the picture business. Here is an up-to-the-minute documentary record of industry activity . . . . here are presented more than 12,000 biographies of players, directors, writers, technicians and executives . . . . here are facts and figures in abundance covering every phase of the business with scientific accuracy and precision . . . . here is the most complete work of its kind, everything with which to check the past and chart the future.

No showman can afford to be without the Almanac. If you haven't already reserved your copy be sure to order it at once.

Three Dollars the copy
**Off the Antenna**

ONE of the smoothest publicity ideas promoted in a long time has been launched on behalf of Philco. The idea is to have the radio editors of the nation form a “radio academy” for the purpose of making annual awards for outstanding programs. Philco is willing to subsidize the “academy” to the extent of $5,000 a year, and “something more” than that to have the editors refer to the prizes as “Philco awards.” Radio editors who have agreed to sponsor the project include Dorothy Doran, Akron Beacon-Journal; Bob Kaplan, Providence Journal-Bulletin; Mary Little, Des Moines Register & Tribune; Robert Walker, Kansas City Star-Journal; John McMannis, P. M.; Leo Miller, Bridgewater Herald; S. Steinhauser, Pittsburgh Press; Don Trantor, Buffalo Courier-Express.

**Program News:** Liggett & Myers Tobacco Co. will sponsor “Prof. Quiz” over 68 CBS stations Thursdays at 10:15 P. M., beginning Oct. 3. . . . Evergreen Tobacco Co. & Penet & Plass. will sponsor “ goes 1st” network over CBS Sept. 22 from three to 32 stations. . . . WOR on Saturday inaugurated a Saturday and Sunday weather service which will feature the five-day predictions recently started by the U. S. Weather Bureau. . . . An additional 46-hour, 24 hour service, will sponsor 100-word announcements over WCAU, Philadelphia.

Edgar Kobal, NBC vice-president in charge of sales on the Blue, over the weekend released a new rate card for that network covering 137 stations. The card became effective Sunday. A new discount provision permits sponsors who contracted gross billings equals $150,000 within the period of the current contract 25 per cent discount in lieu of quantity discounts and rebates to such sponsors will henceforth be allowed on a current basis.

**Critics’ Quotes . . . .**

"FOREIGN CORRESPONDENT" (Wanger-U.A.)

Deliciously amusing, filled with the tricks that have become Hitchcock’s trademarks, and with a type of suspense that only Hitchcock has mastered.

Wanger, Hitchcock and the cast, headed by Joel McCrea, Laraine Day and Herbert Marshall, lay down a masterly job of coordinating their work. The cast has the advantage of timelessness—Kate Cameron, New York Daily News.

Into it Director Alfred Hitchcock, whose unmistakable stamp the picture bears, has packed about as much romantic action, melodramatic babble, and the most artificial, most irrelevant, and least vivid imagination as the biggest liasion conceivable. —Boley Croucher, New York Times.

Will give you a lot of entertainment. But by no means is it a Walter Wanger production—Eugene Martineau, New York Daily Mirror.

A stunning melodrama . . . should delight all manner of film-goers . . . filled with those drip details of imagery and suspense which add up to irresistible entertainment.—Howard Barnes, New York Herald Tribune.

A magnificent adventure yarn . . . swell entertainment . . . the whole thing belongs to Mr. Hitchcock, which is the utmost indorsement.—Cecelia Ager, P.M. (New York).

A picture that will stand out in any film company . . . will thrill the general public while it will give a merry chuck at the critical to exercise their jaws boastfully—Irving Stone, New York Post.

Another cracking piece of terror . . . the first reels are by far the best . . . Mr. Hitchcock’s mingling of realism and fantasy is skillful. . . . But it’s sizzling melodrama, anyway, well acted, superbly directed.—Eileen Creelman, New York Sun.

An amusingly entertaining piece filled with chases and captures and escapes . . . contains occasional death touches but for the most part offers obvious melodramatics.—Rose Pellock, New York Journal American.

For sheer entertainment and thrills it is, I think, the best film that Hitchcock ever has made—distinguished in every way. —William Boehnel, New York World Telegram.

Easiest of the year’s finest pictures.—Time.

"BRIGHTHAM YOUNG" (20th Century-Fox)

Reaches out and grips the emotions of the outlooker. For nearly two hours it leads its audience into an uplifting adventure. Truly has Zanuck a triumph in this production.—Harry Mines, Los Angeles Daily News.

Impressively played and in a manner that impresses and picturesquely, and sidetracks on intention. . . . The film really moves, moves, on the strength of its bigness.—Edwin Schallert, Los Angeles Times.

One of the best pictures ever cut out of the 20th-Century-Fox studio and one of the best pictures this reviewer has ever seen.—Louella O. Parsons, Los Angeles Examiner.

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**Motion Picture Daily**

**Tuesday, September 3, 1940**

**Stunt De Luxe**

**Philadelphia, Sept. 2.** Edward Rosenbaum, local exploiter for Columbia, raised the film critics early morning by sending a sumptuous breakfast repast, marshaled by two liveried waiters from the Hotel Adolphus to their home dining rooms. It was his way of announcing “He Staged For Breakfast” which opened later in the day at the Earl and Stanley.

**Mexican Indicators**

**Seek Music Box Ban**

**Elkhart, Ind., Sept. 2.—Theatres here have advised the American Federation of Musicians that they will install coin music boxes for dancing unless the State here which is using a machine in the basement for dancing refrains from the overhead printing of existing laws and regulations. Station operators will be required to give the music box company information and data it seeks. In addition, the commission will seek ways and means for improving broadcasts from cultural, social, sports and dance events.

To the many comments caused by the increase of power from 50 to 500 watts by radio station in Hermosillo, capital of Sonora, the Mexican Government has replied that this power need increase cause no alarm.

**Mexican City, Sept. 2.** — The Mexican Ministry of Communications and Public Works shortly will appoint a commission of five persons to survey the radio industry in that country for the purpose of studying the observed state of existing laws and regulations. Station operators will be required to give the ministry information and data it seeks. In addition, the commission will seek ways and means for improving broadcasts from cultural, social, sports and dance events.

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**Indiana Editors**

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**AFL Union Fails to Act at NLRB Hearing**

**Hollywood, Sept. 2.—The hearing before the Senate Finance Committee on the request of Senator Bruce Hunt to determine whether an election for a collective bargaining agency for office workers employed in eight large corporations is needed today without the American Federation of Labor office employees’ local putting in any request to have its right to cast affiliate votes supported its claim for casting affiliate votes. The committee has asked that a full and complete report be made to the national board.

**MPPDA Meet Sept. 17**

Quarterly meeting of the M. P. P. D. A. board of directors is scheduled to be held Sept. 17. Will H. Hays, president, is expected from the Coast next week to make arrangements.
Exhibitors Tell Arnold
They Don’t Want Decree

Units Will Seek to Become Intervenors
In Suit; Block-of-Five Provision
Of Attack at Washington

"Prosecute the pending New York anti-trust suit or have it dismissed, but don’t accept the provisions of the presently proposed consent decree."

In substance, this is what exhibitors stated yesterday at a hearing in Washington, on the decree, which was held before Assistant U. S. Attorney General Thurman Arnold.

"We will fight the proposed decree to the bitter end," said Ed Kuykendall, president of the M.P.T.O.A., following a meeting of his own and other exhibitor groups with Arnold.

It was indicated that the M.P.T.O.A. and other exhibitor organizations would seek to become intervenors in the suit in order to be in a better position to oppose the decree or to obtain relief from its block-of-five sales proviso, which was the chief target of all the exhibitor spokesmen at the meeting with Arnold.

Government officials, it was learned after the meeting, gave the exhibitors no clear indication of whether they would now seek further changes in the decree. Arnold is said to have advised the meeting that in his judgment the proposed decree should be accepted, but, he added, there was no telling what the court would do in the matter.

The exhibitor conference reported Arnold told them the settlement negotiations had dragged on long enough and would not be reopened and that the only other alternative would be to go trial. In this case, he warned them, according to their version, that it would take many years before a final determination could be had, as the case might not reach the Supreme Court for five years.

Arnold presided at four different sessions during the day. No further meetings with the exhibitors are scheduled. A general meeting attended by M.P.T.O.A. and affiliated organizations, the New York I.T.

T. J. Connors Leaves
For Toronto Today

Thomas T. Connors, eastern, southern and Canadian sales manager of Metro-Goldwyn-Mayer, leaves today for Toronto, on business. He will confer with N. L. Nathanson, head of Famous Players Canadian. Connors is expected to return to New York in two or three days.
Air Raid Rules Hit St. John Theatres

St. John, N.B., Sept. 3.—New air raids precautions regulations for theatres of all kinds have a direct bearing on theatres. No neon lights are allowed after 10 P.M., and no fire in any kind are to be kept burning unless there is someone on the premises to extinguish them. The air raid sirens blow for a blackout, test or genuine. A fine of $5000 at law, or both fine and imprisonment, can be imposed as penalties.

Zukor Will Attend Para. K.C. Meeting

Adolph Zukor, Paramount board chairman, will attend the two-day meeting of Paramount division and district managers at Kansas City, Sept. 11 and 12, and is guest of honor. The meeting is scheduled to decide the sales policy on "Northwest Mounted Police," and to give studio executives an opportunity to view other recently completed Paramount pictures. General manager of the meeting is: Neil F. Agnew, vice-president and distribution head; J. J. Unger, Charles Reagan and Oscar Morgan, division managers; M. S. Knessl, Harry Goldstein, William Erbh, Allen Usher, R. C. L'Ibeau, G. A. Smith, H. D. Reilly, district managers, and M. A. Milligan and William Hansber of the Canadian office.

Also, Robert M. Gillham, advertising and publicity director; Clinton Bolton, Don Chambers, William Brooker, Jack Dalley, J. M. Jolico, Carl Krueger, Ralph Ravenscroft and William Lansburg, in charge of field exploitation.

National Screen Film Commanded by F.B.I.

CHICAGO, Sept. 3.—The Chicago office of National Screen Service has been commanded by the Federal Bureau of Investigation for its production of the newsreels. In a letter by W. S. Deveraux, regional director, special mention is made of this part of the film which argues that citizens report im-American activities to the F.B.I.

The picture was conceived and written by Dale Hickey, head of N.S.S.'s mid-west special service department. Clarence Fingshag, production director, supervised with Francis Venegas at the camera.

F. V. Haidacher Dies

DANVILLE, Ill., Sept. 3.—F. V. Haidacher, 72, pioneer motion picture theatre owner here, succumbed at his home here, after a stroke. He came here in 1887 and established the first local theatre, the Nickelodeon. He is survived by his wife, two sons, a daughter and one sister.

Eddie Collins Dies

LOS ANGELES, Sept. 3.—Eddie Collins, stage and screen comedian, died of a heart attack Sunday at his home in Arcadia. He had been currently at work in "Chad Hanna." He recently appeared in "The Blue Bird."

Personal Mention

NATE J. BLUMBERG, Universal president, is expected back in New York at the end of the week from his annual summer stay on the Coast.

WILLIAM MORGAN, 20th Century Fox manager for France, has returned to the home office from the Continent for an indefinite stay.

LOUIS D. FROBILICH and Herman Finkelnest of Schwartz & Frobilich, Assay company, are returning to Tacoma for federal court hearings there on the Washington anti-Ascp law.

FREDERICK L. HERSON, M.P.P.D.A. treasurer and foreign department head, is returning on a vacation at his Connecticut farm.

HENRI ELLMAN, Monogram franchise holder in Chicago, is here for a brief visit.

Mr. and Mrs. LEO SPITZ have returned here.

JOHN D. HERTZ, Jr., left for Akron last night.

CHARLES F. Mccarthy, William F. Rodgers, Harry Buxbaum, John W. Hicks, William Ob, Ted O'Shea, Morris Kinzler and Fred Schieder of the New Haven RKO division are in the Astor for lunch yesterday.

MONROE GREENE, Harry Hueber, Al Young, Jack Goeetz, Joseph Pincus and J. J. Milstein of Lindy's (51st St.) yesterday for lunch.

JERRY SABON, ABE MONTAGUE, LOU WEINBERG, EMANUEL SILVERSTONE, ARTHUR SILVESTRO and A. C. Edwards lunching at Lindy's (next to the Rivoli) yesterday.

LION NETER, Leonard Goldenson, Clayton Bond, Charles Sonin, Arthur Low, Mordi Spring, Dave Preeminger, Regional Demen, Joseph Rosthul, Guy Bolton, Sidney Phillips and John H. Smith, all from Smith's yesterday for lunch.

OSCAR A. DOEB, Marvin Schenck, Eugene Picker, H. Thomas, Art Schmidt, Maurice Bergman, Jack Hallay, Douglas Rothaeker, James Smith, Sam Citron and Bud Rogers at the Tavern yesterday for lunch.

Murray Beier Dies,
Funeral Rites Today

Murray Beier, former United Artists booking manager at Kansas City, died yesterday at Mt. Sinai Hospital here at the age of 52. Funeral services will be held at 12:30 today at Park Avenue. Murray had been active in distribution for many years, having been associated with the old Mutual Films organization and with other companies prior to joining United Artists. He was operating an own exchange in Philadelphia at the time of his death.

He is survived by his wife, Fannie, a daughter, Grace, a son, Herbert, who is associated with the New York office of Alexander Korda Films, and a brother, Nat, of the United Artists New York exchange.

J. CHEEVER COWIDIN, Universal board chairman, is scheduled to arrive from the Coast by plane today.

ARTHUR KELLY, United Artists foreign department head, is en route to the Coast.

W. J. HUTCHINSON, 20th Century Fox division manager, arrived from the Coast by plane yesterday.

FRANCIS HARMON, assistant to Will H. Hays, arrived from the Coast yesterday. Roy Nors of the M.P.P.D.A. is scheduled to arrive from Hollywood today.

CARL NIESSER of the Vogue Theatre, Indianapolis, is in town for a week on a buying trip. Mrs. Nieszer and his daughter are with him.

MAURICE GOLDBERG, formerly of the Earl and Midway, Philadelphia, has been named manager of Warners' Cadet in that city.

LOUIS COLANTUONO has been appointed assistant manager of the modetized Hollywood, Jenkintown, Pa., a Warner theatre.

Hugh Maguire, RKO booker in district, is on vacation at Saratoga Springs.

Janet Evans has become engaged to William H. Parsons, of the Strand Theatre, Swoverville, Pa.

Robert Kinsley, assistant manager of Keith's, Cincinnati, is pinch hitting for M. J. Whitmair, division assistant director of advertising and publicity for RKO in that city, now on vacation.

Charles Kurtzman, New England division manager for Loew's, was a recent visitor in Providence.

Jack Post and Al Booksman of the Fishman circuit, New Haven, spent the weekend at Lebanon, Conn.

Lucy Flack, operator of the Capitol, Milford, Conn., is confined to her home with the grippe.

Harry Wenzel, manager of Advertising Accessories in New Haven, will spend his forthcoming vacation in Maine and Atlantic City.

NLRB Scenic Artist Union Vote Ordered

WASHINGTON, Sept. 3.—The National Labor Relations Board announced today that it had ordered a collective bargaining election to be held among scenic artists and assistants of Warners, RKO, 20th Century-Fox, Columbia, Loew's, Universal and Selznick productions, with Paramount and Hal Roach Studios, to determine whether they desire to be represented by Motion Picture Painters and Allied Trades Union, No. 852 or by the Association of America, or by neither.

The Board determined that the consent election held in October, 1938, did not constitute a bar to the determination of the representation question raised by the two organizations.

Newsreel Parade

"Prime importance in the new issues is the Battle of Britain, in which the issue is whether the city of London and shell fire is felt on the eastern coast. A highlight of the news here is the air crash in France today. Two young old boys, including Senator Lucendac, of Mexico, the recays and their contents for.


Rites for James Fay Will Be Held Today

PROVIDENCE, Sept. 3.—Funeral services will be held tomorrow morning at Riverside, R.I., for James T. Fay, 59, founder of the Providence Amusement Co., and associated with him in the amusement business here for more than 30 years.

Fay was stricken with a heart attack while attending the Narragansett Park race track Saturday afternoon and died shortly afterward at Paytucket Hospital. With his brothers, Edward and Bernard, James Fay organized an orchestra many years ago, the brothers alternating as conductors. He was the manager of the Providence Ellis, the Rotary Club, the Town Council and was a lifetime member of the music club.

MOTION PICTURE DAILY (Registered U.S. Patent Office)

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BUILDING ON A SOLID FOUNDATION!
SUCCESS HAS NEVER CHANGED LEO!

The Friendly Company has the pictures and it's the easiest company to do business with!

"He's just the same as he was when he started out!"

"And what a pleasure to look back on all those M-G-M hits. Leo has served the industry well these 16 years!"

1924-25
The Navigator • Janice Meredith
He Who Gets Slapped • *The Merry Widow • Never the Twain Shall Meet
The Circle • Sally, Irene and Mary Zander the Great • His Secretary

1929
†Broadway Melody • The Trial of Mary Dugan • Dynamite • The Bridge of San Luis Rey • *The Last of Mrs. Cheyney • *Madame X • The Hollywood Revue • *Hallelujah

1933
Tugboat Annie • Dancing Lady
*Rasputin and the Empress • The White Sister • Hell Below • Reunion in Vienna • Night Flight

1937
Camille • Maytime • *Romeo and Juliet • A Day at the Races • *Captains Courageous • *The Good Earth
Saratoga • Broadway Melody of 1938
The Bride Wore Red • Conquest
The Firefly • Rosalie
1926
The Torrent • The Road to Mandalay
Mare Nostrum • The Temptress
Bardelys, the Magnificent • *The Flesh and the Devil

1927
Tell It to the Marines • *The Big Parade • *Ben-Hur • The Fire Brigade Slide, Kelly, Slide • Rookies • The Garden of Allah

1928
West Point • The Student Prince
Rose Marie • Laugh, Clown, Laugh
Our Dancing Daughters • White Shadows of South Seas

1929
Tell It to the Marines • *The Big Parade • *Ben-Hur • The Fire Brigade Slide, Kelly, Slide • Rookies • The Garden of Allah

1930
*Anna Christie • *The Big House
*Min and Bill • Caught Short • *The Divorcee • The Unholy Three • Billy the Kid • Our Blushing Brides

1931
Trader Horn • Reducing • Politics Possessed • Inspiration • Strangers
May Kiss • The Secret Six • Susan Lenox • Private Lives • Mata Hari

1932
Hell Divers • *Emma • Tarzan, the Ape Man • *Grand Hotel
*Smilin’ Through • Prosperity Strange Interlude

1933
*Anna Christie • *The Big House
*Min and Bill • Caught Short • *The Divorcee • The Unholy Three • Billy the Kid • Our Blushing Brides

1934
*Dinner at Eight • *Barretts of Wimpole Street • Chained • Forsaking All Others • Viva, Villa! • *The Thin Man • Evelyn Prentice • Eskimo Treasure Island • Queen Christina
Riptide • Men in White • Tarzan and His Mate

1935
*Dinner at Eight • *Barretts of Wimpole Street • Chained • Forsaking All Others • Viva, Villa! • *The Thin Man • Evelyn Prentice • Eskimo Treasure Island • Queen Christina
Riptide • Men in White • Tarzan and His Mate

1936
Rose Marie • Wife vs. Secretary
*San Francisco • The Gorgeous Hussy
†The Great Ziegfeld • Libeled Lady
Born to Dance • After the Thin Man

1937
A Yank at Oxford • Test Pilot • *The Citadel • *Love Finds Andy Hardy
*Marie Antoinette • *Boys Town • Too Hot to Handle • The Great Waltz • Out West With the Hardys • Sweethearts
Three Comrades

1938
Idiot’s Delight • Honolulu • Huckleberry Finn • *Pygmalion • The Hardys Ride High
Tarzan Finds a Son • *The Wizard of Oz • Andy Hardy Gets Spring Fever
*Goodbye, Mr. Chips • *The Women • Babes in Arms • Ninotchka • Another Thin Man • Balalaika • Broadway Melody of 1940 • Northwest Passage • Edison, The Man • Waterloo Bridge • The Mortal Storm • New Moon • Andy Hardy Meets Debutante • Pride and Prejudice • Boom Town • I Love You Again

1939-1940
(What a record! Turn the page for more!)
YOU DON'T HAVE TO TAKE M-G-M WITH A GRAIN OF SALT!

These are no times to take chances. The record of M-G-M over the course of 16 solid years of success is comforting to exhibitors. The stability of the company today with more stars than ever before and greater resources is a guarantee that's worth a fortune in peace of mind, safety of investment. SECURITY! That's important today!
"Don't they ever get TIRED? Can that M-G-M crowd keep it up forever?"

"That’s what I ask myself each year. My judgment is always confirmed. M-G-M always comes through."

"That phrase THE FRIENDLY COMPANY has real meaning. It’s a pleasure to do business with them."

"One thing I like especially—M-G-M’s got 18 top ranking producers, not just a few like other companies. It gives me a sense of security."

"That outfit realizes that conditions change so they keep grooming new producers, writers, directors to keep up to the minute."

"Something I’ve discovered is that M-G-M’s best is always better than anyone else’s best, and M-G-M’s average is always better than anyone else’s average."

"Gosh, what a list of Stars! That’s the policy they began with and they’ve been consistent ever since. More stars than ever now!"

"It’s a typical M-G-M summer. ‘Boom Town’, ‘New Moon’, ‘Andy Hardy Meets Deb’, ‘Pride and Prejudice’, ‘I Love You Again’ and all the others. Every summer M-G-M’s a life-saver to me."

"WHAT ARE WE WAITING FOR! WHERE’S THAT M-G-M CONTRACT!"
And he's **always** been kissed!

(by Miss Box-Office)
It's a fact that M-G-M buys more novels and plays than any other company. As a result nowhere else do you get the fast change of entertainment pace which is the essence of showmanship. To keep the public coming, you must tempt them with new appeals each week and M-G-M does just that. Best sellers, famed stage hits—they get to be "Best" because they have great stories to tell. M-G-M is in a position to accumulate Big Time material which lends itself to the Big Time Production Standards of the M-G-M Studios.
AT THE TOP OF THE BEST-SELLER LIST!

It would take pages to illustrate all the great book and play properties in Leo’s million dollar library of box-office properties. Here are just a few of them which will be source material from which outstanding attractions of the new season will be drawn!
HERE ARE PICTURES TO ENTER IN YOUR DATE BOOK!

M-G-M will produce a minimum of 44 and a maximum of 52 pictures in 1940-1941. Our friendly customers know from previous years that in listing a new season prospectus we reserve the right to make changes. Our mutual aim is to get the best ultimate results and any deviation from the following would only be in the interests of making the best pictures possible. We will let our record speak for that. The following pages reveal the greatest listing of entertainments and star values in the history of the Friendly Company. Here are the materials from which M-G-M’s new season productions will be drawn.
ESCAPE (book) . . . Ethel Vance’s sensational best-seller, flaming with a daring romance that made it the most talked-about novel of the year. Starring Norma Shearer and Robert Taylor with Conrad Veidt, Nazimova, Felix Bressart, Albert Basserman, Phillip Dorn, Bonita Granville and Blanche Yurka. Mervyn LeRoy directs from screen play by Arch Oboler and Marguerite Roberts.

WYOMING . . . spectacular outdoor drama filmed in the heart of the rugged West’s most breath-taking beauty, starring Wallace Beery with Leo Carrillo, Ann Rutherford, Lee Bowman, Joseph Calleia, Paul Kelly, Bobs Watson, Marjorie Main and Henry Travers. Richard Thorpe directs from original story by Jack Jevne and screen play by Jack Jevne and Hugo Butler.

DR. KILDARE GOES HOME . . . further adventures in this series which is becoming increasingly popular and beloved by audiences everywhere, featuring Lionel Barrymore, Lew Ayres, Laraine Day, John Shelton, Gene Lockhart, Nat Pendleton, Samuel Hinds, Alma Kruger, Emma Dunn, Walter Kingsford, Nell Craig and Cliff Danielson. Harold Bucquet directs from screen play by Willis Goldbeck and Harry Ruskin from original story by Max Brand.

STRIKE UP THE BAND . . . smashing successor to BABES IN ARMS, tuneful parade of youth starring Mickey Rooney and Judy Garland with Paul Whiteman and his orchestra, June Preisser, William Tracy, Larry Nunn and hundreds of their pulchritudinous pals. Hit song “Our Love Affair,” Busby Berkeley directs from original screen play by John Monks, Jr., and Fred Finklehoffe.

THE PHILADELPHIA STORY (play) . . . Phillip Barry’s stage success that ran a solid year on Broadway, brought to the screen starring Cary Grant, Katharine Hepburn, James Stewart with John Howard, Roland Young, John Halliday, Mary Nash, Virginia Weidler, Ruth Hussey. George Cukor directs.

SKY MURDER . . . thrilling sequel to Nick Carter’s earlier adventures, with this immortal detective hero again portrayed by Walter Pidgeon with Donald Meek, Karen Verne, Edward Ashley, Joyce Compton, George Lessey, Tom Neal, Chill Wills and Tom Conway. George Seitz directs.

DULCY (play) . . . Only Ann Sothern could do justice to the flippety heroine of this famous play by George S. Kaufman and Marc Connelly. The comedy cast includes Ian Hunter, Reginald Gardiner, Lynne Carver, Roland Young, Billie Burke and Dan Dailey, Jr. S. Sylvan Simon directs from screen play by Albert Mannheimer, Jerome Chodorov and Joseph A. Fields.


BITTERSWEET (play) . . . Thrilling musical romance, considered Noel Coward’s most distinguished achievement, filmed in radiant Technicolor as a starring vehicle for Jeanette MacDonald and Nelson Eddy, with Ian Hunter, George Sanders, Felix Bressart, Curt Bois, Sig Rumann, Fay Holden, Lynne Carver, Edward Ashley, Diana Lewis and Herman Bing. W. S. Van Dyke II directs.

LITTLE NELLIE KELLY (play) . . . George M. Cohan’s memorable New York stage hit, a-kindle with such nostalgic tunes as “You Remind Me of Your Mother” and “Everybody Works But Father.” Judy Garland is in the title role, with George Murphy, Charles Winninger, Douglas McPhail and Arthur Shields in the cast. Norman Taurog directs.

ARE YOU LISTENING? (Radio Story) . . . Hilarious moments backstage in a radio station with the inimitable Frank Morgan heading the fun-making cast including Virginia Grey, Dan Dailey, Jr., Ann Morriss, Donald Meek, Felix Bressart, Leni Lynn and Larry Nunn. Edwin L. Marin directs from an original story by Nat Perrin and Dorothy Yost.

MARX BROTHERS GO WEST . . . the mad Marxes don boot and saddle to invade the rip-roarin’ gold gulches where men are men and women are blondes. The Marx Brothers tried and tested their material before audiences as they did with “A Night at the Opera.” Edward Buzzell directs, with cast including Marion Martin, Diana Lewis and Walter Woolf King.

continued
"Hello, M.G-M! What's your Sales Policy this year?"

"Sales Policy Mr. Exhibitor? It's the M-G-M Policy!"

"That's okay with me, M-G-M!"
TWO SONS... dramatic story of a power-loving District Attorney and how the inspiring influence of his children tips the scales of justice in favor of an innocent man.

A WOMAN'S FACE (play)... powerfully poignant drama of a woman's quest for beauty after a life of disfigurement. Starring Joan Crawford in the adaptation of the French play by Francois de Croisset.

MAISIE... Ann Sothern's rising popularity in this now-famous screen character will be further enhanced in a sparkling new story.

FLIGHT COMMAND... Spectacular Navy aviation drama, thrill-packed with spine-tingling exploits of America's mighty air armadas, starring Robert Taylor with Walter Pidgeon, Ruth Hussey, Paul Kelly and John Shelton. Frank Borzage directs from original story by Commander Harvey S. Haislip and John Sutherland.

SING SING... teeming prison drama, based upon the story by Jonathan Finn and Harold Friedman, starring Clark Gable as the warden who dared to bring humanitarianism into his grim duty.

NEW HARDY FAMILY PICTURES... Continuance of the top entertainment quality in this outstanding family series, with Lewis Stone, Mickey Rooney, Fay Holden, Cecilia Parker, Ann Rutherford, Sara Haden in their familiar roles, based upon the famous characters created by Aurania Rouverol.


NIGHT IN BOMBAY (book)... starring Joan Crawford in Louis Bromfield's newest romantic novel, a fascinating story of a girl and two men against the exotic lure of India.

EX-MAYOR OF BOYS TOWN... sequel to the smash screen hit of last year, "BOYS TOWN", with Spencer Tracy and Mickey Rooney again starred.

I MARRIED AN ANGEL (play)... starring Jeanette MacDonald and Nelson Eddy in the musical romance that thrilled Broadway, based upon the play by John Vaszary with book and lyrics by Rodgers and Hart.

THIN MAN'S SHADOW... starring William Powell and Myrna Loy in another adventure of the celebrated screen detective, based upon the famous characters created by Dashiell Hammett.

WITCH OF THE WILDERNESS (book)... stirring romantic drama of what happens when sophisticated men and women find themselves facing primitive peril, starring Clark Gable and Lana Turner, based upon the novel by Desmond Holdridge.

THE YEARLING (book)... Marjorie Kinnan Rawling's Pulitzer prize novel that has become one of America's literary masterpieces within a span of two best-selling years, the homespun tale of a man and a boy and a deer, to be filmed in Technicolor with Spencer Tracy starred. Directed by Victor Fleming of "Gone With the Wind" fame.

TONIGHT AT 8:30 (play)... starring Norma Shearer. Noel Coward's sensational international hit.

THE WORLD WE MAKE (play)...starring Norma Shearer and George Raft in the screen presentation of Sidney Kingsley's Theatre Guild stage production, based upon the Millen Brand novel, "Outward Room."


TORTILLA FLAT (book)...John Steinbeck's fascinating portrayal of a quaint people, with Spencer Tracy starred in one of the most appealing characterizations of his brilliant career.

BABES ON BROADWAY... the bonfire team of Mickey Rooney and Judy Garland invades Broadway with an army of youth and talent that brings back the bright lights to the old White Way.

COME LIVE WITH ME... Hedy Lamarr and James Stewart teamed in a timely comedy of a beautiful refugee who seeks an American home. Clarence Brown directs from a story by Virginia Van Upp and Patterson McNutt.

DAWN'S EARLY LIGHT... starring Robert Taylor in the brilliant pageant of American history authored by Dorothy Thompson and Fritz Kortner.
FEELING LIKE A MILLION . . . bringing back the good old days of vaudeville, starring Eleanor Powell and Ann Sothern in a story by Jack MacGowan.

BLOOMS IN THE DUST . . . story by Ralph Wheelwright of a woman whose inspiring life is dedicated to thousands of motherless children for whom she has found happy homes. Starring Greer Garson in a role recalling her famous Mrs. Chips characterization.

BILLY THE KID (book) . . . action drama of the Southwest’s famous desperado. From the novel by Walter Noble Burns.

LULU (book) . . . Booth Tarkington’s “Presenting Lily Mars,” story of the playwright who wrote his dreams . . . and fell in love with his dream girl. Starring Lana Turner.


SLIGHTLY MARRIED . . . starring Robert Montgomery in a madcap matrimonial mixup that starts when a husband and wife decide to test each other’s fidelity.

MARRIED BACHELOR . . . story by Manny Seff of a marital relations expert who diagnoses his own domestic troubles. William Powell and Myrna Loy star.

DR. EPHRAIM McDOWELL . . . stirring saga of a pioneer physician who brings scientific enlightenment to a world of darkness and pestilence. Spencer Tracy will star.

HOW TO WIN FRIENDS AND INFLUENCE PEOPLE (book)...Dale Carnegie’s famous book to be brought to the screen with an all-star comedy cast.


COMBAT CAR . . . drama of the army’s mechanized forces, by Lawrence Kimble, with Wallace Beery starred as the veteran cavalry sergeant who has to give up his beloved horses for tanks.

THE YOUNGEST PROFESSION (book) . . . by Lillian Day. This is a story of fan’s adoration of film stars. Judy Garland plays the role of the star-struck youngster who launches a fan club.

GET A HORSE . . . comedy-drama by Herman Mankiewicz and Albert Shuléy Levino, of the early days in the automobile industry. Starring Wallace Beery.

ARGENTINA . . . the Marx Brothers become wild men of the Pampas.

SEA OF GRASS (book)...saga of America’s great wheat fields, from the novel by Conrad Richter, starring Spencer Tracy and Myrna Loy.

STRANGE HONEYMOON (play)... by Jacques Deval, starring William Powell and Myrna Loy in a Sun Valley setting, where two divorced couples meet in pursuit of happiness . . . and to escape each other.

WINGS ON HIS BACK . . . Myles Connelly’s story of a barnstorming aviator who writes love letters in the sky. Starring Jimmy Stewart.

THE MAN ON AMERICA’S CONSCIENCE . . . dramatic story by Alvin Meyer and Lowell Brodeaux, of the tragic life of President Andrew Johnson who followed Abraham Lincoln into the White House, only to face impeachment when he struggles to preserve the doctrines of the Great Emancipator. Spencer Tracy will star.

BEAU BRUMMEL (play)...Starring Robert Donat in a screen adaptation of the Clyde Fitch play of the Eighteenth Century gallant whose adventures won for him a pedestal in the history of world romance.

CAUSE FOR ALARM (book)... exciting novel by Eric Ambler of international espionage and its sinister effect upon the fate of the world today.

RAGE IN HEAVEN (book)...James Hilton’s powerful novel of a bitterly disillusioned husband who seeks, through his own suicide, to entrap his faithless wife.

ROAD TO ROME (play)... gay picturization of a modern Hannibal storming the gates of Rome, from the capricious play by Robert Sherwood.
You are now reading a special issue for the trade of the most famous magazine advertising column in America.

Research authorities who make those surveys of housewives, etc., advise us that it’s the most widely read ad of its size in the national publications and GROWING by leaps and bounds.

This column appears once a month in preferred positions in the following magazines:

- True Story
- Cosmopolitan
- Ladies’ Home Journal
- Red Book
- American Magazine
- Look
- Parents’ Magazine
- Saturday Evening Post
- College Humor
- Liberty
- Country Gentleman
- Successful Farming
- Capper’s Farmer
- Farm Journal and Farmer’s Wife
- Progressive Farmer and Southern Ruralist

Every month Leo the M-G-M Lion chats breezily with the public about current pictures with special emphasis on STARS.

The first thing you ask about a picture and the first thing your patrons ask is “Who’s in it?”

M-G-M’s got BIG properties but also BIG STARS to put into them.

More than most other companies combined.

It would take a whole fan magazine to illustrate them.

M-G-M has under contract 43 Featured Players in addition to the 26 Stars on these pages.

Meet the folks!

M-G-M's got BIG properties but also BIG STARS to put into them.

More than most other companies combined.

It would take a whole fan magazine to illustrate them.
MYRNA LOY
She's got appeal!

LIONEL BARRYMORE
American idol!

WALLACE BEERY
Right down their alley!

HEDY LAMARR
Isn't she beautiful!

MARGARET SULLAVAN
Heart appeal!

ELEANOR POWELL
Keep America dancing!

WILLIAM POWELL
Gee, you're swell, Bill!

KATHARINE HEPBURN
A style of her own!

ROBERT DONAT
Prize winner!

ROBERT MONTGOMERY
Better than ever!

ROSA LIND RUSSELL
She's popular!

MARX BROTHERS
The public needs you!

GRETA GARBO
"Ninotchka" made her topchka!

GREER GARSON
Adorable "Mrs. Chips"

ANN SOTHERN
Maisie's a winner!

WILLIAM POWELL
Gee, you're swell, Bill!

KATHARINE HEPBURN
A style of her own!

ROBERT DONAT
Prize winner!

ROBERT MONTGOMERY
Better than ever!

ROSA LIND RUSSELL
She's popular!

MARX BROTHERS
The public needs you!

When you've got a line-up of Stars like
these your name is Big Chief Sitting Pretty.

And signing a contract with The Friendly
Company is just the beginning.

There's no outfit in the business that's
so conscious of merchandising as M-G-M.

Direct to the public through magazine and
newspaper advertising.

Cooperation with theatres through the
biggest permanent field force
of exploiters in the industry.

New ideas continuously and
the willingness to spend
money to improve our
services.

Call on me anytime! — Leo
DON'T PLAY DREAMO FOR PRODUCT!

Be sure with M-G-M in 1940-41!

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Exhibitors Tell
Arnold Decree Is Not Wanted

Times Lauds Frank Walker

No Comerford Change Due To Appointment of Walker

Government Stand Puzzles Exhibitors

Silverstone at Coast For 'Dictator' Talks

Grosses Zoom to Broadway Record

Motion Picture Daily

Wednesday, September 4, 1940

19
"INCORPORATION OF THE BAPTISM OF FIRE SEQUENCES IN ‘THE RAMPARTS WE WATCH’ IS LIKE SUPER-CHARGING AN ALREADY TREMENDOUSLY POWERFUL VEHICLE."

— FILM DAILY

H. V. Kaltenborn, famed radio commentator and student of propaganda methods, and Major George Fielding Eliot, outstanding U.S. military analyst, agree that "a way must be found to show Baptism of Fire to the American public."

SAYS H. V. KALTENBORN:
"As Americans, we must be prepared in our minds as well as in our arms. Baptism of Fire was produced to inspire terror in the prospective victims of German aggression. We must learn how to meet and resist Hitler's propaganda as well as his airforce."

SAYS MAJOR ELIOT:
"When incorporated in ‘THE RAMPARTS WE WATCH’, the Nazi film Baptism of Fire takes on a meaning which the Germans did not foresee. Instead of terror it inspires in the hearts of free men and women a hatred of Nazi methods and a grim resolution to defeat them!"
HITLER'S MOST POWERFUL FIFTH COLUMN WEAPON

Baptism of Fire, a new Nazi propaganda film produced by the German State Film Trust, is designed to terrorize the officials of countries which Germany is about to conquer. Leland Stowe, famed foreign correspondent for the Chicago Daily News reports the film's terrifying effect upon high Norwegian Government officials just prior to the Nazi invasion. Baptism of Fire also used to "soften" neutral Belgium and Holland. The film was shown effectively to King Carol of Romania.

SEIZED BY THE BRITISH AS CONTRABAND OF WAR

Vast quantities of Nazi propaganda material seized by British Contraband Control officers at Bermuda, Gibraltar, Hong Kong and Port Said. Among seizures are prints of the notorious Nazi propaganda film Baptism of Fire.

ANALYZED AND EXPOSED ON NATIONWIDE BROADCAST

H. V. Kaltenborn, in an exclusive NBC news report, reveals that Nazis are recruiting Fifth Columnists at U. S. showings of Baptism of Fire. New York agents of German Film Trust admit screenings for Nazi sympathizers in New York, Chicago, St. Louis and Milwaukee.

NAZI OFFICIALS SEEK TO BAN OWN TERROR FILM AS "UNFAIR TO GERMANY"

A spokesman of the German Embassy at Washington says: "Baptism of Fire when shown as part of 'THE RAMPARTS WE WATCH' is misleading. Rights to show our picture in this way must be denied".

BUT AMERICA WILL SEE IT IN...

"THE RAMPARTS WE WATCH"

A NEW KIND OF MOVIE . . . FIRST FEATURE PICTURE PRODUCED BY THE MARCH OF TIME
Hollywood Reviews

“Argentine Nights” (Universal)
HOLLYWOOD, Sept. 3.—As if to find out once and for all whether the current hue and cry for mirth-and-music pictures is founded in solid demand, Universal has poured into this enterprise just about as much and as many kinds of these as could be compressed into 80 minutes. Here are the Ritz Brothers three with their turbulent talents on full-bit display, and here are the Andrews Sisters, also three, bringing from radio and stage hits from the first film performance.

Here are nine songs, approximately as many dances, and here are gags, verbal and physical, some good, some excellent and some others, stringing together on a story-thread about as important to what goes on as the random collection of ye olde footlight extravaganzas ever needed to be. Here, too, are Constance Moore, much in the syndicated columns recently, George Reeves, Peggy Moran, Anne Nagel, Kathryn Adams, Ferike Boros, Paul Porcasi and many another, inclusive of bands, chorusies, crowds, mobs and just people.

Producer Ken Goldsmith and director Albert S. Rogell, using material supplied by five writers, keyed the tempo high at the start of the proceedings and kept it there. A meeting of creditors fashioned after a political convention starts the clomping off with a bang, the activities moving thereafter from New York to shipboard and on down to Buenos Aires.

The Andrews Sisters balance the Ritz Brothers nicely, in about the same kind of stuff, while Miss Moore and Reeves take care of a romantic angle which doesn’t get in any comedian’s way. Eight writers, working in varied combinations, supplied the nine song numbers, and out of two of which could turn out to be hits.

Running time, 80 minutes. *G**

ROSCOE WILLIAMS

“The Leatherpushers” (Universal)
HOLLYWOOD, Sept. 3.—As the first of Universal’s 1940-41 series of melodramas starring Richard Arlen and Andy Devine, “The Leatherpushers” rings the gong as one of the funniest privilege films ever made in its classification. It provoked laughs from start to finish at its Los Angeles preview, and the climax shows one of the most hilarious fights ever filmed.

The dialogue contained in the screenplay by Larry Rhine, Ben Chapman and Maxwell Shane is sprightly, typically the being of one character to another: “If you had one kind instinct, it would be in your wife’s name.” Direction by John Rawlins of the Ben Pivar production is concise and eliminates all extraneous matter.

Only girl in the cast is Astrid Allwyn, sports reporter whose aim is to carry on the rehabilitation camp for broken down fighters started by her father Dr. John Rawlinson. Starred by most of the comedy is Shepperd Howard as the “slug nutty” ex-boxer, and he is assisted by Horace MacMahon, Eddie Gribbon and George Lloyd.

Included in the support is Douglas Fowley, Charles D. Brown, Charles Lane, Wade Boteler, Frank Mitchell, Reed Kiplatch and Ben Alton.

The plot concerns the attempt of Arlen, managed by Miss Allwyn, to break up a ring of fight fixers.

Running time, 64 minutes. *G**

VANCE KING

*G* denotes general classification.

'Howards' in Four Theatres Tonight
A fourth theatre will be utilized for tonight’s premiere of “Howards of Virginia” in Richmond, at the Byrd, State, Westminster and Capitol.

Festivities will begin with the arrival at the Deep Water Terminal of Frank Lloyd, producer and director of the film, and Maxine Scott, feminine star, on a yacht accompanied by the U. S. destroyer, Barney. Events will include a speech by Mayor Gordon Ambler; the reenactment of Patrick Henry’s Liberty-or-Death oration and a pageant at Byrd Park, and finally a “Howards of Virginia” ball at the John Marshall Hotel.

Lloyd and Miss Scott will be guests of honor at each event and will make a personal appearance at each of the four theatres.

Time Will Defend Ramparts’ Suits
(Continued from page 1)

many against a European subsidiary the way with which the circuit in question is affiliated.

Subsequently, De Rochomont was notified by Ufa Films, Inc., American distributor of the German propaganda film, that attorneys had been instructed to bring suit “at once” against De Rochomont by the makers of the film. If the Roach film had been warned of possible similar action against it.

De Rochomont said the German scenes, which were acquired from John Grierson, Canadian film commissioner, after having been seized by the British alien property custodian at Bermuda, would remain in “The Ramparts We Watch.”

The Home Stretch
SAN FRANCISCO, Sept. 3.—Striving to attain the highest possible attendance during the fair’s closing weeks, the exposition management has installed the theatrical attraction, “Ten-0-Win,” as a nightly attraction on the Grandway during Sept. 29 to 30, with $1,000 in cash prizes each night. More than 1,000,000 chances have been distributed free through northern California department and chain stores. In order to avoid possible legal complications, while using the game, the fair calls it “Pirate’s Treasure.”

Cincinnati Unions Set New Contracts
CINCINNATI, Sept. 3.—After negotiations extending over several weeks, agreements have been reached between theatre operators in both the major and independent classifications, effective Sept. 1, on expiration of previous contracts. Details, however, were not made available, beyond the statement that there was some slight change.

Contracts of independent operators, executed Sept. 1, 1939, was on a two-year basis, and provided for certain upward revisions to become automatically effective on the corresponding date this year and, while it is believed that this revision was waived or re- flected from the figures, the unusual secrecy apparently prevailed all concerned makes confirmation impossible from any authoritative source.

It is known, however, that the imposition of Federal admission taxes and specific industry curfews, prevailing last year, were the subjects of considerable discussion in the negotiations.

National Defense
Unit Meets Today
The exhibitor council to cooperate with Government agencies in national service, its activities in the theatres will meet today at the RKO board of directors room.


Pathe Sets Dividend
The regular quarterly dividend of $1.75 per share has been declared by the board of directors of Pathe Film Corp., on the basis of preferred stock. The dividend is payable Oct. 1 to stockholders of record Sept. 25.

Allow Standing Room
LONDON, Sept. 3.—Standing in the anherto forbidden in Middlesex, is now to be allowed. It will be limited to the rear gangways of picture houses.
The Martin Quigley twenty-fifth anniversary edition of Motion Picture Herald is to be both the meeting place of vital personalities and institutions, and, most importantly, also the show-window of the great motion picture industry, for the world to read and see.

Issue of September 28
Web Grosses
In August Top Month in 1939

Network gross billings for the month of August continued the year's trend and were well ahead of the same month last year. NBC-Red was the top ranking web for the second consecutive month but CBS billings for the network were still first. Mutual's August billings also showed a substantial increase.

Ascap in Five-Year Contract with KFWB

Ascap disclosed yesterday that Warners had signed a new five-year licensing agreement for KFWB, Los Angeles, Warner-owned station. The deal was set by John G. Paine, Ascap general manager, and Harry Maizlish, KFWB general manager.

In commenting upon the new license, Mr. Paine said: "We have been doing our obligations under the broadcasting license granted to us by the FCC, which gives us the right to operate in the public interest, we consider it only good business to supply the demands of the people. Warners have always maintained this policy in their motion pictures and theatre activities and they are following the same idea in the operation of KFWB."

Tour by Wanger Will Begin Friday

Walter Wanger will begin his cross country speaking tour on Aug. 16, related subjects following the opening of "Foreign Correspondent" in Philadelphia on Friday.

Legal action from John Johnston, press representative for Wanger, will arrive from the Coast today to complete arrangements for Wanger's itinerary. The tour will take the producer to principal Eastern cities first, then into the Middle West and will end on the Coast.

'Bagdad Day' at Fair

The New York World's Fair has designated today as "Bagdad Day," honoring Salome and Jesus, from the Alexander Korda-United Artists color film "The Thief of Bagdad," who arrived here from the Coast over the weekend.

Off the Antenna

The FCC plans to call a conference in the near future to consider the problem of interference caused by diathermy operation, E. K. Jet, chief engineer of the Committee on the American Congress of Physical Therapy in a speech earlier this week.

Pointing out that the FCC recognized the need for diathermy treatment and it does not wish to interfere with legitimate operations, he said one objection was the appearance of "air-born" statics on the spectrum. After the medical profession has agreed on the most effective region of the radio spectrum, the FCC will find a suitable frequency, Jet said. Details concerning the apparatus will be fixed by cooperative efforts of all interested parties.

Purely Personal: Wynn Murray, star of "American Jubilee" at the Wurlitzer Air Fair, will be a guest on "Musical Amusements" Tuesday over NBC-Blue. . . . Jimmie Lunceford, the band leader whose programs are now being heard three times weekly over CBS, has received an airplane pilot's license. . . . John Neibert will start "Passing Parade" over WABC for Gordon Baking Co. . . . Redskin announcers will be heard over CBS Sept. 30. . . . Gerald Holland, of the NBC script department, resigned yesterday to do free-lance writing.

WHOM last night shifted from 250 watts full time to 1,000 watts, day, and 500 watts, night. Joseph Lang, general manager, said that the transmitter was made by Western Electric and employed the Doherty circuit. With a 200-foot tower antenna, the broadcast station is at the Hudson River near the foot of Washington St., Jersey City.

Program News: The largest single contract for the mutual network, and the largest twice weekly hookup for a commentator series was signed yesterday when American Safety Razor Co. engaged 93 Mutual stations for W. llama Williams. He will be heard Tuesdays and Thursdays from 8-8:15 P.M., Federal Advertising Agency handled the account. . . . "Midnight Classics," a recorded program, which gave way to a news program over WBNX for the past three weeks has been restored to its 12 A.M. spot. . . . "Big Sister" will start its fifth day on CBS Monday, Sept. 16.

Early Color Television Is Seen by Fly

Washington, Sept. 3.—The possibility that television will achieve color much more quickly and easily than did motion pictures was sensed yesterday by Chairman James L. Fly of the Federal Communications Commission, who described experimental work now going on in the radio industry.

Fly referred specifically to research now being conducted by CBS, Through "multi-track" techniques which involved colored transmission on a single band.

The FCC chairman said a demonstration of color television in New York last fall and returned to Washington much enthused over its possibilities, although he warned today that it is still purely experimental and much developmental work remains to be done.

He appeared to believe, however, that the first great hurdle had been overcome when it was found to be possible to put different colors on a single channel, as opposed to the previous belief that three channels would be necessary.

The CBS method is expected to be put on the air experimentally by next January.

Monogram Prepares West Coast Offices

Hollywood, Sept. 3.—Hammers were flying today as workmen reconditioned the International studios which Monogram started over the weekend in preparation for the arrival of company executive departments being transferred from New York.

W. Ray Johnston, president; Peter Friedhoff, treasurer; Paul Malvern, general and publicity department head, and William Peirce, were the first to be ensconced in the new quarters.

30 South African Houses Built in Two and Half Years

A J. V. Schliesinger circuit. The company has described business conditions in the territory as "very good." For this reason, and also because the market is the world's richest gold source, there has been no necessity for invoking restrictions on export of currency, which has been done in many other parts of the world recently. The business has continued at normal throughout the war period, Bolle reported. The company and British and Belgian companies, exclusively throughout the Union. Performances are confined to one show per week, and gate revenues in cost of $15 to $8 per gate admission scales of 35 cents to $1. Theaters are closed throughout the territory on Sundays.

Film comprises virtually the only public entertainment, due to the fact that "live" talent is non-existent. The Variety House of London. This is Bolle's first visit to his home office since he opened the 20th Century-Fox branch in Johannesburg in November, 1937. After conferences with W. J. Hutchinson, 20th Century-Fox foreign department head, Bolle has completed a three-month vacation in the Midwest.

Court Dismisses Suit of Ousted I.A. Men

Hollywood, Sept. 3.—Superior Court Judge Reuben Schmidt today dismissed without prejudice to a re-motion the suit of 16 studio workers expelled by the I.A.T.S.E., which sought $45,000 each from the union. The plaintiffs charged that their expulsion from the union prevented their working on the lot.

Judge Schmidt supported the contention of the I.A. men, who were represented by George Breslin, attorney, that no cause of action existed. There were indications that the men, heeded by George Davis, may file a new suit.

Sues Over Program

Wilmingon, Del., Sept. 3.—Floyd Buckley has filed suit in Federal court here against the Music Corp. of America, General Mills Corp., and NBC, asking $250,000. Buckley charges he wrote a radio program under the titles of "Stump the Leader" or "Beat the Drum," and that it was turned over to the Music Corporation and subsequently was used by Ted Weems on an NBC hookup on a General Mills program.

Kirsch Lauds B & K For Ending Tripples

Chicago, Sept. 3.—Jack Kirsch, as president of Allied of Illinois, has issued the following statement: "We believe that the elimination of the objection in eliminating triplets in the Belmont and trust we shall have an announcement from them in the near future of the complete abolishment of triplets at their other houses, to be followed by a return to single features as the next progressive step."

Ludas & K

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Metro Spaces

Chicago, Sept. 3.—M-G-M has leased 22,000 square feet, the entire fifth floor and half of the first floor of the Warner building there. The fifth floor will be air-conditioned, and the Glenns will be located in the lower floor equipped with fireproof vaults. The total rental is reported at $185,000, beginning Jan. 1.

Begin Wed., Sept. 4
Television in Color Amazes Press Group

Skeptics See CBS Method Reality Soon

By EDWARD GREIF

Color television was demonstrated yesterday by CBS to a group of newspapermen who came with an attitude which was frankly skeptical and left discussing the achievement with amazement and wonder.

Although not yet a completed commercial development, the laboratory demonstration left little doubt that television in full color will soon become reality. Jan. 1 was the date set tentatively by Dr. Peter C. Goldmark, the developer of the new system, at which broader use could be made of his discoveries but it was emphasized that no precise time could be fixed.

The new system operates on the principle that the eye will retain and merge three separate color pictures into one complete image. Most of the previous research on color had proceeded along the line that it would be necessary to use three frequency bands, each transmitting a separate color, and that the colors could be merged by a synchronizer in the receiving set.

Goldmark's system, however, by transmitting each of the primary colors separately and allowing for the retention of the image by the retina of the human eye, succeeds in transmitting the picture within the single 4½ m.c. channel.

The cost of an attachment to the receiver which would permit it to receive color pictures is estimated to be $50, but Goldmark has several ideas for reducing the price. It is estimated that 40,000 sets will be sold within the year.

Richmond Warmly Greets 'Howards'

By SAM SHAIN

Richmond, Sept. 4.—It is Richmond Day here, in honor of the world premiere tonight in four of the leading theaters of the city of Frank Lloyd's "Howards of Virginia." Thousands of tourists, many Hollywood celebrities, state, city and out-of-town personalities, including journalists from various parts of the country are here for the celebration. More than a score or more of newspaper representatives from New York, Washington, Baltimore, and Philadelphia were the guests of Columbia Pictures for the screening of its new coffee product, Nescafé, costing $1,000,000 more than any other coffee advertisement. The sampling is being done directly by H. L. Robinson, Nestle's manager in the southern states, and about 60 houses, mostly Warner theaters, will be covered. This is the first time that the company has tried film sampling and the early results of the first 12 houses are so gratifying that it may be extended on a national scale. Nestle's covers all costs and asks for no screen trailer, Pepsi-Cola is also calling upon the patron to taste its soft drink product.
Producers Study Problems of Draft

HOLLYWOOD, Sept. 4.—Members of the Association of Motion Picture Producers last night discussed with Will Hays, president of the M.P.A.A., the problems created by the conscription bill now pending in Congress, as well as labor matters. At the regular meeting, attended by all members with the exception of Joseph M. Schenck and Walter Wanger, who are in the East, the current negotiations with the Screen Writers Guild over the bargaining contract also were taken up. The meeting was recessed and ended in the early hours of this morning, the following statement was issued:

"The Committee appointed to negotiate with the committee of the Screen Writers Guild made its report and the status of the negotiations was discussed and the viewpoint of the various producers given to the committee. The committee was asked to proceed further with the writers' group."

James Roosevelt, on behalf of the special agent of the Motion Picture Relief Fund, made a report of the activities of that group during the past year. The method of providing for the support of this group was discussed. There was discussion as to the provisions to be made in the various studios in the event of general military conscription.

NSS Regional Meet Starts Sales Drive

The first of three regional meetings to launch National Screen's sales and business meeting, "Looking at Robinsons" 20th anniversary testimonial opened yesterday at the Astor Hotel with George Denbow, sales manager.

The meeting, which is being attended by branch managers and salesmen from the Central district, will continue through today. Subsequent meetings will be held for the Central district, Sept. 15 and 16 in Chicago; and for the West Far West district on Sept. 12 and 13 in Los Angeles. The anniversary drive will continue for the next 15 weeks.

Correspondent at 5-Year Rivoli Mark

United Artists announced yesterday that the "Foreign Correspondent," the WALTER WANGER-United Artists film, established the highest weekly gross of any romantic entertainment in New York for the past five years, which ended Tuesday night. The gross was $53,500.

Moskovitz Calls New Ad Film Stunt "Frankenstein"

The advertising plan of the Liggett & Myers Tobacco Co., by which theatres are used to show commercial films without admission in "creating a Frankenstein" within the industry, in the opinion of Charles C. Moskovitz, vice-president of Loew's, is a charge of New York theatres.

The show is comprised of two shorts produced by the industrial division of March of Time which run about an hour. The first, "Pleasure Time," shows Fred Waring and his orchestra during a radio broadcast. The other, "TobaccoLand—U. S. A.," is a commercial for Chesterfield cigarettes. Upon presentation of a ticket obtainable at local merchants, patrons are admitted to the theatre. The show is currently being shown at theatres of the Century, Randolfo and Brand circuits.

Moskovitz yesterday characterized the scheme as an evil, which, if encouraged, would eventually assume the proportions of money giveaways. With its continuation, and should be found in the case of the showing of films, the venture would result in a market for such films in halls and auditoriums, he said. Moreover, those added, showmen will find tremendous competition.

By way of analogy, he pointed to the increased sale of razor and other cigarette, which, although inferior, would doubtless be accepted and used by the public. This, he stated, would be the case with the showing of films. Moreover, he said, if the plan fails, this commercial films would be given more producer and hence would be a greater attraction. While theatres might realize a small profit now in giving such films, he said, the ultimate repercussions will be severe.

Ban Reproductions Of Canadian Uniforms

Toronto, Sept. 4.—The Canadian Government has issued an order prohibiting the display or reproduction in any form of theatrical or commercial purposes of any uniform of the Canadian Active Service Force, including the army, navy and air force. The regulation applies to the use of posters or paintings of any type of Canadian uniform, thus covering any portion of the national regalia or uniform or emblem. For special occasions, applications may be made for written permission from the Ministry of National Defense for the use of uniforms or reproductions of uniforms. The order applies to theatre fronts and lobby displays as well as advertising accessories.

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Q

"Can I play even an exceptional picture on a single-feature, advanced price policy—and make money?"

WARNERS ANSWER EXHIBITORS’ NO.1 QUESTION!

They’re playing “THE SEA HAWK” that way at St. Louis’ Ambassador, Memphis’ Warner and Richmond’s Colonial—to record summer business and holdovers at all three!

Listen to Howard Waugh in Memphis: “Any exhibitor who doesn’t raise prices for this super-attraction is in the wrong business!” And he knows—’cause that’s how he’s playing it now!

ERROL FLYNN
in “THE SEA HAWK”
RENDA MARSHALL
CLAUDE RAINS
Donald Crisp • Flora Robson • Alan Hale

Directed by MICHAEL CURTIZ

Screen Play by Howard Koch and Sotno I. Miller

Music by Erich Wolfgang Korngold

A Warner Bros.–First National Picture

Go True!
In Milwaukee Warner Theatre is now $500 ahead of ‘Anthony Adverse’, 5-year record holder!!!
Cubisco, Sept. 4.—With cool weather, "The Return of Frank James," and a variety show drew a good $38,000 at the Chicago, Steph Fields and his Richmond Los Angeles theatre drew strong $20,000 at the Oriental. The screen fare was "Private Affairs."

Estimated takings for the week ending Aug. 30:

"They Drive By Night" (W. B.)

APOLLO—(2,200) (25c-35c-45c) 7 days, Gross: $10,000. (Average, $1,429.)

"Return of Frank James" (20th-Fox)

CHICAGO—(4,000) (25c-35c-45c-55c) 7 days, Stage: Variety Show, Gross: $15,000. (Average, $2,143.)

"All This, and Heaven Too" (W. B.)

BOSTON—(1,200) (25c-35c-45c) 7 days, Gross: $2,000. (Average, $286.)

"Pardon Us" (Paramount—Univ.)

"Tom Brown's School Days" (RKO)

PALACE—(1,600) (35c-40c-45c) 7 days, Gross: $1,000. (Average, $143.)

"The Great McGinty" (Para.)

ROOSEVELT—(350) (35c-50c-75c) 7 days, Gross: $12,000. (Average, $1,643.)

"That Man of Ours Again!" (M-G-M)

STATE-ORANGE (75c-1.10) 7 days, Gross: $12,000. (Average, $1,643.)

"Follow the Wind" (M-G-M)

WOODS—(3,018) (35c-65c-75c) 7 days, Gross: $12,000. (Average, $2,000.)

'Pride' at $16,000

St. Louis Leader

Sr. Louis, Sept. 4.—The new single- bill, reserved-seat policy at the Coliseum was opened by three appearances of "Curtains." The net return was $16,000. The Coliseum's policy of reserved seats began in 1925.

Estimated takings for the week ending Aug. 30:

"Pride and Prejudice" (M-G-M)

CAPITOL—(4,000) (25c-35c-45c-55c) 7 days, Gross: $16,000. (Average, $2,286.)

"Sea Hawk" (W. B.)

NEW YORK—(2,600) (35c-50c-65c) 7 days, Gross: $18,000. (Average, $4,500.)

"Flying Gold" (W. B.)

"Money and the Woman" (W. B.)

FOX—(3,000) (25c-35c-40c-50c) 7 days, Gross: $14,000. (Average, $2,000.)

"Slightly White and the Seven Dwarfs" (RKO)

GRANDAM-

MISSOURI—(4,350) (35c-40c-45c-50c) 7 days, Gross: $14,000. (Average, $2,000.)

"Millionaires in Prison" (RKO)

"Dr. Christian Meets the Woman" (RKO)

ST. LOUIS—(1,000) (25c-35c-45c) 7 days, Gross: $1,000. (Average, $2,000.)

Three Actors Enlist

TORONTO, Sept. 4.—Three young British actors of Hollywood, Patrik Knowles, Sybil Williams and Robert Coote, have arrived in Toronto, where they have enlisted in the lowest rank of the Royal Canadian Air Force for overseas service. In connection with their enlistment, they were the guests at a dinner party of Lieut. J. F. Parrot, director of the Royal Canadian and Canadian Navy and a former Hollywood director, Richard Greene is also expected in Toronto in the near future to color the jobs after his unsuccessful attempt to enlist at Vancouver.

Frank James' Gets $38,000

(Hollywood)

Sept. 3.—Titled after a popular radio program and telling a story of the kind listeners to that program drawn by the above, the picture is happy of that term—which is to say that it has special aspects of salesability and merit besides, merit enough to satisfy not only those pre-sold on it via the ether, but also those who never heard the airshow or of it.

The theme is simple. A married man, a studious, introverted professor of ancient philosophy, is accused of murdering his wife. There is, of course, a mystery to the tale, but it is not the mystery that is the part of the thrill, for it is only a subplot in the main theme which deals with the problems of marriage. The picture, while not original, is well above average in its handling of the situation. The acting is above average as a rule, but John Barrymore is a little too broad at times, and Virginia Valli a little too talky. The picture is a good one, with the exception of the last reel, in which the romance does not carry weight, and a large part of the story is lost.

Estimated takings for the week ending Aug. 30:

Screening Room—(3,000) 7 days, Gross: $12,000. (Average, $4,000.)

"I Love You Again" (M-G-M)

OMAHA—(2,000) (35c-45c) 7 days, Gross: $7,000. (Average, $1,000.)

"Gold Rush Mail Order" (M-G-M)

ORPHÉUM—(3,000) (35c-50c) 7 days, Stage: Pony Express office and Donald O'Connor. Gross: $17,000. (Average, $2,429.)

Seven New Pictures Approved by Legion

Seven of eight new films last week received the National Legion of Decency

Seven of eight new films last week received the National Legion of Decency, approval. Being classified as unobjectionable for general patronage. One was found objectionable in part. The new papers and their classifications are as follows:

Richmond Has Warm Greeting For 'Howards' (Continued from page 1)

festivities. Heading the visiting contingents are: L. Cohn, Abe Montague and Nate Spiegel, Columbia chieftains. Governor Price of Virginia and Mayor Victor L. M. Yarbrough of Richmond, and his officials. Among the Hollywood visitors are M. and Mrs. Frank Lloyd, producer of the film; Martha Scott, leading feminine player in the picture, and Jack Skirball, associate producer.

Other Visitors


The day's events preceding the premiere at the State, Bayard, Hampton and Capitol began with an official welcome for Lloyd and Miss Scott at the John Marshall Hotel by the Mayor and other city officials.

Drive to Westover

The party then drove to Westover where Miss Scott placed a wreath on the grave of William Byrd, founder of Richmond. An official yacht, escorted by the U. S. Destroyer Barney, returned them the 27 miles up the James River to Richmond. The party then was greeted by Mayor William Byrd, building by Governor Price, after which they were tendered an informal luncheon by the John Marshall by Richmond's Host Committee.

In the afternoon, St. John's church was the scene of a reenactment of the Virginia Convention, at which the historic Patrick Henry oration was delivered. The performance was given by the Richmond Theatre Guild and its cast of 100. The party of 300 invited guests in attendance, with Miss Scott as guest of honor, Governor of some of the 13 original states were present, as well as many of the principal Virginia cities. A public address system carried the program to hundreds in the neighborhood of the church.

Later, Miss Scott and Lloyd were guests at an entertainment by Byrd Palace at which the Department of Playgrounds and adults of the Community Recreation Association of Richmond recreated the dances of Colonial days.

Following the premiere, the John MPTOA Poll to Set Course on Decree

The M.P.T.O.A. executive committee will be polled by mail during the next few days to ascertain the views of those in the organization as to whether the organization should be followed by the organization in the event the Department of Justice does not alter the provisions of the pending decree. The latter is opposed, Ed Kuykendall, M.P.T.O.A. president, said yesterday on his arrival from Washington.

Kuykendall plans to return to the Capitol this week-end. He declined to hazard a guess as to what action, if any, the Department of Justice will take as a result of the exhibitors' protests.

"I don't know whether the decree will be changed or not," Kuykendall said, "but I do know that the Department of Justice was convinced that the exhibitors of this country are opposed to that decree."

Kuykendall said that no plans could be made for a national convention of M.P.T.O.A. until the fate of the decree has been decided. Dependent on future developments, he suggested it might be wise to hold the convention in Washington.

The M.P.T.O.A. head expressed the opinion that it would not be necessary for Frank C. Walker to resign in general counsel of the national exhibiting organization upon assuming his duties as Postmaster General, although, Kuykendall added that he had not yet had an opportunity to discuss the subject with Walker, who was out of the city yesterday.

Settle Philadelphia Musicians' Strike (Continued from page 1)

two neighborhood houses using music. Prior to that time there, according to the vaudeville at the Alhambra, Kent, Oxford, Frankford and Allegheny.

Local union officials will meet with visiting exhibitors from other circuits, in favor of their appearance at the Oct. 7 hearing as "friends and members of the position of advisors to the court."

It is felt that the latter position will permit them to argue as effectively against them as if they were intervenors, and if their protests then were disregarded, they would not be in a position to appeal to the court decision. In such a case they would still be at liberty to seek injunctive relief.

Most of the exhibitor representatives plan to have a course of action charted by the end of the week or early next week, course, on the Government's next step.

Government May Discard Block-of-Five (Continued from page 1)

so, the exhibitors have left no doubt in the minds of any interested parties here that they are determined to have the decree in its present form with every legal means at their command.

They are definitely committed to a course of legal action if their protests prove unavailing. They have discarded their earlier inclination for the holding of a national exhibitor mass-meeting, convinced that further vocal protests and resolutions would be unavailing.

Although some sentiment is in favor of the exhibitors making an effort to intervene in the case, should the proposed decree come before Federal Judge Henry W. Goddard unchanged on Oct. 7, some objections to this procedure have been raised. It is pointed out that should the exhibitors become intervenors, they would have at least a vested interest, if any resultant court decision, even if it was adverse to them. An alternative which is meeting with greater favor is for Goddard, the judge, to make a finding as to the validity of the protest, in favor of the exhibitors if there are any, and the matter referred to some other court.

Their position is that it would be wise to hold the convention in Washington.

The day's events preceding the premiere at the State, Bayard, Hampton and Capitol began with an official welcome for Lloyd and Miss Scott at the John Marshall Hotel by the Mayor and other city officials.

The party then drove to Westover where Miss Scott placed a wreath on the grave of William Byrd, founder of Richmond. An official yacht, escorted by the U. S. Destroyer Barney, returned them the 27 miles up the James River to Richmond. The party then was greeted by Mayor William Byrd, building by Governor Price, after which they were tendered an informal luncheon by the John Marshall by Richmond's Host Committee.

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Later, Miss Scott and Lloyd were guests at an entertainment by Byrd Palace at which the Department of Playgrounds and adults of the Community Recreation Association of Richmond recreated the dances of Colonial days.

Following the premiere, the John RKO Files Answer In Schine Action

BUFFALO, Sept. 4.—The tenth answer in the anti-trust suit of the Gov-
ernment to the charge that the Machine Circuit and major distributors was filed in Federal court here today by RKO.

In addition to the other nine companies' answers, denies viola-
tion of the Sherman Act. Attorneys for RKO are William Mallard and Abner L. H. U. S. Attorney所所, Norman H. St. John, and an attorney for the defendant, the judgment dismissing the complaint is asked.

Oakland Paper Has Theatre Directory

OAKLAND, Cal., Sept. 4.—The twice-weekly Shopping News here, with a circulation exceeding 60,000, is now running a theatre directory on the front page. Nearly 50 Eastbay theatres in Oakland, Berkeley, Al-
bany, Piedmont, Hayward, San Leandro and El Cerrito are advertising in the listing.

Marshall Hotel was the scene of a gala homecoming gala at which the grand march was led by Governor Price and Miss Scott.

A special announcement week day "Richmond Day," Governor Price has set aside the entire week as "Re-
duction of Blanket Week" for the state, dur-
ing which its citizens are called upon to "re-dedicate themselves to the prin-
ciples of liberty, justice and equality, the fundamentals of the commonwealth." The day's events from 8:30 A.M. to 11:00 P.M. were fully covered by radio, with broadcasts going out al-
ready to stations WRNL, WRNL and WMGB.

New Contract Ends Providence Strike

PROVIDENCE, Sept. 4.—Union oper-
aters have returned to work today at the theatres of Associated Thea-
tres for the first time since a two-day strike over a new contract and back pay.

The houses affected were the Empire, Bijou and other Palace at Wash-
ington Park, and Park in Cranston, R. I. The strike ended when Ralph L. Sater, president for the circuit and Herbert F. Slater, business agent of Local 223, agreed on a two-year contract, involving a 10 per cent pay cut for presentists and a compromise on back pay.

Refreshments New Philadelphia Lure (Continued from page 1)

the sampling being carried on by the National Sample Advertising Service, organized here by F. S. Greenberg. The National Sample supplies all the equipment with a house usher dispensing the soft drinks with the only obliga-
tion of the exhibitor to run a 90-foot animated color trailer. The Pepsi-Cola sampling was tested in 160 thea-
tres in New York. It has been a success and started its national canvas here, covering 60 houses locally, mostly Warner theatres.

During a four-day sampling run, Pepsi-Cola provides 100 cases of its drink, affording at least 7,000 samples. The Pepsi-Cola sampling will take 18 months to complete, covering 6,000 theatres throughout the country.

National Sample was organized pri-
marily for the sampling of candy, of-
fering to reach 85,000,000 persons at 30,000 theatres in the country. Al-
though no candy sampling contracts have been consummated as yet, the candy plant calls for the exhibitor to pay at least a penny for each five-cent candy bar to be given out. Charles Goldfine, a local exhibitor, is also or-
nizing a sampling company along similar lines.
DENVER...

6 THEATRES with 12,600 seats played the world premiere performance! DENVER THEATRE broke all house records for first week. Move-over to ALADDIN skyrocketed to 400% of average!

SPOKANE...

ORPHEUM. Opening week-end 17.8% of average. Beats every attraction in town by almost two to one.

When a Picture Opens Great and Builds Sensationally, You've Got a Tremendous Box-Office Attraction The Public Wants!
SPRINGFIELD ILL.
Blows the top off Lincoln Theatre with an opening 205% of average. Full page publicity in Springfield newspapers helped it reach this sensational figure!

SEATTLE...
ORPHEUM. No United Artists picture in past year has touched its gross! Opening day 180% of average. Second day $250. bigger than opening. Third day $400. bigger than opening. Fourth day $1,105. bigger than opening!

Edward Small presents

Kit Carson

JON HALL • LYNN BARI
DANA ANDREWS • WARD BOND
HAROLD HUBER • C. HENRY GORDON
Directed by GEORGE B. SEITZ
Original screen play by GEORGE BRUCE
Based upon a story by Evelyn Wells
RELEASED THRU UNITED ARTISTS
Boston Gives Good $32,100
To ‘Breakfast’

Boston, Sept. 4—“He Stayed for Breakfast” (20th-Fox) of the Goldwyn-Mayer stable, has drawn a total of $32,100, with $14,500 at the State and $17,600 at the Roxy. It is playing in the only theatres to reach average.

Estimated takings for the week ending Aug. 29:

• “Snow White and the Seven Dwarfs” (Para)
  Gross: $20,000.
  Estimated: $12,000.

• “South of Karonga” (Univ.)
  Fox: $14,000.
  Average: $5,000.

• “Till We Meet Again” (W. B.)
  Fox-Param.: $15,000.
  Average: $4,500.

• “Blondie Has Servant Trouble” (Col.)
  Fox-Param.: $15,000.
  Average: $15,000.

• “They Done Him Wrong” (20th-Fox)
  Fox-Param.: $20,000.
  Average: $5,000.

• “Breakfast” (W. B.)
  U-20th-Fox: $10,500.
  Average: $10,500.

Warners May Do Spanish Versions of Current Films

HOLLYWOOD, Sept. 4.—Warner executives have before them a plan advanced by director William Wyler to make, if possible, Spanish versions of pictures currently shooting, with the same sets but with Spanish dialogue. Wyler personally has proposed that he supervise the production of “Four Mothers,” which is currently guiding, in the Spanish version, with Mexican producer-director Ramon Nuñez directing that version. Nuñez would use translations of the scripts, the same sets, technicians and such. Decision on the plan awaits return here of Jack L. Warner.

George Murphy will act as narrator in a montage sequence in M-G-M’s “Little Nellie Kelly.” Warner’s has postponed start of “South of Suez” in order that the script might be changed by Michael Hogan to make George Raft’s role succeed to George Raft’s role. Geraldine Fitzgerald, Brenda Marshall, James Stephenson and George Tobias are in the cast... After an absence of more than a year, Edward Everett Horton returns to the screen in Paramount’s “You’re the One,” featuring Bonnie Baker and Orson Welles. Horton has been on a stage tour.

Leo Robin and Ralph Rainger have been signed by 20th-Century-Fox. They will write songs for “The Great American Broadcast,” which will be a cavalcade of radio... Gene Raynova gets the second masculine lead in RKO’s “Mr. and Mrs. Smith,” starring Robert Montgomery and Carole Lombard... A. Z. Dixon, member of the American Border Patrol, has been engaged by United States immigration officials to act as technical advisor to Carol Reed during the filming of “Come Live With Me,” at M-G-M. The picture starring James Stewart and Henry Lazer deals with alien restriction in Mexico. Reed is trying to screen in color a rare painting to be used in Paramount’s “Virgilia.” It is the original of Vicente Lefrak’s portrait of Louis XVI, owned by Charles R. Mikelson in Pasadena.

George Pal, producing puppet operas for Paramount release, has signed Andre Kostelanetz to direct all stage arrangements. The first two of the shorts... Hugh Harman, M-G-M cartoon producer, has given new contracts to his artists. Forrest Judd in the San Bernardino Mountains have forced William Seiter to shift location scenes for “Never a Dull Moment” at the Universal. Leon Kinskey and Alexander Granach have been brought in as a comedy team for producer Lindley Parsons to write the original script for Frankie Darro’s new Monogram, “You’re Out of Luck.”

Robert McGrath will direct the next Maricita Mae Jones-Jackie Moran feature at Monogram, “The Ole Swimming Hole,” from an original story by Gerald Brittain and script by Dorothy Reid.

Form Gerstein Firm

Evelyn Gerstein, former film critic, has opened her own publicity office at 30 Rockefeller Plaza as Evelyn Gerstein-Gertrude Fischel of Philadelphia is an associate member.

Stage Season Sept. 26

COLUMBUS, Sept. 4.—Sept. 26 is the opening season will be inaugurated at the Hartman here Sept. 26, with Talbott Bandeau in The Little Foxes as the opening attraction, according to Manager Robert F. Boda.

Republic Buys ‘Hoppers’

Republic has purchased the stage play, “Six Hoppers,” by Carroll Fleming and Edward A. Kidder, a star-studded play for Judy Canova, to follow her initial starring film, “Scatterbrain.”

‘Sea Hawk’ Is Los Angeles’ Hit at $41,500

Los Angeles, Sept. 4—“The Sea Hawk” is drawing huge crowds to Warners Hollywood and Warners Downtown the best business in years, rolling up a total of $41,500, ($48,000 at Downtown on a dual took $10,000 at the Hillstreet and $11,500 at the Pantages. Business generally good.

Estimated takings for the week ending Aug. 28:

• “The Return of Frank James” (20th-Fox)
  CHICAGO: ($2,500) (44c-55c-75c-90c) 7 days. Gross: $6,750. (Average, $1,250)

• “Pride and Prejudice” (M-G-M)
  4 STAR.—$6,000 (44c-55c-75c-90c) 7 days. Gross: $6,000. (Average, $857)

• “You’re Not So Tough” (Univ.)
  ST. LOUIS: ($8,000) (44c-55c-75c-90c) 7 days. Gross: $7,500. (Average, $1,071)

• “Man of the West” (Warner’s, Hollywood)
  1,320: ($7,500) (44c-55c-75c-90c) 7 days. Gross: $7,500. (Average, $1,551)

• “Rhythm on the River” (Para)
  NEW YORK: ($7,000) (44c-55c-75c-90c) 7 days. Gross: $7,000. (Average, $1,000)

• “Money and the Woman” (and “The Women”) (M-G-M)
  2,000: ($6,000) (44c-55c-75c-90c) 7 days. Gross: $6,000. (Average, $1,000)

• “South of Suez” (M-G-M)
  WARNER’S, Hollywood) (3,000) (44c-55c-75c-90c) 7 days. Gross: $6,500. (Average, $928)

• “Sea Hawk” (W. B.)
  STRAND—$5,000 (44c-65c-75c-90c) 7 days. Gross: $5,000. (Average, $714)

‘Breakfast’ $13,800 Leads Providence

PROVIDENCE, Sept. 4.—Loew’s State double feature, “He Stayed for Breakfast,” and “Gold Rush Maisy” was the best business the state did well, taking $13,800. A cool weekend gave houses a fine opening, but business has already turned down.

Estimated takings for the week ending Aug. 28:

• “He Stayed for Breakfast” (Col.)
  GROSSES: $12,500. (44c-55c-75c-90c) 7 days. Gross: $12,500. (Average, $1,786)

• “Fishing Gold” (Warner’s, Hollywood) (3,000) (44c-55c-75c-90c) 7 days. Gross: $7,500. (Average, $1,071)

• “Comin’ Round the Mountain” (Para)
  STRAND—$2,500 (35c-55c-75c-90c) 7 days. Gross: $2,500. (Average, $357)

• “My Love and the Woman” (M-G-M)
  WEAVER.—$2,500 (35c-65c-75c-90c) 7 days. Gross: $2,500. (Average, $357)

• “Black Diamonds” (Univ.)
  NEW YORK: ($2,500) (44c-55c-75c-90c) 7 days. Gross: $2,500. (Average, $357)

• “Andy Hardy Meets Debutante” (M-G-M)
  NEW YORK: ($2,500) (44c-55c-75c-90c) 7 days. Gross: $2,500. (Average, $357)

Two Join Ross Federal

NEW HAVEN, Sept. 4—Charles Leach, manager of Ross Federal Service here, has appointed W. F. Stevens of Hartford and Peter R. Sandlif of Bridgeport to his staff.

New Photogram Line

CHICAGO, Sept. 4—Photogram, Inc., a new Photogram company, has announced the addition of three new models to its line of sound apparatus.
“Extra Margin of Quality”

UNDER NORMAL PRODUCTION CONDITIONS:

Agfa Supreme

Noted for a remarkably fine grain and excellent color balance and gradation . . . combined with great speed!

UNDER POOR LIGHTING CONDITIONS:

Agfa Ultra-Speed Pan

The fastest 35mm. film manufactured. The negative to use when extreme film speed is the most important factor!

AGFA ANSCO PRODUCTS. MADE IN BINGHAMTON, NEW YORK, U. S. A.

AGFA RAW FILM CORPORATION

HOLLYWOOD
6424 Santa Monica Blvd.
Tel. Hollywood 2918

NEW YORK
245 West 35th Street
Tel. Circle 7-4635
# Motion Picture Daily's Booking Chart

Dates are based on national release schedules and are subject to change. This chart is revised weekly. Letters in parentheses after titles denote the following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action.

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<td>Barbara Blair</td>
<td>Up in the Air (D)</td>
</tr>
</tbody>
</table>

**PARAMOUNT SHORTS**

- Book 'em
- Advertise 'em
- Cash in on 'em!

**August 23**

- Color Classic Cartoon
  - **YOU CAN'T SHOE A HORSE FLY**

**August 30**

- Stone Age Cartoon
  - **SPRINGTIME IN THE ROCKAGE**

- Popeye Cartoon
  - **PUTTIN ON THE ACT**

**September 6**

- Granland Rice Sportlight
  - **DIVING DEMONS**
Rebellion

MEXICO CITY, Sept. 4.—Radio station hack singers here have been on strike against a daily choir of three songs per program for a pitance of 50 cents, a job which is so sappy that they must hang around the studios for hours. These singers have been affiliated with the National Radio Artists' Union so that they can obtain a minimum daily wage of $1.50.

‘Love You’ at $3,500
Sets Cleveland Pace

CLEVELAND, Sept. 4.—“I Love You Again” continued smashing records at the Stillman here with $8,500 for its third week. “Return of Frank James” drew $11,500 at the Hippodrome. Estimated takings for the week ending Aug. 29:

Boys from Syracuse” (Univ.)–ALLEN—300 (3c-9e-6c) 7 days, 2nd week, Gross: $4,000. Average: 593.00.

“Return of Frank James” (20th-Fox)–FREEMANS-HIPPODROME—300 (3c-9e) 7 days, $11,500. (Average: 1,571.43.)

Another frequency modulation note is the announcement by the Radio Workshop of the College of the City of New York that it will emphasize FM in the six courses which will be given at the College this year. The courses will begin with the direction of Seymour N. Siegel, WNYX program director, and Nancy Davids, formerly radio consultant to New York University.

Three of the courses will be given this Fall and three in the Spring. Those announced for the Fall semester include radio survey and station practices; production; and script writing.

‘Dictator’ Policy to Be Discussed Today

HOLLYWOOD, Sept. 4.—Charles Chaplin’s “The Great Dictator” was viewed today by Murray Silverstone, head of world wide operations for U.A., and Jack Schlaifer and Harry Gold, sales managers, at the Chaplin.

Silverstone, Schlaifer and Gold will meet with Chaplin at luncheon tomorrow. At such time the sales cooperative, release date and the possibility of advanced prices will be discussed.

Complicate Union Fight in Scranton

SCRANTON, Pa., Sept. 4.—The jurisdictional struggle between Scranton locals of the C.I.O. and A.F.L., operators unions became more mixed up over the weekend when Mayor John Leach issued a temporary injunction against Local No. 329 from picketing the Bull’s Head Theatre and then ordered an order incontinuing a temporary injunction obtained by the Comerford-Public Corp. to restrain C.I.O. pickets from picketing before the theater.

Comerford counsel charged the company was an “innocent bystander” to the union dispute and that the picketing was interfering with the company’s business.

Mexico City Circuit Workers on Strike

MEXICO CITY, Sept. 4.—Workers at the seven local theaters of the Ceravantes Circuit walked out on strike over the weekend when the circuit refused to meet their demand for an increase of 25 per cent and other concessions. Details of the circuit insist that it is impossible for them to operate profitably with the payment of the increased demands.

Republic Closes Deal

BOSTON, Sept. 4—Republic has closed a deal with Maine and New Hampshire Theatres for the new season. The deal was closed by M. E. Moore, Boston Republic branch manager, and W. J. Sullivan of the circuit, following negotiations between James R. Grainger, Republic president, and John J. Ford, vice-president and general manager of the circuit.

Off the Antenna

T HE first FM station to be individually owned and operated, WIXPW, affiliate of WDRC, Hartford, will be on the air with its own programs, staff and features by Sept. 16. Franklin M. Doolittle has announced. The station has been in operation for one year, but has been using WDRC and CBS broadcasts for programming.

Bob Provan, Jr., will be in exclusive charge of production and promotion and Ken McLeod and Carleton Brown will handle the transmitter.

Purely Personal: Allision Skipworth will be guest on “Command Performance” over Mutual Friday, Sept. 13, at 9:30 P.M. . . . Charles Ruggles, Burgundy wine manufacturer, will be the guest of honor at the last week of the month’s Seastest show over NBC-Red Thursday, Sept. 12, at 10 P.M. . . . Walter B. Haase, WDRC, Hartford, program director, has returned after a two week vacation. During the interim he became the father of a boy, Richard Walter, Jr.

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Federal Control Asked in Mexico

MEXICO CITY, Sept. 4.—Federalization of the film industry as a means of relieving it of its acute depression and placing it again in the economic runnings was the keynote of a resolution adopted at the convention here of the National Cinematographic Workers Union.

Congressman A. Zapata Vela, a prominent laborite who attended the meeting was delegated to further the Federalization proposition. He assured the delegates that the effort along this line would be successful.

Red is transmitted on the odd-numbered lines and green on the even-numbered lines. By the time the red faded, the green was again in play, with odd-numbered lines and the red comes on again on the even lines. The third color has produced red, white and blue on the even. The result is two complete frames in full color. The human eye does the rest.

Like Home Films

Yesterday’s demonstration was of the quality of fairly good home films. It was taken on 16mm Kodachrome film at the rate of 60 frames per second. However, Goldmark pointed out that on another take at 24 frames per second the clouds would not be difficult. Vivid colors, pale shades and pastels were contrasted and merged with remarkable fidelity.

Detail and contrast were also good, although the demonstration was made with only one of the full colors of a temporary transmitter defect. Actually, Goldmark uses 343-lines and expects that it will reach the black and white standards of between 400 and 500 lines shortly. The demonstration took place over wires but it was broadcast last week in a demonstration for FCC Chairman James L. Fly. Goldmark asserted that the system would not require film and could be adapted readily to live talent shows.

Union Sues Houses In Contract Action

A suit for an injunction and damages for back salaries was filed in the N. Y. Supreme Court yesterday by Local 306 and six of its members against N. and W. Enterprises Inc., Par Shirley Ridge Amusement Corp., the Williamsburg Photograph Corp., the finest Sun Amusement Corp., and six individuals.

The suit, filed last March, is listed to be heard in Federal district court at the end of the month or the first week in October. Rumors that the basis for a settlement had been made were denied by Milgram, who said that he was not interested in any out-of-court mediation. The suit is a test on whether the first house to refuses to accepts a given price in the matter of picture preference.

(Continued from page 1)
Remember "DRACULA" and "FRANKENSTEIN"!

Universal Warns you to shake "The MUMMY'S HAND"!

159% of top business!

Avon Theatre
Utica, N.Y.

Test Campaign Socks
Home Second Biggest
Opening Theatre Has
Had This Season!

No Tricks!
No Unmentioned Factors!

Just the Campaign Illustrated
Here—and Which Universal
has Ready for You Now!

The Mummy's Hand
Out of Frankenstein

Are You to See It!

Dick Foran • Peggy Moran • Wallace Ford
Cecil Kellaway • Eduardo Ciannelli
George Zucco • Tom Tyler

Are You to See It?
Did They Return? Is There
Your Death? See a
Revealed!

Directed by Christy Cabanne
Executive Producer: Ben Pivar
U’ Earnings  
In Year Seen  
At $2,025,000  

Cottdin Cites Net During  
Hearing on Tax  

Universal’s earnings for the fiscal year ending Oct. 30 totalled $2,025,000, by J. Cheever Cottdin, chairman of the board, in testifying before the Senate Finance Committee in Washington yesterday on the effects of the proposed Federal excise-tax on companies. 

The proposed tax would apply to current earnings of corporations as compared with their average earnings since 1937. Cottdin pointed out that the tax would be “discriminatory and inequitable” when applied to corporations like Universal, which are just recovering from a depression period. He related that Universal lost $1,084,000 in 1937; $911,178 in 1938; and had a profit of $1,153,321 last year, the company’s first profitable year since 1934. 

He charged that the tax would have disastrous effects on Universal, which currently owes over $4,880,000 for borrowings during the years of the proposed tax. 

(Continued on page 4) 

Four-Week ‘Pride’  
Gross Is $400,000  

Although “Pride and Prejudice,” which co-stars Greer Garson and Laurence Olivier, could have been held over for a fifth week at Radio City Music Hall, since the picture was not only earned that right by grossing more than the required control figure over the weekend, and an exceptionally good gross, amounting to $96,000 for the full week, M-G-M has agreed to withdraw it in order that the Music Hall could alleviate its booking jam. 

The picture grossed almost $400,000 in its four weeks at the theatre. It is one of those which entered the theatre’s Hall of Fame attained by only three other pictures—the only pictures to play more than three

Walker Nomination  
Is Sent to Senate  
Washington, Sept. 5.—President Roosevelt today sent to the Senate for confirmation the nomination of Frank C. Walker, operating head of the Comerford Circuit, to succeed James A. Farley as Postmaster General. 

Affirmation of the nomination is expected to be given in the next few days. 

Film ‘Cartel’  
Stressed in Arnold Book  

WASHINGTON, Sept. 5.—Thurman Arnold, Assistant Attorney General in charge of anti-trust cases, holds up the motion picture “cartel” as an example of how powerful corporations can dictate terms for the use of their products which adversely affect the public and can even resort to use of the Sherman Act itself to enforce monopolistic controls, in his new book, “The Bottlenecks of Business,” to be published tomorrow by Reynal & Hitchcock. 

The modern concept of the Department of Justice is the use of the consent decree in the settlement of anti-trust prosecutions is set forth in the volume. 

Without referring specifically to any case now before the department, Arnold emphasized that any plan to end a suit by consent “must give substantial advantages to the public, to consumers, and to competitors in maintaining reasonable business practices in the future” which cannot be

“Hired Wife”  
[Universal]  

HOLLYWOOD, Sept. 5.—Just about everything the box-office director has been ordering for the care-ridden populace of this war-shadowed era is to be found in quantity in this smooth comedy produced and directed by William S. Seiter with a sparkling cast. 

Here is Rosalind Russell in fine fettle as the bride referred to in the title, here is Brian Aherne as the bridegroom who doesn’t know his own heart, and here is Robert Benchley as the bridgegroom’s attorney, enlivening proceedings, which are lively enough for any taste at all times, with demonstrations of sleeping, snoring, sleep-talking, recalling his famous short, “How to Sleep,” on which he has improved with age. 

Here are, also, Virginia Bruce as an advertising-model, John Carroll as

SHER, HAYES HERE  
FOR BIG 5 MEETING  

Weigh Earlier  
British Curfew  
Due to Raids  

LONDON, Sept. 5.—Because of the night air raids on England discussions are under way among authorities and theatre operators with the view to establishing an earlier closing hour for theatres. 

It is probable that a 9 P. M. curfew will be established for theatres in the Midlands industrial area until the end of hostilities. That portion of central England, where are located some of the most important of England’s industrial plants, has been the object of the most vigorous Nazi attack from the air. However, exhibitors in the area, despite the fact that authorities favor such a move, and that business is poor, appear disinclined to agree to a general earlier closing at this time. 

Many managers in the West End of London, although they have not

Schaefer at Capital  
For Defense Parley  

George J. Schaefer, RKO president and chairman of the industry’s national defense council, was in Washington yesterday for conferences with Government officials on industry participation in national defense activities. 

Cohen Group to Seek to  
Negotiate to Drop  
Block-of-Fite  

Robert Siler and James Hayes of Thurman Arnold’s staff will confer today with counsel for the Big 5 and spokesmen expect that these Washington officials will reveal the Department of Justice’s views on the exhibitors’ demands for alterations in the proposed agreement in which it agrees to confer with the representatives of the major company defendants in the New York suit. 

That the meetings in Washington between the Government and exhibitors was acrimonious has been revealed by reports which have reached New York since the meeting. 

Max Cohen, head of New York Allied, an M.P.T.O.A. affiliate, said yesterday, in describing the hearing: “We came to air our views, but instead got the air.” 

The Cohen group will endeavor to open negotiations with the five consenting companies in the Government’s anti-trust suit to obtain their approval of elimination of the block of sales proposal from the pending consent decree and the substitution for it of a graduated cancellation right on whole or partial block bays. 

Cohen sent telegrams yesterday to

Para. Declares 3rd  
Dividend on Common  

The board of directors of Paramount Pictures, Inc., yesterday declared a dividend on the common stock of 15 cents per share. This is the third common dividend since the reorganization of the company. The first was declared July 15, 1939, and the second on July 1 of this year. 

The directors also declared a quarterly dividend of $1.50 on the first preferred stock, and a quarterly dividend of 15 cents on the second preferred stock. The common dividend is payable Oct. 1 to stockholders of record on Sept. 16, and the preferred is payable Oct. 1 to stockholders of record Sept. 17.
SEC Reports Atlas Purchase of RKO Securities in July

WASHINGTON, Sept. 5.—Heavy buying of RKO securities by the Atlas Corporation in July was disclosed today by the Securities and Exchange Commission.

The semi-monthly summary of the S. E. C. revealed that during the month the Atlas Corp. acquired 3,901 shares of RKO common stock and 800 shares of six percent convertibles preferred. At the close of July, the corporation held 591,000 shares of common direct and 268,230 shares through the American Company, together with 327,812 warrants for common and 30,681 shares of preferred stock.

The report also showed that Joseph M. Schenck, chairman of the 20th Century-Fox board, disposed of 6,000 shares of his company's stock during July, leaving him with 8,784 shares, and thatpy Robert Rubin, vice-president and general manager of Loew's, disposed of 600 shares of Loew's common stock, leaving him with 25,015 shares.

In Canada, Columbia Pictures showed that Nate B. Spingold held 10,178 shares of Columbia common stock through a holding company and 100 shares jointly on Feb. 7, last, when he became a director in the corporation.

Herbert Bayard Swope, director in Columbia Broadcasting System, reported the disposition of 1,000 shares of CBS Class A. A $50,000 house, leaving him with 4,780 shares held direct and 3,000 shares held through the Kewaydien Corp.

Dop Plan for Phila. Vote on Sunday Film

PHILADELPHIA, Sept. 5.—Rev. William B. Forney, secretary of the Lord's Day Alliance, lending a campaign against Sunday films, today abandoned his plan of placing the question for Philadelphia on the bal lot. Today was the deadline for filing the necessary petition.

Although the plan was ready to file, Rev. Forney decided this was not an opportune time because of the urgent political issues. He decided to postpone the referendum until next year.

Personal Mention

'ARL HUDDSON, operating head of United Democratic Theatres, is in New York for conferences at the Paramount home office.

LYNN FALK, United Artists advertising and publicity director, is expected from the Coast and Fort Worth plane today.

EUGEN KUHENDALL, M.P.T.O.A. president, is expected to leave for Washington tomorrow.

MORRIS MENDELSOHN, Loew-Poli attorney in New Haven, is on a hiking trip through New Hampshire.

KEVIN PERKIN, son of Oscar Perkin, manager of the Fabian Grand in Albany, is broadcasting on baseball over WEEZ-WBZA, Boston.

ALDEN LOCKHART, manager of the Regent in St. John, N.B., was married Sept. 8 to Miss William with Gordon Briggs, Regent projectionist, and Genevieve Beene of Regal Films in attendance.

CECIL B. DE MILLE has returned to Hollywood from New York which carried him to New York and Washington, N. C., his home town.

EUID ROGERS, JAMES CROON, RAY GALLAGHER, EDWARD McEVOY, JACK HALPY and ARTHUR LEE, lunching at the Tavern yesterday.

GRADWELL J. SEARS, CHARLES E. McCARTHY, TONY CULLEN, HARVEY BRANDT, ROBERT WEITMAN, MAX A. COHEN, MAX DREYFUSS, OWEN DAVIS, CHARLES SOSIN, ALAN FREEMAN, LOUIS DREYFUSS, CHARLES STERN, HARRY WEINSTOCK, IRVING CAESAR and MAURICE BERGMAN at the Brown Derby in the Astor for lunch yesterday.

A. W. SMITH, CLAYTON BOURNE, STANTON GRIFFITH, RALPH KOHEN, WILLIAM A. SULLY, DON JACOBS, NAP KARSON, AL ALTMAN, ROWLAND F. CAMPBELL, AL LEWIS, ARTHUR KIM and LEE SHUBERT at Sardi's yesterday for lunch.

IRVING BERKIN, JIMMIE RITZ, ARTHUR SILVERSTONE, LOU BRANDT and J. J. MILFSTINE lunching at Lindy's (51st St.) yesterday.

EMANUEL SILVERSTONE, JERRY SABO and VICTOR TREMAYNE at Lindy's (next to the Rivoli) yesterday for lunch.

Skouras to East on Big Film Price Rise

HOLLYWOOD, Sept. 5.—Charles Skouras, head of Fox West Coast, will leave today for New York to confer with studio executives to discuss with National Theatres executives his announced plan to raise admission prices for "Brigham Young's Wife" and "The Band" and "Down Argentine Way." Skouras, encouraged by the reported unofficial prices of $2,000,000 for construction of a 12,000-seat convention hall for sports events and other amusements, the building to be connected with the New National Theatre and the Museum of Natural History with a 3,500-seat auditorium, the largest in the city.

Lifton Party Today

Louis Lifton, Monogram advertising and publicity chief, will be tendered a farewell luncheon at Toots Shor's today by the heads of the studio's division directors, of which he has been a member. Attending will be Leon J. Bamberger, Joseph Gould, Ed Schreiber, Paul Lazarus, Ed Silverman and Martin Starr. Lifton leaves Monday for the Coast.

Nearli! Whole Town

"Boom Town," playing at advanced prices at the Rafael, Lewiston, Pa., was seen by two members of the expedition of the city, Paul 0. Klinger, manager of the theatre, and George C. Marlo of the M-G-M home office yesterday. Population there is about 14,000.

Bright Phila. Stage Season Anticipated

PHILADELPHIA, Sept. 5.—Early legitimate stage openings in Philadelphia presage a bright season ahead for theatregoers, who are promised a choice of portions of stage, including a number of New York hits with most of the attractions promised carrying season attractions. For the first of many years, the season got under way before Labor Day. The Forrest Theatre, which plays an experimental season, opens Sept. 17 for "Hold on to Your Hats" and with Al Jolson, Marya Raye and Jack Whiting. Ed Wynn, as star and producer, plays 21 days at the Shubert, and together" revive on Sept. 16, Katharine Hepburn in "The Philadelphia Story" coming Sept. 30.

The Locust St. Theatre, also operated by the Shuberts, lifts up Sept. 7 with "New Pins and Needles." About dozen other attractions, including those sponsored by the American Theatre Theatre, society theatre group, are definitely assured to brighten up the season although the only definite date is "Thee Shall Be No Night" with the Lunts, opening for the Forrest for two weeks on April 1, 1941.

The booked attractions include Shakespeare's "Twelfth Night" with Helen Hayes; "The Time of Your Life" with Eddie Dowling and Julie Hayden; "DaGBury Was a Lady" starring Bert Lahr; "My Dear Children" with John Barrymore; "Hollazapoppin;" "The Man Who Came to Dinner" with Donald Ogden-Stewart with Flora Robson; "Seated Rooms" with Glenda Farrell, Allen Dinehart and Lyle Talbot; George Arliss, Glenda Farrell and "Skylark" with Gertrude Lawrence.

The Erlanger Theatre, independent home, also expects to be active during the season with a number of plays to be announced later.

Newsreel Parade

T HE transaction by which the U. S. leased eight British bases in exchange for American World War destroyers is the highlight of the President Roosevelt's weekly press conference, which was given prominence as he is seen speaking at the dedication of the Children's War Memorial at the Great Smoky National Park. The results and their contents follow:

MOVIETONE NEWS, No. 194—Roosevelt at the Ceremony. Destroyers exchanged for England; transaction discussed by Lord Lothian, who received German fighter raiders. Beatty, in speech at Atlantic City, reported that "the British Real Estate is getting a lot of money.


RKO PATHE NEWS, No. 3—Roosevelt at the Ceremony. Destroyers bartered for American ship-buried in England. Political Style; "The British Real Estate is getting a lot of money.


Frankel Quits Phila. Lab Sales Position

Daniel Frankel has resigned as sales manager of Philadelphia Laboratories after 10 years association with the company. He was in charge of foreign operations for Pathe Exchange from 1930 until the producing and distributing assets were sold to RKO. He will also be in charge of foreign liquidation for two years thereafter. He assumed the post of sales manager when he joined the commercial laboratory market in 1933.

Gilbert Davidson Dies

ST. JOHN, N. B., Sept. 5.—After an illness of eight months, Gilbert Davidson, one of the first commercial motion picture cameramen in the maritime provinces, died at Campbellton, N. B.

Eating Out Today

LINDY’S

For over 20 years the luncheon and dinner place for Molon Lave People

Sole agents in New York for FAMOUS

BLUM’S ALMONDETTES

from San Francisco, California

MOTION PICTURE DAILY

Friday, September 6, 1940
There's nothing unusual about this ad

ERROL FLYNN
'THE SEA HAWK'
BRENDA MARSHALL
CLAUDE RAINS
Donald Crisp • Flora Robson • Alan Hale
Directed by MICHAEL CURTIZ
Screen Play by Howard Koch and Seton I. Miller
Music by Erich Wolfgang Korngold
A Warner Bros. • First National Picture

IT'S JUST THE REPORT OF ANOTHER AMAZING RECORD
IN ANOTHER INCREASED-SCALE ENGAGEMENT OF THE
STRONGEST ATTRACTION SINCE 'ANTHONY ADVERSE'
FROM WARNER BROS.
Sher, Hayes Meeting With Big 5 Today

( Continued from page 1 )

the presidents and distribution heads of the five Washington Tuesday, begin-
ning forth the views of the majority of exhibitors at the hearing in Wash-
ington. The meeting was specifically asking the company executives wheth-
er or not they will agree to the sub-
stitution with the creation of the board of five-propel-fusion.

No Replies Received

Up to late yesterday Cohen had received no replies from any of the execu-
tives addressed. They were: Nicholas M. Schenck and William F. Roark of New 
York, who were out of the city yesterday; Bar-
ney Balaban and Neil F. Agnew of Paramount; Sidney B. Kent and Herman 
Wobber of 20th Century-Fox; George J. Schaefer of RKO, who was 
away on business; and Jack E. Depeint of the same 
company, and Albert W. Warner and Gra- 
swell L. Sears of Warners.

Cohen was informed that the exhibitors had been informed by Assist-
ant U. S. Attorney General Thurman Arnold of the meeting yesterday, that the 
government had been unable to obtain a cancellation right in the comme-
tum under the antitrust act, and that it believed fur-
ter negotiations to be useless. 

Cohen's wire, however, stated that the exhibitors at the Washington 
meeting "understood" that Arnold would accept cancellation on block 
buying in the Antitrust Act. He begged for an 
approval if the exhibitors could obtain the approval of the consenting compa-

ingies to the substitution.

Cohen Urges Caution

Cohen's wire cautions the consenting companies that the decrees are deter-

m-ined to fight the adoption of the 
decree in its present form and urges them to make that change in the 
selling proposal in order to avoid "useless and expensive litigation which 
will continue for a period of years.

Cohen pledges New York Allied to 

present the substitute sales proposal to the 

Department of Justice if all five 

consenting companies agree to grant 

a cancellation on block buys and to 

eliminate the block of five-prope-

sal from the decree.

Meanwhile, Cohen revealed that New York Allied is already preparing to 

intervene in the government's antitrust 

suit in order to oppose the decree 

if it goes to Federal Judge Henry 

Kroeger for confirmation on Oct. 

7 with the block of five-proposal 

included. Jacob Schechter of the 

law firm of Schechter & Subberger 

was instructed by Cohen yesterday 

to begin intervention preparations.

Cohen also revealed that a national 

poll of individual exhibitors is to 

under taken by mail to determine the 

stand of every active exhibitor in 

the country on the block of five-proposal.

The results will be used in the event the exhibitors are compelled to go 

into court to ask the creation of the board of the pending decree, it was 

said.

The New York I.T.O.A., next 

Wednesday at 1 P.M. will hold a

Film ‘Cartel’ Cited

In Arnold’s Book

(Continued from page 1)

obtained by continuing the criminal 
prosecution.

"This process puts it up to business-

men to correct the evils in their own 
industries," he insisted. "The depart-

ment under the new law gives them 
what to do. It simply puts a 

liability upon the violations of law 
and gives them an opportunity to 

work out a different method of accomplish-

ing their lawful objectives if they 

choose.

The motion picture "cartel," he said, 

"grew up under Government neglect," 

and, he added, "it is going to take 

years of expensive litigation to 

stockholders to straighten it out."

Timing Bad, Flynn

Action Is No Stunt

The suit filed by Errol Flynn on the 

Coast against Constance de la 

Harcourt, Price & Co., and 

others, charging her book, "In Place 
of Splendor," presented him in an 

unfavorable light, could not have been 

a publicity stunt for "The Sea 

Hawk" or any other Flynn film be-

cause it was too badly timed, one 

Warner official said yesterday.

He pointed out that "The Sea 

Hawk" opened here four weeks ago.

Paramount Sets Its

Bookings to Jan. 1

The Broadway Paramount has com-

pleted its booking schedule for the 

rest of 1940, according to Robert M. 

Warner, manager representing the 

company in the taking of action 

regarding "Rhythm on the River," which 

plays a third week starting next 

Wednesday, the following films have 

been booked, in the order named:

"Rangement of Fortune," "I Want a 

Divorce," "Victory," "Ariana," "I Love, 

"Northwest Mounted Police," and 

"Love Thy Neighbor," the Jack 

Benny-Fred Allen film, which will 

conclude the year.

Various "name 

bands" will appear in conjunction with 

the films.

British Weigh Early

Curfew Due to Raids

(Continued from page 1)

as yet been officially consulted on the 

matter of earlier closing, are known to 

favor a shorter opening day, with 

a 10 P.M. curfew.

It is believed in informal quarters that an earlier closing hour is inev-

itable, in view especially of the long 

night periods during which bom-

ing raids may be expected as Win-

ter approaches.

Assessment Hearing Set

N. Y. Supreme Court Justice Fer-

nald Peck has ordered the New 
York Tax Commission to appear 

Sept. 23 to defend the assessed 

valuation of $165,000 on a laboratory 

at 11 W. 43rd St., which Paramount 

claims was overassessed 1940.

Assessment Hearing Set

Gross Is $400,000

(Continued from page 1)

weeks—"Snow White and the Seven 

Dwarfs," "Rebecca" and "All This, 

and Heaven Too."

Two new films had big openings yesterday with capacity houses and 

willingness to spend. They were the 

"Boom Town" at the Capitol and the 

"Lucky Partners" at the Music Hall.

"Time for Comedy" with a stage 

show in the cast and was presented 

on the Strand this morning.

Rolling up a strong take, "He 

Stayed for Breakfast" with a stage 

show drew an estimated $61,000 for 

its first week at the Roxy and will 

be held over for at least the Labor Day 

weekend, "Gone With the Wind" con-

tinued its upward climb of the past 

weeks and reported an estimated 

$14,500 for its 7th week at the 

Capitol. "I Love You Again" was 

good for $9,500, while "50,000 

for Its Last Week at the Capitol, 

"The Sea Hawk," with Phillip Spitali-

ny’s hand on the stage, drew an 

estimated $38,000 in its fourth week at 

the Strand.
"BOOM TOWN's ON BROADWAY! HOORAY!"

"GABLE! TRACY! COLBERT! LAMARR! OH BOY!"

"ADVANCED PRICES? WHO CARES!"

(As we boom to press, the perspiring Capitol management reports "Boom Town" opening is the biggest in two years! And from other cities comes news of holdovers in the 3rd, 4th and 5th weeks. Your town will soon be a Boom Town!)
Off the Antenna

ELECTION NOTES: Looking forward to the evening of Nov. 5, WNEW has made arrangements for special wires and four teletype machines with Associated Press. New Jersey and New York election results will be covering addition to the group. The "wire page" used by newspapers, WNEW will star a new show, "On With the Argument," Monday. It will be heard weekly at 9 F. M. with Maurice C. C. from the president's group. In addition, the Bronx-Willkie for President Club has purchased spot announcements over WMA to promote Willkie's candidacy.

Program News: WABC has full sponsorship of its 6 P.M. news period with the sales of the Tuesday and Thursday spots to Van's Pa-Fi-A. "Miles Laboratories has renewed 'National Barn Dance' over $1 NBC-Red network. "Presto" series over NBC beginning Sept. 30, Mondays through Fridays at 10 A.M. P. & G. will drop "Midstream" from the network on Sept. 27. "Ted Hasting will start the CBS Saturday football series on Sept. 28 with the Minnesota game. The 11th consecutive series of Sunday afternoon concerts by the Philadelphia Philharmonic over CBS will start Oct. 13. "Alfred W. McCann, Jr., will start the 15th year of the "Pure Food Hour" over WOR this Monday.

Julius J. Colby, formerly dramatic and film critic for the Ridder papers, has been named dramatic editor of WMC, effective Sept. 16. Colby will follow radio films and plans immediately after an opening and will coordinate all film and dramatic material used on the station. His reviews will be confined to audience reactions—Colby will not attempt criticism.

Robert W. Seally, new publicity chief of the Seister-Marshall organization, was associated with "The Secret Seven" for $14,500 at the Orpheum.

Estimates takings for the week ending Aug. 27-30:

- "Bill of Divorcement" (RKO) GOLDEN GATE—($500) (9c-30c-55c) 7 days, Gross: $1,450. (Average, $210.00)
- "He Stayed for Breakfast" (Col) THE SECRET SEVEN—(540) (13c-15c-30c) 7 days, Gross: $1,440. (Average, $206.00)
- "Girl from Avenue A" (20th-Fox) WEST END—($300) (25c-30c-35c) 7 days, Gross: $1,300. (Average, $185.70)
- "Pietro Injunction Plea Off to Sept. 17 N. Y. Supreme Court Justice Carroll G. Walter yesterday adjourned Bedford-Stuyvesant case until Sept. 17. Suit brought by American Guild of Musicians for a temporary injunction against James C. Petrillo, president of the American Federation of Musicians, to prevent the latter from banning prominent instrumentalists as members of the American Federation of Musicians. The suit was heard before Justice Aaron Steuer will hear the application for an injunction on the adjourned date.

SAG Moves to Get 4-A's Out of AFL

Hollywood, Sept. 5—Undercover moves are being made by certain Screen Actors Guild leaders to withdraw the various Actors and Artists of America, parent body of all actor unions, from the American Federation of Labor, it was learned today. For the second time within a year, the SAG leaders sought lastnight from the Central Labor Council, and this is regarded here as the first step. The withdrawal move is understood to be the current jurisdictional dispute between the American Guild of Musical Artists, a 4-A affiliate, and the American Federation of Musicians. The dispute is almost certain to be arbitrated at the forthcoming A.F.L. convention, and it is believed that the A.F.M. can muster sufficient support to win on the convention floor. Withdrawals within the 4-A to a withdrawal move is expected to come from Actors Equity and American Guild of Variety Artists, as those organizations operate closely with other A.F.L. unions.

No reason was given last night for the withdrawal from the Council. The first withdrawal was based on the support of Senate resolutions by William B. Bland, I.A.T.S.E. representation, when the last time testify extradition to Chicago.

Asks Creditor Plan

Petition for a creditor arrangement has been filed in the Federal Bankruptcy Court for the Eastern District of New York, and the company claims it sold 20,000 records in the past year.

Blumenstock on Opening


'Bureaucracy' Gets $23,000

San Francisco, Sept. 5—"Bill of Divorcement," zoomed to $14,500 with the personal appearance of Dorothy Lamour at the Golden Gate, for one of the best grosses of the Summer. "He Stayed for Breakfast," associated with "The Secret Seven" for $14,500 at the Orpheum.

Estimates takings for the week ending Aug. 27-30:

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- "Girl from Avenue A" (20th-Fox) WEST END—($300) (25c-30c-35c) 7 days, Gross: $1,300. (Average, $185.70)
- "I Love You Again" (M-G-M)

Philadelphia Best

Philadelphia, Sept. 5—Cool evenings and rainy days helped the box-office sales of "The Sea Hawk." In the Aldine, "The Sea Hawk" took $17,000 at the box office. In the Aldine, "I Love You Again" was also well received, with $12,000. "The Dark Tower" and "Pastor Hall" were also good, with $12,000.

Estimates takings for the week ending Aug. 29:

- "Drum Beat" (U.A.) ALDINE—(1,400) (3c-5c-8c) 7 days, Gross: $12,000. (Average, $1,714.29)
- "Pride and Prejudice" (M-G-M)

W. B. Managers Hold Zone Meet in Albany

Albany, Sept. 5—Eastern New York theatre managers and Warner Circuit zone officials held an all-day meeting here yesterday at the call of M. A. Silver, zone manager for W. B. Warner and the Associated Circuit managers. tickets will be available for W. B. hatchet manager. money was heard on the "Helen Hayes Theatre" over CBS which starts Sunday, Sept. 29 at 8 P. M.

Syracuse Draws $5,700, Pittsburgh

Pittsburgh, Sept. 5—"The Boys From Syracuse" drew $5,700 and a second week at the Fulton, while "I Love You Again," in its second week, $1,900 at the Stanley.

Estimates takings for the week ending Aug. 29:

- "Young People" (20th-Fox) FULTON—(2,900) (3c-4c-5c) 7 days, Gross: $4,500. (Average, $642.86)
- "Ladies Meet Live" (W. B.) WARNER—(2,000) (3c-4c-5c) 7 days, Gross: $3,300. (Average, $550.00)
- "Lucky Partners" (RKO)

Petrolio Injunction

Pittsburgh, Sept. 5—Theatre operators have been given $5,700,000 in a temporary injunction against James C. Petrillo, president of the American Federation of Musicians, to prevent the latter from banning prominent instrumentalists as members of the A.F.M. from the screen, stage and air.

The adjournment was ordered on the adjournment of the American Guild of Musicians for a temporary injunction against James C. Petrillo, president of the American Federation of Musicians, to prevent the latter from banning prominent instrumentalists as members of the A.F.M. from the screen, stage and air.

The adjournment was ordered on the adjournment date.
WHAT WAS YOUR BIGGEST GROSS THIS YEAR?

"FOREIGN CORRESPONDENT" will top it at your theatre, just as it has topped the 1940 U. A. record-holder in all these situations!

NEW YORK CITY, RIVOLI...
Nothing even closely approaches its sensational performance! This 1,900 seat house plays to 90,000 admissions for first week. Held over for indefinite long run.

CLEVELAND, LOEW'S STATE...
Opening tops U. A’s. biggest grosser by $400. Moves over to Stillman for continuous first run.

ROCHESTER, LOEW'S...
Standing-room crowds cheer it at every performance! In four days it beat the average full week's gross by more than 50%. Held over second hit week.

TOLEDO, LOEW'S VALENTINE...
Holds over second week after topping the season's best.

ASBURY PARK, PARAMOUNT...
New season’s record falls to “Foreign Correspondent” as picture holds over at the Paramount for a second week.

MONTREAL, LOEW'S...
First four days beat any picture house has played for past year by $3,800. Held over!

OTTAWA, ELGIN...
Hits highest gross of any picture in two and a half years. Sunday all time record for money and attendance. Held over indefinitely.
And...the BIG 3 in Theatre Advertising is GOOD advertising. It doesn't oversell...it doesn't undersell...it gives them just enough to make them want to see more. It excites their curiosity and makes them feel that what you have to sell is worth more to them than the price of admission! That's why they are the Best Seat-Sellers in the Business.
Independent Exhibitors

Intensify Decree Fight

Walker's Nomination
Confirmed by Senate

Washington, Sept. 8.—The Senate on Friday confirmed the nomination of Frank C. Walker, circuit court and M.P.T.O.A. general counsel, as Postmaster General. In assuming his Cabinet post, Walker is expected to disassociate himself from his business activities.

Study Screen Part
In Defense Effort

WASHINGTON, Sept. 8.—The National Defense Commission and War and Navy Department officials are holding numerous conferences with motion picture executives regarding the part to be played by the film industry in the national defense program.

Officials of the three organizations explained that the film companies are exploring ways in which they can be of assistance in furthering all phases of the defense effort. The army group is particularly enthusiastic over the support the film industry has given the recruiting drive.

Administration officials have been assured that the producers will cooperate in every way possible by making new, short and feature pictures.

Beal Sees Television in
Theatre Within a Year

Television will be installed in theaters some time within the next year, in the opinion of Ralph Beal, head of RCA's research department. Beal does not expect any widespread use of television within that time but he feels that the first steps will be taken in 1941.

Discussing the new art from an engineer's viewpoint, Beal does not see television established over the country in the immediate future. It will be a matter of years, "according to him.

Although television will be able to take advantage of many of motion picture's technical advantages, the screen will stay ahead of television for many years to come, he says. He foresees two classes of services, one for the home and the other for the theatre. In a television service for theatres, costly dramatic productions will be possible, while the free or sponsored service to homes. In addition, on-the-spot sporting events might make valuable additions to a theatre program, he points out, and sport producers could collect an additional "gate" which would not be possible if events were telecast generally.

The theatre service could be dis-

20th-Fox British to
Produce 7 in Year

LONDON, Sept. 8.—Ignoring the daily bombing raids of Nazi planes, the British organization of 20th Century-Fox held a convention this weekend, presided over by Francis L. Harman, managing director. When counsel for the Big 5 arrived at the Bar Association Friday morning, they learned that Sher and James Hayes of Thurman Arnold's staff on Friday, the meeting had to be postponed for two weeks because of war conditions. Although all were anxious to have peace restored between the Government and the independent exhibitors.

The head of another leading company expressed the view that his firm's stand on cancellation can best be answered by the fact that his company accepted such a provision, after consultation with exhibitors, in the old trade practice code.

Others of the Big 5 feel that they are not free to discuss the matter with exhibitors. They indicate officially, however, that they should the Depart-

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Rockne Week to Be Observed Nationally

SOUTH BEND, Sept. 8.—Plans for nationwide celebration of Knute Rockne Week, beginning Sept. 29, were set over the weekend by Mort Blumenfeld, president of public- ity and advertising in the East, Father Cavanaugh, vice-president of Notre Dame, and Jack L. Warner, Warner Bros. Picture, of this city. The festivities will conclude with the premiere of "The Life of Knute Rockne -- The Irish Legend." Plans include a national cablecast and one other theatre on Oct. 4.

On the eve of the premiere a party of Hollywood personalities headed by Jack L. Warner, vice-president in charge of production; Hal Wallis, studio executive; Pat O'Brien, Donald Crisp, Ronald Reagan and other members of the cast will arrive here. They will be greeted by Mayor Pavey at a luncheon at the New Indian Hotel and civic officials at a private party at the Olive Hotel later. Mrs. Knute Rockne will be presented a print of the film by Warner at a dinner in the evening. Knute Rockne Clubs all over the country will hold dimmer than his name in every one.

On Oct. 4, the party will visit Rockne's grave and there will be a luncheon at the new Rockne Club, Notre Dame Glea Club and Choir will accompany the party for personal appearances of their three macerates in the evening. Kate Smith will review the personal appearances on her CBS program that evening and will make the film on her daily newscasts at 12:30 P.M. On Oct. 5, the party will attend a Notre Dame Blood Game and stars of the film will be heard during the broadcast over Mutual.

Dunlap to Remain At Talisman Plant

Hollywood, Sept. 8.—Scott R. Dunlap, who will produce Monogram's special releases, will continue at the Talisman Plant under Paul Revere, Lindley Parsons, Sam Katzman, Edward Finney, George Weeks and Charles Goetz units are moving to the Talisman Plant under Revere's executive offices to the international studios. The major portion of the international studios has been rented to Monogram with an option to purchase.

Louis Lifton, who is expected from New York next week, will direct the advertising department with William Peirce continuing as publicity head, according to W. Ray Johnstom, president.

Music Award to Berlin

For his composition, "God Bless America," Irving Berlin will receive an award of the National Committee for Music Creation, established by the organization's annual dinner tonight at the Waldorf-Astoria. George A. Sloan, executive secretary of the Committee, will speak.

Democrats Name O'Reilly

Charles L. O'Reilly has been ap- pointed chairman of the Motion Pic- ture Division of the Democratic Na- tional Committee. He left for the Coast yesterday to organize a studio unit for the campaign.

Personal Mention

NATIE J. BLUMBURG, Universal vice-president, will arrive from the coast today. Matthew J. Fox, vice-president, will remain at the home office another week before leaving for the studio.

CRESSON E. SMITH, Western division sales manager for Pathe, and Richard Condors, publicity representative, will leave for the coast in about two weeks to make final arrangements for "Fantasia" showings.

MRS. RICHARD DAILY, New York secretary to Ed Kuykenball, left Saturday on a vacation cruise to the West Indies.

HAL HORNIE, Eastern representative of the Zanuck Organization, will leave for the coast in about three weeks to make final arrangements about the "Wizard of Oz".

E. C. CALHAN, manager of RCA Photophone, is back from the coast and spent a few days here before returning to Camden, N. J.

C. L. STONG of Western Electric's public relations department, returns from his vacation today.

JOHN E. DEVINE, advertising man- ager of Alexander Smith & Sons Carpet Co., is back from his vacation.

Opening in U. S. of "Northwest" Oct. 25

The U. S. premiere of Paramount's "Northwest Mounted Police" will be held at the Chicago Theatre, Chicago, Oct. 25, four days after the picture's world premiere at Regina, Canada.

In the picture, a camera team, the picture, and members of the cast, which is headed by Gary Cooper, Madeleine Carroll and Paulette God- dard, will be on hand at the Chicago opening which will be broadcast on Station WGN.

National exhibition policy for the picture, including the possibility of several roadshow engagements, will be decided at a meeting of Paramount district and division managers to be held in Kansas City on Wednesday and Thursday of this week. Neil F. Agnew, vice-president and distribution head; Adolph Zabor, chairman of the board, and Robert M. Gillham, advertising and publicity director, will leave here today to attend the meeting.

Win Softball Pennant

SCRANTON, Pa., Sept. 8.—By win- ning the second-half flag in the Capital Theatre team captured the all-season pennant in the Scranton District Com- mercial Theatres Softball League. As a result of the victory the Capit will meet the Penn-Orefol, Williams- Barre district champions, for the inter-city title.

Gerts Rights on 'M'

Leo Malchin has acquired the dis- tribution rights for Latin America on "M," Peter Lorre foreign film.

AUSTIN C. KEOUGH, Paramount vice-president and general counsel, is vacationing at Williamstown, Mass., where he is prepared to be called back to town on short notice.

BETTY GODSMITH, secretary to JAMES A. MULVEY, was guest of the producer at a cocktail party yesterday given by BEN WASHER of Donahue & Co.

STANLEY GOODMAN and CARL WERK of Weber Machine Corp., have concluded an inspection tour of the supply dealer's throughout the country.

LARRY DAVEY, formerly of Erpi and recently of Mottograph, is now field representative for Century Projector Corp.

LEW SCHREIBER, casting director for 20th Century-Fox, will arrive here in about two weeks to see shows and book over talent.

JOSEPH FEENEY, manager of the Orpheum, Charleston, W. Va., is visiting here.

RUBE JACKER, Columbia assistant sales manager, left for Oklahoma City last night on a week-end trip.

MRS. LES SPITZ has returned here from the coast.

WILLIAM WYLER is in town.

Mack Millar has arrived here.

Tronolone Is Pathe Lab Sales Manager

Nick Tronolone, who has been with Pathe Laboratories for the past four years, has been named general sales manager to succeed Dan Frankel, resigned. Tronolone started in the in- dustry and then left over his own laboratory. He was in the Consolidated Film Industries sales department for four years prior to join- ing Pathe. For the past few months he has been in charge of Pathe's New York laboratory.

William Baer, formerly Tronolone's assistant, will assume charge of the New York laboratory. Baer has been with Pathe Laboratories for the past three years, prior to which he was with Pathe News for 17 years.

Ohio TTO Attacks Unlicensed 16mm.

COLUMBUS, Sept. 8.—The board of directors of the I.T.O. of Ohio has passed a resolution asking the state censor board to appoint two qualified inspectors to check conditions in the 16mm. field and to halt the exhibition of uncensored films.

The board pointed out that Ohio theatres are suffering seriously from the competition of 16mm. films carrying no censorship stamp, which are shown in open air or in restaurants, night clubs and similar places.

A statement from P. J. Wood, secret- ary of the I.T.O., said: "We have threatened to sue and have a record of all locations of bootleg films. The total is surprisingly high. We have appealed to the Ohio censor without success. We will now resort to every possible expedient to end this baseless competition which is working havoc among theatres. The Ohio law provides for the censorship of all films. We propose to enforce strict investigation at all costs."

The directors set the annual convention for Oct. 30-31 at the Desh- ler Wallick Hotel here.

Donat Best Actor

In Film Daily Poll

Robert Donat was voted the outstanding actor for 1939-'40 for "Goodbye, Mr. Chips," in the first joint ex- hibitor-newspaper critic poll conducted by Motion Picture Daily and Film Daily. Davis won the vote in the starred and unstarred categories, as actress honors, while Mickey Rooney and Virginia Weilger took the awards for juvenile actor and actress. Supporting players named were Thomas Mitchell and Hattie McDaniel. Frank Capra was voted the outstanding di- rector.

MOTION PICTURE DAILY

Monday, September 9, 1940

Nickel Night

SAC CITY, Ia., Sept. 8.—Nickel night, inaugurated at Pathe, Warner (Aug. 29-30), will be continued every Thurs- day and Friday. On these nights the patrons may buy one ticket and get the second for a nickel. The theatre is owned by George Norman of Storm Lake and is called the Kuech of Charles City, who own a number of theatres in north- ern Iowa.

Ohio TTO Attacks Unlicensed 16mm.
Hollywood Reviews

“The Range Busters” (Monogram-Weber)

Hollywood, Sept. 8.—George W. Weeks’ first production for Monogram, offered as first of a series, strikes a high level of Western entertainment. It is full of action, forthright in its dishing out of conflict and mystery, and the identity of the killer, who achieves plenty of excitement, is adroitly concealed until the last moment.

Featured in this and the films to follow are Roy “Crash” Corrigan, John “Dusty” King and Max “Alibi” Terhune, cowhands who roam the West looking for wrongdoings and putting them to rights. In this number they solve the mystery surrounding the supposedly ghostly shooting of the Fed. In a drawing-like, writing-like sense, for this subject, the romantic interest, inconclusively disposed of. It’s a quite complicated chain of events they find themselves involved in, but they untangle them successfully.

Anna Bell Ward is down as associate producer to Weeckes, Melville Sherrill, director, Roy Lake directed and John Ruthnell supplied the screenplay. Supporting players are Lumen Walters, Leroy Mason, Earl Hodgets, Frank LaRue, Kermit Maynard, Bruce King and Duke Matthews. There’s some singing and guitar-playing in it but not too much.

Running time, 56 minutes. "G."

Roscoe Williams

wG denotes general classification.

Independents’ Decree Fight Is Intensified

(Continued from page 1)

plaining independent exhibitors as specific program of change, the companies would not be unwilling to consider them. However, the Big 5 spokesmen said that any changes might be sought must be of a specific nature and not general.

As regards the exhibitors’ demands for a high cancellation privilege, the situation for the Big 5 was thus summed up by the companies placed in direct conflict with their customers.

"No company can make 20 per cent of its features under present world economic conditions to be cancelled or to do so would be economic suicide."

Heads of all the principal companies, however, are the present fight between the exhibitors and the Government. By the objections of the exhibitors to the decree, the companies are placed in direct conflict with their customers.

On Saturday, Ed Kuykendall, president of the P.I.O.A., met with Frank C. Walker, counsel for that organization, regarding the changes sought.

Justice Department Stunned

Those who attended the Washington hearing of the opposition expressed by exhibitors to the decree has stunned the Department of Justice. Exhibitors are described as "being amazed" at the "ingratitude" of the exhibitors and to go so far as to say that the exhibitors are "mistakenly" assuming that the Department of Justice is trying to set up trade practices.

"It is a settlement of a lawsuit and not a matter pertaining to the setting up of trade practices," Thurmond Arnold is reported to have declared.

Says Block Booking Illegal

Arnold told the exhibitors that block booking is illegal, and that this was a vital part of the Government’s prosecution of the case, but that a small block, such as five films a week as proposed under the decree might not be considered in the same light.

At the hearing, Arnold is described as having flately rejected the exhibitors’ proposals for cancellation. That many of the exhibitors’ fears regarding the proposed decree are largely "imaginary," was also expressed by Arnold, spokesmen state, and that he viewed the situation mostly as psychological and, that because of the tendency of the suit the companies already have granted many concessions to exhibitors.

It is stated also that Arnold feels that the exhibitors do not understand what the Department of Justice can do under the anti-trust laws, and that it was limited in how far it could go. Block booking was "illegal," and that was that.

Raise ‘Kildare’ Budget

Hollywood, Sept. 8.—M-G-M will increase budgets on the “Dr. Kildare” series, and has set Robert Young to support Lionel Barrymore and Lew Ayres in the next.

Helpin Gets Leave

As Korda Assistant

(Continued from page 1)

Gold and Steven Pallo from the Century early this week, it has already returned. They conferred with Korda on the policy for “The Thief of Bagdad” while on the Coast to determine policy for Charles Chaplin’s “The Great Dictator.”

Abundance of Releases

United Artists has a greater number of completed pictures on hand now than at any time during the past year. In addition to the ten new pictures that are showing, there are Samuel Goldwyn’s “The Westerner,” Edward Small’s “Red Carson,” Warner’s “Captain of Her Own Fate” and Grace’s “The Cat Returns” and James Roosevelt’s “Pastor Hall,” with others slated for completion soon. In addition, the current abundance of releases induced the distributor to resume selling to Famous Players in competitive localities in which it has sold only to independents for the past several years. This is being done to avoid overlong delays of releases. For some time past United Artists has been selling to Famous Players Canadian only in closed situations.

Income Tax Refund
To Cinematographer

Washington, Sept. 6.—The Board of Tax Appeals held that the publication of The American Cinematographer, from which it secures a small income, and the creation of a benefit fund for totally disabled members do not deprive the American Society of Cinematographers of the income tax exemption granted non-profit, scientific organizations.

The board disapproved deficiencies of $418 assessed against the organization’s 1936 income by the Commissioner of Internal Revenue and ordered a refund of $71.3 which it had paid in taxes.

Michalov Sails Soon
For Australian Deal

Formal closing of the deal for consolidation of Greater Union Theatres with Hoyts’ Australian circuits, is expected now to take place late next month. Michael Michalov, assistant to Sidney R. Kent, 20th Century-Fox president, plans to leave for Australia later this month to be on hand for the closing. Final arrangements for his departure will be made following conferences with Kent, who is scheduled to return from Maine next week.

Rodgers, Exhibitors
Hold Chicago Parley

Chicago, Sept. 8.—William F. Rodgers, general sales manager of M-G-M; H. M. Richey, Rodgers’ assistant; J. E. Flynn, division manager, and W. H. Workman, Minneapolis branch manager, here on Friday discussed with E. L. Peasley, new president of Northwest Allied, and Sol Lebedor, director, problems confronting the organization’s members. Rodgers said that the group proceeding from here to Cleveland and Cincinnati.

Sea Hawk” $10,000
High in Milwaukee

Kuykendall Urges
Fight be Continued

(Continued from page 1)

per cent of the theatre owners are opposed to the decree’s provision for block booking, and M.P.T.O.A. president declares that he believes the five consenting distributors are themselves would agree to a reasonable cancellation privilege,” thus answering the objection of the primary objection to the decree as it now stands.

Intimating that he also believes such a change would be a change that would be acceptable to the Department of Justice, Kuykendall points out that the block-offive sales proposal without any cancellation right prevents the exhibitors a freedom of choice in film buys which could be used to serve community taste in pictures. For this reason, he asserts, the decree will not serve the public welfare, “which is one of the objectives of the Department of Justice, as I understand it, and I am further convinced that the Department realizes this,” Kuykendall said.

"It is my sincere belief," he concluded, "that the decree can be worked out in a much more satisfactory form, and that M.O.A., which continue to work with the Department of Justice and all concerned so long as they will permit us to do so."

W. B. Coast Circuit
Sets Republic Deal

Los Angeles, Sept. 8.—Republic closed a deal with the Warner Pacific Coast Theatres for the entire 1940-1941 product lineup. The deal was negotiated by James R. Grainger, president, and Frank Bateman for the Republic and Port Major for the circuit.

Schlaifer Arrives
From Coast Parley

L. J. Schlaifer, vice-president and Western general sales manager of United Artists, arrived from the Coast yesterday after conferences with Charles Chaplin and company executives on sales policies and distribution of Chaplin’s “The Great Dictator.”

Howards’ Showing
Held in Philadelphia

Philadelphia, Sept. 8.—Approximately 1,500 persons, including Frank R. Drake, exhibitor, circuit officials from this territory, attended the trade showing of Columbia’s “The Howards of Virginia” at the Carmen here last night.

A cocktail party and dinner preceded the showing with Harry Wein er, Columbia branch manager here, and his sales force as hosts. Floyd Hopkins of Wilmer & Vincent circuit, and Jay Emanuel and Moe Wax assisted. Press representatives from Philadelphia, Wilmington, Reading and Harrisburg attended.
Film Daily Says —
"Strong human interest musical drama . . . A feature attraction with power and ability to score in all situations . . . Packed with entertainment . . . A load of class and mass appeal."
Two kinds of glamour girls in a fight for a man—and fame!... Music, laughs, heart-thrills and sparkling allure in this sensational story of a man-minded girl-show teaser and a starlet battling for success!... A picture as amazing and revealing as it is entertaining—and BOX OFFICE ALL THE WAY!
Hollywood Review

"No Time for Comedy"

(Warner)

HOLLYWOOD, Sept. 8.—James Stewart and Rosalind Russell have the principal roles in this hitization of the S. N. Behrman play which served as a stage vehicle for Katharine Cornell. It emerges as a sophisticated comedy which pokes fun at small towns, playwrights "with a message," wealthy patrons of the arts and, at times, the institution of marriage.

The story concerns the success as a playwright of a young man from a small Minnesota town who then becomes involved in writing "a drama with a message." The play fails, his wealthy "inspiration" drops him and he is reconciled with his actress-wife.

Supporting Miss Russell and Stewart, who execute highly commendable performances, are Genevieve Tobin, Charles Ruggles, Allyson Jolly, Clarence Kolb and Louise Beavers. Julius and Philip Epstein, whose credits include some of Warners' top pictures, adapted the play.

William Keighley directed with a taut hand the comedy dialogue, some of which reaches new highs. Robert Lord was associate producer under Hall B. Wallis.

It is adult entertainment.

Running time, 99 minutes. "A."* VANCE KING

*"A" denotes adult classification.

Theatre Changes

Joins Madison Theatre

MADISON, Wis., Sept. 8.—Burdette Schwenn has been named assistant manager of Warner-Sax's Capitol here, succeeding Thomas Maci who has been named manager of the circuit's National in Milwaukee.

Takes Over House in Kansas City, Sept. 8.—Paul Goresett, who used to operate the theatre at Coldwater, Kan., has assumed operation of the Rialto, Lyndon, Kan., from J. Ward Spielman, Spielman has the Gem at Baldwin, Kan.

Reopening Kansas House

KANSAS CITY, Sept. 8.—R. J. Langhofer is reequipping and reopening the Plains theatre at Plains, Kan., which has been dark for a year. It formerly was operated by A. N. Giliart.

Reopen Connecticut Theatre

TORRINGTON, Conn., Sept. 8.—Warner's have reopened the 1,500-seat Palace here after a week's dark period for remodeling.

To Rebuild Burned House

GREENWOOD, Ga., Sept. 8.—Contract for construction of a new theatre here has been signed by W. R. Boswell and J. M. Reynolds, Jr., operators of the Greenland. The house will seat 660.

Open Pennsylvania House

LARKSVILLE, Pa., Sept. 8.—The new Larksville theatre here has been opened by Joseph Emashowski. He formerly operated a Larksville theatre here, but closed it recently.

Adding New Marquee

WILKES BARRE, Pa., Sept. 8.—Mrs. Fay West, owner of the Lyric Theatre, has built a new modern marquee over the theatre front.

Take Over Wisconsin House

NEENAH, Wis., Sept. 8.—The Embassy Theatre here, formerly operated by Fox, has been taken over by Greater Chicago Theatres, which contemplates improvements to the house.

Managers Transferred

MARINETTE, Wis., Sept. 8.—Clarence Wall, manager of Fox's Lloyd in Menomonie, Mich., has been named manager of the circuit's Fox here. He is succeeded at the Lloyd by Russell McVay, former manager of the Colonial at Iron Mountain, Mich.

Opens Connecticut House

NEW BRITAIN, Conn., Sept. 8.—Nick Marlemes, new operator of the Rialto, has opened the house after complete renovations.

Reopen Baltimore Little

Baltimore, Sept. 8.—The Little Theatre here, having been closed for part of the summer, has reopened after redecoration.

Plans Maryland Theatre

Baltimore, Sept. 8.—Plans are being prepared for a new 700-seat theatre at Snug Harbor, Md., by a highly successful Gruber of Catonsville. Gruber is the owner of the Glen at Glenburnie, and is secretary and treasurer of the New Theatre here.

"MY HUSBAND STRUCK ME"

Writes Mrs. Otto Nobetter

"My husband struck me as the biggest dope I'd ever met until I saw Paramount's 'I Want a Divorce' and realized all husbands are goons... but a wife can't live without one. Girls, I advise you to see..."

JOAN BLONDOLL DICK POWELL in Paramount's "I WANT A DIVORCE" A Comical Comedy — A Revealing Romance

Directed by RALPH MURPHY - Screen Play by Frank Butler - Based on a Story by Adela Rogers St. Johns
A STATEMENT TO
THE AMERICAN PEOPLE

Regarding the Aims and Policies of The British War Relief Society

The rapid growth of The British War Relief Society, Inc., now a nation-wide organization with more than 200 branches and over 30,000 contributors, has aroused great interest and attracted countless inquiries for further information concerning the Society and its functions. This statement is published in response to this widespread and sympathetic interest in all parts of the country.

Origin, Aims and Policies
The British War Relief Society, Inc., was organized late in 1939, with the approval of the British Ambassador in Washington, to give an opportunity to all friends of Great Britain in the United States to participate directly in war relief work for Britain. Registered with the State Department of the United States, its purposes are:

1. To receive contributions, in money and in kind, from people of British birth and descent in this country, and from all other friendly persons desiring to lend their support to this humanitarian task.

2. To dispense these contributions wisely and promptly in response to the most urgent British needs. The closest contact is maintained with the British Red Cross and other approved British war relief organizations.

3. To arrange free transportation on shipboard for its own relief goods and for those of other war relief organizations operating on behalf of Britain in the United States. This is done by official arrangement with the British Ministry of Shipping.

The British War Relief Society does not conflict with the American Red Cross, with which it has a close and cooperative understanding.

Accomplishments
The British War Relief Society, Inc., has developed rapidly. Day after day new branches are organizing; daily more workers and more contributors add their unselfish support to this cause.

Ships sailing out of New York harbor week after week have carried cargoes of vital relief supplies from The British War Relief Society, such as the following:

- Ambulances
- X-Ray Units
- Surgical Instruments
- Surgical Bandages
- Hospital Dressings
- Drugs and Medicines
- "Kitchens on Wheels"
- Equipment and Supplies
- for Hospital Beds
- Woolen Knitted Goods

For the many thousands of evacuees and destitute refugees in Great Britain, the Society has shipped large quantities of used clothing, clean and in good condition.

Acknowledgment of the value of this work has come in many letters and cables of sincere thanks from relief organizations in Great Britain.

Greater Service Opportunities Ahead
Every day the struggle intensifies and more and more people in the United States realize its tragic consequences. Bombs fall among civilians as well as among soldiers, in villages as well as upon ships. Newspapers, radio and newsreels tell America a running story of human suffering.

Britain faces its enemies with belt tightened and all resources summoned for the conflict. Men, women and children of the British Isles, casualties of the war and those who suffer in a dislocated economy, can be helped by all who wish to help them in this grave hour through contributions to The British War Relief Society.

We deeply appreciate the generosity which has permitted the Society to do so much. We earnestly hope that the Society will be able to do infinitely more.

THE BRITISH WAR RELIEF SOCIETY, INC.
587 Fifth Avenue, New York City

Registered with U. S. State Dept. No. 208
Television in Theatre Seen Within a Year

(Continued from page 1)

seminars for managers which could not be received on home sets or over telephone wires, he says. This is a matter to be worked out and he is confident that the telephone company will be ready to supply a wire service if it is needed. RCA is still working on a large screen suitable for theatres but Beal would not say when it will be ready.

When television really gets going, Beal believes, programs will originate principally from two or three points, probably New York, Hollywood and Chicago, and will be broadcast on nationwide hookups.

The next big technical development for motion pictures will probably be "perforation," Beal says, in which the perforation is not continuous but occurs over a small portion of the stage, the fact that the sound also issues from a limited area is not important. However, with a screen which covers the entire front of an auditorium and "perforative" sound issuing from the point at which it actually occurs, a motion picture will achieve a reality now available only in the legitimate theatre, Beal declares.

Shift Managers in W. B. Chicago Zone

CHICAGO, Sept. 8.—A number of changes in management in Warner theatres in the Chicago zone have been made by James E. Cotson, zone manager.

Ell Arkin, from Venetian, Racine, Wis., to Avalon, Chicago; Al Blasko, Paramount, N. Y., to Darien Theater, Hammond; Marshall Brazez, Paterson, Hammond, to Venetian, Racine; Robert Busch, Shore, Chig., to Jeffrey, Chicago; Marlowe Comer, Avalon, Chicago, to Sheboygan, Sheboygan, Wis.; Eugene Hop- son, Jeffrey, Chicago, to Oakand Square, Chicago; Robert Kennedy, Oakland Square, Chicago, to Symphoe, Chicago; Irving Linnick, Symphoe, Chicago, to Shore, Chicago; Harry Mintz, Sheboygan, Sheboygan, to Paramount, Hammond.

Plan Mexican Station

Mexico City, Sept. 8.—Acapulco, historic Pacific coast port-resort, is to have a powerful radio station. It is being inspected by representatives of the Mexican commerce ministry and will be in operation, it is understood, in October.

Serving the Albany district—third highest per capita rating in the country. Use Station WABY (NBC Blue)

Off the Antenna

INDICATIVE of the importance assigned by NBC to the radio recording division of the network was the announcement Friday of the election of C. Lloyd Egner as a vice-president. Egner has been manager of the radio recording division since its inauguration in 1938, and his recording sales for RCA Manufacturing prior to that time. During the six years with the network, Egner's outstanding contributions have been the foundation of the Music Library and the introduction of the Ortho-

acoustic system of recording.

Another announcement Friday was the election of Burton Culver, mem-
ber of the board of directors of RCA, to the NBC board.

Program News: Canadian Broadcasting Corp. will carry the World Series this fall under an arrangement reached with Mutual over the weekend.

The Democratic National Committee will sponsor a telecast by speaker William B. Bankhead over 42 CBS stations tomorrow evening at 10:30. President Roosevelt will be heard over the networks when he addresses the convention of the Teamsters' Union, in an address which has been classified because of its political importance. The telecast will have a "newspaper" flavor, the NBC announcer saying: "No Time for Com-edy." Walt Disney drawings and news scripts. The packet will be added to the 3,000,000 feet of archives on the history of the American people.

Ban Rescinded to Give Town Station

WASHINGTON, Sept. 8.—Because taking up its license would deprive the community of its only local broadcasting station, the Federal Communications Commission has rescinded a prior order revoking the license of Station KAND, Corsicana, Tex. Its original license was ordered Feb. 7, last, on the ground of misrepresentation in appli-
cation.

There is a possibility, too, that WVOF's FM station may make its debut on the same date.

W. B. Circuit Phila. Meet Wednesday

PHILADELPHIA, Sept. 8.—The Sun-
mey World Theatre Co. will hold its annual managers' meeting at the Ritz-Carlton on Wednesday, with B. F. ritson as moderator. Among those expected to address the general meeting are Joseph Bern- nero, general manager of Warner Theatres; Gradwell, J. B. Sear, War-
ner general sales manager; Harry Goldberg, Warner Circuit advertising head; Leonard Schlesinger, assistant general manager of the circuit; S. Charles Einfeld, director of advertis-
ing; C. Whittemore, manager for Warners; Ellis Shipman, contact man; E-
verett C. Callow, Philadelphia ad-head, and Lester Krieger, Philadelphia manager of 100.

Also on the doz will be district managers Skip Weshner, Steve Baru-
io, Al Plough, Louis Davidoff, Paul Castello, A. J. Vanni, Lawrence Graver, Jack Flynn and Jack Mullall.

Rensselaer Renews Sunday Films Battle

RENSSELAER, N. Y., Sept. 8.—The long fight to legalize Sunday motion picture shows in Rensselaer, the only city in New York State without this privilege, was renewed when the present Common Council passed a favorable resolution. At the next regular meeting, consent, a year ago, ordinances were passed but vetoed by the then mayor, A. J. Smith. It is rumored by the members of the Station WAOF, Huntington, W. Va., and an increase of power from 100 to 250 watts was granted Station WOLF, Syracuse, N. Y.

' Soundies' Premiere Set

Hollywood, Sept. 8.—The premier has received from Chicago invitations to attend the opening of Panoramic Movietone 'Soundies' at the Roosevelt Hotel here on Sept. 16. The invitations were made by Lawrence Ross of Movietone Productions and Fred Mills of Mills Novelty Co.

Overprint Old Tickets

LONDON, Sept. 8.—Tickets rendered obsolete by the new entertainment tax scale may be used by British exhibit-
ors if they are overprinted with the new rates, states the Customs and Excise Department. The tickets will show clearly the seat price and the amount of the new duty.

Into the Archives

INCLUDED in a compila-
tion of modern American humor sealed in a leather cove-
try presented to R. D. W. Connor of the National Archives in Washington by the American Schools and College Association is a film script, "No Time for Com-
edy," Walt Disney drawings and news scripts. The packet will be added to the 3,000,000 feet of archives on the history of the American people.

Englishman Lauds Television in Color

Terming the CBS development of color television "astonishing" and a "miracle," Gerald Cock, North American representative of British Broadcast-
ing Corp., and director of English television, has forced the British air to the war, declared over the weekend that "black and white tele-
vision is not a picture in comparison with Dr. (Peter C.) Gold-
mark's color television."

Cock pointed to the greater clarity and depth of color images and said he would have to revise his opinion that color television would not be in the air before 1945. How-
ever, he did not state when he thinks it will be practicable.

Continues Restraining Order on Scranton Pickets

SCRANTON, Sept. 8.—Judge Wil-
leach has denied a petition of a C.L.O. affiliated operators' union for discontinuance of a tem-
porary injunction restraining its mem-
bers from picketing Comerford-Pub-
lic theatres here.

The union, engaged in a jurisdic-
tional fight with the A.F.L. affiliated operators' union, is now em-
ployed in the theatres, petitioned for the discontinuance on the ground that the suit filed is contrary to the labor relations laws.

Toler Renewed as Chan

Hollywood, Sept. 8.—Sidney Toler will continue in his Charlie Chan character for 20th Century-Fox under a new contract just signed.
Delays Seen For Television Commercially

**Fly Says New Color May Cause Setback**

WASHINGTON, Sept. 9.—Recent developments in color television may delay the commercialization of the new medium, it was indicated today by Carl B. Loeb, president of the National Broadcasting Company. While it is still too early to say whether color will have advanced so far as to make it desirable to withhold standards, he said, it undoubtedly should be considered seriously when the time comes to pass on commercial operation.

One factor, however, which may influence the commission to act as soon as satisfactory standards are provided, he added, is indicated in the ability of an ordinary television set to receive the color pictures in black and white.

Fly pointed out that the great strides which have been made since the commission rescinded its order anticipating commercial operation definitely demonstrate the wisdom of the suspension. He said that if commercialization had been permitted, it might have frozen the industry.

**Coast Flashes**

**AFRA Sets Strike Meet in Web Fight**

HOLLYWOOD, Sept. 9.—Again taking the initiative to forestall any threatened C.I.O. invasion of Hollywood, the A. F. of L. through its Western director, Meyer Lewis, today appointed Aubrey Blair to organize an estimated 9,000 workers in the industry who do not now belong to the A. F. of L. The appointment followed conferences between Lewis and William Green, A. F. of L. president, in Denver last week. Blair, a former executive of Screen Actors Guild and more recently organizer for the American Guild of Variety Artists, said that the workers to be organized were inductees from local unions.

**AFRA Sets Strike Meet in Web Fight**

Blaze McVey, assistant publicity director for Warners for the past seven years, resigned today, effective in two weeks, to enter free lance publicity.

First exhibition contract for Charles Chaplin's "The Great Dictator" was approved by the producer today for the Capitol, Singapore.

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**U.S. to Seek Law Making Trade Shows Compulsory**

"Boom Town" Soars To $40,000 in First Weekend at Capitol

"Boom Town" soared to more than an estimated $40,000 over the weekend after its Thursday opening at the Capitol. Playing at advanced prices for 10 cents additional to the matinee and evening scales, the film played to a capacity house for the four days of its first week.

"Lucky Partners," which opened with a stage show at the Music Hall last Thursday, was good for an estimated $5,000 on its first four days and will be held over. Another new film, "No Time for Comedy," with Larry Clinton's hand on the stage, will follow.

AFRA Sets Strike
Meet in Web Fight

**Final Decree Draft Preparation Begun**

Department of Justice officials, meeting here yesterday, began preparation of the final consent decree draft with representatives of the Big S. The conference expect to submit this final draft to Federal Judge Henry W. Goddard early next month.

Thurman Arnold will not compromise with exhibitors and he will not agree to any changes in the proposed pact. Government spokesmen revealed yesterday—as was reported in Motion Picture Daily yesterday.

It is the view of the Department of Justice that exhibitors have no legal standing in the New York suit, and therefore can have no basis for intervening in the case.

**Kuykendall Meets Arnold Again Today Seeking Block-of-Five Provision Change**

WASHINGTON, Sept. 9.—Edward Kuykendall, president of the M.P. T.O.A., will meet with Thurman Arnold again today in an effort to convince the U. S. Assistant Attorney General that the unit selling in blocks of five provisions of the proposed consent decree should be altered. The two men conferred for an hour yesterday, with neither offering any comment after the session.

Kuykendall's presence in Washington is taken by some observers to mean that the M.P. T.O.A. chief will seize the opportunity of getting Arnold to change his stand and make some compromise on behalf of the complaining independent exhibitors. Whether a meeting of the M.P. T.O.A. executive board will be called, depends upon the outcome of today's session between Arnold and Kuykendall.

Kuykendall pointed out that the five-film block continues the ballyhooing privilege of the distributors while at the same time stripping the exhibitor of all cancellation privileges.

Would Aim for Passage By Congress Before Decree Expires

**Rumors About Labor Agreements**

By SAM SHAIN

So that the consent decree terms will embrace all the companies, it is reported the plan of the Dept. of Justice to sponsor supplemental legislation in Congress, after the court has approved the Big S pact with the Government, making the trade showing and selling provisions of the proposed decree compulsory for all. This was learned last night.

By this supplemental legislation, the Department of Justice hopes to organize workers in both England and United Artists within the limits of the terms of the decree.

It is said that the Department of Justice hopes such legislation may be initiated and passed in Congress before the effective expiration date of the escape clause for the proposed decree, June 1, 1942. The decree itself becomes effective Sept. 1, 1941.

This escape clause provision

**U' Fourth Quarter**

**AFRA Sets Strike Meet in Web Fight**

Universal's net earnings for the first quarter of the fiscal year, ending Oct. 27, are estimated at $253,196, giving the company the $2,025,000 net profit estimated by J. Cheever Cowd, board chairman, last week.

The company's net earnings for the third quarter, ended July 27, amounted to $780,802, before Federal income taxes and special amortization reserve of $310,000. This compares with net profit, similarly computed, of $250,417 for the corresponding quarter last year, and a net loss of $184,964 for the third quarter of 1938.

Net earnings for the 39 weeks ended July 27 amounted to $2,161,804 before Federal taxes and special amortization reserve of $390,000, as compared with $890,993 for the corresponding period last year, and net loss of $773,247 for the corresponding period two years ago. After provision for the $10,000 weekly special reserve, the company's net for the first three quarters of the current fiscal year amounts to $1,771,894.
**Personal Mention**

**RO Y NORR,** assistant to Will H. Hays, returned yesterday from a four-week business trip to Hollywood.

**SUSAN SILVERSTONE,** daughter of MAURICE SILVERSTONE, will observe her second birthday today.

**JOHN CRANSTON of the Stanley-Camden, N. J., married Jane Anderson at Elkin, Md., last week.

**WILLIAM H. PARSONS,** Strand, Swowyerville, Pa., has announced his engagement to Jane Evans.

**BEARNE COHEN,** manager of the Wissahickon, Philadelphia, is in Mt. Sinai Hospital, Philadelphia.

**ABE HODES,** student booker at the M-G-M New Haven exchange, is engaged to DOROTHY J. WYMAN of the home office.

**R. C. SLOCUM,** owner of the Strand, St. John, N. B., and R. G. Architects, manager there for 20th Century-Fox, are on a local fund raising committee sponsored by the M.F.A.C.

**AL MORRISON,** organist at the Capitol, St. John, N. B., has joined the Canadian army as a lieutenant.

**ERNEST CANTOR** is due today from California on the Appalachian.

**EMIL MONTENBURRO,** Movietone News representative in Chicago, and Mrs. Montenburro last week became the parents of a boy, their fourth child.

**CLARENCE M. ROBSON** has returned to his duties as Eastern division manager for Famous Players Canadian, following an illness of more than a year.

**LARE NIDORF,** student manager at Warner houses in Philadelphia, has been named assistant manager at the Earle.

**ROBERT KING,** assistant cameraman at the Columbia studios, has left for Hollywood by car with his wife.

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**39 New Films in Work as 11 Are Finished**

Hollywood, Sept. 9.—Thirty-nine pictures were before the cameras this week, as 11 finished and nine started. Twelve were being prepared, 7 being edited.

The tally by studios:

- **Columbia**

- **MonoGram**
  - Started: "The Ole Swimmin' Hole."

- **Paramount**

- **RKO**
  - Started: "Mr. and Mrs. Smith," "Remedy for Gumption." "Republic"
  - Started: "Streets of Cairo," "Bury Me Not on the Lone Prairie."

- **Universal**
  - In work: "Seven Sinners," "Caribbean Holiday.
  - Started: "Streets of Cairo," "Bury Me Not on the Lone Prairie."

- **20th Century-Fox**
  - In work: "The Californian," "Glad Hanna," "Hudson's Bay," "Tim Pan Alley."

- **Loew-Lewin**
  - In work: "Potsam." "20th Century-Fox."

- **Republic**
  - In work: "The Californian," "Glad Hanna," "Hudson's Bay," "Tim Pan Alley."

- **Loew-Lewin**

- **United Artists**
  - In work: "the other Foxes," "take your place among the general public." "South Pacific." "Columbia." "Laurel and Hardy."

- **Producers Releasing Corp.**
  - Started: "South of Suez."

- **MOTION PICTURE DAILY**
  - (Registered U. S. Patent Office)

**Wylers Sees Selling Value In Exploitation of Talent**

by SHERWIN A. KANE

There is a definite market among motion picture audiences which can be drawn to the theatre through exploitation of creative talent. Wylly Wyler, director, who is here from Hollywood for a business visit, said yesterday.

Wylly Wyler, who has advocated complete exploitation campaigns for directors, writers and other creative film workers whose records of accomplishment justify such campaigns. He believes that the result would be the creation of larger audiences for individual pictures from such creative workers than would be obtained normally by star, title or producer drawing power. He pointed out that his theory is proved in the rare instances where the public has been drawn, such as in the case of Alfred Hitchcock, and also in pictures which might have had better box-office records had the creative factors been better exploited or exploited at all.

Wyler is here for about a week, having been at Warners yesterday on the screen treatment for "The Little Foxes," which will be directed by Sam Goldwyn by Betty Davis from Warners yesterday for the leading role in the picture, which Wyler will put into work next February. He has just finished "The Letter" for Warners and expects to start soon on "Sargent Yorke," with Gary Cooper, for the same studio.
U.S. to Seek Trade Shows By Legislation

(Continued from page 1)

that the Big 5 may elect not to operate under the selling provisions of the decree. On June 30, 1942, Universal, Columbia and United Artists are not within the decree radius.

Should the Department of Justice, or others, succeed in persuading Universal, Columbia and United Artists to enter the Big 5, before the latter can exercise their “escape,” such legislation, it is stated, will not be necessary.

This proposed legislation is being considered as a defense measure for the Big 5 under the decree, as well as protection for the Government to make possible the fullest realization of the purposes of the suit.

In the meantime, Department of Justice officials and the Big 5 yesterday went ahead with preparations for the final consent decree draft.

It was revealed, at the same time, that the Government does not believe the exhibitors have any legal standing to oppose the decree under whatever; that they have no basis for seeking to intervene in the suit, for appearing as “Friends of the Court” and for seeking an injunction to halt the adoption of the decree. Acting on this basis, the Government representatives inferred that the exhibitors could obtain a court hearing only at the Government’s invitation to them to appear and then only with the court’s permission.

The Government spokesmen asserted that Arnold believes the Government has made an “agreement that it is possible to make.”

Answer Exhibitors

Answering the exhibitors’ principal complaints, those against the block-off-five sales and the trade showing provisions, the Government spokesmen said that under the decree the exhibitor does not have to buy all five pictures offered, but he can not buy more but he may buy fewer, and that, therefore, the exhibitors’ insistence upon a cancellation right is not well founded. The assailed, also, that no exhibitor is compelled to attend the proposed trade shows, which, in his opinion, is unnecessary for him to do so, he is at liberty to ignore the trade shows and rely on trade paper reviews or other media of information on product, according to the Government representatives.

The Government believes that the proposed decree gains momentum for the exhibitor in the way of trade practices that was contemplated in the complaint filed when the anti-trust suit was begun. As was said, the Government is preparing an amended complaint to embrace all pictures offered. It is expected to eliminate, thereby, any conflict in the contents of the two documents. This document, in addition to those in the new charges against Columbia, United Artists and Universal, against whom the Government plans to proceed with trial, or, if this proves unsatisfactory, a new, separate complaint against those companies will be filed. A Government spokesman went out that the escape clause of the consent decree places the burden of proving that a showing is illegal on the Government, since it is what it will have to prove against five pictures offered within nine months after the decree becomes effective, or the block-off-five and trade showing provisions of the decree will become null and void.

Settle Philadelphia Action by Milgrim

PHILADELPHIA, Sept. 9.—The $10,000 anti-trust suit of David Milgrim, head of Affiliated Theatres, independent circuit, against Warners and other producers will be settled out of court this week.

Morris Wolf, attorney for Warners, today said that all possible basis for a settlement had been reached, and all that remains is “reducing to terms what we have discussed.” Maurice Stern represents Milgrim. The suit, filed last March and scheduled for Federal Court hearings in September, involved the zoning of Warners Bromley and Grange and Milgrim’s Walton and Ritown.

It is reported the settlement terms call for Milgrim’s houses getting product only one day after the Warners houses, and in addition for an affiliated suburban house now getting half of 20th Century-Fox product to sell all of that company’s product.

Answers Are Filed

In Crescent Action

NASHVILLE, Sept. 9.—The Crescent Amusement Co. and major producing and distributing companies, defendants in the Government’s anti-trust suit here, today filed counter-answers to the Government’s allegations of monopolistic practices and asking the Federal court to dismiss the Government’s action.

The Crescent companies deny the Government’s allegations of “control” of eight theatre companies in which they asserted they have only a 50 per cent or less interest. No date for trial of the suit has been set yet.

Rites for Mrs. Frank

PHILADELPHIA Sept. 9.—Funeral services were held today here for Mrs. Blanche Frank, 39, wife of Samuel Frank, circuit owner.

Barney Balaban, Paramount president, and Y. Frank Freeman, vice-president and studio head, will attend the company’s district and division sales managers meeting at the Muehl Hotel, Kansas City, tomorrow and Thursday.

The meeting, which will be presided over by Neil P. Agnew, vice-president and general sales manager, is scheduled to deliberate the sales and exhibition policy for Cecil B. DeMille’s “The Face of Paradise” and to view recently completed product.

Balaban leaves New York by plane today for Kansas City and Freeman will arrive there tonight. Others already en route to the meeting include: Cliff Lewis, Rufus Blair and William Fine, from the studio; Adolph Zukor, Robert Gilham and G. B. J. Frawley from the home office, and the various district managers and field exploiters whose names were published earlier.

Agnew, J. J. Unger, M. S. Kassell and Alec Moss will leave New York by plane this morning for the meeting.

‘Howards’ Party Set At Music Hall Today

Martha Scott, Frank Lloyd and Sidney Buchanan, star, director and writer, respectively, of “The Howards of Virginia,” Columbia film, will be guests at a cocktail party at the Radio City Music Hall this afternoon.

Among those invited to appear are: Mary Astor, John Carradine, Jack Aisicol, Jack Cohn, Abe Montague, Nate Springold, Abe Schneider, Joseph McConville, Maurice Bergman, Jack Silber, Joseph Silber, Gus Eysell, Colvin Brown, Terry Ramsey, Sam Shlain, Sherwin A. Kane, John Illing, Maurice Kahn, Miriam Housey, Walton, Ross, Charlie and Cecilia Ager, Tom Pryor and others.

Report Mastbaum To Reopen in Phila.

(Continued from page 1)

ordered a new extra pit made level with the stage, repainting of the marquee, installation of a new roof and removal of the Roxy-Mastbaum sign. The house was last operated by the late S. L. Rothalfl.

It is reported that the 4,500-seat house is in perfect condition, and the music union officers say it is their understanding that their recent settlement with Warners covers only the East.

ABP Profit in Year Put at $4,827,424

Los Gatos, Sept. 9.—Associated British Pictures Corp., reported profit for the year ended March 31, last, of $206,856 ($4,827,424). The profit is a decrease of $560,576 from the previous year.

The board of directors has recommended no common dividend be paid, and the possible use of the $560,576 for enemy action interrupting activities makes it necessary that finances be conserved.

London Houses Shut

London, Sept. 9.—A number of theatres in central and southeast London—including the Palladium and Holborn Empire—today officially announced they will remain closed until further notice “due to the danger of air raids.”

AFRA Set Strike Meet in Web Fight

(Continued from page 1)

afected because the agreement covering such shows does not expire until Feb. 12. The union seeks a new contract covering sustaining on NBC, CBS and local stations in New York, Chicago, Los Angeles and San Francisco.

The union is demanding payment for rehearsal time and increases of pay for broadcast time which are between 30 and 50 per cent of current rates paid for commercial programs, according to the union. The present rate in New York and networks for actors on such programs is $15 per 15-minute period with the first two hours of rehearsal time free. Both sides have agreed upon a reduction to $12 but the union asks $6 per hour for the first hour of rehearsal and $3 per hour thereafter while the networks offered $3 for the first hour and $2 thereafter. There are similar differences on soloists and choruses. On longer periods, AFRA seeks higher rates for broadcast time than the networks are willing to pay. Disputes arise solely because the basic difference is on the rate of pay for rehearsals.

'Boom Town' Soars to $4,000,000 in Weekend

(Continued from page 1)
grossed an estimated $28,000 for its first week and also will be held.

In its second week, which ends tonight, "Foreign Correspondent" held strong and "Boom Town" drew at the Rivoli. It will continue for a third week. Another holdover, "He on the Spot," also put on a show, drew an estimated $18,250 at the Roxy, and will be followed Friday by "Hired Wife." At the Paramount, "Rhythm on the River" with Will Bradley’s orchestra, Ken Murray and Tito Guizar on the stage, grossed an estimated $17,000 over the weekend and should bring an estimated $40,000 for its second week ending tonight. It will be held for third week.

"Flowing Gold" drew an estimated $11,000 in its first week at the Globe and was held. AFRA "No Strings on the Third Floor" grossed an estimated $6,500 at the Rialto.

Gold Returns from Coast Conference

Harry Gold, vice-president and Eastern Division manager of United Artists, returned to the home office yesterday after conferences at the studio with company executives, L. L. Schlichter, vice-president, and Western general sales manager for U. A., stopped off in Chicago on his way here from the Coast conferences.
THE STORY OF THE GREAT SINGERS!

A movie fable

Once upon a time there was a famous singer called “Boom Town.” He was the big noise of his era. He sang good and loud.

It just so happened that at the same time there was another singer called “I Love You Again.” This guy sang good and loud too—and funny!

(continued)
If it hadn’t been that “Boom Town” was always in the limelight you can bet that “I Love You Again” would have been the undisputed champion loud-singer of his day.

But when a guy’s good he gets recognition. In between booms of this chap “Boom Town” the nation’s showmen got an earful of what “I Love You Again” could do.

They said: “Hey, this guy’s got a terrific bellow, too. He’s a Star in his own right!” So they let “I Love You Again” do his stuff and it was good stuff and now he’s booming in the headlines just like his famous contemporary.

**MORAL:** M-G-M’s got two smashing box-office hits at the same time, so go and make yourself a pot full of money!
"MY WIFE GOT IN MY HAIR"

...Writes Timothy Toupe

“I had decided it was time for Ermintrude and me to call it quits before the fighting got serious...when a friend took the two of us to see Paramount’s ‘I Want a Divorce.’ Now Ermintrude and I are enjoying our second honeymoon. What a picture!”

JOAN BLONDELL
DICK POWELL
in Paramount’s
“I WANT A DIVORCE”
Paramount’s Uproarious Comedy Romance of Young Married Life

“RHYTHM ON THE RIVER” (Paramount)
A gay, tuneful and thoroughly entertaining picture, smartly acted and filled with melodies that ought to appeal to the public for a long time.—Boston Globe.

Bing Crosby’s new one is one of the most tuneful pictures he’s made... and a full and a half of highly enjoyable entertainment.—Helen Eager, Boston Traveler.

“PASTOR HALL” (Roosevelt-U.A.)

Eloquent in its exposal of freedom and justice...No punches are pulled...superbly directed by Roy Boulting, and entirely convincing except for the decidedly English dialect of the entire cast.—Dorothy Gussen, Philadelphia Daily News.

Propaganda or entertainment? There will be the usual arguments about “Pastor Hall.”... Its cinematic flaws are so outweighed by the intensity of its message and the excellent portrayal of the staid but effective Wilfred Lawson (Eliza’s father in “Pygmalion”), they should go unnoticed.—Laura Lee, Philadelphia Bulletin.

The most devastating picture of life in modern Germany yet to reach the screen...has the active indorsement of America’s most influential family. It adds up as a disconcerting photoplay, but it has a ring of truth.—Henry T. Murdock, Philadelphia Ledger.

If there’s a potter’s wheelSusie would love in a well made, intelligent production...says something that must be heard, it’s a film for the list of all who believe in the freedom of man as well as all who enjoy an impeccable dramatic structure.—Cecelia Ager, PM (New York).

The most violent and ghastly anti-Nazi film that has yet been shown in this country...frank propaganda and highly colored melodrama.—Philadelphia Inquirer.

“HE STAYED FOR BREAKFAST” (Columbia)
One of the best comedies of the season...It has a beautiful young wife, a fat but faithful husband, an honorable turn and a half hidden in closets. But it has much more than that.—Boston American.

He (Melvyn Douglas) has neither a good movie script nor a Lubitsch to make the story of his rebirth generation into bright, amusing comedy.—Elise Fiona, Philadelphia Record.

Carries only spasmodic humor...while it has many diverting and laughable scenes it lacks, in its entirety, the punch that would normally accrue to the efforts of such smooth players.—Dorothy Gussen, Philadelphia Inquirer.

Lively and saucy and when it philosophizes it tackles a subject that is presently popular...The lines are swift.—Henry T. Murdock, Philadelphia Ledger.

Makes for merriment, but not as much as Columbia had hoped, with laughs paced too far apart.—Laura Lee, Philadelphia Bulletin.

Gay and giddy farce which kids Communism...Alexander Hall’s direction hasn’t quite the thistledown lightness the material requires but Werner Heymann’s cleverly ironic score is utterly smart and delightful.—Mildred Martin, Philadelphia Inquirer.

Hasn’t the sustained hilarity of “Ninotchka” but it does very well in brightening up a gloomy period...Alexander Hall has directed the picture with some novel, deft touches. And the musical score is a gem of ingenuity.—Helen Eager, Boston Traveler.

A field day in obtaining laughs from the audience...the picture is sophisticated in text, dialogue and situation, but the action is so fast one scarcely has time to be shocked.—Boston Globe.

“FLOWING GOLD” (Warners)

More than makes good in an exciting fashion...stacks up well as one of the more exciting productions of the season.—Los Angeles Herald Express (Eliza’s father in “Pygmalion”), they should go unnoticed.—Laura Lee, Philadelphia Bulletin.

An interesting story...the plot-thickening ingredients give the picture a machine-made character, and moreover there is an overstress on rough-and-tumble fighting, doubtless in the name of action.—Los Angeles Times.

“WHEN THE DALTONS RODE” (Universal)
A good, honest Western; with a larger than average budget, profitibly dispersed...not better than average, with only scattered tendencies to show that they know all what this “artistic understatement” is all about; and no more than a once-over-lightly on the psychological motives that turned the real Dalton farm boys into desperadoes.—Cecelia Ager, PM (New York).

Containing enough shooting sequences to equip half a dozen Westerners, the film offers every proven ingredient of the standard horse opera.—Rose Pelcmak, New York Journal American.

The best points of the picture are its fast pace and good casting. The acting honors go to Crawford and Donlevy.—Archer Winsten, New York Post.

One of the fastest-paced action thrillers ever to come out of Hollywood. It is a picture that will make you grip the arms of your chair during every minute of it.—Lee Mortimer, New York Daily Mirror.

Checking Ventilation

Mexico City, Sept. 9.—The Public Health Department is making a closer check of the ventilation in theaters, public assembly places. The Health Department is using special apparatus obtained in the United States.

Mohawk Closes Deal

Mohawk Film Corp. has closed a deal with Amerigo Benicio to distribute all the former product of Atlantic Pictures and Educational throughout the world with the exception of the United States and Canada.

Los Angeles, Sept. 9.—“I Love You Again” and “Pier 13” drew a total of $33,100 at two houses, $15,500 at the Chinese and $17,600 at Loew’s State. “Pride and Prejudice” took $5,600 in the third week at the 4 Star. Estimated takings for the week ending Sept. 4:

‘I Love You Again’ (M-G-M)
“Pier 13” (20th-Fox)
CHINESE—$15,500 (33c-44c-55c) 7 days Gross; $15,500. (Average, $2,193.)

“Pride and Prejudice” (20-M-G)
PARAMOUNT—$4,520 7 days, 3rd week. Gross: $6,600. (Average, $1,200.)

The Boys From Syracuse (Univ.)
“Your Two Too Tough” (Warners)
“Pastor Hall” (RKO—Par.)
PARAMOUNT—$3,595 (45c-55c-75c) 7 days, 2nd week. Stage: F. & F. reeve, Count Baise and his orchestra, Gross: $14,100. (Average, $2,015.)

“TOWN” at $14,000
Leads New Haven

New Haven, Sept. 9.—“Boom Town,” at the Loew-Poli at advanced prices, took $14,000, “The Sea Hawk,” at advanced prices at the Roger Sherman, grossed $8,200. The weather was fair and warm.

Estimated takings for the week ending Sept. 5:

“He Stayed for Breakfast” (Col.)
LOEW’S—$1,900 (3c-5c-7c) 2 days, week, Gross: $2,220. (Average, $740.)

“Boom Town” (M-G-M)
PARAMOUNT—$3,100 (6c-8c-10c) 7 days, Gross: $10,000. (Average, $1,428.)

“Queen of the Mob” (Para.)
PARAMOUNT—$2,100 (4c-5c-6c-7c) 7 days, Gross: $6,000. (Average, $857.)

“The Sea Hawk” (Para.)
“Calling All Housewives” (W.B.)
“Again” (Doc.)
“Again” (Col.)

“Town” at $14,000
Leads New Haven

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PARAMOUNT—$2,100 (4c-5c-6c-7c) 7 days, Gross: $6,000. (Average, $857.)

“The Sea Hawk” (W. B.)
“Calling All Housewives” (W. B.)

Paralysis Wave Hits Grosses in 3 States

Infantile paralysis epidemics in Kansas and parts of Michigan and Wisconsin have taken a heavy toll on box-office receipts considerably. Dr. J. W. Boren, Health Commissioner of Marinette, Wis., has delayed the opening of schools and prohibited all under 16 from attending theatres and other public places for an indefinite period.

More than 200 cases have been reported from various parts of Kansas. The state health authorities have recommended to county health officers that the opening of schools be delayed. At numerous places, children under 16 years of age have been prohibited from entering such places, including theatres, and exhibitors report generally that the box-office has suffered.
Hollywood Reviews

**Rangers of Fortune**

"Hollywood, Sept. 9.—Super-wide is the word for this adventure tale produced on a larger scale and with bigger names, yet in the narrative format, embellished extensively but retaining the essential values, of those westerns in which a heroic trio arrives upon a scene where evil prevails, puts things to rights, then leaves to continue their works elsewhere. It don't let the format mislead you into under-rated the attraction. It offers, as the adventuring trio, Fred MacMurray, Gilbert Roland and Albert Dekker, the latter in an outstanding performance, plus Joseph Schildkraut, Dick Foran and Patricia Morrison, on this production side, Esther Belyea, who directs new films and distinctly a find, in whom is centered the sympathetic interest.

The scene into which the adventurers find themselves drawn is a border town where murders and violations of mysterious origin have been terrorizing the populace. They are interested primarily in defending the child, whose grandpa, a once noted prospector, has been assaulted and driven out. They reinstate his publication and force his acceptance, but death continues to strike, violence to rage, until they discover, in an episode involving murder of the child, that the culprit is the impoverished and embittered original on the lands on which the town has grown up. They achieve his elimination in a sequence as full of fight and gunfire as the hardest western fan might require.

Performances of those named and others are of high quality, as is the direction of Sam Wood, the original screenplay by Frank Butler and, in particular, the photography by Dale Van Every. Premiere audience reaction was of a sort to suggest a brilliant box-office performance for the attraction.

Running time, ninety minutes. G.**

Roscoe Williams

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**Wyoming**

"Hollywood, Sept. 9.—Staged against an eye-filling background made most effective by application of the M-G-M sepia-tinting process, this Wallace Beery western ranks high among the outdoor pictures of a period somewhat given over to them. It is as full of shooting, plotting, chase and escape as any devotee of westerns would have it, including, far down toward the end and after enough story to satisfy most audiences has been put by an attack by Indians on a prairie homestead and the nick-of-time arrival of General Custer and the Seventh Cavalry. It is, however, unlike many westerns in general, full of a good many other things in addition.

Chief point of difference between this and other films in its subject bracket is the presence of Beery in fine fettle as the desperado with a heart of gold against his will, the chronic brigand tempted to swing his shooting-irons in behalf of justice and irked by the circumstances, but no less effective in his rôle. He, with Miss Sills, in the course of the picture, a great deal of execution, “not counting Injuns,” and winds up in such good graces of the community that General Custer, duty-bound to arrest him, rides off to his engagement with Sitting Bull without making him prisoner.

Marie Main, portraying a lady blacksmith enamored of Beery, is the most memorable member of a cast including Leo Carrillo, Joseph Calleen, Paul Kelly, Ann Rutherford, Lee Bowman, Bob Watson and Henry Travers. Direction by Richard Thorpe and screenplay by Jack Jevne and Hugo Butler employ humorous incident advantageously throughout. It is a Milton Bernd production.

Running time, 85 minutes. G.**

Roscoe Williams

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**Three Men from Texas**

(Sherman-Paramount)

"Hollywood, Sept. 9.—“Three Men from Texas” is the 31st Hopalong Cassidy western to be produced by Harry Sherman and it is far better than the best of the series, which stars William Boyd. It has more action, acting, comedy and pictorial beauty than any of its predecessors, and it emerges as one of the best all-around westerns of the year.

The film is also marked by the debut in the series of Andy Clyde, as comedian, who is one of the attractions of the film. Boyd, his cinematic partner, Esther Edward, or Esther Morgan of Texas, the Brady Kid, journey from Texas to California to clean up a band of outlaws who are robbing the holders of Spanish land grants of their property. Uncovering the leader, the trio rounds up the victims and stages a fierce fight to overcome the gang.

Included among the support of the trio are Morris Ankrum, Thornton Hall and Livingstone Mahoney.

Lesley Selander, veteran of the Cassidy series, directed the production, with Norman S. Parker, prolific writer of westerns, turning out an original screenplay based on the Clarence E. Mulford characters.

Running time, 72 minutes. G.**

Vance King

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**‘Kit Carson’ Does $7,500, Seattle High**

seattle, Sept. 9.—“Kit Carson” drew a strong $7,500 at the Orpheum. They Drive by Night” at the Palace took $9,900 in a better-than-average week here, with the Labor Day holiday siding. “Rhythm on the River” at the Paramount did $8,100.

Estimated takings for the week ending Sept. 6:

- **“Coming Round the Mountain” (Paramount)**:
  - 7 days: Gross: $1,252. (Average: $186).

- **“Seventh Heaven” (RKO)**:
  - 7 days: Gross: $3,150. (Average: $450).

- **“I Love You Again” (M-G-M)**:
  - 7 days: Gross: $7,800. (Average: $1,120).

- **“Kit Carson” (U. A.)**:
  - 4 days: Gross: $1,200. (Average: $300).

- **“The Girl from Avenue A” (20th-Fox)**:
  - 7 days: Gross: $5,300. (Average: $757).

- **“The Return of Frank James” (20th-Fox)**:
  - 4 days: Gross: $1,450. (Average: $363).

- **“Two Guns for Johnny” (RKO)**:
  - 7 days: Gross: $4,200. (Average: $600).

- **“The Secret Seven” (Col.)**:
  - 7 days: Gross: $5,400. (Average: $771).

**‘Sea Hawk’ Is Frisco Lead With $24,500**

San Francisco, Sept. 9.—Cooler weather over the Labor Day weekend, the “Sea Hawk” zoomed to $24,500 through an outstanding week at the Fox, with “Rhythm on the River” grossing an excellent $16,500.

Estimated takings for the week ending Sept. 5:

- **“Dance, Girl, Dance” (RKO)**:
  - 7 days: Gross: $6,600. (Average: $943).

- **“Cry From God’s Country” (Para.)**:
  - 7 days: Gross: $6,000. (Average: $857).

- **“He Stayed for Breakfast” (Col.)**:
  - 7 days: Gross: $2,000. (Average: $286).

- **“Mystery Sea Raider” (Para.)**:
  - 7 days: Gross: $1,500. (Average: $214).

- **“Beau Town” (M-G-M)**:
  - 7 days: Gross: $16,500. (Average: $2,357).

- **“The Man Who Married a Woman” (Para.)**:
  - 7 days: Gross: $1,500. (Average: $214).

**‘Town’ and ‘Hawk’ Are Baltimore Hits**

Baltimore, Sept. 9.—Heavy business featured the holiday weekend. “Rhythm on the River” took $24,500 at the Century and “The Sea Hawk” took $22,000, both powerful at higher admission prices.

Estimated takings for the week ending Sept. 5:

- **“Beau Town” (M-G-M)**:
  - 7 days: Gross: $16,500. (Average: $2,357).

- **“King advisers” (Col.)**:
  - 7 days: Gross: $2,000. (Average: $286).

- **“Lucky Partners” (RKO)**:
  - 7 days: Gross: $1,500. (Average: $214).

- **“King advisers” (Col.)**:
  - 7 days: Gross: $1,500. (Average: $214).

**‘Rhythm’ Garners $7,600 for Omaha**

Omaha, Sept. 9.—“Rhythm on the River” and “End of the Days” drew $7,600 at the Omaha.

Estimated takings for the week ending Sept. 5:

- **“Lucky Partners” (RKO)**:
  - 7 days: Gross: $1,500. (Average: $214).

- **“Military Academy” (Col.)**:
  - 7 days: Gross: $1,200. (Average: $164).

- **“These Were the Days” (Para.)**:
  - 7 days: Gross: $750. (Average: $107).

- **“Kit Carson” (Par.)**:
  - 4 days: Gross: $1,200. (Average: $300).

**Phila. Associates Meet**

Philadelphia, Sept. 9.—The Motion Picture Associates resume their fall activities on Sept. 14 with a meeting at Broadwood Hotel.
Cooper in The Westerner (the newest, biggest hit made on the gilt-edged Goldwyn standard!)
Gilt-Edged Direction

... from WILLIAM WYLER who directed "Wuthering Heights", "Dead End", "These Three", "Dodsworth" and "Come and Get It".

Gilt-Edged Production

... every scene of its exciting footage makes it The Great Outdoor Spectacle in the Great Goldwyn Tradition...climaxed by the roaring fire of the crops, more thrilling than the storm in "The Hurricane!"
'Town' Scores Fine $40,000, Is Chicago Hit

CHICAGO, Sept. 9—"Boom Town" grossed $21,000 at the Roosevelt and $19,800 at the United States, for a total of $40,800. Rhythm on the River, with the biggest percentage of the take of the Chicago, took a strong $44,000, and "Lucky Cisco Kid," with Glen Gray and his Casa Loma Band, on the stagewor $21,000 at the Oriental.

Estimated takings for the week ending Sept. 9:

"I Love You Again" (M-G-M): Apollo $1,440; Chicago $2,400; Gross: $3,840, (Average: $3,840).
"Rhythm on the River" (Pari): Chicago $1,460; St. Louis $1,000; Stage; Joe Penner; Gross: $4,460, (Average: $4,460).
"Return of Frank James" (20th-Fox): Chicago $1,630; St. Louis $1,300; Stage; Jack J. Haines, Gross: $3,930, (Average: $3,930).
"Lucky Partners" (RKO): Chicago $1,300; St. Louis $1,000; Gross: $2,300, (Average: $2,300).
"Boon Town" (M-G-M): Chicago $2,360; St. Louis $2,060; Stage; Glen Gray and His Casa Loma Band; Gross: $4,420, (Average: $4,420).
"Lucky Partners" (RKO): Chicago $3,250; St. Louis $2,550; Stage; Glen Gray and His Casa Loma Band; Gross: $5,800, (Average: $5,800).
"Lucky Partners" (RKO): Chicago $1,000; St. Louis $750; Stage; Glen Gray and His Casa Loma Band; Gross: $1,750, (Average: $1,750).

'Off the Antenna'

NBC will add its 200th affiliated station on Jan. 1, when KXOK, St. Louis, and KFRI, Columbia, Mo., join the blue network. KXOK will replace WKV as the St. Louis outlet for the basic Blue. KFRI will be a bonus outlet in the St. Louis market.

The rate for KXOK and KFRI will be $350 per evening hour. Both stations are owned by the St. Louis Times-Star.

At Oct. 15, KXOK will go to 1,000 watts on 630 kc., and KFRI with 250 watts, 1,570 kc.

Purely Personal:

D. B. Van Houten, manager of NBC office service division, in addition to his present duties temporary will be acting personnel manager to replace Dwight G. Wallace, who resigned over the weekend.

Charles Thurman, who also resigned at the same time as manager of the general sales department, was replaced by H. G. Martin, formerly assistant manager. . . . Martha Scott is staying in New York to do a transcription for "Career of Alice Blair," . . . Allen Prescott, conductor of the "Winfaret," with the greatest of the veteran Wofden's Club of New York at a luncheon today. Sally Kaud will also be at the luncheon. .. Mary York, who has been heard over WNEW at 8 PM on Thursdays, has been awarded the Wednesday night 8:15 spot with Merle Pitt's orchestra . . . Sydney Moyal returned to the WMAA comment unit staff yesterday.

Edgar Kobak, vice-president in charge of NBC blue sales, will be the only man at a luncheon at the New Western Hotel this afternoon. His guests are restricted to feminine employees of the blue web.

Program News:

"Pot 'O Gold" will shift to 8-8:30 P.M., Thursdays over NBC-blue on Oct. 3 from its present 8:30-9 spot. "Red Groom, the Johnny Mack Brown show" will be Myron McCormick alone on March 16th, 1937.

"Big Town" will return to CBS Oct. 1 for Lever Bros., . . . Gordon Babby Co., which is sponsoring the same show over WABC will also sponsor John Xabart's "Passing Parade" over WEAF, Mondays through Fridays at 9:10 P.M.

On the basis of bookings to date, the NBC sales department estimates that Fall and Winter gross billings will run about nine per cent higher than those of the same months last year. The 1939 average for the coming season was about $42,000.

NBC, CBS, and AP

Sponsored News

NBC and CBS will initiate sponsored programs using Associated Press news within the next few weeks. It was learned yesterday, NBC will initiate in about three weeks, it was said.

Vanti-Pa-Pi-A is the first sponsor to use AP news on network stations, although the two shows are being offered over WABC.

AP News will be broadcast locally only. Beginning Sept. 9, WEAF will broadcast Monday through Wednesday, Thursdays and Fridays at 6:35 P.M. for Vanti-Pa-Pi-A and WABC, Tuesdays and Thursdays at 6 PM.

NBC has lined up two additional sponsors, Barberol and Musterole, for AP news.

CBS is known to be working on similar deals, although there was a reluctance to discuss the matter at the week's end. However, it is believed that the telegraph machines were installed in the CBS newsroom yesterday and AP news will start on a training basis over the network shortly.

McNamee Dinner Sept. 25

PHILADELPHIA, Sept. 9—Earle W. Sweeney, Paramount Pictures, is serving as chairman for the testimonial dinner to be given Frank McNamee, retiring head of sales for RKO, and Charles Zargatos, the new branch head here. The dinner will be held at Hotel Warwick, Sept. 25, instead of Sept. 20, as originally announced.

Who's Afraid?

Baltimore, Sept. 9—WBOC, Salisbury, Md., will go on the air Friday, the 13th. The initial program will be supplied by WBFR, Baltimore, and continued by WBOC, Henry Hickman, WBFR announcer, will handle the inaugural show.

BMI Challenges Ascap to Debate

Broadcast Music, Inc., yesterday challenged Ascap officials to a public debate before broadcasters, songwriters and sponsors to go on the air and discuss the issues of the current controversy. John G. Payne, Ascap general manager, when asked whether or not he had any objection to such a debate, BMI issued its challenge through Schreiber, Ascap vice-president and general counsel, in a reply to a challenge made by Irving Caesar, president of Songwriters Protective Association. Kaye asserted that BMI had no quarrel with the songwriters as such and declined to debate with Caesar. However, he added that he would debate with Ascap before a group of broadcasters, Ascap members, and songwriters in any appropriate forum, he declared.

Kaye asserted that BMI is willing to negotiate a contract with SFA provided BMI is permitted an equal opportunity with Ascap to license performing rights. The second condition that BMI must be compensated for radio rights on the basis of the number of performances. He added that if these two conditions were met, there was no reason why a contract could not be agreed upon.

Name Committees for Variety Club Dinner

Philadelphia, Sept. 9—The Philadelphia Variety Club has completed its listing of committees for the sixth annual banquet to be held Dec. 12 at the Bellevue-Stratford Hotel. They include: General chairman, Jack Beren; first vice-chairman, David Fertel; second vice-chairman, James C. P. Clark; dia, Ted Schlager; program, William J. Clark; entertainment, Hillary A. Brown; publicity, David E. Weshner; reception, Earle W. Sweeney; publicist, Everett Callan; dinner, Ben Fertel; seating, Milton Rogancz; transportation and hotel, Clinton K. Weyer; out-of-town guests, Paul Gerald, printing, Sidney F. Samuel; electrical, William A. MacAvoy; public address and microphones, Joseph A. Sitten; fund raising, James P. Clark; decoration and production, Samuel H. Stiefel; physician in charge, Dr. Joseph A. Spitta.
NEW STANDARDS OF PERFORMANCE

THEIR versatility, backed by unvarying dependability, makes the use of Eastman negative films imperative to meet modern production demands. These raw-film favorites have established new high standards of performance, bringing faithful realism to the screen. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., Distributors
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PLUS-X
for general studio use

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when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
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*Figures from ABC Publishers' Statements for six months ending June 30th, 1940*

Herald Subscription $5 per year
Publication "B" Advertised Price $2 per year
Theatres in London Start 9 P.M. Curfew

Industry Is Functioning Despite Air Raids

By AUBREY FLANAGAN

London, Sept. 10.—Beginning tomorrow, all film houses in London voluntarily will observe a 9 P.M. curfew, temporarily, as a result of the continuous night bombing of the city by Nazi sky raiders.

The majority of instances, theatres will start the final program of the day with the feature picture, thus enabling patrons to start for the hurly-burly earlier. This far outer London area has not been affected by the bombing attacks.

Other districts which have been the target of Nazi raids also are observing an earlier closing hour for theatres, but the country generally is operating under normal conditions. The Ministry of Home Security still insists that meanwhile there is no possibility of altering theatre operating conditions which now maintain.

More than a score of theatres in the Greater London area have been affected by the bombings, some suffering damage and others forced to close temporarily. Prior to this weekend, 116 British theatres had closed in the 12 months, the first year of the war. The audience leaving one London theatre sometime during the weekend was scattered by a bomb. Also, a delayed action bomb almost compelled the abandonment of one London trade show held today.

Thus far there have been no evacuations from Wardour Street, London's film row, and all studios are continuing calmly about their work.

NSS Robbins Drive To Begin on Sept. 15

The 20th anniversary testimonial by the sales force of National Screen Service and associated companies, to Herman Robbins, president, in the form of a 15-week sales drive, will get under way Sept. 15.

Regional sales meetings in preparation for the campaign have been held already in New York, for the Eastern sales personnel, and in Chicago for the Central area. A West Coast regional meeting will be held in Los Angeles on Thursday and Friday with George Dembros, sales manager, in charge. Robbins has been president of the company for the past 20 years, and prior to that he was a Fox sales manager in New York. The drive will end on Dec. 26.

Sunday Shows Win Favor of Equity Council

The Actors Equity council yesterday went on record as favoring Sunday legitimate shows in New York State for a trial period until June 1. The council will recommend that the quarterly membership meeting will be held Sept. 27 at the Hotel Astor, authorize a nationwide referendum on the question, and have a ballot containing a statement that the council favors an affirmative vote.

Although there is considerable opposition within Equity to Sunday shows, it is believed almost certain that Sunday performances will be in the majority, particularly since the council favors it.

Other actions taken by the council yesterday included the raising of minimums of actors from $40 to $50 weekly, effective on contracts signed after Dec. 1, and raising, initiation payments from $50 to $100.

Sunday shows have been legal in New York for five years, but the Artistic Unions have insisted on double pay for that day. However, stagehands, musicians and treasurers two months ago agreed to waive the double pay requirement if the referendum passes, Equity will follow suit.

The decision to raise minimums came on a two-year flight by some of the members. The effective date has been delayed until Dec. 1 in order not to affect shows now in theatre, in rehearsal, or for which budgets already have set. Equity will work with the League of New York Theatres tomorrow to apprise managers of the new ruling.

Walker to Resign As MPTO Counsel

Frank C. Walker will resign as general counsel of the Motion Picture Theatre Owners of America when he officially assumes his place in President Franklin D. Roosevelt's Cabinet as Postmaster General, it was learned last night. Who will be his successor in the MPTO, post has not been revealed.

Pratchett to Report on Dispute in Cuba

A full report on prospects for combating the Cuban anti-block booking law will be given to home office foreign managers next week by Arthur Pratchett, Paramount general manager, who is acting as the distributors' representative in opposing the Cuban measure.

Pratchett is in Mexico City but is scheduled to arrive here by plane some time next week.

The Cuban Government recently rejected the American distributors protests against the bill but left the way open for further negotiations. The American companies have expressed the belief that some kind of an agreement satisfactory to the exhibitors will be worked out as a result of the representations which have been made to

(Continued on page 5)

Set Reserved Seat 'Westerner Policy

A reserved seat sale at $1.20 for both orchestra and balcony will be prevalent at the world premiere of Samuel Goldwyn's 'The Westerner' at the El Capitan and Hollywood, Nov. 10.

Only one performance will be given that night in the two theatres and scales will revert to normal with the opening of the run of the picture the following day.

On Sept. 18 a typical Texan girl will arrive from each of 30 cities.

(Continued on page 5)

Equity Backs AFRA in Battle with Webs

Actors Equity yesterday voted full support to any action taken by the American Federation of Radio Artists against the networks or radio stations in connection with AFRA's demand for higher pay for performers on sustaining programs. The council instructed those who are not to accept employment in such cases in the event AFRA declared a strike.

There were no new developments yesterday in the negotiations between AFRA and the broadcasters with both sides remaining adamantly.

An Acceptable Decree Hope Of Exhibitors

Kuykendall Leaves After Talks with Arnold

Max A. Cohen, president of New York Allied, it was learned last night, is taking steps to intervene in the New York antitrust suit, despite the stand of the Department of Justice. It is understood that attorneys for Cohen have advised him that the consent of the Department of Justice is not necessary in order to intervene.

WASHINGTON, Sept. 10.—Hope for the development of a consent decree which will be acceptable to exhibitors was felt in Washington tonight as Ed Kuykendall, M.P.T.O.A. president, left here following two conferences in as many days with Assistant U. S. Attorney General Thurman Arnold.

Refusing to make any other criticism whatever on the meetings, Kuykendall reported merely that when he reached his home in Mississippi he would make his presentation of demands for action to his executive committee and board of directors by mail.

Department of Justice officials were equally silent as to the result of the talks, but in other quarters, it was reported that an agreement satisfactory to the exhibitors will be worked out as a result of the representatives which have been made to

(Continued on page 5)

$2,161,804 Revised Year's Profit of "U"

Revised estimates show that Universal will earn considerably more than had been previously estimated, for the 13 weeks ending Oct. 27, it was learned last night. According to this revised estimate, the company will show earnings on the year of $2,161,804. This is about $1,171,000 over than that earned by the company in 1939. The tremendous progress made by Universal under the direction of Nate Blumberg and J. Cheever Cowdin is indicated in these earnings, for in 1938 the company showed a net loss of $773,247.
Personal Mention

H. Raymond de Rhed, soda fountain manager of the Grand Theatre, Binghamton, was married recently to Helen Wilkins, charge assistant for the M-G-M Studio at 18 West 37th street.

**Deny Philadelphia Mastbaum to Open**

Contrary to previous reports, it is learned that the Mastbaum theatre in Philadelphia, which has been closed for more than five years, will not reopen.

**Strauss Rites Today**

Funeral services will be held at 10 A.M. today at the Frank Feeley Funeral Home, Brooklyn, for Sigmund Strauss, veteran Loew manager, who died at his home Sunday. Strauss was employed by Nicholas and Joseph Schenck many years ago at the Star Music Hall, Fort George Park. Later, he became manager of the Broadway, Brooklyn; Loew's 42nd St.; the old Amsterdam, Loew's Warren, Brooklyn; and, most recently, Loew's Palace, Brooklyn.

**Picket St. Louis Houses**

St. Louis, Sept. 10.—Three neighborhood houses, members of the St. Louis Alliance of Theatres, are being picketed by two pickets, a 143, because the management of the theatres refused to continue employment of members after expiration of their contract last week.

MOTION PICTURE DAILY

Wednesday, September 11, 1940

Nick Weston Trial Testimony Begins

St. Louis, Sept. 10.—Testimony began today in the Government's trial of John P. Nick, ousted head of the local operators' union, and Clyde A. Weston, former business agent, on charges of racketeering and violation of the Sherman Anti-Trust Act.

For the first time in 15 years a Federal jury was ordered locked up overnight. Assistant Attorney General Roscoe T. Stetlen, in charge of the prosecution, said that the trial is in no sense persecution of union labor, but "is a prosecution of acts subversive of union labor." He said the Government will show the alleged shakedown by Nick and Weston of theatre owners in 1937 to forestall wage increase demands.

The first witnesses were local exchange managers whose testimony was designed to trace the mechanics of the business.

**Hays Is Due Friday For Board Meeting**

Will H. Hays is expected from the Coast on Friday to prepare for the quarterly board meeting of the M.P.P. D.A., scheduled for next Tuesday.

Indications are that the choice of a successor for Tom Petcy as publicity head of the Producers Association will be left to a committee of that organization. Following the selection, the proposal for formation of a staff to maintain direct contacts with leading newspapers and publications in the field will be given further study.

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The Sun Country Special, 7 05 am.
The Plainsman, 11 25 am.
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The Southern, 10 15 pm.

Twice Daily to MEXICO CITY

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ROUTE OF THE FLAGS

**Night Competition**

TORONTO, Sept. 10.—The latest opposition to Toronto theatres is midnight baseball under the floodlights at the Maple Leaf Stadium, under the auspices of the Toronto Amateur Baseball Association. The exhibitors have had Sunday midnight shows all to themselves for a considerable number of years but a new ball promoters have stolen the midnight performance idea for pay-off games. One match did not conclude until 2 A.M.

**See Metro Handling ‘Liberty’ Film at Cost**

Current indications are that M-G-M will distribute at cost the revised version of "Land of Liberty," which is to be released for Red Cross benefit showings some time next month.

The picture in cut and revised version was shown to distributors during the past week. M-G-M had reserved its decision on distributing it until it had seen this final release. The company's formal acceptance, however, has not been given yet.

An all-theatres publicity committee was designated yesterday to assist the theatres' Red Cross campaign committee, which will sponsor benefit shows. "Land of Liberty," Major L. E. Thompson, chairman of the theatres' committee, appointed the following to serve on the advertising and publicity committee: Lester Thompson, director of the Advertising Advisory Council; chairman; Mort Blumenstock, Warners; C. S. Seadler, Loew's; Herb Berg, Paramount, and Ken Clark, M.P.P.D.A.

In addition, Major Thompson plans the formation of a national field organization to aid the theatres' participation in the annual roll call, Nov. 11 to Nov. 30.

New Haven Vaudeville

NEW HAVEN, Sept. 10.—The Arena, Connecticut's only sports palace, will open its "name" vaudeville policy for the season Sunday with Mitchell Ayres and Jack Teagarden orchestra and seven acts, headlined by Henry Armetta. Admission will be 40 and 75 cents afternoons, and 55-85 cents and $1.00 evenings, including tax. Nathan Podoloff manages the Arena.
Although we've never had our face lifted, we do know what it's like to feel young all of a sudden.

There was Mickey Rooney at the drums, there was Judy Garland at the voice, and there were we and all the audience at our happiest.

That trip to see "Strike Up The Band" was a trip to the Fountain of Youth.

It started us singing. Usually our vocal efforts are confined to the marbled halls of the shower-room, but after seeing this new M-G-M sooper dooper musical smash, our little voice went pattering all over the house.

The boys and girls in the picture get the plot inspiration from Maestro Paul Whiteman himself. Over the years Whiteman has deserved the title His Royal Highness of Rhythm. Paul's music never palls.

We have a flock of bouquets to pass around on this one. We'll toss a few to Arthur Freed, the hit Ascap song-writer who turned producer; to Busby Berkeley, the director; and to those brother rats, Monks and Finklehoffe, who wrote the screen play.

When you hear "Our Love Affair," others will hear you. It's more than a melody, it's an infection.

But the final repeat rave must be held for those incomparable artists of the present and future, those babes in arms, Rooney and Garland. We call them Punch and Judy, because punch is what they've got.

No wonder we're singing — Leo.
An Acceptable Decree Hope Of Exhibitors

(Continued from page 1)

the Department by the representatives of the various exhibitors groups who appeared with Arnold and his aides during the past week.

**Feature Reviews**

**The Girl from Havana**  
(Republic)  
With more hand and gun fighting than a Western thriller, and with a cast headed by Dennis O’Keefe, Claire Carleton, Victor Jory and Steffi Duna, Republic has in this a zesty melodrama which should rate for most audiences as exciting entertainment.  
It’s a rip-roaring, action-laden story that neitherлагs nor wanders from its course throughout the telling, under the skillful direction of Lew Landers.  
Contributing their capable talents, too, are Gordon Jones, Bradley Page, Addison Richards, Abner Biberman and William Edmunds. The original screenplay was written by Karl Brown. Robert North acted as associate producer.  
O’Keefe, Jory and Jones are oil drillers working in South America. There they meet Miss Carleton, whose attention is sought by O’Keefe and Jory. They fight, are jailed and are soon set free. A cafe brawl which follows results in the death of Jones. O’Keefe, seeking revenge, kills the assassin and, by way of escape, becomes a gun-runner for a revolutionary group. A thrilling climax occurs in a war between members of the oil company in which O’Keefe had been previously employed and the revolutionists.  
“Girl from Havana” also is a song which Miss Carleton sings effectively. Miss Duna, as the girl of the revolutionary leader, finds occasion to render a Spanish number.  
Running time, 69 minutes. “G.”**

**“I WAS FED UP WITH MY HUSBAND”**  
**Writes Mrs. Thelma Throttle**  
“I was all ready to give Egbert the brush-off and hitch my way to Reno when I saw Paramount’s ‘I Want a Divorce.’ I laughed so hard I forgot all about divorcing Egbert. We are now as happy as two love birds. You must see…”

**“Dreaming Out Loud”**  
(RKO)  
The radio prominence of the top cast names is the main asset of this film of a simple story. The locale for the most part is a general store in a small town. The tale itself is a phase in the routine lives of the proprietors. It comprises mostly small town drama with its smiles and tears, has a happy ending, and affords the principals, Lum and Abner, occasion for rendering their particular type of entertainment.  
Frances Langford, Frank Craven, Bobs Watson and Robert Wilcox are in featured roles. Phil Harris is seen in an early sequence. Lum and Abner are the store proprietors. In the course of events are the death of a little girl caused by a hit-and-run driver and the ultimate capture of the driver, and the death of a paralytic stroke of a country doctor. The latter is succeeded by his son, who is provided by the townsfolk with a mobile hospital unit.  
The film was produced by Jack Votson and Sam Coslow. Harold Young directed a screenplay by Harold J. Green, Barry Trivers and Robert D. Andrews.  
Running time, 81 minutes. “G.”

**“Who Is Guilty?”**  
(Monogram)  
A murder, the ensuing police investigation and sporadic bits of humor are compounded into an entertaining tale of the mystery variety, which increases in interest as the story develops.  
“Who Is Guilty?” was a play by Alec Coppel titled “I Killed the Count,” adapted to the screen by Coppel and Laurence Huntington. Produced in England by J. Goldsmith, an adequate cast, more familiar to British audiences, was employed. This includes Syd Walker, Ben Lyon, Terence De Marney, Barbara Blair and Anthole Stewart. Lyon and Miss Blair will be recognized here, however, Fred Zelnik directed.  
The story concerns the murder of a count and the inquiry with Walker, an inspector, and his assistant, de Marney. After much questioning and deduction, Lyon is apprehended as the murderer and soon confesses. Matters become complicated, though, when three others plead guilty to the crime. Stymied, Walker abandons the case.  
Running time, 69 minutes. “G.”**

**Frisco Fair Beats Five Million Mark**  
San Francisco, Sept. 10.—Still more than 30 per cent ahead of last year, the exposition attendance has passed the 5,000,000 mark, with three weeks yet to go. Billy Rose’s “Aquacade,” with a holiday weekend attendance of more than 90,000, is nearing a total attendance of 1,700,000, with “American Cavalcade” and “Folies Bergere” likewise setting new records.

**Kansas City Gives ‘Town’ Big $23,800**  
**Kansas City, Sept. 10.—**Big money went to “Boom Town” and “The Lady in Question,” with $23,800 at the Midland, at advanced prices. “Rhythm on the River” took $9,600 at the Newman. The weather was cool and rainy in spots.  
Estimated takings for the week ending Sept. 3-5:

- **“Young People”** (20th-Fox): ENJOYERS—$800 (32c-46c) 7 days. Gross: $7,000. (Average, $1,000)
- **“The Lady in Question”** (M-G-M): MILLARD—$1,000 (10c-50c) 7 days. Gross: $23,800. (Average, regular prices, $3,400)
- **“Rhythm on the River”** (Param.) NEWBURY—$1,000 (20c-50c) 7 days. Gross: $9,600. (Average, $1,300)
- **“Pop Always Pays”** (RKO): CINCINNATI—$1,500 (28c-46c) 7 days. Second week, “Drive.” Gross: $3,900. (Average, $550)
- **“A Corner on Love”** (Param.): TOWER—$2,000 (35c-44c) 7 days. Stage: 3 Sophisticated Ladies, Dacota, Burns Twins. Evelyn Price. Gross: $6,100. (Average, $850)
- **“Young People”** (20th-Fox): UPTOWN—$1,500 (20c-44c) 7 days. Gross: $3,100. (Average, $450)

**RKO Retains House**  
CINCINNATI, Sept. 10.—Despite previous announcement that RKO would give up the suburban Orpheum upon expiration of its lease Aug. 31, after which it would be operated by J. I. and Charles Martin, owners, the house will continue under RKO. The original lease was executed five years ago.

Seek Sunday Films  
BRECKSVILLE, Pa., Sept. 10.—After the Berwick Council tabled an earlier petition asking that the matter of Sunday films be placed on the November ballot, a second petition, containing 500 additional names, was presented at a special meeting and the body decided to present the petition to the County Commissioners.

**Boon Town’ Draws $23,000, Providence**  
PROVIDENCE, Sept. 10.—Loew’s grossed $23,000 with “Boom Town” and “The Lady in Question.” “The Sea Hawk,” singed at the Majestic, was good for a fine $9,000.  
Estimated takings for the week ending Sept. 4-5:

- **“Lucky Partners”** (RKO): **“Dr. Christian Meets the Women”** (RKO) RKO-ALBEE—(22.23) (3c-3c-9c) 7 days. Gross: $16,400. (Average, $2,300)
- **“Boom Town”** (M-G-M): **“The Lady in Question”** (Col.): LOEW’S STATE—(2,200) (3c-46c-56c) 7 days. Gross: $22,000. (Average, $3,100)
- **“The Sea Hawk”** (W. B.): MAJESTIC—(280) (3c-39c-57c) 7 days. Gross: $19,000. (Average, $2,700)
- **“Rhythm on the River”** (Para.): STRAND—(2,500) (3c-39c-57c) 7 days. Gross: $22,000. (Average, $3,100)
- **“Girl From Avenue A”** (20th-Fox): **“Alabama Tennis”** (M-G-M): **“Execution of Mary Slessor”** (W. B.): **“The Love of a Woman”** (Para.): FAY’S—(1,800) (3c-39c) 7 days. Gross: $2,500. (Average, $3,500)
- **“Ridiculous”** (Col.): **“Hollywood”** (Para.): **“The Story of John Robey”** (Col.): **“The Perfect Gentleman”** (M-G-M): **“The Blues at Midnight”** (Col.): **“Sp,nil” (Col.): STRAND—(2,500) (3c-39c-57c) 7 days. Gross: $22,000. (Average, $3,100)
- **“The Story of John Robey”** (Col.): **“Hollywood”** (Col.): **“The Perfect Gentleman”** (Col.): **“Sp,nil” (Col.): STRAND—(2,500) (3c-39c-57c) 7 days. Gross: $22,000. (Average, $3,100)

**Golden Back at 20th-Fox**  
Hollywood, Sept. 10.—Max Golden, former associate producer at 20th Century-Fox, has returned to the studio as assistant to William Koenig, production manager.
Off the Antenna

WITH the extension of time for filing briefs until Oct. 25 granted by the FCC, consideration of the monopoly report will be further delayed. The networks asked that the filing of briefs be delayed until December but the commission held that to compensate the public for the delay, at least, a December date would have been a decided advantage—-it would have removed the industry from the white heat of the election battle. The Committee on Communications of the American Bar Association, after a study of the monopoly report, declared that there are five elements to be considered:

1. The inherent necessity for nationwide cooperation in getting programs material to the air?
2. The requirement in each locality shall give substantial program service responsive to local needs, even though such service is of little interest elsewhere;
3. The necessity, since broadcasting facilities are maintained by advertising revenues, of so conducting them that advertising revenues which are required to keep the stations going;
4. The necessity of dealing with these problems that the public interest will not suffer from the very considerable powers which it may seem to the commission necessary to exercise;
5. The corresponding necessity that when provision is made for the required regulation of these private interests, such regulation shall not itself injure the public interest by permitting or encouraging Government agencies to exercise more power than is safe for them to exercise.

The monopoly report recognizes the first, second and fourth of these elements but gives little attention to the third and fifth, according to the lawyers' committee.

Purely Personal: Sid Schwartz, former publicity and special events director at WNEW, is in Hollywood doing same free lance script work... Sam Dickinson, formerly on special shows over WOKO, Albany, is a new member of the CBS program department. Gratia Corming, WOKO announcer, has been signed for the "Young Dr. Aldrich" shows and is commuting between Albany and New York.

Program News: WHN has obtained exclusive rights to broadcast all New York Giant football games. Schick Injector Razors will sponsor lines. Lines will be taped, if possible, over the week of the games played there. Molly Picon will begin her fourth year for Maxwell House Coffee over WMCA Tuesday, Oct. 8 at 5:15 P.M. "Fane and Fortune," new Tank program, will debut over the WMCA stations, beginning Thursday, Oct. 17 at 8:30 P.M. ... New business at WABY, Albany, includes Swire Furniture, five-minute news periods; Sabourin's, five-minute news programs; Jonathan Levi, five-minute programs; 20th Century Dinners, Governor's Ball, 2nd Annual Bowl, etc., etc.; Avenue Shoes, and Rama Paint, ... WOKO, Albany, accounts include a renewal with Carter Products for daily announcements; Myers Department Store, five minutes daily, and Spry, announcements. The move is due to increase advertising in the local market. WOKO will start two new script shows over CBS, Monday, Sept. 30. The shows are "The O'Neills" over 17 stations, and "Woman in White" over 32.

Debate with BMI Is Rejected by Ascap

Ascap yesterday rejected the proposal for a debate made Monday by Sidney Kaye, vice-president and general counsel for Broadcast Music, Inc. On Monday, John G. Paine, Ascap general manager, told Motion Picture Daily that he "had no objection" to such a debate. In reply, Ascap said that Kaye asserted that he could not see any subject of debate between Ascap and BMI, unless perhaps it would be a question of which of the two should be the "premier" to which would give the most encouragement and protection to song writers—or which would give the most service to band leaders, vocalists, broadcasters, sponsors and the public—not in promises, but in results.

Paine added that he would discuss business with Kaye "in a business-like way" if Kaye is authorized to speak for stations or networks. Ascap stated that membership had hit all time high of 1,285 with the admission of 39 composers and authors during August.

Ask Independents to Join Coast AMMP

Hollywood, Sept. 10.—The Association of Motion Picture Owners has issued invitations to the "major independents," such as Edward Small, David O. Selznick and others, to join as associate members.

As previously reported here, the "major independents" have been meeting informally on common problems through their various business agencies. They would not expect to pay regular dues and would want at least two representatives if they joined the A.M.P.P. So far in the nebulous stage, talks are scheduled this week between such representatives and Harry M. Warner.

Low-Poli Vaudeville

New Haven, Sept. 10.—Vaudeville will be resumed at Loew-Poli the Globe, Bridgeport, Monday nights. The Bijou here will resume last year's Saturday night vaudeville policy beginning September, with another nightly weekly for other day weekly for stage shows.

Serving the Albany district—third highest per capita rating in the country. Use Station WABY (NBC Blue)

Committees Named For Sound Studies

Hollywood, Sept. 10.—Darryl F. Zanuck, chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, has announced the formation of two committees to operate under the supervision of the council's basic sound committee:


Roosevelt to Fight Chicago 'Hall' Ban

Hollywood, Sept. 10.—James Roosevelt, his picture, "Pastor Hall," United Artists release, has been banned by the Chicago censor on the ground that it is "controversial," will fight the action.

Roosevelt said an inquiry will be made into the authority of the police censor to ban the picture, which has been made that it be shown wherein the picture is "controversial," as claimed by Lieutenant Costello, the Chicago censor.

Back to the Farm

TORONTO, Sept. 10.—The back-to-the-farm movement appears to be spreading among film industry executives in Canada. N. L. Nathanson, president of Famous Players Canadian, has just purchased five farms which will be consolidated into one.

Other farm owners are: Henry L. and Paul Nathanson, brother and son, respectively, of N. L.; Clare Hague, Universal Canadian representative; Oscar R. Hansen, president of Empire Films and Hanson Theatres Corp.; E. H. Wells, secretary of the Canadian Film Board of Trade; Harry Price, head of Superior Films, Ltd.; Charles F. Mavety, and Ralph McClelland, owner of the Capitol here.

Philadelphia Area Has Building Spurt

PHILADELPHIA, Sept. 10.—The new sound stage for the Philadelphia metropolitan area with most of the activity in suburban and surrounding communities. Opened, or about to open are the new Boro, operated by Sam and Nathan Stiefel, who now operate the Rex; the first house for Florence, N. J., built by Morris Passon, of New Brunswick, New Jersey, at North Hella-

town, Pa.; Charles Stearnman's Cinema Arts for foreign films. Albert M. Lieberman, local realtor, is erecting a new home in the South Norristown Ridley Park section with contract awards for new houses to be erected in the suburban communities and Wyomissing.
(Four miles up... Landing gear jammed... Crash imminent for world's fastest plane!... That ship's gear must be pulled out! But how?... And by whom?)—Just one of the breakneck thrills in this thriller terrific!

**MOTION PICTURE DAILY SAYS:**
“It evoked more applause from a preview audience than all the flag-waving in all the other flight pictures made since 'Hell's Angels.'”

**MOTION PICTURE HERALD:**
“Preview applause and appreciation... Has romance... humor... pathos... drama and adventure... Seemed to please its first beholders mightily.”

**SHOWMEN'S TRADE REVIEW:**
“Swell entertainment... Chock-full of thrill... steers clear of the present conflict abroad.”

**HOLLYWOOD REPORTER:**
“Capital entertainment... before you are aware of it, 70 minutes of film has been run off with a laugh, a thrill, or a sigh per minute.”

**HOLLYWOOD VARIETY:**
“Affords a timely tour behind the scenes in the airplane industry.”

**MEN AGAINST THE WIND**

*with RICHARD KENT DIX *TAYLOR EDMUND LOWE *BARIE

PRODUCED BY HOWARD BENEDICT - DIRECTED BY LESLIE GOODWIN

SCREEN PLAY BY NATHANIEL WEST
Dame Trouble on the Ground!

Streamlined lightning... with Test Pilot Mercedes, who'd fly anything from a bicycle to a bomber—anytime, anywhere!...

Drama, excitement and fireball action in that breathless world of airplane-building, where speed, speed and more speed is the demon that wrecks men's nerves and women's dreams!

HE SKY
The Marines are a highly organized...specialized military unit with a reputation for doing a good job...every time!

The Big 3 in Theatre Advertising is a highly organized unit of advertising specialists carefully trained to do a good selling job...every time with Trailers...Lobby Displays...Standard Accessories...streamlined to the times—so that they reach more people and sell more seats.

Yes sir...the situation is well in hand with

NATIONAL SCREEN SERVICE
Advertising Accessories, Inc.
NATIONAL SCREEN ACCESSORIES
Reallocations Fixed on U. S. Radio Stations

Alter Frequencies Under North American Pact

WASHINGTON, Sept. 11.—The Federal Communications Commission today filed with the State Department its proposed reallocation of broadcast frequencies, and set March 29 next, as the date for their application, simultaneously with the giving of effect to the North American Regional Broadcasting agreement, under which they were developed.

Changes in frequencies will affect all but 85 of the 802 stations now operating, moves ranging from 10 to 40 kilocycles, with 614 stations being required to move up 20 kilocycles.

The various broadcasters now are being apprised of their new allocations and have been given until Oct. 15 in which to register any exceptions to the commission's arrangement.

Cohen Statement Says Exhibitors Have Right to Intervene in Suit

Max A. Cohen, president of Allied of New York, yesterday issued the following statement, offering the legal opinion of Jacob Schechter, New York attorney, on the rights of exhibitors in inter-jurisdictional litigation in the consent decree

“In our opinion motion picture exhibitors have the right to intervene in the pending equity suit brought by the United States against the leading motion picture producers and distributors for violation of the anti-trust laws.

“We feel that valuable rights of the exhibitors will be adversely affected by certain provisions of the proposed consent decree, and unless opportunity is afforded to the exhibitors by way of intervention in the pending suit, to be heard in support of their claims, and in defense of their rights, they will be divested of such rights without due process of law.”

Blumberg Says 'U' Plant Strengthened

Improvements and additions to the Universal studio and its facilities, undertaken more than a year ago, have proved to be the greatest strengthening factor in the history of the company. Nate J. Blumberg, president, declared yesterday following his return earlier in the week from his administration.

Reporting that Universal has just completed five of its major productions and has four other big pictures in work now, Blumberg contrasted this situation with that which prevailed a few years ago when he recalled, "three top pictures in work simultaneously would choke the lot."

In the past few weeks as many as eight major films have been before the cameras at Universal with work on all of them progressing smoothly, he said.

The present production condition at Universal will permit the studio to complete seven major films by the end of the year, Blumberg said, "more

(Continued on page 5)

Anticipate 200 at Warner Tourney

Approximately 200 Warner employees and guests are expected at the annual Warner golf tournament today at Old Oats Country Club, Purchase, N. Y. Carl Leserman, assistant general sales manager, will direct the master of ceremonies in presenting the awards at a dinner following the tournament. More than 50 prizes will be awarded.

The committee in charge of arrangements includes: Gerry Keyser, chairman; Arthur Sachson, Leonard Palumbo, Abe Kronenberg, Harold Rodiner and A. W. Schwallberg.

Executives who will attend include: Major Albert Warner, Grad Sears, S. Schneider, Mort Blumenstock, Joseph Hazer, Harold Bareford, Stanleigh Friedman, Karl MacDonald, Roy Haines, Norman Moray, A. W. Schwaberg, Barney Klawans, Ned Depinet, Sam Rimzel, Herman Robbins, Sam Dembrow, Leonard Golden, T. J. Martin, Strauss MacDonnell, Frank Phelps, Leonard Schlesinger, Herman Starr, Rudy Weiss and Jacob Wilk.

Trade paper representatives attend.

(Continued on page 5)

Coast Flashes


Warners announced they would make a feature starring James Cagney from "The Tanks Are Coming," first proposed as one of the national defense series shorts series. Raoul Walsh has been assigned to direct a script by Owen Crump. Much of the work will be on location at Fort Knox, Ky. Executives decided after reading the script of the short that it warranted greater attention.

In response to a suggestion from Gov. Leverett Saltonstall of Massa- chusetts, Sammel Goldwyn has agreed to make a companion picture to "The Westerner," the new production to star Gary Cooper and probably to be titled "The Easterner."

Governor Saltonstall's suggestion was that the colorful history of New England lends itself to film material.

Walt Disney has signed Alfred Werker to direct the Robert Benchley sequences in "The Reluctant Dragon," feature in cartoon and human action to be released about Jan. 1.

Final Arbitration Meet Set for Tomorrow

The drafting committee of attorneys for the Government and the five consent ing companies continued their work yesterday on the formal legal draft of the proposed decree for presentation to Federal Judge Henry W. Goddard next month. Indications are the work may be completed by the committee at a meeting scheduled for today in the office of Donovan, Newton, Leiser & Laskind, RKO counsel.

Final phases of the arbitration provisions of the decree will be discussed at a meeting of the arbitration committee tomorrow at the American Arbitration Association headquarters. This meeting, too, may complete the discussions.

The Government attorneys, Robert Sher and Robert L. Wright, expect to begin work next week on a revised complaint against the five consenting companies in order to avoid any conflict between the decree and the complaint on file in the Federal court. It is also anticipated that they will delay next week's meeting to include the three non-consenting companies, Columbia, United Artists and Universal, in the amended complaint or to file a separate action against them.

The New York I.T.O.A. voted yesterday to permit its committee of three to determine what steps shall be taken to prevent adoption of the block-of-five provision in the consent decree. The meeting was attended by about 65 exhibitors, including members of N. Y. Allied.

The decision to give the committee full powers came after a discussion of possible steps. The committee is composed of Harry Brandt, Leo Brecher and Milton C. Wetzman.

Walker Takes Oath As Cabinet Member

Washington, Sept. 11.—Frank C. Walker was sworn in as Postmaster General this morning in the White House office of President Roosevelt, shortly after the latter's return from a trip to Washington from Hyde Park.

The oath of office was administered by Associate Justice Stanley F. Reed of the U. S. Supreme Court.
Personal Mention

William A. Scully, Universal general sales manager and Eastern Sales Manager F. J. A. McCary left last night for Toronto to join Empire-Universal officials in their current negotiations with Famous-Players-Canadian executives. They will return over the weekend.

Roy Disney is in New York from the Coast for an extended stay, during which he will make arrangements for openings of "Fantasia," the new Walt Disney symphonic production.

Leon Netter and M. F. Govert of Paramount home office theatre officials, left last night for visits to the company's theatre associates in New Orleans, Dallas and Beaumont, Texas.

Uma Ross, Erpi manager in Lima, Peru, is expected here about Oct. 5 on his first visit to the country after 10 years in South America.

Ernest Delcey has closed the Valley Theatre, Cherry Valley, N. Y., to enter a new business here.

Mr. and Mrs. Frank Lloyd leave for the Coast today aboard the City of Norfolk.

Leo Bonoff, Madison, Conn., exhibitor, will celebrate the Bar Mitzvah of his son, Leo Jr., on Saturday, at a New Haven synagogue, with a reception following at home.

Lou Cohen, relief manager on the Loew-Poli circuit, and manager of the Palace in Hartford, is vacationing.

John Perakos, son of Peter Perakos, exhibitor in New Britain and other Connecticut towns, has been named student manager of the State, Waterbury.

William A. Scully, St. Fabian, John W. Hicks, Russell Holman, Ted Leopold, and Tom Connors at Nick's Hunting Room at the Astor for lunch yesterday.


Harry Gold, John Wright, Milton Beller, Abe Schneider and Arthur Silverston lunching yesterday at Linda's (next to the Rivoli).

Al Margolies, Mort Spring, Ben Jacobson, Bert Wheeler, Joseph Malcolm, Harry Gotetz and Harry Thomas at the Tavern for lunch yesterday.

Witt's Father Dies

Peter Witt, former personal representative here of Samuel Goldwyn, and now a WHN program director, received word from Germany yesterday that his father, Dr. Joseph Witt, had died there.

At Paramount Sales Meeting

As Paramount's district sales managers gathered at the Muchibach Hotel in Kansas City yesterday for a two-day meeting to see films and arrange sales policies, new Paramount sales manager, Christmas Hon, was named general sales manager, introduced Richey to the group.


Richey Is Honored At Metro Luncheon

A luncheon was tendered to H. M. Richey, newly appointed M-G-M director of exhibitor relations, by home office executives at the Hotel Astor yesterday. William F. Rodgers, general sales manager, introduced Richey to the group.

The action followed a meeting at the M.P.P.D.A. offices Tuesday at which it was charged that Brandt houses were being leased to the Liggott & Myers Co. for free films advertising Chesterfield cigarettes. The free shows run for one hour each with a commercial called "Tobacco-land-U.S.A." and "Pleasure Time," a musical produced from shots of Fred Waring's orchestra at radio broadcasts.

A discussion of the "Room Town" policy took place but no action was taken. A special meeting will be held Wednesday to consider film buying.

Brandt Pledges Jobs

Harry Brandt, head of the Brandt circuit, yesterday announced that any employees called for military service under the conscription legislation will find their jobs waiting on their return, and their seniority will not be disturbed.

Skouras Trial Monday

Federal Judge John C. Knox has set trial for Monday of the indictment charging George P. Skouras and Harvey B. Newman and two Skouras corporations with alleged bribery of ex-Judge Martin T. Marton.

Epidemic Continues To Affect Theatres

While the ban has been lifted on children under 16 attending theatres in Portsmouth, Ohio, because of the recent epidemic, the effect on theatre business of the epidemic continues to be felt in Kansas, Missouri, Indiana and parts of Ohio.

Several theatres in Kansas and Missouri have been closed by health authorities to close, and others, according to the newspapers, might be closed. The epidemic is said to be costing Kansas exhibitors thousands of dollars a day, and the whole Cincinnati trading area has been severely hit.

Sues for Receiver

Suit for the appointment of a receiver has been filed in N. Y. Supreme Court by Harry Silverstein against French Cinema Center, Inc., Franco, Inc., C. F. Silverstein, and Andre R. Heymann. Silverstein claims to have a 40 per cent interest in French Cinema.

Zeigler on Ambo Board

Jules Zeigler has been appointed to the board of directors of the Ambo, succeeding Lou Litton, Monogram Monogram leading head, who is now en route to Hollywood, Leon Bamberger, president of Ambo, has disclosed.
"So it ain't hard enough we play 'They Drive by Night' and the mobs drive me nuts for 3 weeks. Then the boss follows it with 'Sea Hawk' and I get the same thing only worse for 4 weeks! Now he opens the Jimmy Stewart-Rosalind Russell show 'No Time for Comedy' and when I listen to the way they're beefing for seats again—boy am I gonna have trouble! I'm telling you Mac, I'm gettin' me a job at a house where they don't play no Warner shows—so I can take it easy!"

JAMES STEWART
ROSSALIND RUSSELL
"NO TIME FOR COMEDY"
with GENEVIEVE TORIN • CHARLIE RUGGLES
Allen Jolyn • Clarence Kolb • Louise Beavers
Directed by WILLIAM KEIGHLEY
Screen Play by Julius J. and Philip G. Epstein • from the Stage Play by S. N. BEHMAN • Produced by Katherine Cornell and the Playwrights Company.
### Motion Picture Daily's Booking Chart

*Notes: All dates are based on National Release Schedules and are subject to change. This chart is revised weekly. Letters in parentheses after titles denote the following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.*

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<td>4003 Maxee-Murphy</td>
<td>(O) Triple Justice (O)</td>
<td>109 Tyler Power Linda Darnell</td>
<td></td>
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<tr>
<td>Sept. 27</td>
<td>The Broadway (D)</td>
<td>Dora Fairbanks, Jr. Glamour for Sale (D)</td>
<td>Haunted Honeydew (M)</td>
<td>104</td>
<td>That Gang of Mine (D)</td>
<td>4003 Maxee-Murphy</td>
<td>(O) The Villain Still Pursued Her (O)</td>
<td>106 Herbert Lousie</td>
<td></td>
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<tr>
<td>Oct. 4</td>
<td>So You Won't Talk (D)</td>
<td>Joe B. Brown F. Robinson</td>
<td>Escape (D)</td>
<td>401 Norman Shearer Robert Taylor</td>
<td>Under Texas Skies (O)</td>
<td>3 Mesquiset</td>
<td>(O) Gay Caballero</td>
<td>108 Caesar Romero Robert Sterling</td>
<td></td>
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<tr>
<td>Oct. 11</td>
<td>Nobody's Children (D)</td>
<td>Edith Fellows Billy Lee</td>
<td>Sky Murder (D)</td>
<td>4010 Old Swimmer's Holes (D)</td>
<td>Frontier Vengeance (D)</td>
<td>1020</td>
<td>(C) The Great Profile (O)</td>
<td>111 John Barrymore</td>
<td></td>
</tr>
<tr>
<td>Oct. 18</td>
<td>Third Finger Left Hand (C)</td>
<td>Melvyn Douglas</td>
<td>You're Out of Luck (D)</td>
<td>4010</td>
<td>You're Out of Luck (D)</td>
<td>4010</td>
<td>(D) Slightly Tempted (C)</td>
<td>(D) Hugh Herbert Peggy Moran</td>
<td></td>
</tr>
<tr>
<td>Oct. 25</td>
<td>West of Abilene (O)</td>
<td>Girls Under 21 (D)</td>
<td>Sky Murder (D)</td>
<td>4010</td>
<td>Sky Murder (D)</td>
<td>4010</td>
<td>(D) Tropical Sinners (D)</td>
<td>(D) Dietrich-Wayne</td>
<td></td>
</tr>
<tr>
<td>Nov. 1</td>
<td>Arise My Love (C)</td>
<td>Claudette Colbert Ray Milland</td>
<td>Cherokee Strip (O)</td>
<td>4010</td>
<td>You'll Find Out (M)</td>
<td>108 Ray Rogers</td>
<td>(O) A Little Bit of Heaven (M)</td>
<td>(D) Gloria Jean Robert Stack</td>
<td></td>
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**August 30** Stone Age Cartoon 'Springtime In The Rockage'

**September 6** Grantland Rice Sportlight 'Diving Demons'

**September 13** Headliner 'Moments Of Charm Of 1941'

**December 1** Box Office Tested
No Cooperation
Kansas City, Sept. 11.—E. S. Young, who operates the Central here, has said that he is resigning as president of the I. T. O. A. because of the independents’ inability or unwillingness to meet common issues with a united front. The I. T. O. only recently was reorganized after a long period of inactivity.

5th Stanley Warner Meet Held in Phila.

Philadelphia, Sept. 11.—Fifth annual meeting of the Stanley Warner Theatre Co. was held today at the Ritz Carlton Hotel with Ted Schlangen, zone head, as chairman and 105 house managers and company executives in attendance.

Chief interest was centered in an address by Joseph Bernhard, Warner Theatres general manager, who outlined the circuit's progress and stressed the need of merchandising pictures. He awarded Chevrolet auto-mobiles to three managers, Bill Lalfery, Liberty, Tacony; Herman Comer, Capitol; and Lewis Black, Warner, Wilmington, for outstanding achievements in the zone during the past year. Similar awards will be made this year.

Other speakers included Harry Goldberg, Warner Theatres advertising head, Lester Kriger, J. Ellis Shipman, Sam Schwartz, Joe Feldman, Everett C. Callow, Bob Mills and Bill Charles.

Republic and Royal Close Product Deal

San Francisco, Sept. 11.—Republic has closed a deal for its 1940-41 product with the Royal Amusement Co. of Honolulu, operating theatres in the Hawaiian Islands.

James R. Grainger, president of Republic, and Sid Weisbaum, San Francisco branch manager, represented Republic in the deal, and W. J. Citron represented the circuit.

Arthur W. Barron has been added to the sales force of Republic's branch in Salt Lake City, working in southern Idaho and western Wyoming.

Blumberg Says 'U' Plant Strengthened

(Continued from page 1)

than the company ever has been able to deliver in the course of almost two seasons.” The new product referred to is “Spring Parade,” the new Diana Durbin picture; “Seven Sinners,” starring Marlene Dietrich and John Wayne; “A Little Bit of Heaven,” with Gloria Jean; “Hired Wife” and “Argentine Nights,” all completed, and “The Invisible Woman,” with John Barrymore; “The Bank Dick,” starring W. C. Fields; “Caribbean Holiday” and “Back Street” in production.

U. A. District Sales Meeting Saturday

A meeting of United Artists district managers from all over the country will be held here Saturday to discuss with home office executives the sales policies on several of the company’s important forthcoming releases. Among these are: “The Great Dictator,” “Thief of Bagdad” and “The Westermerg.”

Maurice Silverstone, who will arrive tomorrow from Coast conferences with United Artists producers, will hold preliminary discussions during the day with Harry Gold and L. J. Schlaifer, United Artists vice-presidents in charge of distribution, on the forthcoming product and tentative sales plans.

Exhibitors Criticize English ‘Portables’

London, Sept. 11.—Considerable criticism of the plan of the British Ministry of Information for traveling film shows was voiced at today’s meeting of the general council of the Cinematograph Exhibitors Association.

The Ministry had canvassed exhibitors for approval of the proposed itinerary of the portable theatres, and the C.E.A. will study them, eliminating areas already covered by regular theatres. The general council also objected to the inclusion of entertainment films in the portable show programs.

Ohio Town Votes to Prohibit All Games

Middleton, O., Sept. 11.—The City Council by a four to one vote has passed a previously tabled ordinance making illegal the operation of Bank Night or similar theatre games, and including giveaways in any line of business. Bingo also is included.

The measure, which passed after the third reading, originally was framed as a control of the numbers lottery “racket,” and makes unlawful the possession of any cards or slips bearing lottery numbers.

Ohio Bank Night Ruling Due

Columbus, Sept. 11.—The Ohio Supreme Court, which reconvenes Sept. 24 after a Summer recess, is expected during its Fall term to rule on the constitutionality of Bank Night in the case of the Troy Amusement Co., against which proceedings were brought by Andrew Attenweiler, a taxpayer, asking for discontinuance of the game at the Mayflower, in Troy, O., on the ground that it violated the Ohio anti-lottery law.
“I Told My Wife To Scram”

writes Willoughby Blintz

“Violet, my little angel child, my petsy wetsy hearing such words from her own true love. Yes, it was all too, too true. I was giving Violet the bum’s rush when a friend advised us both to see Paramount’s ‘I Want a Divorce.’ Now...ahhhhhhhhh...things are different in our home...You must see...”

Theatre Changes

Schoenstadt Takes Two

Chicago, Sept. 11.—H. Schoenstadt & Sons has acquired the Ritz-Berwyn, III., formerly operated by the Lasker circuit, and the Pic here, formerly a Dan Chernoff theatre, Ben Banowitz, operator of the Palaisce and Harmony, is dickering to take over the Kenwood, formerly a Schoenstadt theatre.

Reopen Connecticut House

Stratford, Conn., Sept. 11.—Following two weeks’ closing for enlargement, restoring, and renewal of equipment, the 600-seat Stratford has been reopened by Albert Pickus.

Plan Tennessee House

Tullahoma, Tenn., Sept. 11.—Plans are being completed by the Cumberland Amusement Co., operator of the Strand, for converting a building into a modern film theatre.

Take North Carolina Theatre

Charlotte, Sept. 11.—North Carolina Theatres, which operates the Carolina, Broadway and State in Fayetteville, has acquired and will soon open another theatre in that city.

Plan Philadelphia Suburban

Philadelphia, Sept. 11.—Plans for a market building to be constructed at West Oak Hill, new suburban development in Delaware County, calls for the construction of a 1,000-seat, air-conditioned theatre.

Opens Iowa House

Memphis, Ia., Sept. 11.—Eben Hays, owner of the new Time Theatre here, remodeled from the old Majestic, has opened the house.

New Griffith House Ready

Kansas City, Sept. 11.—H. G. Griffith Theatres, Inc., will open its new Paola Theatre at Paola, Kan., shortly. John Jeffries will manage the house, formerly under supervision of R. W. Ferguson, manager at Osawatomie, Kan., who will handle both towns.

Danz Renovates Theatre

Seattle, Sept. 11.—John Danz has closed the Colonist, to resume during which time new sound equipment and a complete air conditioning unit will be installed.

Remodel California House

Beverly, Cal., Sept. 11.—Manager Robert McHale of the Oaks Theatre is directing a $40,000 modernization job, which includes a new front, new interior decorations, new furnishings for lobby and restrooms, acoustical plastering, and a new ventilation system.

Renovate Wausau Theatre

Wausau, Wis., Sept. 11.—Plans are underway for the renovation of the Wausau Theatre, including the installation of a new front, John Matix, formerly manager of Fox’s Strand at Manitowoc, Wis., is the new manager of the house.

Shift Michigan Manager

Stevens Point, Wis., Sept. 11.—H. L. Ceasar, former manager of the Orpheum in Hancock, Mich., has been named manager of Fox’s Lyric here. Myron A. Neunman, who managed both the circuit’s Lyric and Fox here, will now manage only the latter house.

Acquires Columbus House

Columbus, O., Sept. 11.—The neighborhood Indianapolis, built in 1938, and operated by the Indiana Theatre Co. has been leased by Central States, Inc., headed by Virgil A. Jackson, president, and John A. Murphy, treasurer, which now operates the Uptown, Wilmar, Goodale and Ontanngy here and the Avon, Cincinnati neighborhood house.

Altec Closes Deal

Altec Service Corp. has closed a deal to service theatres operated by the Great Western in Seattle, Bellington, Bremerton, Spokane and Vancouver, Wash., and Portland, Ore.

Building Carolina Theatre

Ellerbee, S. C., Sept. 11.—Dr. J. T. Greene is erecting a new theatre here. It will seat 300.

Improve Greenville House

Greenville, S. C., Sept. 11.—The Ritz is being remodeled at a cost of between $7,000 and $8,000. Improvements include a new front and lobby.

Plan Georgia Theatre

Dalton, Ga., Sept. 11.—A new theatre will be constructed here by Mannings & Wink, operators of a circuit in Georgia, Tennessee and Alabama.

Warners Reopen House

Ansonia, Conn., Sept. 11.—Warners has reopened the 475-seat Trenton, closed for the summer, for three day weekend operation. James Landino, student assistant at the Roger Sherman, New Haven, will manage the house.

Plans Columbus Suburbs

Columbus, O., Sept. 11.—C. A. MacDonald, who recently started work on a new 1,000-seat house, to be known as the Boulevard, plans another at suburban Beechwood. MacDonald operates both of the neighborhood houses and one in Ada, O.

Redecorate in Cincinnati

Cincinnati, Sept. 11.—RKO, which has remodeled a five-year-old, 1,500-seat suburban Orpheum will install new seats and redecorate the lobby.

Manages Renton, Wash.

Seattle, Sept. 11.—Frank Jenkins, former manager of the Montlake and Uptown, foreign film theatres here, has been appointed manager of Jensen-VonHerberg’s new Rainer in Renton. The house, formerly Fey’s Renton theatre, was reopened last week after complete remodeling and renovation.

Reprinting in Bridgeport

Bridgeport, Conn., Sept. 11.—Atlan Prakas is reprinting the lobby, marquee, and front of the 730-seat Rivoli here.

Open California House

Larkspur, Cal., Sept. 11.—Recently built by Blumenfeld Theatres, Inc., the Lark here has been opened.

Open Canadian House Sept. 20

Toronto, Sept. 11.—The opening of Famous Players’ one new theatre in the company’s wartime construction program, the Seneca at Niagara Falls, opened.

‘Love You’ Is Hit in Boston

With $37,700

Boston, Sept. 11.—“I Love You Again” and “Blondie Has Servant Trouble” scored a total of $37,700 in the two Loew’s State and $21,000 at Loew’s Orpheum. No other theatre exceeded average.

Estimated takings for the week ending Sept. 4

Hold That Woman (Met.)

REITHE BOSTON—(3,200) (25c-35c-40c-55c) 7 days; Cotton Club revue, Lucky Miller’s orchestra on stage 5 days. Gross: $3,000. (Average, $600)

Lucky Partners (KBO)

REITHE MEMORIAL—(2,300) (25c-35c-40c-55c) 7 days. Gross: $1,100. (Average, $160)

Rhythm on the River (Para)

REITHE BOSTON—(4,300) (25c-35c-40c-55c) 7 days, 2d week. Gross: $1,350. (Average, $196)

Sieg, Dance, Pretty Hot (B. W.)

REITHE BOSTON—(7,200) (25c-35c-40c-55c) 7 days. Gross: $3,400. (Average, $486)

Sieg, Dance, Pretty Hot (Maj.)

REITHE BOSTON—(1,200) (25c-35c-40c-55c) 7 days. Gross: $1,400. (Average, $443)

They Drive by Night (W. B.)

REITHE BOSTON—(3,800) (25c-35c-40c-55c) 7 days, 2d week. Average, $200

I Love You Again (M-G-M)

REITHE BOSTON—(3,600) (25c-35c-40c-55c) 7 days. Gross: $2,100. (Average, $120)

I Love You Again (M-G-M)

REITHE BOSTON—(3,600) (25c-35c-40c-55c) 7 days. Gross: $2,100. (Average, $120)

Blondie Has Servant Trouble (Col.)

REITHE BOSTON—(1,500) (25c-35c-40c-55c) 7 days. Gross: $1,100. (Average, $160)

Leases Fresno Theatre

San Francisco, Sept. 11.—H. S. Levin, local theatre man, has leased the White Theatre here from Harry F. White, and will reopen the house after alterations.

Renames Frisco House

San Francisco, Sept. 11.—Joseph Blumenfeld, owner of the downtown Davies, has renamed the house the Esquire. The lobby has been redecorated and a new front sign installed.

Midwest Opening Three

Kansas City, Sept. 11.—Fox Midwest has opened the new Fox at Sedalia, Mo., and soon will open the new DeGrave at Brookfield, Mo., and the remodeled Globe at Christopher, Ill.

Drive-in for Philadelphia

Philadelphia, Sept. 11.—The first five-theatre going-in-the-city project will be constructed here next Spring. Phil Smith, head of a drive-in circuit, announces an open air house.

Remodel California House

Tulare, Cal., Sept. 11.—Tulare Theatre Co. is remodeling the lobby and foyer of the Tulare Theatre.

W.E. Sets Dividend

The board of directors of Western Electric Co. yesterday declared a dividend of 75 cents per share on the common stock, payable Sept. 30 to stockholders of record Sept. 25.
Trammell Still Terms ‘Gold’ Experiment

With the “Pot o’ Gold” $1,000 weekly giveaway program scheduled to celebrate its first birthday on NBC Sept. 26, Nile’s Trammell, still refers to the idea as an “interesting experiment” which he is watching very carefully.

Trammell insists that the program is neither a “game of chance” nor a “question based on chance,” both of which are specifically banned under NBC program policies. However, Trammell asserts that a number of similar ideas have been turned down by the network under a general policy to protect a sponsor’s program by declining to use other shows which are based on similar patterns to a show already on the air.

“Pot o’ Gold,” which attained an amazing rating of close to 40 years ago, as soon as it went on the air, has now slipped down to 10 in the latest Crosslin ratings survey.

Commenting upon reports that NBC would follow the relaxation of its ban against laxatives by also accepting laxative advertising, Trammell replied with considerable emphasis, “No, period.

When the event employees of NBC are called up for National Guard or conscription service, they will find their names on the waiting list when they return. Trammell said, a policy of granting National Guard and reserve officers who took annual training courses a full month’s leave prior to the usual two weeks’ vacation with pay, which has always been in effect at the network, will be continued for those called up for a year’s service, Trammell said, thus giving them six weeks’ regular salary in addition to the money received from the Army.

Acquire New Scripts For Robinson Show

Several scripts have been written for the Edward G. Robinson show, “Big Town,” under deals completed by Russell & Ryan, agency handling the CBS show, on the Coast.

Two scripts, “Eyes of the Blind” and “The Ticking of Elephants,” have been acquired from Adela Rogers St. Johns, and “Treasure Hunt” from Paul Gallico, Robinson is on a tour here from the Coast by train.

Sawyer Heads WIZE

SPRINGFIELD, O., Sept. 11.—Charles Sawyer, former Lieutenant Governor of Ohio, has been elected president of WIZE, new station here, scheduled to go on the air Oct. 15. He succeeds A. Gardiner, resigned. Ronald Woodyard, manager of WING, Dayton, is vice-president. Others elected are Edward Merkel, secretary, and R. Kleiner, network.

Serving the Albany district—highest per capita rating in the country. Use Station WOKO (CBS outlet)

Off the Antenna

TWO new stations will join Mutual this month to bring the number of affiliates up to a total of 145. WLAV, Grand Rapids, which operates on 1,310 k.c., will join Sunday, while WJW, Akron, which operates on 1,210 k.c., with 250 watts, will join Saturday, Sept. 22.

Purley Personal: Mr. Lynn, who conducts the “Botanical Hour” at WBEN, received a hairy call to come to the Kudnoff agency after completing his show yesterday. When he arrived he found agency and Proctor & Gamble executives with a buffet luncheon to celebrate his eighth year with the program. Joe Blers, announcer, will start his 10th year with WOR Sunday... Arthur Feldman, of the NBC special events staff, left yesterday for Boston to arrange the American Legion convention broadcasts.

An unusual radio tribute will be paid by the British Broadcasting Corp. to Mexico Monday when the BBC will broadcast a show short wave on the occasion of the date celebrating Mexico’s independence. Mexico broke off diplomatic relationships with Great Britain two years ago.

Program News: The largest contract signed by the Yankee network is the new Seeco Vacation sponsorship of newscasts seven days a week at 50 cents. It will be carried by 19 stations... “Journey Man” will add 26 stations over Mutual Sunday bringing the total to 184 for the show... Miss Paintini will return to NBC Blue beginning Sept. 30... Tom Mix “Straight-Shooters” returns to NBC-Blue Sept. 30. It will be on the air at 9-45 P.M. under the sponsorship of Rashad-Purina... F. M. Schaefer Brewing Co. has renewed “Schaefer Reuse” over WEAF for one year. It will be heard Tuesdays at 7.30 P.M. beginning Sept. 24. Laugh & Myers will sponsor Prof. Quiz over 68 stations on behalf of United Tobacco Tuesdays at 9.30 P.M. beginning Oct. 1.

Baltimore Station Increases Power

WASHINGTON, Sept. 11.—A permit to increase its power to 50,000 watts and giving it unlimited time of operation has been granted WBAL, Baltimore, by the Federal Communications Commission, bringing to an end the switching arrangement now in use by which the station operates on 10,000 watts, sharing time on 1,000 kilocycles with WTIC, Hartford, Conn., with simultaneous operation with KEJ, Walla Walla, Wash., and WJZ, Baltimore, on that frequency up to 9 P.M., and with WJW, New York, on 760 kilocycles at 2,500 watts power up to midnight.

The commission also authorized WTIC, Hartford, Conn., to change its frequency from 1,060 to 1,440 kilocycles and increase time from sharing to unlimited; KLRL, Dallas, to make permanent its use of 620 kilocycles with 50,000 watts power, and KALE, Portland, Ore., to increase night power from 1,000 to 5,000 watts.

It was announced that Oct. 7 has been assigned tentatively as the date for a joint hearing on the applications of KRLC, Lewiston, Idaho, for change of frequency from 1,370 to 1,390 kilocycles and increase of power to 1,000 watts; KRLC, Lewiston, for a 1,390 kilocycle, 1,000-watt station; Mollin Investment Co. for a 1,390-kilocycle, 1,000-watt day station; National Broadcasting Co. for a 1,420-kilocycle, 250-watt station at Riverside, Cal.

Air Features Formed

Down, Del., Sept. 11.—Air Features has been formed here to deal in radio broadcasting with a capital of 100 shares, no par value. The incorporators are Alfred Jervis, L. H. Herman, and Howard K. Webb of Wilmington.

Move Don Lee Studio

Hollywood, Sept. 11.—The Don Lee television station, WDXO, will be closed for 90 days, beginning next Sunday, while the equipment is moved to the new studio on Mt. Lee.
BEERY BOOMS TOO!

“WYOMING” PREMIERE TERRIFIC!

420% of normal business!

SURE it’s a World Premiere at Cheyenne!
BUT it’s got to be one honey of a show
TO do in one day
WHAT “Northwest Passage” and “Babes in Arms”
DID in three days!
HERE’S another booming M-G-M hit!

“WYOMING”

“WYOMING” starring WALLACE BEERY
with Leo Carrillo, Ann Sothern, Lee Bowman,
Pete Kelly, Joseph Calleia, Marjorie Main
Screen Play by Jack Jevne and Hugo Butler
Directed by Richard Thorpe • Produced by
Milton Stein • A Metro-Goldwyn-Mayer Picture
AFRA Accepts Mediation on Sustainer Pay

Davis Named Mediator, Meeting on Monday

A threatened strike by the American Federation of Radio Artists against the radio stations in New York, Los Angeles, Chicago and San Francisco was averted last night when the AFRA board of directors unanimously adopted a mediation by William Davis, chairman of the New York State Labor Mediation Board. The mediation meeting is set for Monday at 2 p.m.

More than 400 members of the New York local at the Hotel Edison last night voted overwhelmingly to support the board's action. The dispute concerned the wages of performers on sustaining shows only if the contract on commercially-sponsoring programs does not expire until Feb. 12, 1941. AFRA sought to bring the pay for sponsors closer to that for sponsored shows.

Several meetings between the broadcasters and the union were held earlier this week in a last minute effort to reach an agreement but the question of supplemental pay could not be settled. The decision to mediate came somewhat as a surprise as AFRA officials had let it be known before the sessions that a strike vote would be taken. Further meetings will be held tonight in Chicago, Los Angeles and San Francisco but it is expected that these locals will support mediation.

Mexican Court's Censor Reversal Marks Precedent

MEXICO CITY, Sept. 12—A precedent was established by the national Supreme Court with regard to film-censor boards, is considered likely to open the way to producers and distributors, including Americans, who had thumbs turned down on their products in Mexico.

The high court has just approved a limited exhibitions of the French picture, "Arlette and Her Papas," which on June 13, 1939, was banned as indecent by both the censors and the local Municipal Government on the eve of its widely and expensive advertised debut here.

Distributor Jorge M. Dada decided to appeal to the courts against the ban. The latter refused to lift the censors and the civic fathers' opinion that the film is " unfit for any kind of exhibition" as it is "an outright apology for adultery."

Dada carried the case to the Supreme Court, which unheard of procedure in such cases in this country. The court after a special screening of the film decided that it is suitable for adult exhibition only and gave permission for such showings.

Arnold to Be Named S A G Head Sunday

HOLLYWOOD, Sept, 12.—The annual meeting Sunday of Class A members of the Screen Actors Guild will be held here to elect the executive without opposition of Edward Arnold as president to succeed Ralph Morgan, who has served two terms. Reports of various officers will be given.

Para. Studio Gets Mobile Television Unit of DuMont

A mobile television pickup unit has been ordered by Paramount from the Allen B. DuMont Laboratories, which is affiliated with Paramount, for use at the studios in Hollywood. The unit was ordered by Television Productions, a Paramount subsidiary.

Paramount thus becomes the first film company to order a unit made by James L. Fly, Federal Communications Commission chairman, who experiment with the production of live talent television shows in their studios. Fly pointed out that the wide audience of its productions, and, most important, the superior lighting equipment, made motion picture studios the logical place for the more elaborate television productions.

The mobile unit which was ordered is in addition to the regular television transmitter which is to be operated in Los Angeles by Television Productions. A special wire hook-up will be installed at the studio. One of the possible uses of the unit, it was said, is to broadcast live television from the various points of the country.


Para. to Seek High Scales on 'Mounted'

KANSAS CITY, Sept. 12.—Para-mount will ask exhibitors to raise admission prices for Cecil B. DeMille's "Northwest Mounted Police," it was decided here today following a conference of the company's top executives and district and division sales managers at the Muehlebach Hotel.

Neil F. Agnew, vice-president and distribution head, said the picture would be given pre-release engagements following the opening premiere Oct. 21, and that it would generally be released Thanksgiving week. He said that $150,000 would be allocated to the campaign for the picture and that the company's exploitation force would be coordinated to work on all major engagements for the picture.

Agnew also said that "The World in Flames," a documentary on events leading up to and including the European war, would be released by Paramount in October.

Study Decree Possibility in Other Actions

Conferences Initiated by Company Defendants

Conferences of an exploratory nature to determine whether a decree settlement of the present decree could be achieved in the three anti-trust suits against Paramount are being considered. A conference was held on Tuesday and a second was held yesterday.

Government representatives here said they were not aware of the discussions but added that if there was to be any consent decree settlement of the regional suits, the defendants would have to take the initiative in the matter. The Department of Justice, they said, could not make the first move for the decree.

It is understood that the conferences were initiated by the distributors to handle all arrangements in the three actions with the Schine, Crescent and Griffith circuits. No definite results have been attained yet but the talks will be continued, according to present plans.

'Fantasia' to Open Here About Nov. 14

Walt Disney's "Fantasia" will open here about Nov. 14 on a two-a-day, advanced screening basis. The theatre schedule will be announced in the next few days by Roy Disney, who is here from Walt Disney's Studio for the purpose. The Disney organization will handle all arrangements directly, with no general release or distribution of the picture planned at this time. New sound equipment for the symphonic film will be installed in each of the theatres and at the expiration of the initial run the equipment will be transferred to theatres in other cities where later openings will be arranged.

First touches are now being put on the picture at the Disney studio.
Metro’s Offices in London Hit by Bomb
Hollywood, Sept. 12.—M-G-M’s London headquarters at 19 Tower St. were very damaged in an air raid yesterday, according to advice received by the studio. The staff of that office had been transferred to Rickmansworth some time ago. Post-pal tubes were anticipated raids, it was said, and there were no casualties reported.

Schaefer to Phone Argentine Meeting
George J. Schaefer, president of RKO, today via radio telephone will address the RKO Argentine sales convention at its opening session at the Alvear Palace Hotel in Buenos Aires, Phil Reisman, vice-president in charge of foreign distribution, and Ben Mark, vice-president, are attending the Argentine meeting, and are presiding at the meeting. Schaefer’s address will incorporate a message of goodwill from the American purchasing agents and will point to the company’s effort to build up a better relationship with the Latin American countries, with the production of films of special interest to South American audiences.

A loud speaker in the convention room of the Buenos Aires hotel will bring Schaefer’s voice to the delegates at 3 P. M. New York time.

Wanger Is Club Guest

Einfeld Due in Week
S. Charles Einfeld, head of advertising and publicity for Warners, is expected here early next week to work on campaign plans for “City for Conquest.”

Lindy’s RESTAURANTS
1655 BROADWAY 1655
(Next to the Rivoli Theatre)
(El Cortez Corner)
For over 29 years the luncheon and sandwich place for Motion Picture People
Sole agents in New York for FAMOUS BLUM’S ALMONDETTES
from San Francisco, California

Personal Mention
W. G. Van Schmus, managing director of the Radio City Music Hall, who was reported on vacation, called a visit to the hall yesterday, his first in many weeks.

Edward P. Curtis of Eastman Kodak Co., Rochester, is back at his post after a vacation.

Irving Berlin, Charles Stern, Arthur Gottlieb, J. J. Milstein, Joseph Moszkowitx, Joseph Pincus and Edward Barsky are lunching at Lindy’s (51st St.) yesterday.

Max Weissfeld, Seymour Forch and Eddie Duchin at Lindy’s (next to the Rivoli) yesterday for lunch.

Robert Wolff, Arthur Mayer, William Oeb, George Skoguris, Maurice Bergman and Ed Saun-

Ars lunching at Nick’s Hunting Room in the Astor yesterday.

Robert Weissman, Monroe Green- thal, John Goldstein, Jack Kirkland, Tony Green, Lionel Stander, Nadine Moore, John D. Hertz, Jr., Sidney Klingsley and Bobby Crawford at Sardi’s for lunch yesterday.

Equity, League Set On Union Contract
Agreement on all major points was reached at a conference between Ac- tor’s Equity and the League of New York Theatres yesterday for the ex- tension of the union contract. Princi- pal subjects under discussion were the raise of minimum wages for performers from $40 to $50 weekly and the provision for Sunday shows at the regular scale instead of double pay.

The governing board of the League will meet Monday to pass on the $56,000 raise proposed at the conference in view of the fact that the committee has already agreed upon it. The Sun- day show provision will have to await the final agreement on the extend- ing of Equity which will be held Sept. 27. If the membership approves, a statement will be sent out with in- formation that the Equity council urges the passing of Sunday shows on an exper- imental basis until June 1 next. Sunday shows are not likely to become a reality until November.

With agreement on the principal points, Milward W. Weinberger, League counsel, and Paul N. Turner, Equity attorney, will meet to draft the formal contract. Several technical changes will be necessary because loopholes have been discovered since the incep- tion of the contract but such changes will be minor in character.

Present at yesterday’s meeting were Weinberger, Turner, Paul Duttell, corresponding secretary, Robert Cowan and Alfred Harding, representing Equity, and James K. Reilly, execu- tive secretary, Max H. Heiman, presi- dent, and Lee Schubert, representing the League.

M.P.P.D.A. Meeting Set for Wednesday
Quarterly meeting of the M.P.P. D.A. directors of committees will be held next Wednesday instead of Tuesday as previously scheduled. Will H. Wills will arrive from the Coast today.

Newsreel Parade
President Roosevelt’s speech before the teamsters’ union in Washington, opening the third term of his administration, was an important feature in the newsreels. The clip was post- released for inclusion in the new is- sues. The reels and their contents follow:


Three New Films Holding on B’way
Three new films established themselves during the past week and will be held over. Continued fair but cool weather added interest in the trade and the price trade fell off sharply as children returned to their classrooms on Monday.

“Kings of the Road” at capacity throughout the entire week and rang up an estimated $63,000, At the Music Hall, “Lucky Partners” with a stage wave Wednesday, held up an estimated $88,000, “The New Theatre” has $58,000. No. 3, “No Time for Comedy” with Larry Clinton’s brand on the stage was good all week and rang up $72,000 at the Strand. All are held over.

At the Roxy, “He Stayed for Breakfast” was up Wednesday to $26,000, an estimate of $38,000. “Hired Wife” goes into the Roxy this morning.

Sunny Skies Favor Warner Golf Meet
PURCHASE, N. Y., Sept. 12.—Favored by sunny skies and cool winds, more than 125 Warner employees and their guests took part in the annual Warner golf tournament at the Old Town Country Club, and attended a dinner at which Carl Leserman, as- sistant sales manager, acted as master of ceremonies and presented about 50 prizes.

Ab Renoan won the lowest gross of the day while Leonard palumbo and Herman Starr were in the runner-up positions. Jerry Keyser drew the prize for low net in Class A; Joe Goldstein for Class B; and Carl Leserman for Class C.

K. Gaunn won the driving contest, Stewart MacDonald, the putting con- test and Harold Koster came nearest to the pin. Newman got Glass’ putter’s prize as consolation for being worst.

Para. Sued Over Song
Suit for an injunction and $100,000 damages was filed yesterday in the U. S. District Court by Eduardo Fanchez de Fuentes against Para- mount Pictures, charging the defend- ant with unauthorizedly using the plaintiff’s song “Por Tus Ojos” in the Spanish speaking film “Quinde Canta La Lea.” According to suit, Tito Gizaro sings the song during the picture.

Reserve ‘Young’ Verdict
Federal Judge Samuel Mandelbaum yesterday reserved decision on the plea of Eleanor Harris for a temporary injunction to restrain 20th Cen- tury-Fox Film Corp. from exhibiting its film “Brigadoon.” The plaintiff claims that she had worked upon the script and had not been given screen credit for her work. She seeks an injunction unless credit is given to her for scenario work.

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Single copies 10c.
"The familiar trade-mark, 'If It's a Paramount Picture, It's the Best Show in Town,' can swing right jauntily over any theatre playing 'I Want a Divorce.' Something to satisfy every type of entertainment appetite. Top performances by Dick Powell, Joan Blondell and a fine supporting cast. Coming on the heels of 'Rhythm on the River,' this gives Paramount two smash attractions to start off its 1940-41 release year. It appears that Paramount again is going to be a company to be looked to for better entertainment!"

—Hollywood Reporter
Study Decree Possibility in Other Actions

(Continued from page 1)
the three circuits without naming the five leading distributors as co-conspirators.

Unless some detail work is delaying the completion of the first legal draft of the proposed New York consent decree and indication that it will not be presented before the middle of next week, Government attorneys are expected to report to the offices of Donovan, Newton, Leisure & Lombard yesterday. The committee will continue its sessions next week until the draft is completed.

The defendants’ arbitration committee and Government attorneys will meet this afternoon at the American Arbitration Association headquarters to continue discussions of the arbitration provisions for the proposed decree.

Jackson Says No Final Conclusion Yet Reached

WASHINGTON, Sept. 12—Suggesting the possibility that the pending consent decree in the Government’s New York anti-trust suit may yet undergo changes, Attorney General Robert H. Jackson today said that so far as he was informed, no conclusion has been reached on the decree negotiations and no final recommendations have been drafted by the anti-trust division.

The Attorney General said that the decree proposals which have been made are being given his consideration but that nothing definite has yet been presented for his decision.

Commenting on reports that Assistant Attorney General Thurman Arnold was not “overly optimistic” about the present decree proposals, the Attorney General said he “assumed” Arnold felt there was some probability of a decree being worked out or the negotiations would not be continued.

Replying to questions as to what disposition of issues not covered in the decree, Mr. Jackson pointed out that the decree does not conclude the suit but merely suspends it. If the provisions of the decree do not influence other issues, he indicated, the Department would open the case for their consideration and will have the three-year period of the decree in which to do so.

Harris Insurance Firm

PITTSBURGH, Sept. 12—General Manager John H. Lambertson of the Harris Insurance Co. and his uncle, former Senator Frank J. Harris, have applied for a Pennsylvania charter to incorporate a new insurance company dealing in general insurance except life. The application proposes a corporation to be made up of issued and outstanding stock, par value $50. Mrs. Anna Harris Dunham, aunt of the exhibitor, is the third of three incorporators.

Critics’ Quotes . . .

"LUCKY PARTNERS" (RKO)

The interest is dragged along, willy-nilly, on each successive escapade—Baltimore Evening Sun.

An improbable but merry and amusing farce... it has an air of distinction, despite certain slapstick interludes and far-fetched situations—Baltimore Sun.

Handsomely mounted, and Director Milestone has used his camera with imagination, relying on pantomime to carry many of the scenes and using dialogue sparingly. It’s not a comic knockout, but you’ll be entertained—C. J. Bullet, Chicago Daily News.

Over-adaptation of a Sacha Guitry play, lack of brevity... has a certain amount of suspense and several funny situations—Chicago Tribune.

Bordering often on farce, the comedy is kept believable, and tricky situations are also allowed—Cincinnati Post.

The film is mildly amusing and offers a light luncheon entertainment—Los Angeles Times.

"THE SEA HAWK" (Warner)

A whale of a yarn, and Warner Brothers took the rubber band off the bank roll to pay for it—Baltimore News.

Of all the things moving in the direction of Grubb Street and about the sixteenth century, it is to be recommended with fewer reservations than usual—Gilbert Gorsuch, Baltimore Sun.

A serenely epic of some consequence, staged with magnificence and bound to please those who like adventure at sea.—Donald Kirkby, Baltimore Morning Sun.

As a picture like you, fast-paced action in spectacular settings, has been fashioned in "The Sea Hawk"... absorbs your interest—Boston Post.

One of the biggest thrills on the screen today... rip-roaring entertainment—something to stir the old blood.—Doris Lanham, Evening American.

Under the energetic direction of Michael Curtiz, the screen is filled with one thrilling spectacle after another.—Helen Eager, Boston Traveler.

A big, expensive, thickly populated film, and Director Michael Curtiz has made a few things moving called for by the horse opera tradition.—John E. Hutchins, Boston Transcript.

When the picture shows sea battles and below-deck action it is magnificent, but the court scenes seem made tedious... spectacular, robust and expensive production—Boston Globe.

"HIRED WIFE" (Universal)

So sustained was the laughter at several points that it drowned out dialogue, but the film could afford it for it had many funny lines to spare... if you don’t laugh at “Hired Wife,” your sense of humor is out of commission—Harriet Parsons, Los Angeles Examiner.

May be played down in its future release... Women especially will be regaled by “Hired Wife.”—Philip K. Scheuer, Los Angeles Times.

Only purpose is to win the elusive laugh—and that it does quite handily. It is capitaliy amusing and recommend it to you for a jolly hour.—Norwood Clark, Baltimore News Post.

100% AFL Drive Begun at Studios

HOLLYWOOD, Sept. 12.—A drive to see the title sheets of every Hollywood-made picture carry the credit line ‘made 100 per cent by A. F. of L. workers’ was started today at a meeting of the business representatives of American Federation of Labor locals in Hollywood.

Aubrey Blair, recently appointed A.F.L. organizer, formally opened the drive. “Our aim is to see that all A.F.L. workers work and come in contact with only A.F.L. workers in every department in every studio,” he said. Blair asserted that independent groups should join the A.F.L. and pay their proper share of the cost to maintain high working standards.

With Frank Carothers, secretary of the M.P. Internationals studio basic labor agreement presiding, Nathan Saper, secretary-treasurer of the Transportation Drivers Local 399, introduced Blair with the statement that there has been more cooperation among the 50,000 workers in the A.F.L. fold than the personal approval of William Green, A.F.L. president.

Congress Hears Red Equity Attack

WASHINGTON, Sept. 12.—Rep. William P. Lambertson today renewed his charges of Communist activities in Actors Equity and filled 12 columns in the Congressional Record with correspondence on the subject.

Expressing disappointment that the full committee which proposed the bill included members of that committee and passed a slightly altered version of the bill, W.P.A. Federal Theatre Project had not inspired a thorough house cleaning by a “concerted effort of all members of the profession,” Lambertson disclosed that he had found it impossible to secure from Paul Dullz, Equity executive secretary, any satisfactory reply to his suggestion that the matter be brought to the attention of the full membership in that appropriate action might be taken.

Lambertson included correspondence with Bert Lyteld, Equity president, and copied excerpts of three articles from the Daily Worker attacking him, which, he said, adequately demonstrated the truth of his charges.

Commonwealth Has 15-Week Drive Meet

KANSAS CITY, Sept. 12.—Managers of Commonwealth Amusement Corp. theatres met here yesterday and today to discuss a detailed plan for operating in the 15 weeks from Sept. 15 to Dec. 28. Each theatre is allotted data for the period and will earn an extra week’s salary for the manager and staff by going over, according to C. A. Shrum, executive vice-president.

The thirty-five theatres in the organization, it was announced at the convention, have been divided into five circuits, including all theatres in Kansas with the exception of Lawrence, under M. B. Smith, supervisor; Pittsburg, Kan., Eastern, all theatres in Missouri and Iowa except Columbia, Mo., under Robert Shelton, supervisor; Warrensburg, Mo., and Central, which includes Columbia, Mo., Lawrence, Kan., and theatres in Arkansas under supervision of the home office.

Managers took up in detail such subjects as advertising, theatre fronts, supplies, product, and particularly the 15-week Fall campaign. The drive is pinned to 25 of the best pictures of the 15-week period.

John Tarr, Jr., manager at Goodland, Kan., won first place in Commonwealth’s “King of the Sun” Summer contest, which closed late in August. Over 20 other managers won some form of prize for performance during the period.

Those attending the convention from the home office were O. K. Mason, Leland Allen, Walter Kirkham, Lawrence Parrett and Richard Orea.

New Screen Offered By RCA Photophone

The Photophone Division of the RCA Manufacturing Co. plans to market a complete line of sound motion picture screens through independent theatre supply dealers throughout the country, according to Edward C. Cahill, RCA Photophone manager.

Colored at the same time reported the introduction of new type of “Magic Screen,” which, it is claimed, provides greater reflecting properties and better sound transmission. The new screen is said to be composed of a new kind of surface material, which is less susceptible to the elements, changes which usually cause yellowing and other discoloration.

Chicago Censor Ban On ‘Hall’ Reversed

CHICAGO, Sept. 12.—Mayor Kelly today vetoed Police Commissioner James Allman to reverse the censor’s ruling which banned “Pastor Hall” and a permit to show the picture may be granted.

Civic groups here have indicated that they will take the fight to the courts as well as the lungs in an effort to have rules governing the operation of the censorship board either annulled or a supplementary enactment which would permit a more liberal interpretation on allegedly controversial films. The censor is under the civil service and therefore not as responsive to the mayor’s wishes as would be an appointive body.
Showmanship

Feature Reviews

“City for Conquest”

(Warner)

HOLLYWOOD, Sept. 12.—Warner play a compelling sympathy of the film. Misses in “City for Conquest” starring James Cagney and Ann Sheridan. The filmization of the Alan Kandel novel of the boy who becomes a boxer only to be blinded in the title fight and the girl who seeks a dancing career to lift her out of the slums is an excellent vehicle for the pair, which are supported by an excellent cast, with Frank McHugh, Arthur Kennedy, Elia Kazan, George Tobias, Anthony Quinn, Lee Patrick and others.

The screen play by John Wexley packs as many wallop as Cagney throws fists. The direction by Anatole Litvak maintains a fast pace, relying at the duration three will be around.

William Cagney, James’s business manager, makes an auspicious debut as a film producer hereafter, acting as executive under the supervision of Executive Producer Hal. B. Wallis.

The marriage plans of Cagney and Miss Sheridan are thwarted by her ambition to become a movie star. The picture fades out with a reconciliation between the boy and the girl.

His sight impaired, perhaps permanently, Cagney becomes a newsboy again, while his brother, now a composer, conducts his “Symphony of Women.” The picture fades out with a reconciliation between the boy and the girl. The tending done by the entire cast is excellent, outstanding among the supporting players being Elia Kazan as the youth who turns gangster and dies at pistol point..

The fight techniques are handled extremely well and the picture is a triumph of acting, directing, production and musical setting.

Running time, 103 minutes. “G.”**

VANCE KING

“Up in the Air”

(Monogram)

HOLLYWOOD, Sept. 12.—This item in the Frankie Darro series of murder mysteries is easily best of his pictures to date. Setting of the story is Hollywood and principal scene of events, inclusive of two murders, is the studio of a broadcasting network. (called Amalgamated but modeled directly enough after either NBC’s or CBS’s local set up to satisfy the customers that they’re seeing it how it’s done). The players are cast as employees of the studio, performers, directors, producers, staff, and the causes and effects employed in the story are typical of the field in which they are placed. Three musical numbers are performed in the course of the action, naturally and without impeding progress, adding to the effectiveness of the whole.

Mantan Moreland, again playing porter-buddy of the aggressive Darro, score, has a very potent team of a two. During the film, as blackface comedian, strengthens his hold on a growing popularity. Margorie Reynolds is the girl in the case, Lorna Wilson and Gordon Jones the two who die, Tristram Coffee, Clyde Dillon, Dike Elliott and Carleton Young among the others participating. Identity of the killer is well concealed until the finale.

Produced by Lindsey Parsons at somewhat more than the usual expense and directed by Howard Bretherton with a nice sense of timing, the screen play is an original by Ed Kelso. Musical direction is by Edward Kay.

Running time, 61 minutes. “G.”

Roscio Williams

“Under Texas Skies”

(Republic)

With Robert Livingston and Bob Steele already established as capable Western stars, and Rufe Davis a familiar figure to all audiences, the trio, in this first venture as “The Three Mesquites,” undoubtedly should satisfy the outdoor action fans. The film is the first of a series in which Robert Livingston is the hero here as he, with the aid of Steele, Davis and a group of cattle ranchers, brings to justice a gang of outlaws. The supporting cast is capable. With Harry Grey as associate producer, while George Sherman directed. An original story by Anthony Colley was adapted by Colley and Betty Burbridge.

Running time, 57 minutes. “G.”*

*“G” denotes general classification.

Answers Tomorrow

In Nashville Case

Final answers of defendants in the Government’s case will be filed in Federal court tomorrow, thus completing the process of answering the Government’s complaints in the three regional anti-trust suits and enabling the court to set trial dates.

In the Oklahoma City case, dealing with Frank Creven, Donald Crisp, Frank McHugh, Arthur Kennedy, Elia Kazan, George Tobias, Anthony Quinn, Lee Patrick and others.

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Running time, 57 minutes. “G.”*
### Rhythm Garners $7,100 in Detroit

**Detroit**, Sept. 12—“Rhythm on the River” and “Golden Gloves” at the Indiana pulled $7,500. “Foreign Correspondent” and “Girls of the Road” at Loew’s took $7,800.

Estimated takings for the week ending Sept. 6:
- **Comin’ Round the Mountain** (Para.)
  - Indiana: $7,000
- **Queen of the Mob** (M-G-M)
  - Indiana: $7,000
- **Rhythm on the River** (RKO)
  - Indiana: $7,000
- **Golden Gloves** (M-G-M)
  - Indiana: $7,000
- **Girls of the Road** (Col.)
  - Indiana: $7,000
- **The Iron Horse** (20th-Fox)
  - Indiana: $7,000

**Indianapolis Lead**

**Indianapolis**, Sept. 12.—The annual Fair was competition all week, but “Rhythm on the River” and “Golden Gloves” at the Indiana pulled $7,500. “Foreign Correspondent” and “Girls of the Road” at Loew’s took $7,800.

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  - Indiana: $7,000
- **Golden Gloves** (M-G-M)
  - Indiana: $7,000
- **Girls of the Road** (Col.)
  - Indiana: $7,000
- **The Iron Horse** (20th-Fox)
  - Indiana: $7,000

### Set $750,000 Budget on ‘Sis Hopkin’s at Republic

**Hollywood**, Sept. 12.—For “Sis Hopkins,” under the direction of Carroll Fleming and Edward A. Kione, starring vehicle for Judy Canova, Republic has announced by M. J. Siegel, Republic studio head. The play was first produced in 1900.

**Carmen Miranda** and her band, which appear in 20th-Century-Fox’s “Don’t Touch ‘Em,” got signed for “They Met in Rio,” musical. James Cagney is the other leading man. Also known as “ contestants: Kent Taylor to “Malma Swing,” Adele Pearce and William Tracy to “Mr. and Mrs. Smith.”

**Virginia Van Upp** is conferring with Dr. L. Bottomsley, English botanist, on data for “Dilo Day,” which Edward H. Griffith will produce and direct for Paramount.

### ‘Foreign’ Scores $16,000, Cleveland

**Cleveland**, Sept. 12.—In the best week here in recent months three houses did well over average. “Foreign Correspondent” and “Girls of the Road” at Loew’s drew $16,000. The opening of the Fall vaudeville season and “Young People” attracted $16,000 at the RKO Palace.

Estimated takings for the week ending Sept. 5:
- **Return of Frank James** (20th-Fox)
  - Allen-Loew’s: (33c-39c-4c) 7 days; Gross: $6,400, Average: $915
- **Foreign** (RKO)
  - Warners’ Hippodrome: (30c-36c-9c) 7 days; Gross: $1,100, Average: $158
- **Young People** (20th-Fox)
  - RKO Palace: (30c-36c-6c) 7 days; Gross: $6,000, Average: $860
- **Foreign Correspondent** (U. A.)
  - Loew’s: $7,000
- **Girls of the Road** (Col.)
  - Lafayette: (30c-36c-6c) 7 days; Gross: $2,000, Average: $286
- **LYRIC** (20th-Fox)
  - (30c-36c-6c) 7 days; Gross: $1,000

**Atlantic City Houses Aid Recruiting Drive**

**Atlantic City**, Sept. 12.—The motion picture houses here have joined the local American Legion committee in recruiting for the National Guard. While the houses cannot show still photos because of program and technical arrangements, managers of all circuit and independent theatres have agreed to run patriotic shorts as their part in the drive. A meeting will be held to complete plans for the drive.

**Mullen Heads Union**

**Chester**, Pa., Sept. 12.—Jack Mullon, president of the Local of the American Federation of Arts, has been reelected president of the operators’ union here, Local 516. Herbert Fox is vice-president; Ken Young, treasurer; A. D. Donnell, secretary and Percy Restucci, business agent.

**‘Boon Town’ Gets $36,700, Philadelphia**

**Philadelphia**, Sept. 12.—Adding a midnight show on the holiday Sunday, “Boon Town” is drawing a bigger crowd. The weekly ticket price, $5,700. Showing this week, “Boon Town” will be followed by a record-breaking $36,700 on an increased price of $1.75. The week’s show will also be a mid-week show, added $15,600 with “Lucky Partners.”

Estimated takings for the week ending Sept. 6:
- **Pascal Hall** (U. A.)
  - ALDINE—(4,600) (3c-4c-6c-5c-60c) 7 days; Gross: $13,000, Average: $1,860
- **Pride and Prejudice** (M-G-M)
  - Tom Brown’s School Days (RKO)
  - ARCADIA—(600) (3c-4c-5c) 4 days; 2nd week; Gross: $1,700, 2nd run, $1,200, 7 day average. Gross: $4,200.
- **Boon Town** (M-G-M)
  - EARLE—(4,600) (3c-4c-5c-6c) 7 days. Gross: $9,000. Average: $1,300
- **Young People** (20th-Fox)
  - KARLTON—(1,900) (4c-6c-5c-6c-7c) 7 days; Gross: $6,100. Average: $1,300, 3rd run.
- **Limousine Jack** (20th-Fox)
  - KEITH’S—(2,000) (3c-4c-5c-6c-7c) 7 days; Gross: $2,000, Average: $300
- **Town’ at $29,000 Is High in St. Louis**

**St. Louis**, Sept. 12.—Loew’s State grossed $29,000 with “Boon Town” at increased prices. The single-ticket-re- served-seat policy at the Ambassador brought in a steady patronage.

Estimated takings for week ending Sept. 5:
- **Boon Town** (M-G-M)
  - LOEW’S STATE—(3,600) (3c-4c-5c-6c) 7 days; Gross: $7,900, Average: $1,100
- **The Sea Hawk** (W. B.)
  - STEINHART—(1,500) (3c-4c-5c-6c) 7 days; Gross: $6,200, Average: $1,200
- **101 Ranch** (20th-Fox)
  - GRAHAM’S—(1,700) (3c-4c-5c-6c-7c) 7 days, 2nd week; Gross: $4,500, Average: $643
- **Dance, Girl, Dance** (RKO)
  - ARMENIAN NIGHTS** (RKO)
  - FOX—(3,000) (3c-4c-5c-5c-6c) 6 days; Gross: $13,000, Average: $2,167
- **Flowing Gold** (W. B.)
  - STEINHART—(2,000) (3c-4c-5c-6c-7c) 7 days.
- **Young People** (20th-Fox)
  - MISSOURI—(3,000) (3c-3c-4c-5c-6c) 7 days; Gross: $4,000, Average: $400

**Wilkinson Slash Brings Objection**

**Wilkinson**, Sept. 12.—Several local second-run neighborhood houses are entertaining program prices at two Warner houses, the downtown Loew’s and the Strand, second-run neighborhood.

The Grand evening price was dropped from 25 to 20 cents, after Warner received a banner week at the Strand, which recently raised to 25 cents, has restored it to 20 cents.

**To Release Cuban Films**

World Pictures Corp. has closed a deal whereby it will release in the United States four films to be produced in Cuba by Gera Polonio. The deal could be worth $300,000 to the Government of Cuba, favored by “Time in the Sun.”
Culminating a quarter of a century of progress that has seen the motion picture rise to dominance as a world amusement, the career of Martin Quigley reaches its twenty-fifth year of service to the industry. Twenty-five years of constructive effort that will be signaled in an anniversary edition of Motion Picture Herald, to be published September 28th, 1940.

This issue, coming at a time when the industry is faced with many problems, will serve as a stimulation to the trade at large and will contribute vitally to a spirit of confidence as the motion picture industry embarks upon a new and critical year.
Communists to Meet With Fly

On Radio Ban

Press headquarters of the National Committee of the Com- munist Party declared yesterday that a delegation led by William Z. Fos- ter would meet with FCC Chairman James L. Fly at 2 P.M. today in Washington concerning the alleged refusal of NBC to accept eight paid coast-to-coast broadcasts sponsored by the Communists. Fly had arranged for the conference by telegram to the committee, press headquarters as- serted.

The Communists stated that they started negotiations in June but were told to wait until after the Democratic convention. In August, they said, ar- rangements were made for the eight speeches at a conference, with the first to be given on Labor Day. However, it was alleged, NBC failed to send out the required contracts.

Washington, Sept. 12—FCC offi- cials declared tonight that they had no knowledge of any conference be- tween Communist officials and FCC Chairman James L. Fly. The news was not unexpected, but it was said that the FCC has no jurisdiction over pro- grams. It was pointed out, however, that the commission would have juris- diction in the event a station, having given time to the duly qualified candi- date of one party, refused similar privileges to duly qualified candidate, of other party to the same office. Such treatment is provided for specifi- cally in the Communications Act.

Broadcast Control
Is Sought in Chili

Santiago, Chile, Sept. 12—Plans for the unification of all radio broad- casts in Chile to avoid competition subject to government control are now being considered by the authorities here.

Broadcasting stations accused of giving pro-Nazi news bulletins in German and Italian were ordered re- cently to broadcast in Spanish and to avoid comments on the War. New regulations for radio communica- tions are being drawn up also.

Heritage' to Heymann

Andre R. Heymann, president of French Films Import Co., who dis- tributed "Harvest" last year, has ac- quired the name "Heritage," origi- nally produced in France by Marcel Gras. It will be ready early in the Fall.

Miss Segall Gets Post

Etta V. Segall has been named of- fice manager and booker for Mono- gram's New York exchange, succeed- ing Sol Kravitz, named sales manager.

Serving the Albany district— third highest per capita rating in the country. Use

Station WABY

(NBC Blue)

Off the Antenna

W

ith the Jan. 1 starting date for commercial FM transmission ap- proaching rapidly, applications for FM construction permits are now arriving in more rapidly to the FCC. A total of 36 applications are now awaiting FCC action. Most of the applications are for 30,000-watt.

The stations from which applications are being heard are: The New York City stations, the station in St. Louis; the Baltimore Sun; Baltimore; NBC, Chicago; WDRC, Hartford; WJR, Detroit; Worcester Telegram, Worcester, Mass.; and General Electric Co., Schenectady.

...Purely Personal: Lynn Murray, CBS chorale and orchestra director, has been engaged to work on the chorale arrangements and orchestations for "Brigham Young," the new Los Angeles radio opera. The music of NBC spot and local sales staff has been transferred to Blue sales. He will be replaced by Philip D. Portofield. ...Louella Parsons will be guest of Kate Smith over CBS next Friday at noon. ...Roy Rogers will be inter- viewing the Chicago Cubs tomorrow in Chicago, and Lesley, who has done acting, writing and news commentaries, has arrived in town from the Coast.

...Sterling Fisher, CBS director of education, will represent the network on the executive committee of the Free Speech Radio Education Committee.

The Westinghouse short wave transmitter in Pittsburgh, WPTI, will be transferred to Boston, it was announced by Lee B. Wailes, West- inghouse stations manager. Purpose of the removal is to improve trans- mission to Latin America, it was said.

...Radio editors will be the stars of a new NBC-Blue sustaining program, "Bathing the Mike," which will begin Sept. 30. The editors will be flown to New York for a series of five "interviews." The programs will be available on NBC for 5:15 P.M. over 56 CBS stations, "Voices of Yesterday" will be resumed over WHIS Tues- day under the sponsorship of A. Finkleberg & Sons. The program is a trans- cription in which the actual voices of famous personalities of the past are heard.

WBML, Macon, Ga., will join Mutual as the network's 146th affiliated station shorty. The station, operating on 1,420 k.c. with 250 watts unlim- ited time, will transmit NBC Blue network when construction of the new station is completed. This is ex- pected to be about the middle of November.

...Around the Country: John Laux, KQV, Pittsburgh, manager, and Jack Meridian, production head, have resigned to join a new station in Steubenville, Ohio. Everett Neil succeeds Meridian. ...Richard Blake has been named WERW-Cincinnati, Lyson who will head a newly-created women's department. ...Mel Milliams has been named chief engineer at KSAN, San Francisco, to succeed William Grove who resigned to install and manage KBC, Chico, and to WLM-WSAI, Cincinnati, has resigned to join the writing staff of WKR.

CBC Had 1,600 War Broadcasts in Year

Toronto, Sept. 12—A special re- port of the Canadian Broadcasting Corp. shows that the national network carried 1,600 war broadcasts during the first 12 months of hostilities, the special programs occupying more than 350 hours on the air exclusive of reg- ular newscasts, which have averaged 10 per day—with more on such occasions as the outbreak of war and the evacu- ation from Dunkirk. The war pro- grams included commentaries, variety features from military camps and the services in the field, for military and Queen, statesmen and public men, religious services and appeals in be- half of the patriotic organizations.

During the month of August there were 129 war broadcasts, exclusive of regular newscasts, occupying 39.25 hours, and included these include 19 commentaries and 17 other topical features. Of these, 80 originated with the CBC, 41 from the CBC, seven from NBC and one from CBS. The time of the war broadcasts in the one month represented four per cent of the total CBC schedule.

Philadelphia's Golf Tournament Today

Philadelphia, Sept. 12—The fif- teenth annual golf tournament spon- sored by Jack Emanuel of The Exhibi- tor and the local Variety Club, will be held tomorrow at the Philom- ena Country Club.

The teams comprise four men repre- senting any one organization within the industry. With a large number of prizes, tennis for those who do not play golf and a dinner at the Fox, the evening, a large delegation of out-of- towners is expected to attend, includ- ing those at the Fox, pool club and nearby cities. It is also expected that Bing Crosby, in town for a golf ex- hibition on Saturday at the Philom- ena Country Club, will take part in the British War Relief Society, also will attend.

Retitle 'Brigham Young'

Hollywood, Sept. 12—The 20th Century-Fox feature, "Brigham Young," will be officially released under the new title, "Brigham Young—Frontiersman," the studio has an- nounced.

Washington Decree
For Ascap Assured

The Attorney General of the State of Washington has withdrawn his objections to the report of the special master charged with drawing up a court with jurisdiction in Ascap's litigation to test the constitutionality of the state's anti-Ascap law. With- out delay, Ascap petitions virtu- ally assails Ascap in its favor, since all basic issues except that of whether the law is constitutional previ- ously by the Federal court.

Confirmation of the special master's recommendation was hailed in Tacoma on or before Sept. 28, the next scheduled hearing date. Hearing scheduled for early this week was delayed by the illness of Federal Judge Cushman, who, although retired, has not disso- nated himself from the Ascap case. However, if he is unable to hear the case within the next week or 10 days a new court will be sought, it was stated yesterday by Herman Finkelf- er of Schwartz & Frolich, who re- turned to New York yesterday from Tacoma. Louis D. Frolich, also of counsel, proceeded him here.

Reports Business
In Far East Good

With films the chief relaxation from war tension and largedetachments of soldiers and their families stationed in the Dutch East Indies and British Malaya, Far Eastern theatre man- agers are reporting excellent business and the past three years of the Erpi office in Sin- gapore, who returned to New York re- cently, has been said to be selling well because of the abandon- ment of German electrical plants which followed the invasion of Hol- land.

Young will leave from San Fran- cisco next month to take over the di- vision of the Erpi office in British India. David Wight, until recently head of the Shanghai office, will take charge at Singapore.

Skouras Running
Guide in 2 Papers

Skouras Theatres yesterday began publication of a guide to current at- tractions in the New York Daily Mirror. Extension of the advertisements in other dailies is being considered but it was said that the guide would be made until the results of the current campaign can be judged.

Advertisements in Manhattan, Bronx, Westchester, Long Island and New Jersey are listed with a special list- ing of the Academy of Music, in Manhattan, and the Fox Island house in the Brooklyn editions.

Change Shorts TItles

The title of the Paramount short subject series formerly known as "Merry Models" has been changed to "Cheep Models." The six one- reelers will be produced by George Pal.

Farnsworth Has Loss

Farnsworth Television and Radio Corp. has reported a net loss of $749, 741 for the period from Jan. 1 to April 30, 1940, with a loss of $80, 051 from Dec. 13, 1939. April 30, 1939.
NATIONWIDE DRIVE FOR HIGHER PRICES IS PLAN OF CIRCUITS

Inspired by Executive Belief This Method Of Raising Needed Revenue Is The Most Practicable

By SAM SHAIN

Some major circuit chiefains are discussing a plan whereby independent exhibitors soon may be asked to cooperate in launching a national offensive for higher admission scales generally throughout the country. This idea of a nationwide campaign has been inspired by the fact that the circuit heads feel such a rise is necessary and that any alternative plan to aid the industry in regaining lost foreign revenue such as by a general rise in film rentals or a general reduction in negative costs is impractical.

Another reason behind the plan is that the present sporadic efforts of distributors to ask for higher admission scales on certain pictures in time may develop into a definite industry policy under which pictures will be made available nationally only to theatres which charge a fixed price of admission above a certain minimum. Those who are in favor of this drive point out that the industry's annual foreign revenue on a basis of net cash receivable in New York has dropped 75 per cent and that this represents about 25 per cent.

First Ampa Meeting
Will Honor Quigley

Martin J. Quigley, president of Quigley Publishing Co., will be honored on his 25th anniversary as a film trade paper publisher at the first meeting of the Fall season of the Ampa, in the Grand Ballroom of the Hotel Edison on Oct. 2.

Leon Bamberg, president of the association, will preside, while Quigley will make the principal address. A record attendance of industry executives is expected. Various major companies have signified their intention of reserving one or more tables seating 10 persons each. A special program is being planned for the opening luncheon-meeting.

The affair will be held on Wednesday instead of the usual Thursday meeting day of the Ampa each week, because Thursday, Oct. 3, is a Jewish holiday. All future meetings of the Ampa are expected to be held at the Hotel Edison.
Big Cities Heaviest Ad Rules Violators

WASHINGTON, Sept. 15.—Radio stations in cities of more than 500,000 population are the greatest potential violators of advertising restrictions, it was reported yesterday by the Federal Trade Commission. Twenty per cent of questionable advertisements came from the largest cities. Stations in the 250,000-500,000 group had 18.3 per cent; those in the 50,000-100,000, 17.8; 25,000-50,000, 11.9; and under 25,000, 17.6.

Of 635,844 scripts from 697 stations examined, 2.2 per cent were marked for further study. Network scripts were not included.

Road Show Policy

For Korda's 'Bagdad'

Alexander Korda's "Thief of Bagdad" will be roadshown throughout the country at admission scales ranging up to $2. It was decided at a meeting of United Artists home offices and district managers here on Saturday.

Canadian Officials

See 'Police' Today

OTTAWA, Sept. 15.—Cecil B. De-Mille's “North West Mounted Police” will be shown here tomorrow to Government officials, ranking officers of the Royal Canadian Mounted Police and Paramount's Canadian sales and advertising representatives.

The screening was arranged by R. M. Gillham, Paramount advertising and publicity director, and William Pite, De-Mille's associate producer. A second screening will be held in Toronto on Tuesday for Canadian exhibitors.

Publicists' Guild to Frame Constitution

With unanimous approval given to the reports of the delegates who met recently with the Coast group, final details for a national constitution for the Screen Publicists Guild are being worked out.

The formal draft will be submitted to the next membership meetings of the New York and Hollywood units, dates for which will be set soon.

Canada's '39 Gross

Totalized $34,010,115

MONTREAL, Sept. 15.—Canadian film patrons paid $34,010,115 for admissions to the movies in the current fiscal year, according to figures released here yesterday by the Dominion Bureau of Statistics.

The popularity of double features rose in Western sections but declined in the East. Of a total of 676,773 programs presented, 63 per cent were double bills. The number of itinerant exhibitors rose from 64 in 1938 to 107 and they played to 893,921 admissions for a total of $210,165, as compared with $134,146 in 1938.

British Columbia continued to occupy first place with an expenditure of 26 cents per capita; Ontario was second with $4.08; and Manitoba, third, $3.03.

Query Sales Heads

In Interstate Suit

George Wright and Richard Stout, attorneys for Interstate Circuit, Dallas, are in New York to examine admissions of several major company sales executives in connection with the suit brought by H. N. Jorgensen against Interstate.

The Jorgensen action is scheduled to go to trial before Federal Judge Andrews in Dallas on Sept. 28. The plaintiff operates the East Grand, Dallas.

O. E. Dunlap to RCA; Heath Is Ad Head

Orrin E. Dunlap, Jr., radio editor of the N. Y. Times, on Saturday was named manager of the RCA Department of Information by David Sarnoff, president.

Dunlap succeeds Horton H. Heath, who was made chief of advertising and publicity by Sarnoff.

‘Eden' for Roosevelt

Hollywood, Sept. 15.—James Roosevelt on Dec. 1 will start production on the Jack London story, "Martin Eden," for which he has borrowed permission from Warners' director and signed Franchot Tone for the lead. The producer's "Pot o' Gold" will go into work Nov. 25. Both will be United Artists releases.

‘Adventure' at Plaza

"I Married Adventure" will open at the Plaza here Sept. 23 on a three-day policy at advanced admissions.

The performances daily will be at 75 cents and $1.10, with 2 performances daily at $1.25 and $1.75, all with seats reserved. Osa Johnson, who has personal appearances during the run.
Motion Picture Daily

1940

MOTION

3

Los Angeles, Sept. 15—"I Want a Divorce," backed by a stage show starring Orrin Tucker, his orchestra and Bonnie Baker, sent the Paramount grosses to $32,000, one of the highest in the history of the house. "Lucky Partners" and "Millionaires in Prison," also at the Hillstreet and $11,500 at the Pantages.

Estimated takeouts for the week ending Sept. 11:

- "Brigham Young" (20th-Fox)
- Chinese (2,100)
- (4c-5c-7c-5c) 7 days
- Gross: $2,100 (Aver: $300)

- "Miss Manhattan" (M-G-M)
- 4 STAR- (900) 4c-5c-7c-5c 7 days
- Gross: $900 (Aver: $125)

- "Lucky Partners" (RKO)
- Hillstreet—(2,700) (3c-5c-7c-5c) 7 days
- Gross: $810 (Aver: $115)

- "Brigham Young" (20th-Fox)
- LOCUS'S STAG (3,200) (5c-7c-5c-5c) 7 days
- Gross: $1400 (Aver: $200)

- "Lucky Partners" (RKO)
- "A Bill of Divorcement" (RKO)
- PARAMOU- (1,550) (5c-5c-7c-5c) 7 days
- Gross: $1,350 (Aver: $193)

- "I Want a Divorce" (Paramou)
- WARNER BROS. (Hollywood) 7,000 (3c-5c-5c-7c) 3rd week, Gross: $2,200 (Aver: $733)

- "Red Hawk" (W.B.)
- WARNER BROS. (Down-town) (1,400) (4c-5c-5c-5c) 3rd week, Gross: $1,000 (Aver: $125)

Arbitration Boards To Be Permanent

(Continued from page 1)

own localities, as well as the individual trade members with whom they will come in contact. Their continuing service, Government officials feel, will eventually bring an end to the arbitration of trade disputes.

The drafting of the arbitration provisions of the decree may be completed at a meeting tomorrow of the arbitration committee, composed of attorneys for the Government and the consenting companies and officials of the American Arbitration Association.

Meetings of the arbitration and decree drafting committees were held Friday and the latter committee will meet again today with expectations of completing a first legal draft of the decree within a few days.

Crystal Pictures Formed by Hirsh

Crystal Pictures, Inc., has been formed by Merlin Hirsh, former president of Syndicate Exchange and of Producers Distributing Corp., and will be operated as a national distributing company. Hirsh has drawn upon his interest in the other two companies to form associates.

Crystal will release a minimum of eight exploitation and roadshow pictures, Hirsh said. The first of these, "After Mein Kampf? -7," based on dramatized factual material, opened at the Bryant here on Friday, after receiving a Production Code seal from M.P.P.D.A. Harvey Pergament is secretary of the new distributing organization headed by Hirsh.

'Adventure,' Show $11,000, Milwaukee

Milwaukee, Sept. 15—"1 Married a millionaire" was the best grosser at Paramount and the CBS show on the River-side stage, with $11,000. Holdover business at the Warner, Wisconsin and Palace did not come up to expectations and "Boom Town" slatd for both the latter houses Sept. 13 opened Sept. 11. Estimated takeouts for the week ending Sept. 10-12:

- "Rhythm on the River" (Para.)
- PALACE—(4,200) (5c-5c-5c-5c) 5 days, Gross: $2,100 (Aver: $420)

- "The Return of Frank James" (3rd-Fox)
- "The Great McGillicuddy." (Para.)
- STRAND—(1,400) (3c-5c-5c-5c) 5 days, Gross: $900 (Aver: $180)

- "I Love You Again" (M-G-M)
- "The Captain Is a Lady." (M-G-M)
- "The Long, Long Trail." (RKO)
- "The Man Who Never Was." (RKO)
- WALTZ—(1,600) (5c-5c-5c-5c) 7 days, Gross: $1,000 (Aver: $143)

- "I Married Adventure" (Col.)
- WARNER—(4,000) (4c-5c-5c-5c) 6 days, Gross: $600 (Aver: $100)

Stage Shows Set at Philadelphia Earle

Philadelphia, Sept. 15.—Plans have been completed for the return of the Earle to the Earle Sept. 16 will make it a four-week run for "Boom Town," currently at the house.

An impressive array of stage and screen personalities have been booked for the first week, starting with George Jessel’s "Hollywood Starlit" unit included Irving Pichel, Jean Parker, Steffy Duna, Lya Lys, Isabella Jewel and Gene Manners with the possibility of Lois Andrews (Mrs. Jessel) returning to the cast here. The Oct. 4 week brings in Harry Richman-Sophie Tucker-Joe E. Lewis, and if they can’t make it we’re going to bring in the Richman unit fills the first date.

Philadelphia AGVA Fight is Reopened

Philadelphia, Sept. 15.—The row created here over the ouster of Tom Kelly as executive secretary of the local American Guild of Variety Artists chapter, replaced by Hoyt S. Haddock, national executive secretary, is resulting in the issue of AGVA’s STAND for today.

The national A.G.V.A. has ordered the local members to vote on the ouster, calling a special meeting for Tuesday, with Harvey Barto, national A.G.V.A. president and others from the national board coming here to supervise the voting. John Leary, who resigned as president of the local union earlier in the Summer, has been recalled because his written resignation was not accepted.

Two Firms Chartered


Warner Is Asked to Debate Sunday Films

Philadelphia, Sept. 15.—Rev. William R. Forney, secretary of the Lord’s Day Alliance, leading the fight against Sunday films in Pennsylvania, has challenged Harry M. Warner, president of Warners, to defend Sunday shows in a public debate at either Harrisburg or Williamsport, where the issue will be voted upon in November.

In writing to Warner, Forney extended the challenge to all of the Warner brothers.

Grainger Due Here; Closed Frisco Deals

James R. Grainger, president of Republic, is due today or tomorrow from the Pacific Coast, concluding a tour of the country. In San Francisco last week he closed a deal on the new season product with Golden State Theatres and T. & D. Jr. Theatres. Sidney Weisbaum, San Francisco branch manager, worked with Grainger on the deals, while R. A. McNeil and M. A. Nadji acted for Golden State and T. & D., respectively.

Press, Executives To See ‘Westerner’

(Continued from page 1)

Tom Brady, Edwin Challert, Times; Douglas Field, Life; Jean Herrick, Jimmy Filder, Paul Harris, Coe Ager, William Willkerson, Ivan Spear, Warren Stokes, and from New York, Abel Green and Don Mersona.

Circuits Seek Increase In Price Scales

(Continued from page 1)

.Atomic of the industry’s aggregate annual world net cash.

They also state that a plan for cutting negative costs generally may result in injury to the industry rather than benefit, because the quality of the product might be impaired. In regard to higher rentals, they point out that these are as high as they can be; because the exhibitors are to have a margin left over operating costs.

It is the sentiment of the top circuit executives, according to one spokesman, that unless exhibitors do something to help the distributors and producers increase their domestic revenue to offset foreign reductions, there is danger of a reduction of product because some producers may resort to cutting negative cost indiscriminately.

Seltzer to Ad Agency

Jules Seltzer has resigned as Hal Roach publicist representative, to act as manager of the motion picture department of Western Advertising Agency, Los Angeles, which will handle the Roach account.

Presenting....

Kenny Baker in Hit Parade of 1941

starring Kenny Baker — Frances Langford

Hugh Herbert — Mary Boland — Alan Miller

Patsy Kelly — Phil Silvers — Sterling Holloway

Donald McK-Bride — Barnett Parker

Franklin Pangborn — Six Hits and a Miss

Borrah Minevich and his Harmonica Rascals

The Republic Picture

AND A BRILLIANT CAST OF SCENE AND RADIO STARS!

Kenny Baker in Hit Parade of 1941.
because good news is welcome news...

and good advertising is always welcome because it contains that rare power which can best be described in the one phrase: "stop...look...listen and BUY!" And the Big 3 in Theatre Advertising is GOOD ADVERTISING...the Best Sellers in this Business!
Screen, Radio Cooperate
On U. S. Defense Program

Set Radio Round Table
Of Commentators on Nation’s Plans

Washington, Sept. 16.—President Roosevelt is seeking to set up a "Radio Round Table" of nationally known commentators to keep the nation in close touch with the defense program, it was disclosed today by Stephen Early, White House secretary.

The President conferred over the weekend with Wythe Williams, Mutual commentator, and asked Williams to obtain the cooperation of other analysts. President Roosevelt expressed the opinion that radio was the ideal medium for this type of work.

FCC Chairman James L. Fly today discussed two other phases of the defense program. He declared that all problems of broadcasters in connection with the plan for a Community

(Continued on page 7)

Films Units Prepared to
Answer When Called
By Government

The industry’s preparations for participation in nation defense activities are now basically in order and its cooperating units are prepared to function as soon as called upon by the Government.

The organizational work covers everything from newsreels and special production arrangements to national exhibition agreements. Arrangements have been made with laboratories for quick deliveries of large numbers of prints, whenever required, for nationwide distribution and for deliveries of prints to theatres. Arrangements for special advertising and publicity work and for special accessories, if and when required, also have been made.

All branches of the industry are cooperating in perfecting machinery

(Continued on page 4)

Canadian Rentals
Total $10,315,000

Toronto, Sept. 16.—Gross receipts of all film exchanges in Canada for 1939 totaled $10,315,000, according to the official government report. This is a revenue record for the Dominion.

The increase over 1938 was $790,000, while that over 1930, when the theatre grosses were the largest on record, was $2,135,000.

The exchange branches listed in the 12 months were 67, or five more than in 1938, while salaries and wages were $789,000.

(Continued on page 6)

Bernhard Comments
On Price Increase

Joseph Bernhard, general manager of Warners Theatres, comments as follows on advanced price scales on important pictures, on the basis of a survey:

"If you raise the price on a big picture, they ask why you don’t lower the price on the small pictures.

"Hollywood needs more gross in order to recoup the losses of foreign income.

"It deserves to get much more money than it is now getting from these films.

(Continued on page 6)

"Strike Up the Band"
[M-G-M]

HOLLYWOOD, Sept. 16.—Here they go again. Ladies and Gentleman of Showbusiness, the Mickey Rooney and Judy Garland of "Babes In Arms" in full tilt display of their separate and combined talents for the benefit of the young, the old, the modern and the old fashioned, the rank and file of all times and places, including the here and now, who make up the motion picture’s public. Here they are in

(Continued on page 4)


Decree Stands
As Is Without
Basic Changes

Final Draft Expected
Ready Tomorrow

Officials said last night that the consent decree will be presented for Federal Judge Henry W. Goddard’s approval without any basic changes in the selling provisions of the part to which exhibitors have objected.

It was learned last night that although completion of the decree form, except for its arbitration clauses, is expected to be completed soon, there have been no fundamental changes suggested in regard to the unit-of-five pictures selling section.

The drafting committee is going ahead with the decree as it was presented in principle to the Department of Justice lawyers in Washington several weeks ago. It will be presented to Judge Goddard early next month.

Tentatively, the drafting committee has considered a plan for a single arbitrator in local situations, and a permanent appeal board of three members—in New York. Permanent panels will be set up under the same agreement, and the local arbitrator will be chosen by the disputants from these panels.

It was decided that the winning party to an arbitration proceeding shall pay the fee of the local arbitrator. It will not be until the close of the week, according to officials, that the

(Continued on page 4)

W. A. McGuire, 49,
Dies in Hollywood

Hollywood, Sept. 16.—William Anthony McGuire, 49, writer and associate producer for 20th Century-Fox, died at his home in Beverly Hills today following a three weeks’ illness. He was currently working on the script of "Rings on Her Fingers.

Prior to his screen days, McGuire wrote and directed Broadway shows for Florencia Ziegfeld, notable among which were "Whoopee" and "Kid Boots." His films include "The Great Ziegfeld," which he wrote for M-G-M; "Rosalie," which he wrote and produced, and "Lillian Russell," for which he wrote the screenplay.
It's So Restful
CONFLICTS, O., Sept. 16—Films have at least one advocate for relaxation here in the person of R. L. Turner, chief cashier in the County Treasurer's office. Sam Fusco, in his "Personal- ity Parade" column in the Columbus Citizen, quotes Turner as saying: "Movies are great entertainment, and you don't get all tired like you would in fishing or golfing."

Paper Rations Hit English Industry
LONDON, Sept. 16.—Further drastic rationing of paper and restrictive orders on display are likely to have a serious effect on film trade publicity. Not least badly hit will be the exhibitor, whose posters are to be cut down even more firmly than before. It is now impossible to exhibit posters containing the same advertising matter less than 100 feet apart if they can both be seen from one place. Separate posters may not be displayed outside theatres for separate programs. They must advertise one week's shows at one time.

Throwaways are now prohibited unless they were used before May last. Now the distribution of any circulars is limited to one fifth of those distributed at the same time last year. New cutouts and display novelties are also no longer permitted. Programs must be smaller.

The C. E. A. is appealing against this ruling, which is calculated to have a bad effect on theatre business.

**Mainliners to Los Angeles**

**NO CHANGE OF SLEEPERS**

The Continental Lv. 7 pm
The Overland Flyer lv. 10:40 pm
Luxurious thru coast-to-coast Mainliners—at United's high, smoother flight levels.

Travel agents, hotels, or

**United Airlines**

67 Wall St. or 58 E. 42nd St.
MU-2-7300

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**Personal Mention**

WALTER WANGER has returned to New York for a few days before resuming his speaking tour in key cities.

COL. E. A. SCHILLER is in town.

TOM GERETY of the M-G-M advertising staff and Mrs. GERETY on Saturday became the parents of a seven and a half pound girl, born at the Southside Community Hospital, Rockville Center, L. I.

JOHN P. FINDLAY, exhibitor of Westerly, R. I., and Mystic, Conn., has been appointed to the finance committee of the Town of Stonington, Conn., for a four-year term.

EMILY HOFFMAN, daughter of I. J. HOFFMAN, Warner Theatre zone manager at New Haven, will be married today to GERALD STEINBERG, Bridgeport attorney.

VIVIEN BALINSON, secretary to MAXWELL GILLIS, Republic branch in Philadelphia, has announced her engagement to DR. BERNARD HOFFMAN of Jersey City.

M. W. CANTRELL, former assistant manager of the State in Spartanburg, S. C., has resigned to join the State Highway Patrol.

ELMO HOLLOWAY, manager of the Wilson, Arlington, Va., was married to LOIS MASON recently, it has just been announced.

BARBARA SACHS leaves Sept. 30 for the Hacienda del Sol at Tucson.

**Improved Business Reported by Golden**

Generally improved box-office business was reported yesterday by Edward Golden, former vice-president in charge of Monogram exchange operations, following his return from a trip to New York.

After two or three weeks here Golden will continue his trips to the company branch offices. His headquarters will be in the New York exchange, since the home office has moved to the Coast, and he will spend most of his time on the road.

Alliance to Release Through Monogram

Monogram has concluded a closer working arrangement with Alliance Film Corp., American affiliate of Associated British Pictures, under which it will release a number of Pathe British films. First release under the new arrangement will be "The Outsider," with "Chamber of Horrors" to follow. A.P.I. is the parent organization of Pathe which is Monogram's affiliate in the United Kingdom.

**Greenthal to Coast, Then to Fort Worth**

Maurice Greenthal, director of exploitation for United Artists, left for the company's Hollywood studio on Saturday. Greenthal will go from there to the premiere of the Samuel Goldwyn-United Artists film, "The Westerner," in Fort Worth, Texas, on Thursday.

**Philadelphia's Golf Tourney Draws 100**

PHILADELPHIA, Sept. 16.—Over 100 golfers turned out last Friday for the 15th annual tourney sponsored jointly by the Rotary Club, The Exhibitor and The Exhibitor at Philmont Country Club, with more than 200 attending the dinner dance held after the tournament. Eighty-seven prizes were awarded.

Sam Shapiro, local exhibitor, turned in the lowest score and was awarded a $20 trophy. The exhibitor Louis Segall, runner-up, getting the Ross Federal trophy. Alfred J. Davis, local independent sales manager, tourney winner, was awarded the M. E. Comerford Memorial Prize donated by Frank C. Walker, and runner-up Harold Cohen, exhibitor from Lewistown, Pa., won the Paramount Pictures trophy donated by Neil F. Agnew.

The awards were made during the dinner dance, at which a surprise gift was made to Mr. Bogdan, who has been tourney chairman for the past five years. "Miss America" was the guest of honor at the dinner, crowned by W. W. Swoeger, Paramount branch manager.

In addition to a delegation of five members of the Pennsylvania Variety Club and many upstate members, the New York contingent present included: Monogram; E. M. Hartley, National Theatre Supply; Wally Howes, Trans-Lux Theatres; Lee Newbury, N. J. Allied; Arthur Beiser, Adkins offices; Walter Green, National Theatre Supply; Edward Aaron, M-G-M; Jack Cohen, National, Scorselli, J. W. Connor, Altec, and Robert Mochrie, RKO.

**Wobber Due Here Sept. 30 from Tour**

Herman Wobber, general distribution manager for 20th Century-Fox, and a Minneapolis district manager and leader of the Kent sales drive, arrive here Sept. 30 after a two-week itinerary in connection with the drive. This is his second such tour, the first having been made last month by Levy and Roger Ferri, editors for the company's house organ, Dynomo.

William Sussman, Eastern division manager, will join Wobber and Levy in Philadelphia on Friday and thereafter will accompany them on their swing of Eastern cities. A meeting at the New York branch Oct. 1 ends the tour.

**Three Firms Formed**


**Schines Join M.P.T.O.**

BUFFALO, Sept. 16.—The Schine Circuit has joined the M.P.T.O. of Western New York. George Schine and Louis Schine, heads of the circuit, will be active in the affairs of the organization. The Schines are associated with their president, A. Charles Hayman.

**Delay Skowars Decision**

Federal Judge Alfred C. Cooke has postponed until Sept. 21 time to fix a trial date of the Government suit against George P. Skowars and Harvey B. Newlin.

**Montreal Unit Asks Pioneers' Charter**

MONTREAL, Sept. 16.—Theatre veterans here have made arrangements to form a chapter of the Canadian Pioneers. The proposed chapter will be self to work war almost exclusively.

At a meeting held here, members named Ed Fleming as temporary president, and George Ratelsky as temporary secretary.

**Philadelphia Motion Picture Daily**

(Registered U. S. Patent Office)
Publishing daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 130 East Avenue, Rockefeller Center, New York City. Telephone Circle 7-1100. Cable address: Quigpubco, New York. Martin Quigley, Editor-in-Chief and Publisher; Calvin Brown, Vice-President and General Manager; Watters, Advertising Manager; Sam Sham, Editor; Alfred L. Makepeace, Managing Editor; James A. Cron, Advertising Manager; Chicago Bureau, 224 South Michigan, E. B. O'Neil, Manager; Hollywood Bureau, Postal Union Building, Allie Bugden, Manager; William R. Weaver, Editor; London Bureau, 4 Golding, Leonard, London, Hope Williams, Manager; cable address: "Quigpubco," London. Published 1940 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac, and two second class matter, Sept. 23, 1928, at the post office at New 16, N. Y.; under the Act of March 3, 1879. Subscriptions $4.00 per year in the Americas and $12 foreign. Simple copies 1c.
She fought a wild frontier for the man she loved!

GIRL FROM GOD'S COUNTRY

Chester MORRIS • Jane WYATT
Charles BICKFORD
Sidney Salkow
Director
Decree Stands
As Is Without
Basic Changes

(Continued from page 1)

arbitration sections of the decree will be

The drafting committee met yesterday

and will meet today and tomorrow

in order to complete its legal
draft. This schedule necessitated the

postponement of a meeting of the de-
cree arbitration committee from today

until tomorrow. The committee expects
to complete its work not later than

Friday.

With the completion of the legal
draft, the proposed decree will be

turned over to the five consenting coun-

tel states, and each of the five is regarded as a routine step, although

it is possible that it may necessitate

further joint conferences between

the Justice Department of Justice

representatives.

Louis Phillips, Paramount home of-

cine attending the drafting committee yesterday because of the

pressure of other work and was

replaced by William Zimmerman, RKO

home office attorney.

Block-of-Five Hit by
Indiana Allied Unit

INDIANAPOLIS, Sept. 16.—Associated
Theatre Owners of Indiana, a

body of 500 theatres, has informed the

United States District Court yesterday

that it opposes the application of the

Gant vers of the National Recovery

Act which, it is claimed, will result in a

reduction of the present 40 per cent
decrease in the block of five.

The Indiana Association previously

had decided that such a sales policy

would seriously interfere with the

business of picture-exhibitors, because

of the buying of pictures by independent

exhibitors, the organization's announce-

cement said, for the same reason that

they would be deprived of cancellation privileges which they now enjoy and beca

use such a policy would create more of a

seller's market than now exists.

The organization's board of direc-

tors has filed a written protest with the

Department of Justice, stating further its objections to the block-of-five proposal.

Weekend Grosses
Hold to High Level

(Continued from page 1)

Bradley's band, on the stage.

The second week of "Floating Gold" brought an estimated $5,000 at the

Globe, "Tell 'Em I'm Coming" opened there Saturday. "Man Against the Sky"

ends its week at the Rialto tonight and should gross an estimated $6,500. The

"Man's Hand" starts there tomorrow.

Hold Drive-In Hearing

PITTSBURGH, Sept. 16.—Hearing

has been held on the injunction against the recently opened Drive-In

Theatre, sought by residents near the

theatre who claim that the pictures' sound keeps them awake at night, and

also deprecates property value.

song, in dance, in tender boy and girl interludes, in love and out of its,

with no purpose save to entertain and with the extensive resources of the

Metro-Goldwyn-Mayer studio plus Paul Whiteman and his band at their

disposal and utilized to the utmost. Here they go again, Ladies

and Gentlemen, and it's okay to take the lid off of the adjective arsenal

and break out the superlatives.

"Strike Up the Band" is a lot of picture—perhaps, toward the end, some

five or 10 minutes too much picture—and it contains a lot of different

kinds of material and a lot of each kind. It presents Rooney as a boy

lover who wanted him to be a doctor but who prefers swing drum-

ming and reorganizes the high school band along those lines, plays

dance dates, stages a burlesque of "gay '90" melodrama, manages and

maneuvers this way and that with the object of entering a Paul

Whiteman radio band contest and winning it. He attains his objective

with a sense of clarification and with appeal to the public. Whiteman

keeps them on the stage.

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Hollywood Reviews

"Queen of the Yukon"
(Monogram)

Hollywood, Sept. 16.—It’s a Jack London story and it opens with a reading of a Robert W. Service poem, moving at once into the Yukon country to tell a story of gold mining in the days when claim-jumping was rampant and life was both rugged and risky. It presents Irene Rich as operator of the only river-boat affording access to the gold-country, a matron as expert in dealing faro as in concealing this fact from a daughter educated in the Sintzes and arriving in the Yukon at start of the picture. Charles Bickford is effectively cast as her me-man general manager faithful to her interest in the strike which follows.

This stems chiefly from efforts of a land-company to cheat the individual prospectors, appropriate their diggings and dominate the area. It terminates in a fist-fight such as furnished the thrill in “The Spoilers” and other notable pictures of the kind.

June Carlson is seen as the daughter from the States who discovers her mother’s source of income is the gambling saloon of her river boat and decides she wants to be like her. Dave O’Brien plays a young sur-eyor in love with Miss Carlson and, in the ending, which also wit-nesses Miss Rich and Bickford matrimonially destined, loved by her. A good deal of action, in addition to the fist-fight finale, precedes these romantic conclusions. Guy Usher and George Cleveland provide background humor as sourdoughs.

It is a Paul Malvern production directed by Phil Rosen from a script by Joseph West based on the London story.

Running time, 63 minutes. "G."

Roscoe Williams

Showmanship Flashes...

Covered Wagon and Wives Used for 'Young'

KANSAS CITY, Sept. 16.—A covered wagon, eighty-five-foot, of appropriate dress equipped Foster Thornhill, assistant manager of the Esquire, as Brigham Young for the promotion of the picture worked out by Joseph Redmond, Esquire manager. Thornhill and the girls rode the streets of Kansas City for three days trying to get to Utah, and on a Saturday they all disembarked from the prairie schooner to have dinner at the largest and most heavily patronized downtown restaurant.

Fischer Does 'Annie' Press Book Drawings

Anton Fischer, originator of the illustrations for the "Tugboat Annie" stories in the Saturday Evening Post, has been commissioned by Warners to do the drawings for the press book campaign on the film "Tugboat Annie Sails Again."

Oil Company Tiefu Helps 'Boon Town'

SR. LOUIS, Sept. 16.—The highlights of the exploitation campaign for "Boon Town" at Loew’s State here was a tieup with the Milton Oil Co., which published and distributed 150,000 four-page tabloids to Dixon dealers in the city at its own expense. Also, the oil company placed 5,000 Hawaiian Fourth of July buttons in street cars announcing the picture. Exploitation Chief James Harris also arranged for cooperative ads with business firms dealing with Loew’s for a 16th anniversary spread in the Star-Times, daily afternoon newspaper. Arrows about town directed pedestrians to "Boon Town."

Sample Ballots Sent Out as 'McGinty' Plug

WILKES-BARRE, Pa., Sept. 16.—A sample ballot cover campaign, house to house distribution of ballots balloting the "Great McGinty" ticket and a radio film exploitation test for the new Maitinger John Galvin campaign on the "Great McGinty" at the Penn Theatre. In ad-dition, the suburban towns, used spot radio announcements and plugged the picture.

Radio Plugs Aid 'Rhythm on River'

WILKES-BARRE, Pa., Sept. 16.—Manager Fred Lee for "Rhythm on the River" at the Capitol, sold a radio campaign including six 15-min-ute broadcasts featuring the hit tunes, two five-minute transcriptions of Bing Crosby and Mary Martin singing some of the tunes, and four spot announcements on an afternoon play date. He also tied up with gro-ceries for 300 window streamers.

Reports Foreign Deals

Leon Fromkess, in charge of foreign sales for Producers Releasing Corp, reports deals for the company’s new season product in the United Kingdom, most of the countries in South and Central America, Mexico, Puerto Rico, Virgin Islands, Cuba and Haiti.
Hollywood Reviews

"Christmas in July" (Paramount)

Hollywood, Sept. 16.—Writer-director Preston Sturges and producer Paul F. Dunraven excise here with different material the uniquely expressive racial talents accountable for the remarkable success of "The Great McGinty" and obtain an equivalently effective entertainment result. This time their story is about a young man who thinks he's won a radio contest and does with the $25,000 prize money what most young men would do, discovers that he hasn't won it and then, also, departs himself in a normal manner, after which other things happen which round out a story too good to be retold in synopsis. The picture has in its different way compelling interest and a warming quality.

Dick Powell is at his best, improving even on his "I Want a Divorce" performance, as the earnest young slogger, and Ellen Drew was never seen to such advantage as in the role of his sweetheart. Walburn, Alexander Carr, William Demarest, Ernest Truex, Franklin Pangborn, Harry Hayden, Julius Taumen, Michael Morris and many another round out a cast to each member of which is assigned, in what appears to be a feature of the Sturges policy, a substantial and clear cut character, Stimulating to the whole.

These Sturges pictures possess a quality of their own, which perhaps may best be summed up or boiled down in the single observation that they tell their stories better than most.

Running time, 70 minutes. "G."**

Roscoe WILLIAMS.

"I'm Still Alive" (RKO)

Hollywood, Sept. 16.—RKO's "I'm Still Alive" portrays a seldom exposed side of Hollywood picture-making—the lives of stunt men who double for stars and principal players in dangerous scenes. The chief characters are a stunt man and a star, who wed and meet the vicissitudes of married life controlled by a proud man refusing to accept what he thinks is his wife's charity.

Kent Taylor, in portraying the stunt man, gives his best performance to date, and evoked applause from the preview audience. Linda Hayes enacts the role of the star, and Howard da Silva, Ralph Morgan, Don Dillaway, Clay Clement and Fred Nicklo constitute the remainder of the cast.

Irv Reis, associated formerly with radio, shows in this, his first film directorial assignment, great promise, having tied down all the loose ends to make a most entertaining picture. Edmund North wrote the story and the script, both commendable enterprises. Frederic Ulman, Jr., was the associate producer under executive producer Lee Marcus.

Running time, 72 minutes. "G.**

VANCE KING.

"Calling All Husbands" (Warners)

Hollywood, Sept. 16.—Depending in the main upon dialogue for point-making purpose, "Calling All Husbands" is the picturization of the old Martin Flavin comedy concerning the nagging wife who constantly reminds her mate that she should have married the town's banker. The object of her conversation turns up, after 30 years, as a tramp and thief, thereby rekindling the married couple's affections.

George Tobias as the tramp, Ernest Truex as the henpecked husband, and Florence Bates as the wife extract the most from their roles. Lucile Fairbanks and George Reeves supply the young love interest. Other players include Charles Halton, Virginia Vale, John Alexander, Clem Bevens, Sam McDaniel, Elliott Sullivan, Robert E. Kent wrote the script for associate producer William Jacobs. Noel Smith directed.

Running time, 61 minutes. "G.**

"G" denotes general classification.

Bernhard Comments on Price Increase

The American motion picture public. Motion picture admission prices are increased because for a period of years, we have discounted the value of our merchandise.

"But the way to get more money for your service, just as the studio pictures, is to do what we have been doing in the Warner Theatres since last September, which is gradually raise the regular admission prices whenever conditions warrant such increases. The high theatre organization or individual raising up their prices to give the proper consideration to the problem of increased admissions will find that the policy of raising regular prices is much more acceptable to the public than an occasional boost.

"It is a mistake to underestimate the intelligence and the shopping skill of the public when it comes to buying entertainment. When you increase regular admission prices, the public accept it as part of the general movement of commodity prices; sometimes they're up, sometimes they're down. If they think the price is healthy, they will respect the town prosperous, the theatre well liked, you will hear very little grumbling about the increase, but when you try to pin down on an individual picture, the public thinks you are taking advantage of their special desire to see a certain picture and they resent such action. They consider it a hold-up and not a legitimate movement of prices.

"Besides, this business was built upon the movie habit. Upon people dropping in to see a movie and not missing it to see a particular production. If we single out individual productions for price increases, the public is more apt to single out the picture for increased attendance and let the others go by. Increased prices on individual pictures is contrary to the principles upon which this business became the greatest mass entertainment."

Theatre Sets Dividend

Toronto, Sept. 16.—Marcus Loew's Toronto, which has declared a $3,500 dividend on the 7 per cent cumulative preferred shares for the six months ending June 30, 1939. This payment provides a further reduction in the arrears, against which a series of quick disbursements have been made in the past two years. At this time the arrears on each share totaled $25.
Commentators 'Round Table' Defense Plan

Wages

KANSAN, San Francisco, has adopted a policy of devoting all its programs to full 24-hour schedules and to the.Valentine. Lou Rieplinger, manager, points out that women have their own clubs, magazines and shopping guides. He believes they should have their own radio station as well.

Program News: "Musical Americana" will be shifted by Westinghouse from NBC-Blue to the Red, effective Thursday, Oct. 10 when it will be heard at 10:30 P.M. "Question Bell" will move into the vacated spot on the Blue Tuesday, Oct. 8. "Liber Vasos," is sponsoring the latter show.

Columbia Recording Corp. will sponsor a six-tunes weekly recorded program over WABC starting Monday.

Gary Cooper and Myrna Loy are turning over to the Red Cross $5,000 each received from the "Lux Radio Theatre" for appearances as guest artists. Miss Loy was heard last night in "Manhattan Melodrama," while Cooper will be heard next Monday in "The Westerner."

Purely Personal: Reports from John Steele, Mutual commentator in London, who was injured by a bomb splinter, reveal that the bruises were minor. His nose and forehead were cut and there was some shock but Steele seems all right after a day's rest.

Well, William Thomas, NBC veteran newscaster, will celebrate his 10th anniversary on the air Sunday, Sept. 29, in a broadcast over the combined Red and Blue networks from 5:30 to 6. Outstanding commentators from other stations—NBC, CBS, Mutual, W. K. Kellog, Earl Godwin and H. R. Balking—will help Thomas celebrate.

Final Photophone Sales Meet Today

The last of three RCA Photophone sales and service meetings will be held today at the company's plant in Hollywood. The first two were held in Camden and Indianapolis.

Homer B. Snook, Photophone sales manager, will head a delegation from Camden attending the Photophone Corp. He will be accompanied by Edward Auger of the New York office; W. J. John, Photophone service manager; and Adolph Goodman.

Defense Opens in Nick, Weston Trial

ST. LUIS, Sept. 16.—The defense opened its testimony today in the Federal Government trial of John P. Nick and Clyde A. Weston on charges of violating the racketeering and anti-trust act. Nick and Weston formerly controlled the operators' union here.

The first of the 25 defense witnesses was H. L. Albright, member of the union for 30 years, who said the membership applauded when George E. Browne, a member of the A. T. E., appointed Nick to take over the union. Albright said Nick denied he had ever received any money from the forestall to cover all injunctions, as charged by the prosecution.

The defense intends to show that Nick extorted the union from serious difficulty when he took control in 1935.

Extend AFRA Pact Pending Mediation

An agreement to extend the existing contract between the American Federation of Radio Artists and the networks covering sustaining programs "for a reasonable period" until the formal conference reached the first mediation meeting yesterday. The meeting took place at the offices of the New York State mediator, T. D. Thomas, and was attended by all the companies up to about 30 days. A second meeting will be held at 3:15 P. M. to-day.

Nets' Position On the Red's Clarified Soon

WASHINGTON, Sept. 16.—Broadcasters who have been struggling with the problem of whether or not to allow the Communists to use their facilities are now close to a decision. They may announce their position within a few days, it was said today by FCC Chairman James L. Fly.

Fly declared that he had conferred Saturday with Communist leaders protesting the refusal of NBC to sell time to them. He explained that the FCC has no control over program activities and can act only when political candidates are refused equal treatment. He said the Communist protest was not that they had been refused time but that there had been a failure to put on their application and time was passing rapidly.

The Communist Party campaign committee alleged it had arranged to pay for eight political speeches with NBC but that the network had failed to send out the necessary contracts. The first speech was to be broadcast Labor Day. Yesterday, NBC officials declined to state when they would make their decision known or comment otherwise on the situation.
There's a luxury-loving kind of people who have a knowing sense for the niceties and comforts of travel. When they go coast-to-coast you'll find them on The Mercury, American's de luxe overnight sky-sleeper between New York and Los Angeles via the famous Southern All Year Route. Because the number of these people has so rapidly increased, American is now operating The Mercury in two sections every day, with accommodations for 28 passengers.

A total of five American Airlines Flagships each way daily now carries scores of passengers coast-to-coast via its nature-favored Southern route across Virginia, Tennessee, and the Sun Country of Texas, Arizona and Southern California.

On your next trip coast-to-coast, enjoy the luxurious comfort and the hospitality of the famous Mercury or the other skysleepers of the Flagship fleet. For information or reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: Rockefeller Center at 18 West 49th Street and Grand Central at 45 Vanderbilt Avenue.

AMERICAN AIRLINES Inc.
THE FAMOUS SOUTHERN ROUTE ... COAST-TO-COAST
Film Purchase
Of Play Rights
Plan Revised

Drama Guild, Producers, Film Men to Meet

By EDWARD GREIF

The plan to permit film companies to purchase motion picture rights of legitimate stage plays in advance of the play's production was revived suddenly this week and there will be a three-cornered conference tomorrow among the Dramatists Guild, the League of New York Theatres and representatives of Warners, M-G-M and Paramount.

The meeting will mark the first occasion when the three interests will come together at a joint conference. Previously, the meetings have been between the Broadway managers and the film companies and, more recently, between the Guild and the film companies.

Earlier this year, the Guild voted to amend the basic agreement to permit (Continued on page 4)

Nazi Raids Fail
To Close Houses

By AUBREY FLANAGAN

LONDON, Sept. 17.—Despite intermittent bombings by Nazi raiders, film theatres are operating with dogged persistence—although not prosperously—all over England. The opening of theatres earlier than usual on the past Sunday proved commercially satisfactory.

Since the Blitzkrieg began, two major British films have been started in production. Paul Sobakin has started work on “Quiet Wedding,” at Sound City Studios for Paramount release. Twentieth-Century-Fox, producing at Shepherd’s Bush Studio, has started production of “Agent X,” one of seven planned by the company this season.

‘U’ Names Mansfield
Memphis Manager

Harry I. Mansfield, Memphis sales- man for Universal, has been promoted to manager, filling the vacancy caused by the transfer of J. A. Frichard, manager, to Charlotte.

In New York, M. Felder, sales- man, has been named assistant manager, following the promotion of Max Cohen to manager of the Washington exchange.

Group Leave Today
To See ‘Westerner’

Press representatives and home office executives of United Artists will leave today via TWA plane for Fort Worth, Tex., to attend the two-theatre premiere tomorrow evening of the Samuel Goldwyn-United Artists film, “The Westerner.” They will also be at the Dallas opening Friday.

M.P.P.D.A
London Offices Are Bombed
London, Sept. 17.—The office in Park Lane here of Paramount Pictures Ltd., London, of the Motion Picture Producers and Distributors of America, was damaged last night by the explosion of a heavy bomb in the vicinity. Windows, furniture and the like were broken, but there were no fatalities.

Good Play Shortage Seen
Hampering Stage Season

A shortage of good plays is hampering the start of the new legitimate stage season, according to a consensus of Broadway managers. Nevertheless, prospects are generally regarded as good and plans are being formulated to build audiences for the legitimate stage.

James F. Reilly, executive secretary of the League of New York Theatres, has presented a five-point plan to Actors Equity for building audiences and making it easier for the general public to purchase tickets.

The plan includes neighborhood ticket agencies in various parts of the city and suburban areas; a reservation system under which a theatre owner can make a small deposit and then reserve seats by mail or telephone; a central information bureau to give data about the theatre to inquirers; cooperation with the Times Square Hotel Association for inclusion of a visit to a legitimate theatre on all-expense tours; and a promotion effort to stimulate small theatre parties.

U.S. PROBES DEGREE
‘SABOTAGE MOVE’

Informal Inquiry Started By Justice Dept
To Determine If Exhibitor Protest Was Fomented by Three Companies

The Department of Justice has been conducting an informal inquiry here to determine whether exhibitor opposition to the block-of-five sales provision in the pending Federal consent decree was or is being fomented by the three non-consuming companies in an effort to frustrate the proposed decree, which is to be presented to the U. S. Court next month.

Attorneys and officials of United Artists and Universal have been queried along the lines of a known member of the Department of Justice legal staff. Whether inquiries have proceeded is unknown, but it is believed Columbia could not be contacted yesterday.

Where the inquiries were made, the government representa tive was assured that the Department’s suspicions were wholly without foundation and that exhibitor reaction to the block-of-five provision was spontaneous and merely confirmed predictions made by the three non-consuming companies in the course of the negotiations on the decree.

The Department of Justice attorney who made the inquiries here last week left New York to press the investiga tion further among exhibitor groups who are on record as opposed to the block-of-five proposal.

Meanwhile, recurrent efforts have been made by Government and trade sources to ascertain whether Columbia, United Artists and Universal could be interested in the pending decree or in one which might offer a totally different approach to an out-of-court settlement of the anti-trust suit. These efforts are described as being “tentative and unofficial.”

(Eastman Sells Its Reich Plant Control

Eastman Kodak Co. has sold its 5 per cent control of Chemische Werke Odin to German interests for about $360,000, the company disclosed in a statement filed with the S.E.C. and released yesterday. Proceeds from the sale, the statement said, are tied up in Germany by foreign exchange restrictions. At the end of last year Eastman listed $5,260,544 investments in companies and branches in Germany, which included the Chemische Werke Odin. One of this company’s principal assets is a gelatine factory at Baden.

Ten Cents
TEN CENTS
To Honor Walker
Wilkes-Barre, Pa., Sept. 17.—Tentative plans have been made by residents of nearby Larksville to honor Frank Comerford Walker, head of Comerford Theatres, Inc., on his appointment as Postmaster General. Walker spent part of his boyhood in Larksville.

**Complete Interstate Depositions Friday**

George Wright and Richard Stout, attorneys for Interstate Circuit, Dallas, are scheduled to complete the taking of depositions of major company sales executives here on Friday in the U. J. Jorgensen action against Interstate, and will return to Dallas by plane the same day.

Trial of the case is scheduled for Federal court there Sept. 30, if both sides are ready to proceed on that date.

Yesterday, the depositions of Harry Gold of United Artists and Carl Lerman of Warners were taken. The final deposition will be that of T. J. Connors of M-G-M, to be taken late this week.

**Jaffe Is Speaker At College Opening**

William Jaffe, member of the law firm of Rosenblatt and Jaffe, on Monday participated with William Allen Nelson, president emeritus of Smith College, at the formal opening exercises of Union College and delivered one of the two principal addresses.

**California Texas * Arizona**

5 FLAGSAILS DAILY COAST-TO-COAST

* It’s only an overnight skysleeper trip to Los Angeles via America’s famous Sunrise Route! Delicious meals aloft. Stewardess service. For reservations, call your Travel Agent or Havemeyer 6-5000. Tickets Offices: Rockefeller Center, 18 W. 49th St.; Grand Central, 45 Vanderbilt Ave.

**AMERICAN AIRLINES Inc. ROUTE OF THE FLAGSAILS**

**Personal Mention**

**William A. Scully,** general sales manager of Universal, has left for Chicago conferences on circuit deals. He is due back early next week.

**S. A. Lynch** is here from Miami for a brief business visit.

**Thomas J. Connors,** Eastern division manager for M-G-M, is expected to return from Boston tomorrow.

**Dave Prunt,** Southeastern district manager for RKO, arrived here yesterday for a visit.

**A. A. Schubert,** manager of exchange operations for RKO, arrived in Chicago on the TWA Stratoliner yesterday on business. He is expected back here Friday.

**Elysee Balaban** is in town from Chicago.

**Lee Marcus,** RKO producer, is expected here from the Coast next weekend.

**Ruth Penney,** fashion editor of the RKO studio, has returned to the Coast after several weeks’ vacation.

**Abe Horowitz,** M-G-M student booker in New Haven, and his fiancee, Dorothy J. Wyman of the M-G-M office, were given a reception here.

**James Hilton** has returned to the Coast.

**Goldwyn Due Here From Fort Worth**

Samuel Goldwyn is scheduled to arrive in New York over the weekend, following the Fort Worth and Dallas premieres of “The Westerner,” tomorrow and Friday.

While here, Goldwyn will retain counsel in the infamous Shonemaker-Steuern in his action for a declaratory judgment on his releasing contract with Shonemaker. He also will confer with Lillian Hoolman on the screenplay for “The Little Foxes,” which he will produce next Winter.

**Roosevelt Coming For ‘Hall’ Opening**

James Roosevelt is due by plane tomorrow from the Coast for the opening of his United Artists release, “Pastor Hall,” at the Globe on Friday evening. He will remain over the weekend and fly back to the Coast early next week.

Among those who have accepted invitations to attend the globe premiere are: Postmaster General Frank C. Walker, John Hay Whitney, Rabbi Stephen S. Wise, H. F. Steiner, S. H. Kalenborn, Sir William Wiseman, Eddie Cantor, Merlin Hall Aylesworth, Lowell Thomas, Ralph Bellamy, John D. Hertz, Floyd B. Odlum, Dorothy Thompson, Lillian Hellman, Robert Lehman, Mr. and Mrs. William S. Paley and Jules E. Brulatte.
Strike up the Band

THE NEXT BOOM
from the "Boom Town" Company!

1940-41 is M-G-M's BOOM Year!
Canada to Get National Setup On Clearance

HOLLYWOOD, Sept. 17.—Three story purchases by two studios marked the current production news. Twentieth Century-Fox, purchased for $1,830,000, reported Saturday, R. E. Longstreet's novel, "Replenish the Earth," for a high budget production by Sidney Salkow. Longstreet wrote "Decade," a best seller last year. Random House will publish "Replenish the Earth," which was being developed by William Hemdoe, in association with Sidney Satenstein of New York, was the agent.

Warner's acquired "One Foot in Heaven—The Life of a Practical Parson," biography of a Methodist minister by his son, Harter Spence. United Press writer, and also an original story by Ronald Reagan, the actor, on the United States Cavalry, to be used as one of the series of patriotic shorts.

Paramount has settled amicably its $170,000 damage suit against Don Ameche and assigned him to the lead in the Boys from the Block. Mary Martin, Mark Sandrich will direct, replacing Victor Schertz and Robert Wise. An M-G-M contract in November, Paramount's action against Ameche resulted from his refusal to accept a role in "The Night of January 16.

Ellen Drew replaces the announcee's quickie role in "Reaching for the Sun," Paramount. . . . James Stewart and Marjorie Main receive con-
ting contracts at M-G-M. . . . Lorette Joy joins the cast of Monogram's "The Ole Swimmerin' Hole." . . . Jack O'Shea, Rogers, husband of Mary Pickford, will be seen in "Golden Hoofs." Jane Wyman signs with Twentieth Century-Fox. . . . Lucille Ball and George Murphy, the latter borrowed from M-G-M, will have leads in "The Girls and the Gob." Harold Lloyd pro-
duction for RKO.

Two orchestra leaders got breaks this week. Tom Dorsey and his Progressives were signed by Paramount. . . . "Las Vegas Nights," and Bandini and his aggregation were set for RKO's "Let's Find A Song," new title for "Malvina Steps Out." JEAN ROGERS, borrowed from 20th Century-Fox, and Elizabeth Reidy support. . . . Paramount is seeking DALE VAN every to produce a sequel to "Rangers Return," previous story being a direct hit. The producer has a tentative deal with RKO to make a series of three pic-
tures, called "Big Show Businessers," which appeared in Collier's magazine in 1932. . . . Alexander Korba has signed Luis Alberni and Lee Tracy for "Lucky Lindy." . . .

JEFFREY LYNN will support JOY GARFELD and PISCHELLA LANZA in Warner's "The Fabulous Thirties." Republic castings: JEROME COWAN to "Melody Ranch," CLEVE OSBORNE to "Intimate Friends." . . . JOAN VALERIE will support LLOYD BUCHANAN and MARCIA TAYLOR in 20th Century-Fox's "The Private Practice of Michael Shayne." . . . John Carradine goes over to the Western Union territory. . . . Paramount has signed BILLY GILBERT for "Reaching for the Sun." . . . Monty Woolley has been set to direct "Trail of the Vigilantes," starring FRANCOTONE, at Uni-
versal.

In support of Rosalind Russ-

ell and Melvyn Douglas at Co-
muhia in "This Thing Called Love," Ida Lupino, Alyn Joslyn, Gloria Dickson, Joan Storm and Lee J. Cobb . . . Robert Young replaces Ameche in the villain role in 20th Century-Fox's "Western Union." It would have been Ameche's first bad man part . . . "Rings on Her Fingertips" is the new title for "They Met In Rio" at that studio.

With EDWARD CLINT directing, W. C. Fields latest at Universal, "The Dual Life of J. P. Morgan," is under way. A set to support him thus far are FRANK PANGBORN, RUSSELL HICKS and STEPHEN HOWARD. . . . DANNY DARE, of the local street "people," is assistant to producer SOLO SIGEL on Republic's "Melody Ranch." . . . Universal's "Lady Luster" is scheduled for release in November, much to the dismay of Ameche, who was signed to head the cast, and也是被解雇的人之一。乔安・瓦莱尔将支持洛伊德・布坎南和玛丽・泰勒在20世纪福克斯的《迈克尔・谢恩的私人医疗实践》中担任角色。乔纳森・哥里根将担任《追赶的真相》的导演，主演弗朗乔特・托恩，由米高梅公司制作。

支持罗莎琳德・鲁塞尔和梅尔文・道格拉斯。怀特在哥伦比亚的《爱的规则》，艾登・卢普诺，艾琳・乔斯林，格洛丽亚・迪克森，琼・斯托姆和李・乔布。罗伯特・杨格将取代阿米切在20世纪福克斯的《西部联盟》中的恶棍角色。它将有阿米切的第一个坏人角色。《指环与她的指环》的新片名是《他们在里约热内卢遇见》。

尤德华・克林特执导的温斯顿・丘吉尔的《摩根的双生活》，是与温斯顿・丘吉尔的签约。目前支持他的还有富兰克・派恩格伯，拉斯维尔・希克斯和史蒂芬・霍华德。丹尼・戴，当地街“人”，助手与制片人索罗・席格在共和党的《梅洛迪牧场》中担任编剧。尤文图斯的“少女之光”定于11月发布，这将让阿米切非常高兴，因为他被签约成为主演。
42 New Films Now Shooting; Five Finished

Hollywood, Sept. 17.—Forty-two pictures were before the cameras this week, as eight started and five finished. Twenty-one were being prepared, and eight were being edited. The tally by studio:

**Columbia**
In Work: "Alias the Lone Wolf," "Passage West."
Started: "The Round Up" (tentative title).

**M-G-M**
Finished: "Bittersweet."
Started: "Fighting Sons."

**Monogram**
In Work: "The Ole Swimsin' Hole."

**Paramount**
Started: "Shepherd of the Hills."

**RKO**
In Work: "Citizen Kane," "You'll Find Out," "No, No, Nanette," "Mr. and Mrs. Smith," "Recovery for Riches," "LIt Alien," "Kitty Foyle."

**Republic**
In Work: "Poor Neighborhoods," "Who Killed Aunt Maggie?"
Started: "Trail Blazers," "Melody Ranch."

**Loew-Lewin**
In Work: "Flotsam."

**20th-Century-Fox**
Finished: "The Californian."
In Work: "Chad Hanna," "Hudson's Bay," "Tin Pan Alley."
Started: "Romance of the Rio Grande," "Gallant Hero."

**Universal**
Finished: "Bury Me Not on the Prairie."
In Work: "Carribean Holiday," "Streets of Calcutta."
Started: "The Bank Dick."

**Warner**
Finished: "Father Knows Best."
In Work: "Meet John Doe," "Santa Fe Trail."
In Work: "High Sierra." "The Lady with Red Hair," "South of Suez."

**'Boom Town' Is Held At All Runs to Date**

"Boom Town" has been held over in all of its 47 regular release engagements to date, as it was during the earlier test runs, all these engagements being at reduced admission prices, M-G-M said yesterday. The Loew circuit is playing the picture at the price increases which have been suggested to other exhibitors.

The film will play a fourth week in Detroit and will be held a third week at a total of 18 situations to date. New third-week situations are Buffalo, San Francisco, Oakland, Philadelphia, Chicago, Providence and Worcester.

**Beats a Hotel**
KANSAS CITY, Sept. 17.—Jack Truitt, manager of the Electric, Kansas City, Kan., first run, reports the case of the elderly gentleman who went into the theatre when it opened at noon the other day, bought a ticket and walked in with its stub case, that night at 11:30 P. M., Truitt had to wake him up. He said he wasn’t sure that he had been riding the bus all day and needed some rest. In between naps he saw the show.

**McIntyrie, Dorsey $21,500 in Buffalo**
BUFFALO, Sept. 17.—The Great McIntyrie," supported by Jimmy Dorsey and his clarinet, was on the stage, drew a big $21,500 at the Buffalo. "Boom Town" was still strong in second week at the Coast Lakes at advanced prices, ringing up $11,900.

Estimated takings for the week ending Sept. 14:
- "The Great McIntyrie" (Para.) $1,700 (35c-41c) 7 days.
- "Boom Town" (M-G-M) $8,000 (35c-46c) 7 days.
- "The Return of Frank James" (20th-Fox) $7,500 (46c-53c). 7 days.
- "Sing, Dance, Plenty Hot" (Rep.) $4,300 (35c-46c) 7 days.
- "Hired Wife" (Univ.) $2,000 (30c-40c) 7 days.

**Providence Gives 'Town' Big $14,500**
PROVIDENCE, Sept. 17. — "Boom Town" took $14,500 in the second week at Loew’s State, and the Disney Festival and "When The Daltons Rode" drew $7,000 at the RKO Albee.

Estimated takings for the week ending Sept. 11-12:
- "Walt Disney Festival" $2,000 (35c-36c) 7 days.
- "When The Daltons Rode" (Univ.) $2,000 (36c-36c) 7 days.
- "Boom Town" (M-G-M) $7,000 (35c-36c) 7 days.

**'Comedy' Gets Good $18,700, Philadelphia**
PHILADELPHIA, Sept. 17.—Grasses were at high levels, with "No Time for Comedy" giving the Boyd $18,700, and "Foreign Correspondent" at the Warners $17,200. "Boom Town" drew $24,100 in its second week at the Earl.

Estimated takings for the week ending Sept. 11-12:
- "Kit Carson" (U. A.) $18,700 (35c-46c-57c-68c) 9 days.
- "Romance of the River" (Para.) $7,500 (35c-36c-36c) 7 days.
- "Foreign Correspondent" (U. A.) $18,700 (35c-46c-57c-68c) 7 days.
- "Island of Doctor Moreau" (Col.) $7,500 (35c-46c-57c-68c) 7 days.

**Allege Ouster Attempt**
EMPORIA, Kan., Sept. 17.—On ground that the defendants sought to leap the Lyric here away from them, and pictures away from pictures, E. O. Bries and Mrs. Briles have sued A. J. Simmons, Burlington, Kan.; Warren Weber, St. John, Kan.; E. E. Johnston, and others.

**'Correspondent' at $8,800 in Montreal**
MONTREAL, Sept. 17.—"Foreign Correspondent" continued to set the pace for a second week at Loew’s with $8,800. "He Stayed for Breakfast" at the Capitol, accounted for $8,000.

Estimated takings for the week ending Sept. 13:
- "He Stayed for Breakfast" (Col.) $2,600 (35c-46c-56c-66c) 7 days.
- "Foreign Correspondent" (A. U.) $1,700 (35c-46c-56c-66c) 7 days.
- "Baron of the Popes" (Univ.) $1,700 (35c-46c-56c-66c) 7 days.
- "Orpheum" (2,409) (35c-36c-36c) 7 days.
- "Love Me Again" (M-G-M) $1,700 (35c-46c-56c-66c) 7 days.
- "Palace" (2,409) (35c-36c-36c-66c) 7 days.
- "Devil's Island" (B. W.) $1,700 (35c-46c-56c-66c) 7 days.

**St. Louis Operator Chiefs Take Stand**
ST. LOUIS, Sept. 17.—John F. Nick and Clyde A. Weston, ousted bosses of the operators' union here, took the stand late today in their Federal court trial on charges of violating the racketeering and anti-trust laws. Defense lawyers earlier introduced minutes of meetings of Local 143 during the time the defendants were in control to prove that they reported to the membership on all wage and negotiation matters.

**Presenting...**

HUGH HERBERT IN HAT PARADE OF 1941

HUGH HERBERT—BOB MIGHTON, ANN MILLER
PATSY KELLY, SUSAN JAMES, LOUISE HOLLAND
SOLDIERS AND SAILORS FESTIVAL—FRED PINKHAM—HUE HARRIMAN—SHARON HADDOX
BONNIE MINEVITCH and her HARMONICA RASCALS • JOHN H. AVER—DIRECTOR

AND A BRILLIANT CAST OF SCREEN AND RADIO STARS!
Theater Changes

Warner's to Build

Philadelphia, Sept. 17.—Work has started on the demolition of Warner's Germantown. A new and modern theatre will be constructed on the present site.

Building House in Maryland

Baltimore, Sept. 17.—Construction has started on a new theatre in El-Booth, outside of Baltimore. It is a project of Leo H. Homand, who owns and operates the Westway here. The new house will seat 500.

Lease Connecticut House

BROOKLYN, Conn., Sept. 17.—Jack Dorland, former Paramount salesman, and Mrs. Joseph Markhoff of the Moodus, Colchester, and East Hampton, Conn., theatres, have leased the 400-seat Broadbrooke, Conn., for 6-day operation.

Buys Charlotte House

CHARLOTTE, N. C., Sept. 17.—The Charlotte Theatre property here has been sold to W. S. W. Chapman, who operates a Virginia circuit. The house is now leased by Harry K. Lucas.

Reopen Virginia Theatre

FARMVILLE, Va., Sept. 17.—The remodeled State Theatre has opened here under the management of Russell Williams.

Plan Georgia Theatre

CARBONTON, Ga., Sept. 17.—Construction of a second theatre film circuit for Georgia will be started by R. E. Martin Theatres.

Closing Connecticut Theatre

SOUTHINGTON, Conn., Sept. 17.—Joseph and Ted Markhoff have closed Wednesday and Thursday operation of the 335-seat Moosels here with the end of the summer. Colchester remains full time for the present, and East Hampton will stay on a six-day schedule until October.

Redeckate Canadian Houses

ST. JOHN, N. S., Sept. 17.—Theatres in this area recently redeckated include: The Family here and Community in Halifax of the Franklin & Herschorn Circuit; and the Dundas and the Mayfair in Dartmouth.

Pittsburgh Gives

"Boom Big" $28,000

PITTSBURGH, Sept. 17.—Exploitation and raised prices gave Loeve's Penn a record $28,000 for "Boom Town." The second of "Sea Hawk" at the Stanley drew $16,000.

Estimated takings for the week ending Sept. 12:

"Lewis & Frank Jones" (20th-Fox) $4,000

"ALVIN——7,100" (26c-36c-55c) 6 days. Gross: $4,000. (Average, $666.66)

"Hired Wife" (Univ.) STANLEY——7,100 (26c-36c-46c) 6 days. Gross: $11,000. (Average, $1,833.33)

"The Rhythm on the River" (Para.) WARNER——2,000 (30c-40c-60c) 7 days. Gross: $2,400. (Average, $342.86)

"Boo!" (20th-Fox) GROSS——1,300 (20c-30c-40c) 7 days. Gross: $1,300. (Average, $185.71)

"Mission of the Moon" (Col.) STRAND——1,600 (25c-35c-45c) 7 days. Gross: $1,600. (Average, $228.57)

"The Sea Hawk" (W. B.) WARNER——2,000 (26c-36c-55c) 7 days. Gross: $2,000. (Average, $285.71)

"My Man" (M-G-M) STANLEY——7,100 (26c-36c-46c) 7 days. Gross: $2,000. (Average, $285.71)

"Outlaw" (Alliance) FULTON——1,400 (26c-36c-55c) 7 days. Gross: $3,000. (Average, $428.57)

"Boon Town" (M-G-M) LEOPARDS——7,000 (26c-36c-46c) 7 days. Gross: $2,200. (Average, $314.29)

"Ringo" (20th-Fox) RITZ——1,000 (26c-36c-50c) 7 days. Gross: $600. (Average, $85.71)

"The New Zealander" (M-G-M) STANLEY——7,000 (26c-36c-55c) 7 days. Gross: $1,000. (Average, $142.86)

Union Concession in Cincinnati Contract

CINCINNATI, Sept. 17.—Despite previous secrecy on the agreement between theatremen and operators, it is learned from a high executive source that the contract of Sept. 1, 1939, was abrogated, and a new pact drawn between the approximately 70 theatres in the Greater Cincinnati Independent Theatres group and Local 32.

The contract previously in force provided for an increase of 57 per week per operator, to become effective Sept. 1 of this year. The new contract, three-year basis from Sept. 1, continues the original scale for one year, when it automatically increases $2.50 per week per operator, with a similar yearly boost thereafter. The present scale, graduated according to seating capacity, is approximately $5 to $6 for seven nights and Sunday matinees, with one-eighth additional for Saturday matinees.

"The generous action of the local deserves the highest praise, and we look forward to the coming as it does, at a time when the exhibitors are confronted with perplexing problems heretofore unknown to us," declared a spokesman for the independent group in commenting generally on the new agreement.

Theatres Aid Fight To Check Paralysis

JANESVILLE, Wis., Sept. 17.—To cooperate in checking the spread of infantile paralysis here, the Jeffrey, Myers, Beverly and Apollo Theatres have announced they will not admit children under 14 years of age unless accompanied by their parents.

"Boom Town" Tops Seattle With $20,000

SEATTLE, Sept. 17.—"Boom Town" at the Paramount and Paramount Theatre, at advanced prices was good for a total gross of $20,000, taking $11,000 at the Fifth Avenue when it opened Wednesday, and $9,000 at the Paramount. The weather was warm.

Estimated takings for the week ending Sept. 13:

"Rhythm on the River" (Para.) CHARLIE CHAN AT THE WAX MUSEUM (M-G-M)

"Blue House" (RKO) BLUE HOUSE——9,000 (36c-46c-56c) 7 days. Gross: $9,000. (Average, $1,285.71)

"Boon Town" (M-G-M) FIFTH AVENUE——6,000 (30c-40c-50c) 6 days. Gross: $4,500. (Average, $750.00)

"Kit Carson" (M-G-M) TAYLOR——2,000 (30c-40c-50c) 7 days. Gross: $2,500. (Average, $357.14)

"Open-Crowded Night" (RKO) PRINCE——7,000 (26c-36c-50c) 7 days. Gross: $7,000. (Average, $1,000.00)

"Franklin" (B. B.) PALOMAR——1,000 (30c-40c-50c) 7 days. Gross: $1,000. (Average, $142.86)

"Boom Town" (M-G-M) UPTOWN——2,000 (36c-46c-56c) 7 days. Gross: $2,000. (Average, $285.71)

"Town at $13,000; Kansas City Slow

KANSAS CITY, Sept. 17.—Cool weather and no outside competition failed to help first run single-shots much. "Boom Town" and "The Lady in Question" at advanced prices gave the Midland and Alhambra, respectively, good business, taking $13,000 each for the week ending Sept. 12.

Estimated takings for the week ending Sept. 12:

"Public Debt, No. 1" (20th-Fox) ESQUIRE——7,000 (26c-36c-50c) 7 days. Gross: $7,000. (Average, $1,000.00)

"Boom Town" (M-G-M) MIDLAND——4,000 (36c-46c-56c) 7 days. Gross: $4,000. (Average, $571.43)

"Rhythm on the River" (Para.) NEW-MAN——1,000 (30c-40c-50c) 7 days. Gross: $1,000. (Average, $142.86)

"Lucky Partners" (RKO) KNOXVILLE——6,000 (26c-36c-50c) 7 days. Gross: $4,500. (Average, $642.86)

"Sea Hawk" (W. B.) ORPHEUM——1,000 (36c-46c-56c) 7 days. Gross: $1,000. (Average, $142.86)

"Pier 13" (20th-Fox) UPTOWN——1,000 (26c-36c-50c) 7 days. Gross: $1,000. (Average, $142.86)

"The Sea Hawk" (W. B.) ORPHEUM——1,000 (36c-46c-56c) 7 days. Gross: $1,000. (Average, $142.86)
The Martin Quigley twenty-fifth anniversary edition of Motion Picture Herald will be published in the issue of September 28th.

Commemorating Martin Quigley’s twenty-five years of service to the industry, this issue will present a panorama of the astounding growth of the industry in prestige, influence and commercial importance and will be an inspiration to every person in the business.
**Color Not to Delay Video On Standards**

CBS color television developments will not cause a delay in the fixing of television standards by the National Television Systems Committee, a committee spokesman declared yesterday after a general meeting at the Hotel Roosevelt. Further meetings are scheduled to discuss the CBS system this week. The committee hopes to have standards set and approved by the FCC by Jan. 1.

CBS yesterday demonstrated color to George Henry Payne of the FCC._route.A.  route.C.  route.H.  route.H.  route.T.  route.E.  route.K. Jett, FCC chief engineer. Technical details were explained to the group and special emphasis was laid on the ability of a control to change relative color values. Such control, it was said, permits the use of the same cameras in indoor and outdoor light conditions.

Meanwhile Allen B. Du Mont, head of the Du Mont Laborato ries, discounted the CBS development because it uses a mechanical rather than electronic method. Mechanical methods are subject to the possibility of breakdowns.

Du Mont asserted that there have been demonstrations during the past decade of color television which employed the principle of a revolving disk in front of camera and receiver. He explained that his engineers are working on an electronic method for color but that he considers it as an ultimate goal for C. H. Jenney and his associate to make practical demonstration of black-and-white television. For the present, Du Mont said, the industry is interested in commercializing black-and-white television before essaying colored television."

**AFRA Parleys Continue**

A further meeting of representatives of the American Federation of Radio Artists and network operators was held yesterday at the office of William H. Davis, chairman of the New York State Labor Mediation Board. Satisfactory progress was reported but details of the meeting were not disclosed. A further session will be held Friday at 10 A.M.

**Roach Wins Suit**

Los Angeles, Sept. 17.—Echoes of Hal Roach’s plans two years ago to make films with Vittorio Mussolini were heard today in Superior Court here when Judge John Wysont, dismissed as “not meritorious” the $30,000 brought against Roach by Dr. Renato Sense for allegedly making contacts in the deal.

**Ask Mayors to ’Rockne’**

All mayors in the United States will be invited to attend the premiere of “Knute Rockne—All American” at South Bend, Ind., Oct. 4. The invitations will be extended by Mayor Jesse I. Parrish of South Bend.

**Off the Antenna**

NATIONAL Association of Broadcasters has formed a permanent conference committee to meet with the FCC on broadcasting problems. Eugene Peterson, WMW, Indianapolis, is chairman, and W. C. Alcorn, WBNX, is vice chairman. Other members include Phil Jones, host of the CBS-Radio’s “Today’s News,” WCCO, Kenneth Raine, CBS; and Reed T. Rollo, MBS. A committee on frequency modulation is headed by John V. Hogan, WQXR.

**Purely Personal**

Warren Gera has been promoted to the magazine section of the NBC publicity office. John McTighe is handling commercial scripts and Al Kastner is returned to the night assignment. William E. Sennemann has joined WOR as assistant to Charles Van Loon, head of the accounting department. Jack Fulton, formerly featured vocalist with Paul Whiteman, has joined the staff of WIL, Cincinnati.

In answer to an inquiry, the FCC states that there are now pending about 270 applications for additional facilities in the standard broadcast band, of which about 50 are for construction permits for new stations.

**Brooklyn Dodger**

Baseball fans have set Saturday as "Radio Appreciation Day" as acknowledgment for the WOR broadcasts of this and last season. Borough President John Cashmore, on behalf of the Brooklyn Chamber of Commerce, will present plaques to Red Barber and Al Helfer, who did the broadcasts, and Larry McPhail, head of the Dodgers. The latter, incidentally, believes that the daily broadcasts had a large part in boosting attendance over the million mark last year and that it is certain to pass it again this season.

**Program News**

Mars, Inc., will add 36 NBC-Red stations for "Dr. I. O." Monday, Oct. 7, to bring the total station to 95. About 60 stations will be used for a five-minute news show over NBC-Blue for Nate Kehlanner beginning Sept. 30. The program will be heard at 9:30 Monday through Saturdays and will be the first NBC sponsored newscast. John B. Kennedy will be the announcer. . . . Julius J. Culby, WMCA drama editor, is posting cards in theaters where plays open which he will review.

The FCC reveals that James Stewart, the film star, has been assigned call letters KHJF for the transmitter aboard his private plane at Santa Monica, Calif.

**Extras Suspended**

Hollywood, Sept. 17.—Screen Actors Guild today announced suspension of two extras following their trial on charges of conduct unbecoming Guild members, involving the casting of situation. Jack Gordon was suspended for six months after which he will go on probation for a year. Mike Morelli was suspended for 60 days with probation. During the suspension period, neither will be allowed to work in films.

The Guild said that at the trial Central Casting Corp., officials charged Gordon and Morelli had attempted to manipulate the hiring of extras by commercializing black-and-white television before essaying colored television."

**Philco, Local Leaves A.G.V.A. Over Ouster**

PHILADELPHIA, Sept. 17.—At a special meeting of the American Guild of Variety Artists branch here today, the local voted to withdraw temporarily from the actors’ union and continue functioning independently as the United Entertainers Association. The move follows the ouster of Tom Kelly as executive secretary of the local, which was rejected unanimously by the membership earlier in the day at a meeting at which Dewey Barto, national president, was present.

**At Wedding Luncheon**

Mr. and Mrs. Lynn Farsol, Florence Lake, Marion Baldwin, Harold Ross, Lena Rogers and Anne Shirley were among the guests at a luncheon at the Ritz Towers yesterday following the wedding of Phyllis Fraser, cousin of Ginger Rogers, to Bennett Cert, publisher.

**Republic Closes Deal**

CHICAGO, Sept. 17.—Republic has closed a new season product deal with Publicity Great Lakes Circuit of Illinois and Indiana, James R. Granger, president; Irving Mandel, franchise holder, and Harry Lorch, Chicago manager, acting for Republic. Rubens, Henry Steckelmeier and John Dromey acted for the circuit.

**McVeigh on Campaign**

Hollywood, Sept. 17.—Blaine McVeigh, recently resigned as Warners International executive officer, has been appointed publicity director in Hollywood for the Democratic campaign.

**Mexican Houses Assist Each Other**

MEXICO City, Sept. 17.

A novelty in the way of plugging their current feature films abroad has been introduced by four of the leading local houses, the Alameda, Rex, Olympia and Iris, all being part of a five-minute exhibition of trailers at each other’s theatres.

This innovation was adopted when these houses ceased advertising with the local newspapers and for the publication of a story to the effect that these exchange going in trouble with their writers. The story, it is said, was prompted because the houses had advised the paper that they must stop their advertising expenditure with it.

**Seabury to Aid AFM In Musicians’ Battle**

Seabury has been retained to represent the American Federation of Musicians in the injunction proceedings Philip M. Grossman, attorney for the union by the American Guild of Musical Artists, it was revealed yesterday in the Los Angeles Superior Court. Justices Aron Steuer granted a postponement on the injunction motion until tomorrow.

A.G.M.A. seeks to restrain the A.F.M. from enforcing an order by James C. Petrillo, president, which would ban concert instrumentalists from radio, films, the stage and concerts unless the latter join the A.F.M.

**Trampe Hits Bingo—And Is Himself Sued**

MILWAUKEE, Sept. 17.—The American Luther Association, whom Charles W. Trampe, bingo caller and head of Film Service, Inc., is seeking to restrain from holding Bingo games, has been ordered to file an answer to a 10-day suit and thereafter submit to an examination of the plaintiff before Court Commissioner Charles A. Orth.

Trampe and the Variety Club are defendants in an action to restrain alleged gambling at the club in the Schroeder Hotel here. Action against the Variety Club has been filed in Circuit Court here by Arthur T. Nodroft.

**Bingo in Cincinnati Declines in August**

CINCINNATI, Sept. 17.—Although there were more licensed Bingo par ties in August than July, attendance and receipts were less, according to figures released by the Police Department, where records are kept. Total August attendance was 259,56 at 218 parties. Grosses was $194,721; prizes, $46,455.02, leaving a net of $148,377.99 to sponsoring organizations. July figures were 206 parties with attendance of 261,453. Gross was $197,961.55; prizes, $47,291.34; net, $150,670.21. Average net cost per person was 58 cents.

**Fraley Rites Held**

FRALEY Rites Held

Funeral services were held here yesterday for Edward J. Fraley, brother of G. B. J. Fraley, Paramount executive, who died Saturday. Services were held at St. Barnabas Church.

**Plan Basketball League**

A motion picture basketball league is being formed with most of the film studios represented. The Loe-W-M-G-T team started preparations for the season with a practice session Monday night.

**Italian Film Opens**


**Rogers Day at Fair**

ROGERS DAY AT FAIR

Today will be Roy Rogers Day at the World’s Fair, with a full day’s program prepared for the Republic singing Western star.
Columbia Wins Vital Point in Schine Action

**Court Orders Separate Bill of Particulars**

BUFFALO, Sept. 18.—Columbia today won a Federal court order for a separate bill of particulars from the Government in the anti-trust suit against the Schine circuit and major distributors in Federal court here. U. S. District Judge John Knight signed the order directing the Government to furnish Columbia with an itemized list of 34 alleged violations of the Sherman Act. Among the particulars which the Government was ordered to furnish were the names of exhibitors alleged to have been "systematically excluded" from the opportunity to procure high-class films under fair, competitive conditions on first or preferred runs; the names of each exhibitor who the Government claimed was forced out of business or compelled to dispose of his theatre, and the identification of each situation.

(Continued on page 4)

Stockholders Vote New Cohn Contracts

New three-year employment contracts for Harry Cohn, Columbia president, and Jack Cohn, vice-president, were approved by the company's stockholders at their annual meeting at the home office yesterday.

Both executives were reelected to the board at the meeting. Other directors elected at the meeting were: Nate B. Spingold, Abe Schneider, Charles Schwartz, Dr. A. H. Gianmini and Leo M. Blancke.

For the president and vice-president, who is to receive $100,000 a year and the vice-president $50,000, the board renewed their contracts for another three years.

Coast Flashes

**Hollywood, Sept. 18.**—**FEDERAL** authorities here are waiting for William Block, L.A.T.S.E. leader, who is scheduled to be released from jail in Chicago Friday and is expected here Monday. If he shows up, he will be arraigned before Federal Judge Ralph Kenyon for the fixing of a triad rate of two charges of violating income tax laws, court attache says today.

Sept. 23 was the date for setting the trial in which Block posted $5,000 bail on the Government charges before going to Chicago to serve his six months sentence.

Pat O'Brien has been appointed Hollywood chairman for the Democratic campaign. Others on the local committee are Ralph Block, secretary; Bryan Fox, treasurer, and Abe Lastefogel and Sid Grauman, assistant treasurers. The advisory committee includes John Considine, Jr., chairman, and Winfield Sheehan, Ed Garlington, Jr., Alton Faye, Dorothy Lamour, Leo Carrillo, Edward G. Robinson, Miriam Hopkins.

Louis B. Mayer has been appointed chairman of the industry committee for the Los Angeles Community Chest.

Paramount to Hold Tournament Today

More than 85 Paramount executives and their guests, headed by Adolph Zukor, will gather this morning at the Adolph Zukor golf course at New City, N. Y., for the 13th annual Paramount golf tournament.

John McDermott and Joseph Wood head the arrangements committee. Numerous prizes will be awarded.


(Continued on page 4)

**BEST SEASON AT MUSIC HALL WITH TOTAL GROSS $4,000,000**

By SAM SHAIN

The 1939-40 season was the most successful in the seven-year history of the Radio City Music Hall. The theatre, under the direction of W. G. Van Schmus, grossed upwards of $4,000,000 for this period, or an average weekly gross of more than $51,000.

During the past season, the theatre played the five companies, and of these M-G-M product consumed 14 weeks for six pictures; United Artists, 13 weeks for five pictures; RKO, 11 weeks for seven pictures; Columbia, eight weeks for four pictures; and Warners, six weeks for two pictures.

David O. Selznick's "Rebecca," released by United Artists, had the longest individual run, playing six weeks, as well as the biggest individual gross. "Pride and Prejudice," M-G-M's biggest grosser, played four weeks, grossing about $400,000, being among the very few pictures to have played the Rockefeller Center citadel for more than three weeks.

Metro-Goldwyn-Mayer also reaped the largest film rental, its six pictures garnering more than $300,000, on a percentage basis. United Artists was next with a gross of more than $200,000 for its five pictures.

Pa. Bans 'Ramparts' After Approving It

PHILADELPHIA, Sept. 18.—In an unprecedented move, the Pennsylvania state film censor board today ordered suppression of "The Ramparts We Watch," which opened this morning at the Senate Harrisburg, and a Park, Reading, despite the fact that the board had approved the March of Time-RKO film Aug. 9.

Acting on orders from the Attorney General's office, State troopers closed the Senate and Park at 6 o'clock this evening. The picture had been shown at both houses despite the censor ban.

Mrs. Edna R. Carroll, chairman of the board, said the reason for ordering the film suppressed was the insertion of two reels since the picture was first reviewed.

"These reels," she said, "contain...."

Authorize New York Television Station

WASHINGTON, Sept. 18.—Construction of a fourth television station in New York City was authorized today when the FCC allotted the channel made last June.

The station will operate in the No. 6 channel on 90-102 Mc. with 1,000 watts power, aerial and visual. The station will experiment with vertical and horizontal antenna systems, use of a frequency modulation sound carrier and various line and frame combinations. The experimental program calls for an output of more than 100,000, it was said.

Jackson Gets Decree Draft For Approval

Goes to Judge Goddard Here on Oct. 7

The consent decree is now before U. S. Attorney General Robert Jackson for signature. The Justice Department has a further consideration of the block-of-five selling provision to which they object.

With the decree now in the Attorney General's hands, it appears that Assistant Attorney General Thurman Arnold was not sufficiently impressed with the exhibitors' arguments and the Justice Department's decision to initiate a change. Any change which might be forthcoming from the Government is now up to the Attorney General.

Meanwhile, work on the legal draft of the decree continues.

Foreign Status Up At Hays Board Meet

Foreign problems confronting the industry, highlighted the quarterly meeting of the M.P.P.D.A. directors yesterday. Will H. Hays, president, reported on the West Coast activities during his summer stay there. The meeting was adjourned to next Tuesday for further consideration of problems, due to the absence of three or four company heads.

Preparations for the industry's participation in the national defense and the annual Red Cross campaign in November were also discussed.

Attending in addition to Hays were: Nicholas M. Scherr, president of Loew's; George J. Schaefer, president of RKO and Barney Balaban, president of Paramount; Joseph H. Hazen, representing Harry M. Warner; Frederick W. A. Hare and head of the Hays office, members of the Foreign Policy Association; C. Michel, 20th Century-Fox executive vice-president and, Earl Hammons.
Fine Gesture
Cleveland, Sept. 18.—Canadian soldiers in London use “The Cleveland Canteen,” which has been supported by six anonymous Cleveland theatre men. The weekly shows of the Plain Dealer film columnist, they have invited contributions from other Clevelanders. If enough join the movement, another canteen will be opened.

Personal Mention

Colonel William J. Donovan, RKO counsel, returned to New York by plane yesterday from an official visit to Hawaii and the West Coast where he will be the official of Secretary of War Frank Knox.

Mrs. William Wyler arrived from the coast on the Stratoliner yesterday to be with her husband, the director who was taken ill while visiting here.

William E. Garity, chief engineer of the Walnut Detective on the coast, has arrived to confer with Hal Horne on the selection of a house for the Broadway premiere of “Fantasia.”

William Blumberg, son of Ben Blumberg of National Theatre Supply Co., Philadelphia, was married last Sunday to Thelma Weber.

William Devaney, office manager of the M-G-M branch at Cincinnati, is vacationing in Long Island.

Charles Findlay, formerly with March of Time in Europe, has opened a new office in Omaha, his home town.

Fred Strom, executive secretary of Northwest Allied, and his family, will move from their summer residence at Forest Lake, Minn., to their Winter home in St. Paul on Oct. 1.

250 at Cincinnati Golf Club Tourney
CINCINNATI, Sept. 18.—Approximately 250 members and guests attended the sixth annual Variety Club golf tournament at nearby Summit Hills Club. James J. Grady, manager of the local 20th Century-Fox exchange, and Harold Merton were tied for the club championship, the award for which is a leg on the silver cup, donated in 1935 by Paramount, which Joseph J. O’Hara, president, has two out of the three winning legs.

Pat Krieger, former Universal advertising manager, the golf cup trophy donated by Chief Barker Arthur Frudenberg. The affair was in charge of William Devaney, M-G-M office manager, and Andrew Niedenthal, exhibitor, assisted by William Ouse, John M. Allen, Joel Golden, William Koegel and Anthony Koegel.

Forth Worth Ready
For Opening Today

Forth Worth, Sept. 18.—This Texas city today completed elaborate preparations for the two-theatre world premiere of the Fordyln-Universal Artists picture, “The Westerner,” at the Worth and Hollywood theatres tomorrow evening.

Tickets scattered from Hollywood executives and representatives who will press from Hollywood are expected to be sold by many of the guests at the Fort Worth opening.

First at the party here will be Mr. and Mrs. Samuel Goldwyn, Mr. and Mrs. Gary Cooper, Mr. and Mrs. Walter Brennan, Doris Davenport and Mr. and Mrs. William Wyler who headed the guest list from Hollywood. Best in the film’s star, Brennan and Miss Davenport have supporting roles, and Wyler directed the picture.

Mayor J. N. McCrary has proclaimed “Westerner Week” and a school holiday has been declared tomorrow, in preparation for which will be symbolized by the follow the arrival of the plane loads of guests from Hollywood and New York. The premiere will be shown today on a roadshow reserved seat basis tomorrow evening, with popular price runs following on Friday.

Reports Purchase
Of Trans Lux Stock

WASHINGTON, Sept. 18.—Acquisition of 37,000 shares of Trans Lux Corporation common stock in July by Robert L. Dain, bringing his holdings to 2,700 shares, was reported today by the Securities and Exchange Commission in its second summary for the month.

This was the only current film transaction included in the summary. The purchase included a return from Benjamin B. Kahane showing that he held 231 Co.

Cinema Lodge Meets

Cinema Lodge, Brui Brith, held its Fall Multi-club meeting at the Edison Hotel, with A. W. Schwabacher, president, presiding. Plans were discussed for the annual banquet and ball to be held Oct. 26 at the Pennsylvania Hotel. Dr. A. L. Sachar of the Hillel Foundation, was a speaker. Several movies scored on the death yesterday of Myles Alben’s father, who is with Warner’s legal department.

Theatre Seeks Writ

People’s Cinema, Brooklyn, yester- day applied for an injunction to re- strain Local 306 operators’ union from striking. In the case, a trial court dispute is submitted to arbitration. The union is suing to enforce a contract made in January, 1937.

Ambassador Again
Changes Admission

St. Louis, Sept. 18.—A new scale of admission prices has been set for the Ambassador theatre. In the fourth week of the single bill, reserved-seat policy. From opening until 2 P.M., all seats will be 35 cents and from 2 P.M. to 6 P.M., 45 cents. After 6 P.M., balcony seats, which will continue unreserved, will be 45 cents, and orchestra seats will be reserved at 50 cents and 75 cents. Continuous showings will run until 8:10 P.M.

Celebrates Anniversary

PHILADELPHIA, Sept. 18.—Sheldon Mandell, manager of the 55th St. Theatre, a William for man house, had arranged for an “Americanization Night” on Friday to mark the fifth anniversary of the theatre.

Defense Plans Delay
1939 Industry Data

WASHINGTON, Sept. 18.—Issue of reports by the Census Bureau on the 1939 operations of the motion picture industry, covered in the 1940 census of manufacturing and business, will be delayed until data has been compiled on 75 industries important to the national defense program, it was learned today.

The reports on the 75 industries were scheduled for release by the Defense Advisory Commission in connection with its efforts to secure up-to-date data on the output and potential capacity of existing plants and those lines, to determine the necessity for expansion to meet national defense requirements.

In the normal course of its operations, the reports on motion picture production and exhibition would have been among those compiled within the next few months but census bureau officials today refused to hazard a prediction as to when it will be possible to prepare them.

Seeks to Set Aside
RKO Lawyer Award

Application was made yesterday for the resumption of the suit by Country Chi, in behalf of the independent protective committee of RKO common stockholders, to set aside the award of $325 in disbursements made to Schein as a final allowance for services in the RKO reorganization proceedings on the ground that the amount awarded is “utterly inadequate.”

Schein had applied to Federal Judge William W. Dain, asking that the amount, $100,000 and $1,404 disbursements, claiming that he had been active in the reorganization for the past five years.

Police’ Premiere for Five Regina Theatres

All five of Regina, Saskatchewan’s theatres will be utilized by Paramount for the Canadian premiere of “North West Mounted Police” to be shown there Oct. 21. Robert M. Gillham, Paramount advertising and publicity director, said yesterday on his return from Canada, where he had seen the several screenings of the picture for government officials and Dominion exhibitors.

Madeleine Carroll and Lynn Overman will be guests of honor at the Canadian premiere, the program for which will cover Canada and United States networks. The Governor of Texas and the Premiers of Canadian provinces will be asked to attend.

Union May Strike
Over Music Machines

CHICAGO, Sept. 18.—Unless the nickel-in-slot music machines are removed from the State Theatre, Elk at 46th Street, the local operators have orders to walk out at once, it was learned here tonight through confidential sources. The local has been protesting the “mechanical music” at the theatre and has obtained the support of the operators.

Goldenson, Dembow West

Leonard Goldenson and Sam Dembow, Jr., Paramount home office theatre executives, will leave today for an extended tour of the company’s Far Western theatre operations. They will visit Salt Lake City, Los Angeles, Phoenix and Beaumont, Texas, returning East from there.

Motion Picture Daily
Thursday, September 19, 1940

(Registered U. S. Patent Office)
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AND A GREAT TIME WAS HAD BY ALL!

ALL OPENINGS SHOW THAT NO TIME FOR COMEDY IS WARNERS’ TOP COMEDY CLEAN-UP SINCE BROTHER RAT!

(Held over all over—3rd week now N. Y. !)

JAMES STEWART
ROSALIND RUSSELL
in 'NO TIME FOR COMEDY'

with GENEVIEVE TOBIN • CHARLIE RUGGLES
Allyn Joslyn • Clarence Kolb • Louise Beavers

Directed by WILLIAM KEIGHLEY
Screen Play by Julius J. and Philip G. Epstein • From the Stage Play by S. N. BEHRMAN • Produced by Katharine Cornell and the Playwrights’ Company

A Warner Bros.-First National Picture
Columbia Wins Vital Point in Schine Action

(Continued from page 1)

in which the Government argues that any of the defendants monopolized the first and preferred traffic with Nazi conspirators.

Columbia, some time ago, took exception to the fact that the Government agreed to furnish and which was accepted by the other defendants in the case.

Defending the suit, the Government answered that it was filed for the Government to answer and it was this bill which the court agreed to accept.

Columbia is the only defendant in the case which has not filed its answer to the Government's complaint, and now has 40 days after receiving the Government's answers to its separate bill of particulars, in which to answer the complaint. In the meantime, no trial date can be set.

Reserves Decision On Cassil's Petition

Sr. Joseph, Mo., Sept. 18—Argu-
ments in the reserve case heard
fors were taken under advisement by Federal Judge Merrill E. Ottis in the anti-trust suit between the Cassil
Brothers of the Rialto here against major distributors and the Dubinsky Brothers circuit for $430,000.

Details of the decision are not yet forthcoming.

The Cassil attorneys ar-
ged that their original petition is sufficient. The suit charges the circuit
and distributors with conspiring to injure the business of the Cassils.

Paramount to Hold Tournament Today

(Continued from page 1)

Among the guests scheduled to at-tend will be John, Alphonse, Joseph, and William Altheas, Western Mass. Theatres; James Cron, Motion Picture Daily; Clinton Lake, Harry V. Smith and Eugene Levy, of Newburgh; Fred Schaefer, Netco Circuit; Sam Finan-
ski, M & P Theatres; A. O. Dillen-
bek, Century; J. G. Richardson; Jules E. Brutalat; George T. Burgess and F. B. Foster of Erpi; N. Oakley, Dupont; Charles Cusanale and Don Volle, Advertising Accessories, Inc.; Ralph Auslander and B. Schultz, RCA; K. Cortelyou, General Electric; L. W. Connor, Alte; Edward Murphy; Ed Hartley, National Theatre Supply; Ed Gaylor, A. J. Powers, and John Confort.

Producers Opens Branches

Hollywood, Sept. 18—Five new branches have been opened by Producers Releasing Corp., Harry Rathi-
er of the company, who dedicated the branch here today.
They are: Atlanta and Charlotte, by Ike Katz; Oklahoma City, W. S. Quade; Little Rock, S. A. Arnold; New Orleans, F. F. Goodrow.

Para, Names Blaustein

Hollywood, Sept. 18—Julian C. Blaustein, assistant story editor at Paramount, was named today to suc-ceed Richard Halliday, who has re-
signed as story editor.

Pa. Board Bans 'Ramparts' Because of Added Reels

(Continued from page 15)

German-made films and the Nazi inva-
sion. 'The Baptism of Fire' is nothing for the public to see. The board thinks it is psychologically bad for the people to see to American morals and customs.' Asked whether she did not think it would be good for the public to see first how American-Ameri-
cans must realize they were up against,' Mrs. Carroll said, 'I don't think so. 'The film when we received it was completely cut.'

Jay Emanuel, operator of the houses, was notified here noon today that he must cease showing these pictures by J. P. M. or state troopers would confiscate it. Defying the censor board, Emanuel said, "This is the most outrageous action in the history of censorship. I shall fight the ruling tooth and nail.' The film, which was looked for a week, was out, he said, "I have engaged attorneys at Harrisburg to seek injunctions against the state officials to stop im-
plementation of the order,' he said.

During the matinee performances, Emanuel ordered the projection booths locked from the inside and no one ad-
mittance. He added there was some-
thing strange in the picture; that since when the film was first reviewed "Mrs. Carroll went into ecstasy over it, proclaiming it a great American film and something that every Ameri-
can should see." Emanuel charged that the board's action was motivated by Dr. Haas, the medical super-
intendent of education, who allegedly told the censors he received complaints against the film. Mrs. Carroll denied that Dr. Haas contacted the board, which is under his jurisdiction.

Rochemont to Philadelphia To Confer With Officials

Louis de Rochemont, producer of the March of Time, left last night for Philadelphia to confer with Mrs. Car-
roll and state police officials in an effort to have the ban lifted. He said his information was that the Pennsyl-
svania censor board felt that the added scenes did not give "some people against the draft?" There has been no action against the film elsewhere.

Stockholders Vote New Cohn Contracts

per cent of the net profits in excess of dividends on the preferred stock, but not more than $3,500 weekly, for Harry Cohn, and $1,500 weekly, plus $200 a week expenses, and six per cent of the net profits computed as above, but not more than $2,000 weekly, for Jack Cohn.

The contracts were modified to in-
clude a provision whereby payment
under the sharing arrangements will be made to these officers only if cash dividends are declared and paid to the common stockholders. It was necessary for these officers to obtain the maximum amount under their sharing contracts because they are shareholders of $1,000 per share will have to be made to the common stockholders, the company stated.

Price, Waterhouse & Co. was design-
ated independent auditor for the company.

Irish American Film Company Is Formed

H. Threlkeld-Edwards, president of the Non-Theatrical Pictures Corp., and William Alexander have formed the Irish American Film Corp. for the distribution of Irish-made films in the United States and Canada.

The New York release will be at Pat Stan-
tan's 11th-12th street cine-
ture of Ireland titled, "Here Is Ire-
land. It is the first feature all-color film made in Ireland.

Equity Revises Rule

Actors Equity Council has revised its rules to provide discrimination by a legitimate stage producer against any member of the cast for union activities. Hereafter the rules forbid only discrimination against the Equity deputy on each show.

Offer New Amplifiers

S. O.S. Cinema Supply Corp. has declared to a few group of theatre am-
plifiers, which claim greater tonal realism, and to provide several new refinements. J. L. Riffkin, chief designing engineer of the company, developed the new apparatus.
**Feature Reviews**

**“Thundering Frontier” (Columbia)**

Efforts to erect a telegraphic communications system and the hammering maneuvers of saboteurs is the basic theme about which "Thundering Frontier" revolves. Paul Franklin's original screenplay called for a substantial amount of gunplay and numerous opportunities for "The Sons of the Pioneers," a singing group, to harmonize typical Western tunes.

Charles Starrett and Iris Meredith are convincing in the leading roles, while well-good support is given by Rafael Bennett, Alex Callan, Carl Stockdale and Bob Nolan. D. Ross Lederman.

Starrett is the son of a bank owner who is killed in a struggle with another son, the latter inheriting the bank. Miss Meredith is the daughter of a pioneer in telegraphy to whom the bank has extended a large loan. With the help of Starrett, the telegraph system is finally completed but, after fights and rumblings, one of which his brother is killed.

The film is typical Western fare embelished by the appearances of the singers.

Running time, 51 minutes. G.**

**“Hell’s Cargo”**

(Mycroft-Film Alliance of U. S.)

Timely and exciting, "Hell’s Cargo," produced in England by Walter C. Mycroft, is a story of the joint efforts of three officers of the French, British and Russian navies, respectively, to run down an outlaw ship carrying a cargo of poison gas. The gas becomes dangerous when mixed with other outlaw ships creates a huge cloud of gas which imperils all shipping in the path of the huge cloud.

There are many tense moments as the three commanders, all on board a French warship, decide to risk going through the poisonous cloud to rescue a boat in the cloud's path. Walter Rilla, King Peacock and Robert Newton take the principal roles.

Originally the story was produced for the Essex Studios, Eclair under the title "S.O.S. Mediterranean." It was intended to be an argument for pacifism and to show that the men of France, England and Germany are substantially the same. "Hell’s Cargo" follows the French film in almost exact detail with a Russian officer for the German and the use of English dialogue instead of French.

Running time, 73 minutes. **G.**

Edward Greif

**Film Library Forms New Screen Class**

Items from the Griffith and Fairbanks film collections and old Biograph motion picture will be shown to the 40 students of the motion picture class now being formed by the Film Library of the Museum of Modern Art. The pictures are taken from the archives of the Library and will be shown for illustration purposes during lectures.

The film course will be the fourth conducted by the Library. Registration will be held next week with the class to meet Oct. 2. Among those who addressed last year's class were: Frank Powell, Robert Mather, John Lyons, Nunnally Johnson, Arthur de Bra, Luis Bunuel and Lotter Wolff.

**Checking Mexican Theatre Tax Base**

**MEXICO CITY, Sept. 18. — As the Civic Government's annual final quarter checkup on gross receipts of films in Mexico City, 1,081, the Mexican film exchanges' producers' association is making most attractive offers for the exhibition of Mexican pictures during this period. The checkup is to strike a gross average, on which to base theatres taxes during the ensuing year.

Reports that they will lay off quality American films during this tax check period so as to make their imports less in 1941, are vigorously denied by the exhibitors.

Emilio Portes Gil, who since his retirement from the presidency of Mexico 10 years ago has been one of this country's leading lawyers, has turned picture producer.

**Theatres**

**Philadelphia**

Philadelphia, Sept. 18. Nick Lucas has been here six weeks for many years, to be reopened late in the month with William J. Haggerty as house manager. Saul Cohen has taken over operation of the Blackwood, Blackwood, N. J., George Kuriansky, owner of the Towne, Allenwood, 20 years ago was with William E. Jennings, American who assisted in a fortune in copper mining in the Calumet City, built 20 years ago by Samuel A. Leavitt, managed by Edmund B. Noonan, part owner and the only American theatre manager in Mexico.
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Now In Circulation

On thousands of desks throughout the motion picture industry here and abroad you will now find copies of the new 1940-41 International Motion Picture Almanac already well thumbed, already in service, as it will continue to be daily during the coming year.

For producer, distributor, exhibitor and all the allied forces of the motion picture, the Almanac is a reference book of inestimable value, as necessary as the telephone and just as handy. It is the product of a score of diligent research workers, and twelve months of fact gathering, presenting a treasure-trove of industry information that every showman vitally needs.

Each year finds the demand for Motion Picture Almanac much greater than the supply. If there isn’t a new 1940-41 Almanac on your desk already, then send for your copy now. You will find it crammed with the very information that you constantly require in your daily routine.

$3 the copy

Edited by TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER NEW YORK
### Off the Antenna

**MUTUAL** will add four more stations this month to bring the number of its affiliates to 150. Three Utah stations will join Sept. 29. They are KLO, Ogden, 5,000 watts, 1,400 k.c.; KOVO, Provo, 250 watts, 1,210 k.c.; and KEVP, Price, 250 watts, 1,210 k.c. WMRC, Greenville, S. C., 250 watts, 1,500 k.c., will join this Sunday.

The Don Lee network, Mutual's outlet on the Coast, will replace KSLM, Salem, Ore., with KFJJ, Klamath Falls, Ore. The latter station operates on 1,210 k.c. with 100 watts.

**Purely Personal:** John Adair will be interviewed on "The Ramparts We Guard" RKO film, over WNEW, New York; Larry this afternoon.

Old D. C. Baker, former WPTP, Satzson, has resigned to become chief engineer at WKPA, New Kensington, Pa., now under construction.

Dwight Deveau will return as NBC Symphony Orchestra guest conductor Sept. 29.

**WAAAT,** Jersey City, has purchased a 20-acre tract on Belleville Turnpike, Kearney, N. J., for a new transmitter. The tract was owned by Newark Factory Sites, Inc., which recently sold WMCA a site in the vicinity.

Helen Hayes, who scored in "Victoria Regina" several seasons ago, decided to do "Victoria and Albert" as the opening program on her new Lip-ton Tea show over CBS, Sunday, Sept. 29. The difficulty, however, was that Laurence Houseman, the author, was in England and could not be reached through the ordinary channels. Associate Mutual CBS correspondent in London, was contacted by short wave and he came to the rescue by making contact with Houseman.

**Program News:** "Bachelor's Children," CBS daytime serial, starts its fifth season on the network Monday. Cadaddy Packing is the sponsor. Chase National Bank will sponsor Tom Powers' "But That's No New York" over WBBM, Chicago, Thursday afternoons.

**Seek War Powers Protection** The American Communications Association of the CIO has filed proceedings in N. Y. Supreme Court against Greater New York Broadcasting Corp., operated by Mutual, for annulling confirmation of an arbitration award made on Aug. 4 after a dispute had arisen under two contracts with the union.

**Denies 'Young Witt'** Federal Judge Samuel Mandelbaum, yesterday denied the application of Eleanor Harris for an injunction to restrain the exhibition of "Brigham Young" by 20th Century-Fox. The court ruled that the evidence presented on the application for an injunction had been so conflicting that no injunction could be issued without a trial.


**Film Alliance in Deal** Royal Amusements, Ltd., Honolulu, has signed for the entire 1940-41 fighting season of Fox Alliance of the U.S., which involves 25 features and 12 Westerns. Norman Elson, Western manager of Film Alliance, closed the deal.

Sunday Film Vote Today

- Reynolds, N. Y., Sept. 29—Final action will be taken tomorrow night on the Sunday film issue in this town, the only city in New York State with a Sunday picture. The only theater here, the Bright, Spot, operated by Roger Morrison, is closed because of poor business.

To Vote on Sunday Films

Wilkes-Barre, Pa., Sept. 28—Residents of nearby Conyngham have signed a petition to have the Sunday film question voted on in the November election. At present the township has no theater, but it is understood that if the community votes favorably on the question, a theater will be built.

Sets 'Howards' Showing

Lewistown, Pa., Sept. 18—A special screening of Columbia’s "The Howards of Virginia" will be held at Paul O. Klinger’s Rialto here on Sept. 22. Invitations have been sent to doctors and physicians unable to attend the earlier showings in Philadelphia or Pittsburgh.

**Cinema Club Meets**

Cincinnati, Sept. 29—Two applications for membership were received, and general routine business transacted at the first Fall meeting of the Cincinnati Cinema Club recently. It was decided to hold the annual dinner in February on a date to be decided later.

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### Theatre Changes

**Crosley Seeking More Power for WLWO, Cincinnati**

Washington, Sept. 18.—Application for authority to increase the power of its international transmitter WLWO, from 50,000 to 75,000 watts has been filed with the Federal Communications Commission by the Crosley Corp., Cincinnati.

Applications also were submitted by Station WJHP, Jacksonville, Fla., for an increase in power from 250 to 5,000 watts and move of transmitter from Jacksonville to Marietta, Fla., and by WPWF, Youngstown, Ohio, for increase in night power from 250 to 1,000 watts.

The commission tentatively set Nov. 14 as the date for a hearing on the application of WSC, Charleston, S. C., for increment of night power from 500 to 1,000 watts.

The commission has granted a construction permit for a new 1,200-kilowatt, 250-watt station to the Dalton Broadcasting Co., Dalton, Ga., and authorized Stations WSOC, Charlotte, N. C., to increase night power from 100 to 250 watts; WHBU, Anderson, Ind., to increase night power from 100 to 250 watts; KTMS, Santa Barbara, Cal., to increase power from 500 to 1,000 watts; KWAL, Wallace, Idaho, to increase night power from 100 to 250 watts; WWXY, Detroit, to increase night power from 1,000 to 5,000 watts; WSPR, Springfield, Mass., to change frequency from 1,140 to 1,240 kilocycles; WHBF, Rock Island, Ill., to increase power to 1,000 watts; and KFJJ, Fort Worth, to increase power from 1,000 to 5,000 watts.

Application of the Batavia Broadcasting Corp. for a new 640-kilowatt, 250-watt, daytime station at Batavia, N. Y., has been ordered set for hearing.

**RCA Sues on Records**

Charging the defendants with conspiring to commit acts of unfair competition and with trade mark infringements, RCA Sues on Records has filed suit in the U. S. District Court against Columbia Recording Corp., Columbia Phonograph Co., Inc., and Three Appliance Co., Inc., and asked for an injunction, accounting and treble damages. The dispute centers about the use of red labels for records.

**WBOC Takes to Air**

Salisbury, Md., Sept. 18.—Salisbury’s new radio station, WBOC, of 250 watts, went on the air with Gov. Herbert K. O’Conor delivering a dedicatory speech from WFBF, Baltimore. The station is owned and operated by the Salisbury Broadcasting Co., of which State Bank Commissioner John W. Downey is president.

**Remodel Frisco Branch**

San Francisco, Sept. 18.—Extensive remodelling exceeding $50,000 in cost was completed at the Paramount Theatre, which is scheduled to reopen Tuesday. Complete new fixtures and furnishings are being installed, plus a new stage set and new stage lights. When completed, Paramount will occupy the upper floor, with United Artists taking over the street floor.

**Rabourn Calls CBS Color ‘Significant’**

Paul Rabourn of Paramount, in charge of television publicity, commented yesterday as follows on the CBS color development:

"The color television which Adrian Murphy and Dr. Peter Goldmark have developed for CBS represents a significant advance in the television art. The patience and precise engineering and the development of a technique which it took to bring the system to its present standard are to be ascribed to Dr. Nee and Marnes and Dogowsky on Kodachrome and Dr. Herbet Kalmus and his staff on Technicolor."

**Fox Midwest Changes**

Kansas City, Sept. 18.—Fox Midwest Theatres is making managerial changes as follows: Jack Slinker from Gem to Grand, Topeka; Bobie Streng from Jayhawk to Jayhawk, Topeka; Phil Hill, from Jayhawk to Belleville, Ill., succeeding C. H. Zile, resigned; Jerry Baker, formerly at Granada, Kansas City, Kan., to Waldo, Kansas City, Mo., succeeding Lloyd Sponsier, who goes to Grand and Oakland, Topeka.

**Shift Columbus Managers**

Columbus, Ohio, Sept. 18.—Robert Glick has been transferred from manager of Neth’s Markham to a similar post at the State. He is succeeded at the Markham by Darle Thompson, formerly of Neth’s Eastern. Dave Pence moves from the Cameo to the Eastern.

**Manages Indianapolis House**

Indianapolis, Sept. 18.—William McIlwain is the new house manager of the Lyric, succeeding Kermit Dart. Dart is now booker of stage shows for the house, with offices in Chicago.

**Building Nebraska Theatre**

Omaha, Sept. 18.—Oscar Johnson is building a new 600-seat theatre at Falls City, N eb., The Rivoli.

**Cleveland Lake to Reopen**

Cleveland, Sept. 18.—Warners’ Lake Theatre in downtown Cleveland reopens Saturday.

**Order Leases Theatre**

A new type of entertainment for Broadway is planned by the Royal Farms, a group of dermatologists, which has signed a three-year lease for the Adelphi Theatre. The rent is $35,000 a year with an option to purchase for $400,000. It will be an amateur venture. Twelve productions are planned for the season.

**Shift Poli Vaudeville**

New Haven, Sept. 28—Harry F. Shaw, Low-Poli division manager, announces that the vaudeville policy for the Globe, Bridgeport has been changed from Monday to Saturday nights, with one first run film.
RKO Holds Second Willkie Subject

RKO will hold up release of the proposed Willkie film, "Please" short with Wendell Willkie as guest expert until after the November election. Officials denied that the shift of release from early October until after the election was due to pressure from the Democrats. It was explained that the first Willkie subject will be playing subsequent runs until the election and to release another in the meantime would cause confusion. Also, RKO feels the second will be a bigger draw if Willkie is elected.

Nick, Weston Guilty

In Racketer Case

St. Louis, Sept. 19.-John P. Nick, ousted head of the Motion Picture Operators Union, Local 143, and Clyde A. Weston, former business agent, were found guilty of racketeering by a Federal Court jury here last night. They were convicted on 11 counts charging violation of the rackeetering statute, but were acquitted on a count of violation of the Sherman Anti-Trust Act.

Sentence was deferred until next Monday night. Each faces a maximum penalty of 10 years in prison and $10,000 fine on each of the 11 counts.

Five of the counts alleged Nick and Weston conspired and obtained $6,500 from theatre owners in 1937 through exorbitant wage demands. Five counts charged that the Cooperative Sound Service Co., organized by Weston, was used for the same purpose. The eleventh count dealt with a $2,000 payment by F. & M.

FREE POLITICAL AIR TIME ROW

Harries Nets

Will Seek to Untie Knot With Democrats

Network heads will meet with Democratic Party officials Tuesday in an effort to halt the vicious circle of demands for free time which has resulted from the classification of some of President Roosevelt's speeches as "non-political," it was learned yesterday.

The merry-go-round started when Republicans charged that President Roosevelt's Labor Day speech which was carried free by the networks was political in nature and that demanded free time to answer. As a result Wendell Willkie's Coffeyville speech was carried free. Norman Thomas, Socialist candidate, then demanded free time and he, too, got it.

With the cycle complete, Charles Michelson, Democratic Party head, then started it up again by declaring that the Labor Day address was one performed by the President in the ordinary routine of his Presidential duties and demanded free time to answer Willkie's "political" speech from Coffeyville.

CROP OF BIG FILMS SLATED FOR B'WAY

With holdovers doing a strong business at candidate during the past week a new crop of big pictures will be on view over the weekend.

"The Ramparts We Watch" went into the Music Hall yesterday, and a capacity matinee and good evening business indicated an estimated $11,500 for the day. At the Paramount "Rangers of Fortune," with Jan Savitt's band and the Andrews Sisters.

"THE WESTERNER"

[Goldwyn-United Artists]

Here is sheer entertainment for all audiences in all places. It is a combination of melodramatic thrill and the drama of a Hardy character seeking to make a home for themselves in the Western country, thrown against a background of the rugged scenery of Texas and centering in the personalities of two men.

It is these two men who make the film the fine box-office entertainment it is. Given that touch of high technical quality which may be expected from a Samuel Goldwyn production, the film is lifted far out of the class of straight action material. But, at the same time, it possesses that basic quality of speed of movement, of physical action in the out-of-doors, which in the last analysis is the kind of expression in the screen medium

SEEKS TO SETTLE GOV'T B. & R. CASE

Decree Action

Facing Delay

WASHINGTON, Sept. 19.—Action by Attorney General Robert H. Jackson on the proposed Federal consent decree will be delayed until next week due to his absence from the Capital it was indicated at the Department of Justice today.

He is expected to return Monday, but may act first on a report of the National Defense Advisory Commission advocating abandonment or postponement of a proposed suit for disintegration of the oil industry.

The decree it which is awaiting the Attorney General's decision has undergone no change since it was agreed upon in principle following the extended New York negotiations.

Sher, Wright Called To Capital on Decree

Assistant U. S. Attorney General Robert Sher and Robert Wright were called to Washington yesterday to report to the Department of Justice on (Continued on page 6)

Film Actors May Get Exemption From Draft

WASHINGTON, Sept. 19.—Officials expressed the opinion today that actors in films, the stage and radio will not be drafted immediately for military service. It is believed they will be placed in the deferred class because of their importance to an "essential industry"—maintaining civilian morale by entertainment.

Para. Wants Dismissal

Because of Conflict

With N. Y. Decree

Efforts to dispose of the Government's proposed decree violation case against Bahama & Katz and Paramount in Chicago through the settlement of the New York anti-trust suit are under way here and in Washington, it was learned yesterday.

Thomas D. Thacher, chief counsel for Paramount in the New York anti-trust suit, conferred on the matter yesterday with Assistant U. S. Attorney General Thurman W. Arnold, with the result that the Government's position on the matter is expected to be made known within the next few days.

Paramount's action indicates the possibility of 20th Century-Fox and National Theatres following a similar course in connection with the Federal consent decree against Fox West Coast Theatres, on the ground that the decree in the all-industry suit should supersede the regional decree. Paramount's contention, in asking (Continued on page 6)

'TIME' TO SEEK WRIT

On 'Ramparts' Ban

PHILADELPHIA, Sept. 19.—March of Time will go to court immediately for an injunction to stop the State censor board's ban against "Ramparts We Watch," Louis de Rochemont producer, said today. The board had decided to ban the picture last week and the producer had viewed the film several times without coming to a decision on revoking the ban.

Meanwhile Mrs. Edna R. Carroll, (Continued on page 6)

Michalove Leaving For Australia Oct. 10

Dan Michalove, assistant to Sidney R. Kent, 20th Century-Fox president, plans to leave for Australia Oct. 10 on an annual business and inspection trip of the company's interests there. He will sail from San Francisco Oct. 15. On his return to Australia he will assist in the closing of the deal for consolidation of Hoyt's and Greater Union Theatres.
Nominees’ Newsroom
Applause Checked

An applause test for the two presidential nominees as they appear in the newsrooms was started yesterday at theater at the Journal-News, New York. The applause is measured in decibels by Western Electric, contractors on the job.

The tracks will tour first and second neighborhood houses in Manhattan, Brooklyn and the Bronx, which will be tested and tested by the entire Metropolitan area later. Only representative shots which catch the candidates in an equal light will be used. In tabulating the results, the Journal-American will indicate the neighborhood where the tests are made but will not list the individual theatres.

Decision Reserved
In Musician Fight

Decision was reserved by N. Y. Supreme Court yesterday on the motion of the American Guild of Musical Artists to restrain enforcement of the American Federation of Musicians of an order requiring all concert instrumentalists to join the A.F.M. or be barred from entertainment fields. Justice Steuer also reserved decision on a cross motion made by the A.F.M. to dismiss the complaint because the body of A.G.M.A. could not restrain jurisdiction of the A.F.M. He stated that the A.F.M. should decide the jurisdictional question and that Joseph M. Wober, former A.F.M. president, supported the stand of James C. Petrillo, president.

Louis Cantor, A.F.M. attorney, argued that the plaintiffs were not seeking any rights under the A.G.M.A. charter but wished to interfere with their common law rights to play anywhere they pleased.

Personal Mention

MATTHEW J. FOX, Universal vice-president, will leave for the Coast this weekend after spending the summer here.

W. A. SCULLY, Universal general sales manager, is expected from Chicago today.

CHARLES MOLBA has returned from a vacation in Havana.

LOUIS NIZER, attorney, is back from a vacation on the Coast.

HAL HORNE, Joseph Moskowitz, Edward Small and Goodman Ace lunching yesterday at Lindy’s (next to the Rivoli).

LIZ SCHAPIRO, Guilford, Conn., ex-marketing director of the sister, GERTRUDE, of the M-G-M home office, to PAUL PELMAN here. The couple are now on a wedding trip in New York State.

MONROE GREEN, United Artists exploitation manager, returned from the Coast yesterday.

JAMES ROOSEVELT, who arrived from the Coast by plane yesterday to attend tonight’s “Pastor Hall” opening, will fly back to Hollywood this weekend.

WALTER WANGER leaves for Boston today to fill a speaking engagement, and then will go to Chicago, Pittsburgh and Dallas, returning to New York from there.

75 Golfers Play in Paramout Tounrney

About 75 golfers teed off yesterday in the Eleventh Paramount Tournament at Adolph Zukor’s golf course at New City. Low gross winners were James B. McGovern and Oscar Morgan. Low gross guest prizes were won by Ed Hartley, Ed Gaylor, Charles Casanave and Don Mosher.


Bioff Leaves Jail
In Chicago Today

CHICAGO, Sept. 19.—William Bioff, L.T.S.E. leader, will be released from the House of Correction here tomorrow after completing his six-month sentence on an old charge. Good behavior won Bioff 15 days off his term. His future plans have not been disclosed.

Sussman Tours on Drive

William Sussman, Eastern sales manager for 20th Century-Fox, left East Tuesday to confer with Herman Werbog, general manager of distribution, and M. A. Levy, Minneapolis branch manager, and head of the Kent sales drive, on a tour of Eastern cities on the drive.

S I SEADLER, advertising manager of M-G-M, left last night on the TWA Stratoliner to spend about a week at the studio.

GENE BUCK, Assoc. president, left for San Francisco by plane last night to attend the premiere for the Astip Dard program at the Exposition there this Tuesday.

HORSTEN SCHORN, Columbia publicist, is confined to her home with a cold.

MAURICE SILVERSTONE, Rube Jucker and Lou Weinberg lunching at Lindy’s (5th St. Se side).

CHARLES PRUETT and AL SELIGMAN, of the A.F.M. of California, have joined James in Nominees’ room.

The results, the Journal-American will indicate the neighborhood where the tests are made but will not list the individual theatres.

Newsreel Parade

W HAT is probably the most significant national event of the year—the signing of the draft bill by President Roosevelt and events in consequence are shown in the news issues. The contents follow:


PARAMOUNT NEWS, No. 4—Paramount is in trouble. Frank C. Walker takes over. Ores in Baltimore. Roosevelt signs draft bill and explains its effects. Defense Department.


Hall’s Opens Tonight
At Broadway Globe

“Pastor Hall,” the James Roosevelt-United Artists film, will open tonight at the Globe, with an invited audience including many local film and circulation people. The picture will begin its regular run immediately following the reserved-seat premiere.


FRANK C. Walker, John Nolan, W. S. Cronin, Walter Vincent, Mr. and Mrs. Floyd Odum, Mr. and Mrs. John Hertz, Edwin Weil, Harry A. Robinson, Rose Bellamy, Eddie Canton, Ilka Chase, Mr. and Mrs. Edward Small.

Dallas Circuit Gets Income Tax Refund

WASHINGTON, Sept. 19.—The Internal Revenue Bureau, yesterday disclosed that on July 18 it had determined that the R. & R. Theatres, Inc., Dallas, were entitled to a refund and credit of $59,104.52 on their income return for 1937.

It was explained that the amount refunded will result from an interest assessment against the company as a transference of the assets of other taxpayers whose later investigation showed to have no tax liabilities.

2 Paramount Films
Booked for Rivoli

Two Paramount pictures have been booked for the Rivoli under terms of a deal set yesterday by Neil Agnew, Paramount vice-president, in charge of sales, and John Wright, Rivoli manager. The films are “Christ in July” which will play this week and operate next month, and “Victory” for which no date has been set.

Vane Rites Today

Funeral services will be held today at St. Malachy’s Church on West 49th St., forenton Vane, 50, who suffered a heart attack on Wednesday. He was formerly a Vitagraph star and stage player on Broadway. He is survived by a sister, Mrs. Elizabeth Lowe of Brooklyn.

Editors Guild to Meet

A membership campaign of the Motion Picture Editors Guild will be discussed next Tuesday at a meeting at the Capitol Hotel.

MOTION PICTURE DAILY

FRIDAY, SEPTEMBER 20, 1940

DAILY

(Registered U. S. Patent Office)

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Broadway, Kansas City and Hollywood Agree

SAM ("Goodbye Mr. Chips") WOOD HAS PUT YOU IN THE CHIPS AGAIN with a brand new kind of western... Real life characters in a real life drama of the American frontier

Paramount Presents

"RANGERS OF FORTUNE"

Fred MacMurray • Patricia Morison
Albert Dekker • Gilbert Roland • Joseph Schildkraut • Dick Foran • Betty Brewer

Original Screen Play by Frank Butler

Directed by SAM WOOD
Now she's
ROMANTICALLY yours!

Deanna
DURBIN in
Spring Parade
A HENRY KOSTER PRODUCTION

with

ROBERT CUMMINGS • MISCHA AUER

Henry Stephenson • Butch & Buddy • Anne Gwynne
Walter Catlett • S. Z. Sakall • Samuel S. Hinds
Allyn Joslyn • Reginald Denny • Franklin Pangborn

Music by ROBERT STOLZ
Lyrics by GUS KAHN

Original Story by Ernst Marischka
Screenplay by Bruce Manning and Felix Jackson
The girl you knew...is now a lady in love...a daring, dancing, musical lady...just entering the most significant phase of her career...just ready to exert the fullest magnitude of her unprecedented appeal on the hearts of the American people!
Para. Seeks
Settlement
of B. & K Case

(Continued from page 1)

the Government to make use of the Chicago case is, in the terms of the consent decree under which the case was brought, is that the result of the trial put the defendant out of business. Unless the Chicago case is disposed of now, Paramount points out, there will be no advantage in the pending New York decree going into effect which either would place the two decrees in conflict in the Chicago territory or would establish Federal regulations there which would not be applicable anywhere else in the country.

Hearing in the Chicago case was held before a special master there last year and resulted in dismissal of the suit except Pantages. An order is pending from the court.

Further meetings on both the final form of the draft and the arbitration provision will be held today, with some prospect of completing the work on both. However, the progress to be made will depend upon the length of the meeting.

Allied of Connecticut
Opposes Price Rise

New Haven, Sept. 19.—Allied
of Connecticut has queried a resolution passed by the company "as being utterly opposed to increased attendance prices on any selected feature."

In the resolution it was stated that advance prices for some features would make others seem inferior and that if encouraged the distributor would indulge in the practice of charging pictures of questionable quality. It was further stated that patrons already are subjected to increased prices due to the Federal tax.

Brower With Producers

Los Angeles, Sept. 19.—Jack
Brower, formerly Warner’s district manager, has been appointed vice president of Los Angeles sales manager for Producers Releasing Corp. The company has completed eight of 38 scheduled films.

Ida Lupino Signed

Hollywood, Sept. 19.—Ida Lupino has been signed to a contract by 20th Century-Fox for one picture yearly. Miss Fox will share the actress with Warners.

“The Westerner”
[Goldwyn-United Artists]

(Continued from page 1)

that made the motion picture moment, and which unquestionably stirs a warm feeling of fascinated excitement in every film-goer.

“The Westerner” is Gary Cooper, in a role of the type which first brought him to screen prominence. As the slow-speaking, slow-moving, quiet cowboy “from nowhere,” he offers a performance of such convincingly restrained, yet effective, type by reason of the sharp contrast with the role and performance of Cooper’s Westerner, that of Walter Brennan as the notorious and fascinating “Judge” Roy Bean, of Vingarroon, Texas, in the 1880’s, is of picture-stealing caliber. His is a delineation of an incredible character, which is well-nigh perfect. He makes the amazing, “ghosting” judge an unforgettable person one whose name is legendary in the riotous, exciting early history of Texas.

William Wyler employed the facilities at his command to the greatest advantage in his direction, always spurring the action when there is any evidence of lag by reason of the essential conflict between the two leading personalities. Credit, too, must go to Swoerling and Niven Busch for their screenplay, based on an original story by Stuart Lake.

Cooper, itinerant cowboy, is brought before Brennan, accused of stealing a horse on which he is found. Only by playing on Brennan’s conscience, and restraining as to make it understandable to the jury, does Cooper save his neck, and then by promising the judge a lock of Lily’s hair he claims to possess.

The area where Judge Bean is absolute ruler with gun and rope is that west of the Pecos River in Texas, where cattlemen, led by Bean, are waging incessant war on the encroaching homesteaders, who seek to fence the grazing land, and turn it to the crops the cattle men abhor.

Meeting Doris Davenport, daughter of Fred Stone, one of the homesteaders, Cooper makes his cause his own.

He saves Bean from a lynching party of enraged farmers, and tries to reason with him. In the course of his argument he has solved the problem to the satisfaction of both sides, Bean follows his own code, and, as crops are ready to harvest, starts fires which engulf the homesteaders’ crops and houses. This fire sequence is a stirring and exciting highlight of the film. Cooper goes after Bean, who, buying all tickets, is a one-man audience. The setting for a scene in a nearby town. They fight it out in the theatre, Bean is killed, and Cooper returns to face the future of Texas with Miss Davenport.

Running time, 100 minutes. “G”* CHARLES S. AARONSON

*G denotes general classification.

Crop of Big Films Slated for B’way

(Continued from page 1)

Censor board chairman said the prohibition still stands and is still unanimous. The board held to its decision following a conference with De Roche-

William, Clark Mason, his at-
torney; Nat Levy, RKO Eastern dis-
tribution supervisor; Charles Zagrins, RKO branch manager here; George J. Barco, Pennsylvania Deputy Attor-
ney General; Abraham J. Levy, spe-
cial deputy from Harrisburg; repre-
sentatives of the State Police, and Jack Emanuell, operator of the Senate, Har-

nocks, and Park, Reading, where the picture opened yesterday. Zagrins said that RKO would not be a party to the contemplated litiga-
tion, pointing out that March of Time was formally agreed to assume all legal obligations and costs sustained by exhibitors who may be involved in the proceedings. However, it was reported that all Pennsylvania bookings on the film will be held up until a court decision.

The showing of the picture was con-
tinued in Reading last night with busi-
tiness described by Emanuell as the big-
gest in the history of the house. Both the Reading and Harrisburg houses remained closed today, however.

Fort Worth Hails Opening Of ‘Westerner’

(Continued from page 1)

one of the biggest events this city has seen.

Aiding the principals were: Frank O. Smith and Bob O’Donnell, Interstate, and Ronald E. Appleton, shipper; and John C. Sheehan, who served as contact man here for United Artists; Gabe Yorke, ad-

At the 3:30 show, a “Goodyear Tire” campaign will go on. The Fort Worth-Telegram-Times will bring dailies here from the Coast and the East for the event.

Tonight’s performances of The Westerner, at the Majestic, Hollywood and Palace were at $1.20 top.

One of the principal features of to-
daubed by a reception and colorful and spectacular frontier parade, headed by Gary Cooper, with several Texas col-

on the parade route in addition to the winning celebrities. Samuel Goldwyn, producer of the picture, and William Wyler, director, and the stars, invited to among those who came here for the premiere.

Visitors reported that for 300 miles around, the parade route in Texas, the countryside was covered with news of the premiere. Under Interstate aus-
pices, the picture will play 60 simul-

On the parade route, the entire proceedings were broadcast to-
day and front-page position was given the event in a number of dailies for the past several days.

The festivities began this morning with a parade of the stars from Hollywood and another from New York with guests. They were met by a reception committee including Aree Carter, E.O. D’onnell, Fort Worth officials, cowboys, cowgirls and two bands. The reception was broad-

Later this morning a buffet and re-
creation was held for the press repre-


Typical of the popular contest winners and the film stars in the ballroom of the hotel was the film, Gary Cooper, Walter Brennan, Doris Davenport, Chill Wills, as well as the directors. On the Coast, were guests the WFAA-WBAP radio broad-

“Time” to Seek Writ On ‘Ramparts’ Ban

(Continued from page 1)

From 1 to 2 P.M. a two-mile para-
dade was held, and in the after-
moom, following the parade, the stars appeared at a party for orphans, fol-

Following the presentation of the film the same cast of celebrities took place at the Hollywood Theatre.

After the showings, a ball was held at the Hotel Texas, with Cooper and the contest winners leading the grand march. The ball was for the benefit of the Goodwill Fund, sponsored by the Fort Worth Star Telegram.

The stars will go on to Dallas to-
morrow, where they will appear at the opening of “The Majestic,” following a reception at the Variety Club and other festivities.
Feature Reviews

“Youth Will Be Served” (20th Century-Fox)
Hollywood, Sept. 19—“Youth Will Be Served,” Jane Withers’ latest vehicle for 20th Century-Fox, is notable for several reasons. First, the Lucien Hubbard production provides a refreshing background for the girl and the same type of material which made Jane a favorite of exhibitors. It has the vigor and vitality of her earlier pictures. And it marks the debut of Charles Holland, Negro singer, who was greeted with uproarious applause by the preview audience.

Jane, as the daughter of a Southern schoolmaster, attends a National Youth Administration camp while her father is serving out a prison term. Involved are a bank robbery, in which the thieves hide the loot in the swamps, a scheme by a wealthy lumberman to rid the community of the camp, as well as the neighboring Civilian Conservation Corps unit, a prison break, and a musical show put on by the NAYA and CCC enrollees.

Wanda Tushock wrote the screenplay from a story by Ruth Fasken and Hilda Vincent, and created a script which serves admirably for the growing Jane. Otto Brower’s direction packs punch.

In addition to the star and Holland, the cast includes Jane Darwell, Robert Conaway, Elyse Knox, Joe Brown, Jr., John Qualen, Tully Marshall and Richard Lane.

Running time, 68 minutes. “G.”

“Sky Murder” (MGM)
Hollywood, Sept. 19—Walter Pidgeon is again seen in the title role of this third and latest in the “Nick Carter” series, which is concerned with the activities of a would-be American dictator.

As the detective’s often unwanted but nonetheless helpful assistant, Donald Meek portrays “Bartholomew, the Bee Man,” as he has in previous films of the series, and provides excellent comedy relief.

The workings of a Fifth Column group, portrayed as at least partly Nazi-inspired, are finally uncovered by Pidgeon, with the help of Karen Verne as a girl intimidated by the group, George Lessey, as head of a Senatorial investigating committee, and Joyce Compton, enacting a daffy girl detective. Edward Ashley acts the part of the power-crazed and rich young man who sees himself as dictator.

Frederick Stephani produced and George Be. Seitz directed the William R. Lipman screen play.

Running time, 80 minutes. “G.”

“The Kid from Santa Fe” (Monogram)
With the reaction of a mid-afternoon audience on opening day at the Central Theatre on Broadway indicative of the film’s merit, “The Kid from Santa Fe” is an adequate Western for consumption by action audiences. The story, an original screenplay by Carl Krusada, meets the requirements, while Jack Randall in the title role makes the telling fairly convincing.

Also in the cast are Clarence Logan, Forrest Taylor, Claire Rochelle, Tom London, George Chesebro, Dave O’Brien and Jimmy Aubrey. Karl Krusada directed.

The outlaws in the tale, by way of variation, are smugglers. Starrett arrives in town with the express purpose of restoring law and order. Quarreling among members of the gang leads to the murder of one and the capture of the rest.

Running time, 30 minutes. “G.”

Pictures of London Answer Nazi Claims
Films showing conditions in London at the end of August were rushed by air mail to New Zealand and shown in theatres there 12 days later, according to newspaper dispatches. The films were used to disprove Nazi claims that London had been destroyed, it was said.

3 Fabian Houses Closed for Winter
Following Summer operation, three theatres of the Fabian circuit have closed for the Winter. These are the Strand, Great Hills, S. 1.; Stratton, Middletown, N. Y., and the Ritz, Port Jervis.

Others to close for the Winter include: Lorraine, Bayhead, and Grove, Port Pleasant, both of the Newbury circuit in New Jersey; Casino, Calais theatre in Keansburg; Edge- merce, Edgemere, L. I., and the Colony, Rockaway Point. The Rivoli, Rockaway Beach, will close Oct. 1.

Bader Making Shorts
Hollywood, Sept. 19—Dave Bader today became associated with George Pal in the production of Puppetoon shorts for Paramount. He was aide to Carl Laemmle and more recently a talent agent.

Sylvia Sidney Gets Role
Hollywood, Sept. 19—Sylvia Sidney will have the lead in “Carnival” opposite Humphrey Bogart.

‘Divorce’ and Show $23,000 in Detroit
Detroit, Sept. 19—“I Want a Divorce,” supported by a stage show featuring Ray Bolger and Charlie Barnett’s radio band, grossed $23,000 at the Michigan. The Fox reported $14,000 with “The Lady in Question” and “He Stayed for Breakfast,” running five days, and “Brigham Young” the other two days.

Estimated takings for the week ending Sept. 12:

“Married Adventures” (Col.)
ADAMS—(15c) (15c-96c) 7 days. Gross: $5,500. (Average, $5,000)

“I Love You Again” (M-G-M)
SALFORD (Para.)
FISHER—(2750) (15c-96c) 7 days. Gross: $6,000. (Average, $2,000)

“He Stayed for Breakfast” (Col.)
“The Lady in Question” (Col.)
Brigham Young” (20th-Fox)
FOX—(5000) (15c-35c) 7 days. Gross: $14,000. (Average, $1,000)

“Wanted a Divorce” (Para.)
MICHIGAN—(44,000) (15c-55c) 6 days. Gross: $7,000. (Average, $2,000)

“Rhythm on the River” (Para.)
“The Way of All Flesh” (Para.)
PALMS—(2,000) (15c-35c) 7 days. Gross: $7,000. (Average, $1,000)

“The Return of Mack the Knife” (M-G-M)
UNITED ARTISTS—(2,000) (20c-90c-75c) 7 days. 3rd week. Gross: $1,000. (Average, $100)

Stanwyck in ‘Lady Eve’
Hollywood, Sept. 19—Barbara Stanwyck will be teamed with Henry Fonda in Paramount’s “Lady Eve” which Preston Sturges will write and direct.

Columbia Buys Story

RKO Sets Nine-Week Foreign Sales Drive
A nine-week sales drive, running from Oct. 13 to Dec. 14, is planned by the RKO foreign sales force. With the slogan, “We Can and Will,” the drive was organized by RKO’s European general manager, Reginald Armour, and will be known as the annual Armour Drive.

Exchanges in Egypt, Portugal, Roumania, Spain, Sweden and Switzerland will participate. Armand Pali- voda, manager in Switzerland, is drive captain.

Berke Leaves Republic
Hollywood, Sept. 19—William Berke, associate producer at Republic, called in for a meeting of the company’s board of directors yesterday. Frank K. Speddell is president of Audio.

Audio Advances Snody
Robert R. Snody, general manager of Audio Prod, was elected vice president at a meeting of the company’s board of directors yesterday.

Bean Leaves Republic
Webs Order Bands to Use B.M.I. Music

Fortifying their position in the current fight with Ascap, NBC and CBS are ordering all orchestra leaders to increase the number of Broadcast Music, Inc., and other non-Ascap music on sustaining shows over the networks.

Niles Trammell, NBC president, in a letter to leaders yesterday ordered the use of at least three non-Ascap songs in each program. Lawrence W. Lowman, CBS vice-president in charge of operations, will send a similar letter out over the weekend and will demand one non-Ascap tune for each 15-minute program and a minimum of two for each half-hour show.

Although Trammell did not mention BMI by name, he referred to music "which NBC clearly will be able to use after Dec. 31." His letter called attention to the fact that the requirement for at least one non-Ascap number has been in effect since early August, and added, "We believe the experience gained as a result of this policy has been most helpful both to our orchestra and the NBC staff."

Trammell said the new order would not affect the quality of the programs. He urged the leaders gradually to accustom the personnel of the orchestras to get along without Ascap music and declared that the leaders should adopt new theme music for use after Dec. 31.

Cartoon Guild Will Hold Strike Meeting

Hollywood, Sept. 19.—A general membership meeting of the Screen Cartoonists' Guild, affiliated with the Painters International through the Moving Picture Welfare Local 664, will be held Wednesday to vote on whether to call a strike at the M-G-M cartoon plant as a result of unacquiescent negotiations for a bargaining contract.

The negotiations, extending over several months, ended in a disagreement over wage scales.

The Screen Writers' Guild and a committee of producers met last night again on a proposed bargaining contract, and other than declaring "progress has been made," no statement was issued.

Radio Study Urged By Council Speaker

Cincinnati, Sept. 19.—In addressing a group of 42 local organizations in the educational and women's clubs fields here, Dorothy Lewis of New York, vice-chairman of the Radio Council, urged a close study of radio programs in general and children's programs in particular in order that they may be raised to higher levels. She expects to visit more than 100 cities in the interest of the Radio Council.

M-G-M Buys Play

Hollywood, Sept. 19.—M-G-M has purchased the screen rights to the play, "Fried Chicken," by Ladislau Bus-Fekete.

Off the Antenna

A NOTher big giveaway program with a $1,600 airplane as a weekly prize will start over NBC-Red stations Friday, Oct. 4, at 10 P.M. in this country. Cigarettes, the sponsor, will select one winner and the top five entries will be selected. At the end of the show, the first winner will be called by telephone. If he is not home he will lose the prize and the second will be called, and so on down the line.

Film Players on the Air: Frank Morgan will appear with James Stewart and Margaret Sullivan on "Screen Guild Theatre" over CBS Sunday, Sept. 29, at 7:30 P.M. Norman Corwin is preparing the radio version of "Shop Around the Corner" for the program. Edward Arnold will be Kate Smith's guest over CBS next Friday at 8:30 P.M. Glenn Ford will be heard on "I'll Never Forget" over Mutual Monday at 1 P.M. Helen Twelvetrees will be heard on "Campbell's Short Story" over CBS Wednesday at 11 A.M.

Gene Autry, Republic Pictures star and heard on CBS on "Melody Ranch," has been leading the list of best sellers in his Okeh Record Division for the past seven months. His "Goodbye, Little Darlin', Goodbye" has topped the list since March with more than 120,000 records sold to date.

WOR's television station will be ready in about six to nine months, according to J. R. Popple, the engineer. About 28 hours of programs weekly are planned, Popple said. Although it would be desirable to have the transmitter at 44 Madison Ave., where WOR's FM transmitter is located, the exact site has not been determined. Popple pointed out that WOR's television experimental program will be on a two-minute puppet show with synchronized sound over a wire mesh at Bamberger's department store in Newark. A three-inch screen was used at that time.

Purely Personal: Fred Fielding, research sales manager for Ross Federal and formerly with N. W. Ayer, has joined the WFIL, Philadelphia, sales staff . . . Tommy Dorsey and his band will be heard over NBC-Red tonight at 11:30 from the Roxy Ballroom. Dorsey will leave Philadelphia Oct. 4 with the two-month tour that has been named general manager of music for WILW-WWAI, Cincinnati. . . . Red Barber, WOR baseball announcer, will read poetry on Jerry Lawrence's "Yogobonds" Trail" over WOR Tuesday at 10:30 P.M.

In his talk from London Wednesday night, Edward R. Murro, CBS English correspondent, disclosed that the two upper floors of the network's London offices had been wrecked by a bomb. Murro mentioned no casualties.

Showmanship Flashes

Letter from Married Men

AIDS 'LADY in QUESTIONS'

HAR.Div., Sept. 19.—Roy Robbins, manager of the Karlton, offered 10 pairs of passes to married men submitting letters describing briefly just "How you stopped the question" to the "Lady in question," for the opening of "The Lady in Question."

Use High School Group To Aid 'Strike Up Band'

WATERBURY, Conn., Sept. 19.—The aid of a local high school band was enlisted to give a so-called "Strike Up the Band" at Loew's Poli here by Edward Patitrici. Attired in bright uniforms, the band played several numbers from the musical film in front of the theatre on opening day.

Boys Drive Charities

To Plug 'Symcarus'

BROOKPORT, N. Y., Sept. 19.—Morris Rosenthal, manager of the Loew-Poli Majestic here, for the run of "The Boys from Syracuse," broke the sports page of the Times-Star by matching the theatre's soft-ball team, "The Boys from Symcarus." He also used boys riding bicycles, and wearing sweaters bearing the picture title, and an impromptu Gentlemen's tour driven by boys dressed in togas.

RKO in Air Tieup

On 'Kay Kyser Film'

RKO Radio Pictures tied up a treaty with Lord and Thomas, advertising agency for the American Tobacco Co., under which three successive Kay Kyser broadcasts for Lucky Strike cigarettes will feature full-hour plugs for the Kyser RKO film, "You'll Find Out." The final broadcast, Oct. 9, will be held on a sound stage at the RKO studio, which the general public will be invited.

Tie in Football Pool

With Run of 'Rocke'

Arrangements have been completed whereby, in connection with the New York Daily Mirror football pool, Warner's "Knute Rockne-All American" will receive daily publicity breaks during the run of the film at the Broadway Strand. The theatre will distribute 50 pairs of tickets to winners of the weekly pool. Also on the film, a letter writer is receiving, for the period of National Knute Rockne Week, Sept. 29 through Oct. 5, its special Rockne record, one side of which carries Rockne's "pep talk" to his football team, and the other, the Notre Dame "Victory March." Copies of the record are going to all exhibitors and Warner exchanges.

Walters in Phila.

Tieup With KYW

Philadelphia, Sept. 19.—Walters film in the central city zone will share a program in a tieup with KYW next month. A recorded musical quiz will be tied in with films appearing at the houses. The plan calls for a daily program with 25 pairs of passes for the eight houses distributed each week. In return, the station's calls letters will be given to announcements which will be flashed on the screen and displayed in the lobby.

Big Boost in Radio Gifts to N.Y. Fund

The radio industry increased its contributions to the Greater New York Fund by 65 per cent this year over last, Niles Trammell, NBC president and chairman of the Radio Broadcasting Section of the Utilities and Amusement Division, announced yesterday. A total of $41,820 was contributed this year as compared with $25,236 in 1939.

Will Meet Monday

On 'Night of Stars'

First luncheon meeting to inaugurate activities for the seventh annual "Night of Stars" will be held at the Astor Hotel, Oct. 27, by Nathaniel Straus, Federal Housing Administrator, who heads this year's affair, will preside. Marvin Schenck of Loew's, who with Louis K. Sidney will serve as chairman of the producing committee, will outline the program for the show to be held at Madison Square Garden Nov. 27 for the United Jewish Appeal war relief. Other speakers will be Edmond Cantor, Mrs. Roger W. Straus and Samuel Blitz, executive director.

Releasing English Films

"Design for Murder," English film now being released here, was released here this Fall by World Pictures Corp. Reginald Denham and Edward Percy were the authors.

French Film Booked

Circuits Defer Decisions on Price Rises

Study Effect of Federal Tax on Admissions

Decisions of large circuits on admission policies, including the possibility of a general increase, will be held in abeyance for at least another month while the full effects on theatre attendance of the Federal admission tax are being weighed, it was learned from circuit executives here.

Theatre operators feel that no conclusive test of the effect of the 10 per cent admission tax on attendance was supplied during the summer months and with the product being played at that time. They look to attendance figures for September and October, when patronage is at normal level and the new season's product is being played, to tell the real story of the Federal admission tax's effect on business.

When those reports are in, circuit executives say, it will then be possible to draw final conclusions. (Continued on page 4)

'Dictator' Will Open At 2 Houses in Oct.

The world premiere here of Charles Chaplin's "The Great Dictator" will be set for the third week in October in two theatres. The premiere originally was scheduled for this week but difficulties in obtaining the two theatres preferred by United Artists for the picture resulted in the postponement of final arrangements.

One of the two theatres has been obtained already, but negotiations for the second may be concluded in a day or two. Indications are that the picture will play one house on a two-a-day reserved seat policy with admissions up to $2.20.

Mayor of Chicago At 'Hall' Opening

Mayor Edward Kelly of Chicago, Mrs. Eleanor Roosevelt, James Roosevelt, John D. Hertz, Edwin Weisl, Sir William Wiseman, Harry Hopkins and Lloyd B. Odom were among those who attended the opening of "Pastor Hall," James Roosevelt-United Artists film, at the Globe Friday night. Among others were M. A. Schlesinger, Maurice Silverstone, Charles Schwartz and Max A. Cohen.

Quigley Luncheon Reservations Heavy

Heading the list of organizations which have reserved tables for the Quigley luncheon Oct. 2 in honor of Martin Quigley's 25th anniversary as a trade paper publisher is the I.T.O.A. for which Harry Brandt, president, has reserved three tables. Two tables each have been taken by M-G-M and Warners, and one has been reserved by Warner Theatres, Columbia, RKO Theatres, RKO, the M.P.P.D.A., 20th Century-Fox, Universal, March of Time, and National Screen Service.

Reels Popular On Television

Newsreels would be the most popular type of films on television according to a survey made by Will Balbin, program director of W2XWV, the Allen B. DuMont station now under-construction in New York. The survey covered 700 television set dealers, tavern and restaurant owners in 24 communities in New York, Long Island and New Jersey. About 50 per cent responded to the poll.

Asked to check the three favorite types of films among those listed, 71 per cent checked newsreels; 53 per cent designated two of the other subjects; 52 per cent, features, and 50 per cent, cartoons.

Films as a whole, however, rated only fourth among six items listed. Sports were checked by 82 per cent. (Continued on page 4)

U. S. WILL REVISE B. & K.'S DECREES

British Trade Bears Up; 50 Houses Close

By AUBREY FLANAGAN

LONDON, Sept. 22—Despite continued bombing raids by Nazi planes, all sections of the British film industry are operating calmly.

With additional film theatres being damaged by bomb explosions and some destroyed, the total to date of theatres temporarily or completely out of action in the London and Home Counties area is close to 50.

Production in English studios is increasing, despite the attacks. It is understood Warners will begin production tomorrow at Teddington on a film concerned with Dismael, which is planned as a multiple quota picture.

Thus far, only two distributors have returned to the evacuation headquarters outside London which they occupied for a short time early in the war. RKO has moved to Elstree and Associated British Film Distributors to Ealing. Theatres in Middlesex have been granted permission to open early on Sunday afternoons, and other areas are expected to follow the lead.

The Paramount laboratory about 10 miles from the heart of London was bombed in an air raid on the city last Thursday night. the home office (Continued on page 4)

Weisman Resigns As Trustee of Fox

Resignation of Milton C. Weisman, as co-trustee of the stock of litigation of Fox Theatres Corp. was revealed Friday when N. Y. Supreme Court Justice Lloyd Church appointed Leonold Porrino as Weisman's successor.

Weisman resigned Sept. 17 and his resignation was approved by Justice Church at the same time that Porrino filed a bond in the U. S. District Court in the sum of $25,000, which was approved Friday by Federal Judge Samuel Mandelbaum. He will act as trustee with Kenneth P. Steinreich.

Weisman was designated by Steinreich on February 24, 1939, by former Circuit Judge John T. Hamilton. Previously he had acted as a receiver for Fox Theatres since 1932, when the company was thrown into bankruptcy. No explanation for his resignation was given.

Agreement Reached on Purchase Of Play Rights by Film Companies

A tentative agreement on all major issues has been reached between representatives of film companies, the Dramatists Guild and the League of New York Theatres on changes in the Guild's minimum basic agreement to permit purchase of film rights to stage plays in advance of the play's production, it was learned over the weekend.

All sides stressed that the various representatives at a meeting held Thursday would have to obtain the approval of their respective groups. No further action can be taken until the matter is discussed by the Guild council, which will meet during the week of Oct. 7.

At the meeting were John Byram, Paramount, Jake Wilk, Warners, and Sidney Philips, M-G-M, representing the film companies; Elmer Rice, president, and Edward Carpenter, representing the Guild; and John F. Reilly, executive secretary, Marcus Heiman, president, Gilbert Miller, Brock Pemberton, and Lawrence Langer, representing the League and other Broadway producers.
Red Cross Group
Sets Theatre Aid

The program of cooperative activities which theatres throughout the country conduct weekly in the middle of the annual American Red Cross drive, Nov. 11 to Nov. 30, has been mapped out by the theatres' campaign director, which Major L. E. Thompson of RKO is chairman. David Palleyman of the Hays office is general chairman of the drive.

The principal activities, all to be conducted in close cooperation with local Red Cross chapters in each community, will begin the week of Nov. 10 with the showing of a short subject about 400 feet in length, which was produced by Warners for the drive. Deanna Durbin is featured and scenes of the Hollywood Red Cross benefit are included. The film urges theatre patrons to join the Red Cross and aid its work.

Surprise Luncheon
Given Matthew Fox

Matthew J. Fox, Universal vice-president, was host to a surprise luncheon at the Rainbow Room on Friday, prior to his departure for the Coast after spending the summer at the home office.

Among those present were: Nate J. Blumberg, J. Cheever Cowlin, F. A. McCarthy, William Olsen, Charles D. Prutzman, Samuel Machnovich, Peyton Gibson, Martin Quillin, J. R. Lawrence, according to reports. Don Mervin, Maurice Kann, Chester Bahn, Pete Harrison, Malcolm Kingberg, Leon Goldberg, Max Fellerman, John Benas, Lou Polack and Charles Kirby.


Approve 'Pastor Hall'

Madison, Wis., Sept. 22—"Pastor Hall" was given a clean bill of health for showing here following a preview at the Parkway Theatre for 125 Madison religious, educational business and civic leaders. Following the showing, the opinion of those seeing the film was unanimously in favor of its release here. The special showing was held at the request of Mayor James R. McGillicutty and the program of the previewing of the picture was made by seven citizens.

Personal Mention

SAMUEL GOLDWYN arrived in New York from Dallas on Sunday for a visit of two weeks.

GEORGE WRIGHT and Richard Stour, Interstate Circuit attorneys, left for Dallas over the weekend.

A. H. Blank, head of Tri-State Theatres, Des Moines, is in Chicago.

GEORGE DEMROW arrived from the Coast yesterday.

Roy Disney is extending his stay here another week or two days. Hal Horne will accompany him to the Coast when he leaves.

Louis Phillips of Paramount returned from Chicago over the weekend.

Otto Bollé, 20th Century-Fox manager in South Africa, is visiting relatives in Detroit.

R. J. Brenner, M-G-M manager in Chile, arrives today for a visit accompanied by Mrs. Brenner and son, Richard.

Margie Swartz of Century Circuit will be married Dec. 29 to Paul Berezow.

Loretta Darling, secretary to Louis L.灾区 manager of Universal's Des Moines exchange, is vacationing here and in Canada.

George Campbell, assistant booker at Paramount's Des Moines exchange, is ill at a local hospital.

Albert Glassman, doorman at the Arcade, Philadelphia, is the first of the local film trade to enlist for military service, joining the Medical Corps in Washington.

Alex Levin, formerly of the Warner home office publicity staff, is now student assistant manager at Loew's Rochester, N.Y.

Suit Ready for Court

In 'Ramparts' Ban

PHILADELPHIA, Sept. 22—Appeal from the state censor ban of "Ramparts We Watch" was prepared Saturday for filing in Common Pleas Court here tomorrow.

The papers, drawn up by William C. Mason, representing March of Time, and S. L. Krauss, attorney for the Park, Reading and Senate, Happy Acres, chevles the court's authority in ordering the deletion of the "Baptism of Fire" sequences.

The suit will challenge the board's final ruling that the film has a tendency to corrupt and debase morals and sensibilities.

The attorneys failed to secure a hearing on the board Saturday declared the ban a closed issue.

Rodgers to Discuss

Product with I. T. O.


Wade Willman, celebrating his 18th anniversary as M-G-M branch manager in Indianapolis, will be feted by associates in the company at the local Variety Club tonight.

Charles Laughton arrived from the Coast Saturday for a vacation.

David Milzim, head of the independent Philadelphia circuit, has been named theatre division chairman of the $75,000 annual Cooperative Campaign for the Northern Liberties Hospital.

Robert Schwartz, operator of the Park and Rainbow theatres in Brooklyn, has retired from his wedding trip to Baltimore, and is residing in Waterbury, Conn.

Irving Martin, publicity man at the Stanley in Baltimore, is on vacation.

Mary Fink, cashier at Loew's Rochester, was married last week to Frank O'Connell at St. Augustine's Church.

Betty Hoffman, of M-G-M's booking department here is ill at the Lutheran Hospital.

Len Mediumston has resigned as 20th Century-Fox office manager in Vancouver to join the Canadian air force, Kenneth McHale is his successor.

Joseph Hanna, head booker at the 20th Century-Fox Pittsburgh branch, is recovering from bronchitis.

Nat Rubin, assistant at the Loew-Poli, New Haven, has returned to the hospital for a short time to clear an ear infection.

Arcie Berkis, head booker at the Warner New York exchange, returns to his post today after a week's vacation.

N. W. Allied Not For Buying Strike

Minneapolis, Sept. 22—Allied Theatre Owners of the Northwest "as an organization is not promoting or sponsoring any 'buying strike," but individual members are protesting against quality of some pictures, and the rentals asked by some distributors, according to Fred H. Strom, executive secretary.

Strom said that Allied Information Department forms "still show a determined resistance to the film buying policy," with 52 per cent reporting no deals made and no exhibits reporting more than three contracts closed.

"Police at Higher Prices in 9 Cities"

"North West Mounted Police," the Cecil B. DeMille-Paramount color set in advanced admissions in nine key cities, according to Neil Agnew, vice-president in charge of sales.

In practically following the world premiere at Regina, Canada, on Oct. 21, and the opening in the United States, the film will play at advanced prices at the Warfield, San Francisco; Paramount, Los Angeles; State, Minneapolis; Orpheum and Paramount, Portland, Ore.; Newman, Kansas City; Wisconsin and Palace, Milwaukee, and in Portland, Me.; Louisville and Youngstown, O.

U. S. 'Police' Opening
Planned for Chicago

Chicago, Sept. 22—American premiere of Paramount's "North West Mounted Police" has been tentatively set for the B. & K. Chicago Theatre October 2.
And there never was a company more aptly named... more representative of the things its name implies.

For its service now brings you a complete co-ordinated theatre advertising campaign from screen to lobby to marquee... to poster stands with nothing left out... with everything in... from ad-mats to stills and 24-sheets... from coming attraction trailers to special announcement trailers... and almost 100% dependable.

That's SERVICE with every letter a capital. That's what NATIONAL SCREEN SERVICE has contributed to make the Great God Advertising function in your theatre with snap and punch and picture selling efficiency. That's something that comes only of experience... integrity... fair-dealing and honest merchandise.

That's why this baby is always grateful to you exhibitors for the friendship and understanding which has made it possible for us to grow and expand as the advertising agency of this business—and your Three Best Seat-Sellers!
U.S. to Revise B.&K. Consent Decree of '32

(Continued from page 1)

Cago case be set aside if the New York decree is put into effect.

The B. & K. consent decree was entered into with the Government in 1932. In November, 1938, the Department of Justice filed criminal contempt proceedings on charges of violating the decree. The charges were subsequently dismissed against all defendants except B. & K. and Paramount.

Draft Expected to Be Completed by Tomorrow

Final draft of the proposed Federal consent decree in settlement of the New York anti-trust suit may be in completed legal form by tonight or tomorrow. Government representatives here said on Saturday.

Work on the arbitration provisions of the draft will be resumed tomorrow and, likewise, may be completed tonight or tomorrow. A meeting on arbitration was held Friday following the return of Robert Carter, Assistant U. S. Attorney General, from Washington, and resulted in agreement on all but "two or three provisions." These are expected to be cleared up today, following which the arbitration proposals will be sent to the five conciliating checking audit to the legal advisory board of the American Arbitration Association for approval.

Assistant U. S. Attorney General Robert Wright is scheduled to return from Washington today to attend the final meetings here.

Conn. M.P.T.O. to Air Decree Views Today

New Haven, Sept. 22 — Members of the Connecticut M. P. T. O. will hold a general discussion of the consent decree tonight and may take part in a meeting tomorrow. Herman M. Levy, executive secretary, will present an analysis of the decree and the effects of its terms on exhibitors, with special attention to the block-of-five provision.

Allied Theatre Owners of Connecticut will meet Tuesday at the Hof-Brau Haus, with A. M. Schuman presiding.

F.D.R. Leads Willkie in Embassy's Poll

Franklin D. Roosevelt received 91,101 votes against Wendell Willkie's 76,777 in the Embassy Newsweek Theatre's presidential poll which was started July 29 and ended Friday. The poll was at four theaters. A second vote will begin today, extending to Election Eve, and will include two additional theaters.

Theatre returns on the poll just concluded follow: Embassy on Broadway—Willkie, 30,683; Roosevelt, 49, 677; New York—Willkie, 20,225; Roosevelt, 11,724; San Francisco, Willkie, 13,677; Roosevelt, 26,222; Chicago, Willkie, 6,193; Roosevelt, 6,480.

Feature Reviews

"A Dispatch from Reuter's"

(Warner's)

HOLLYWOOD, Sept. 22.—Continuing Edward G. Robinson in the serious vein in which he appeared as Dr. Ehrlich, Warners here cast him as the founder of the great news agency which still bears the name of Reuter.

Summarizing the years from 1833 to 1865, the story depicts the struggles of Reuter as a young man to establish the "pigeon post" as an agency for the fast transmission of news between European centers not yet linked by the new telegraph. As the telegraph system expands, the use of carrier pigeons is doomed, and Reuter turns to the transmission of news by wire, his first "scoop" running with the transmission of Louis Napoleon's speech.

As his wire service grows, competition develops in the Anglo-Irish Telegraph Company, is met successfully by Reuter, who again scoops the world with the news of Abraham Lincoln's death.

See as Reuter's wife is Enda Best, while Eddie Albert appears as his poetic friend, Albert Bassenman as a colleague, Gene Lockhart as a banker finally prevailed on to take the service of the pigeon post. Otto Kruger, Nigel Bruce, Montague Love and James Stephenson round out the cast.

The Milton Krims screenplay was based on a story by Valentine Williams and Wolfgang Wilhelm. William Dieterle directed with Hal Wallis as executive producer and Henry Blanke as associate.

Running time, 90 minutes. "G."

*"G" denotes general classification.

"After Mein Kampf"

(Crystal)

This is allegedly a portrayal of Adolph Hitler and his rise to power, the atrocities of the Nazi party, particularly the purge of Jews in Germany, and the fall of Austria, Czechoslovakia, Poland and France. It is sheer propaganda that pulls no punches. For further emphasis it resorts to the use of cartoon figures to ridicule its target, Hitler, and his questionable ancestry.

The picture is said to be dramatized fact or based on fact. It was produced by Associated British at the Weylyn Studios, Welwyn, England. The newly formed Crystal Pictures is the distributor here.

Stock shots are interspersed periodically, illustrating various historical events, including the World War, the marching of troops and speeches. In the earlier sequences the producers concentrate mainly on Hitler's character, depicting him as a liar and a cheat. He is seen as ascending to the head of the German Government as the result of poverty and disillusionment among the German people and the personal actions of himself and his cohorts. After his rise, inspired German youth is pictured as denouncing their parents in loyalty to their Fuehrer. In conclusion, Hitler's military conquests are shown by the use of maps.

"After Mein Kampf" is a moving picturization of the current phase in world history, skillfully produced, directed and edited. The theme of the film and its grim treatment limit appeal to adults only.

Running time, 69 minutes. "A."

*"A" denotes adult classification.

Canada War Films Run in All Houses

OTTAWA, Sept. 22—Canadian Government films designed to aid the war effort get blanket coverage in 700 Canadian theatres and are released to some 1,700 houses in the United States, according to John Grierson, director of the National Film Board, before a press party which previewed "Wings of Youth," latest production of the National Film Board.

In addition to this broad release schedule the picture will shortly be released at a studio price of $15, $25, and $35.

Argentine Embargo Film Effect Unknown

Home office foreign departments were advised without advice over the week-end as to the effect on films of the embargo placed upon all imports from the United States by Argentina late last week. Opinion in New York is that the ban is of a temporary nature.

The ban was imposed by Argentina's Eximian Credit Control Board, which suspended issuance of all import licenses for entry of any merchandise from the United States. Informal sources confirmed the speculation between the ban and the impending discussions of a loan to Argentina by the American Export Credit Bank, Warren Picson, head of the bank, is en route to Buenos Aires.

Bookers Meet Tonight

The Motion Picture Bookers Club will meet at 7:45 tonight at Hotel Lincoln with Harold Klein, president, presiding.

Circuits Defier Decisions on Price Rises

(Continued from page 1)

possible to determine accurately whether general increases in admission scales are advisable, and where.

At the present time, many large circuits incline to the belief that a doubling in scales will not be accepted by the public. Officials of such circuits are the opinion that the differential between first and second run scales is too great now in many instances, due to the increase in first run scales with the addition of the Federal tax. This is particularly true, they say, in situations in which subsequent runs accelerated the tax as reduced their scales. Elsewhere, there is no evidence of any important effect of the tax upon attendance thus far, it was said.

Several exhibitor organizations have pointed out recently that the public in their localities already regards the application of the amusement tax as an increase in admission prices and attendance would be seriously affected by any further increase.

Newsreels Popular in Television Poll

(Continued from page 1)

A variety shows by 60 per cent, special showings by 48 per cent, and only 32 per cent check for a number of viewers in telephone poll.

The most popular hours for viewing television are 8-10 P.M. and 7-9 P.M. Asked how many hours of programs daily should be given, 65 per cent said six hours, 10 per cent said eight hours and a small number asked for 12 hours daily.

Short programs were favored by 54 per cent of the respondents, stated that they had no preference between long or short shows.

Among favored athletic events, boxing was checked by 92 per cent, football by 60 per cent and racing by 42 per cent.

British Trade Bears Up Under Nazi Bombs

(Continued from page 1)

was advised by cable from David Rose, managing director, over the weekend. No one was injured and fire caused by the bombing was extinguished before serious damage was done.

Rose's cable reported that theatre business in London's West End was "practically at a standstill" but that attendance in the provinces continued at good volume.

Sunday Films Beatened

(Continued from page 1)

The long fight of Sunday motion picture advocates to legalize exhibition between 2 P.M. and midnight here was surprisingly lost here due to the unprecedented opposition appearing before the Common Council.
NEW STANDARDS
OF PERFORMANCE

THEIR versatility, backed by unvarying dependability, makes the use of Eastman negative films imperative to meet modern production demands. These raw-film favorites have established new high standards of performance, bringing faithful realism to the screen. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., Distributors

Fort Lee        Chicago        Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
"NO TIME FOR COMEDY" (Warners)
Effective transcription of a successful stage play into a film, with im- portant additions and adaptations not accomplished . . . Smartly dialogued.—John L. Scott, Los Angeles Times.

Provides a few sparking lines and a bright performance by Rosalind Russell, who in this instance seems thoroughly unsophisticated as well as amusing as the original.—Laura Lee, Philadelphia Bulletin.

Rosalind Russell and always-in-the-middle James Stewart team up perfectly to provide amusement and diversion . . . swell fun with some grand make-believing by the entire cast.—Dorothy Lavin, Philadelphia Daily News.

Probably better suited to the talents of James Stewart and Rosalind Russell than was the original . . . most laughable performance is turned in by Miss Russell . . . More entertaining that "No Time for Comedy," the S. N. Behrman play . . . a surprisingly acceptable movie.—Elise Finn, Philadelphia Record.

"I LOVE YOU AGAIN" (M-G-M)
This popular team always means good entertainment . . . Mr. Powell goes from polite comedy to hilarious slapstick.—Boston Post.

Nuttier than a fruit cake and thickly raisened with laughs . . . grand entertainment.—Boston Record.

"RANGERS OF FORTUNE" (Paramount)
There's entertainment to be found if you enjoy your Westerns in a whimsical vein . . . you'll probably find it lively stuff while wondering at the same moment what all the shooting's for.—Harry Mines, Los Angeles Daily News.

Paramount has fastened on peculiarly timely entertainment and has launched a series which must be continued with the dashing "Musketiers" MacMurray, Dekker and Roland.—Los Angeles Examiner.

Producer Dale Van Every wins praise for the quality of the production, one that should prove extremely popular with all types of film devotees . . . fast, furious film fare.—Jimmy Starr, Los Angeles Herald-Express.

It's a rip-snortin' super-Western that holds interest all the way through . . . plenty of action.—Los Angeles Times.

"RHYTHM ON THE RIVER" (Paramount)
A light but definitely delightful little picture . . . a film which is certain to please all who savor Byron Concert Journal.

A pleasing excursion into amiable trivialities . . . The story is not especially adept or sparking, but it will do, as the saying goes.—Norman Clark, Baltimore News-Post.

Presented in a crowded house, a film that has done well by strong elements . . . Paramount is to be praised because story and direction by Victor Schertzinger are perfectly tailored to the dashing cast.—Chicago Herald American.

You will like the music in this as well as the fact that there is a nice story, too.—Lottie Sowell, Chicago Daily Times.

"BOOM TOWN" (M-G-M)
If you want something complete in the line of entertainment let us suggest "Boom Town." . . . an ideal vehicle for crisp and speedy action.—Olive Wood, Philadelphia Ledger.

Has a crowded house, a swashbuckling melodrama, of which the story . . . is perfectly tailored to the dashing cast.—Chicago Herald American.

Notable for cast, speed, color, comedy and heartbreak, not to mention special effects . . . M-G-M presents a spectacular story of the West.—Philadelphia Daily News.

More show than substance—but it's a lot for your money at that.—Elise Finn, Philadelphia Record.

A rip-roaring, action-packed yarn that keeps one guessing every minute.—Mildred Martin, Philadelphia Inquirer.

It is four pictures in one; or put it this way: "Boom Town's" got everything that ever was. It can't lose because it doesn't gamble.—Cecilia Ager, P.M., New York.

Has a bit of everything, plenty of laughs, hearty melodrama, and several well cast personalities . . . will probably be popular enough to justify the presence of all those stars.—Eilen Creeth, New York Sun.

Practically plays a button with its vigorous action . . . the thing becomes so complicated that it is almost impossible to follow.—William Boehm, New York World-Telegram.

Rousing screen stuff . . . holding up mighty well under the combined talents.—Irene Thier, New York Post.

Vivie and stirring, and if the plot is old and repetitious, all is forgiven in the face of excellent direction that provides the utmost in thrills and suspense.—Lee Mortimer, New York Daily Mirror.

Only the most blase film goer could fail to be impressed . . . is no denying the splendid showmanship values . . . a show for your money, but not a very good one, to my way of thinking.—Howard Barnes, New York Herald Tribune.

Subtlety is not the essence of the comedy, but it is a big, fast-moving and highly entertaining film.—Cincinnati Commercial-Courier.

A big, brawling, sprawling action picture which the audiences seemed to enjoy mightily. . . . Director Jack Conway has had some trouble controlling the flow of the film.—Boston Herald. New York Times.

Pleasently removed from present day significance and is devised solely as an out-and-out adventure yarn. All of which consequently spells bang-up entertainment.—Rose Pelvisch, New York Journal American.

Shaw Making Trailer
George Bernard Shaw is making a trailer in London for "Major Barbara," Gabriel Pascal's version, which is based on Shaw's play of the same title. The film will be released by United Artists this fall.

Critics' Quotes . . .

Rogers and Scully
Will Address Allied


Banquet to Myers
Highlighting the three-day meeting will be a testimonial banquet to Myers Friday evening. The sessions will get underway at 10 A.M. Wednesday, with the other banquets, delegations, followed by a general meeting at 2 P.M. with reports of various committees, and the election of the Allied committee for the election of officers and directors. A directors' meeting will be held at 5:30 P.M.

On Thursday there will be an Eastern regional conference, luncheon, a business session with an address by Cole and the report of the committee of the Allied Information Department, a Bingo party for the ladies and a night club entertainment. The program will be held at the Northfield Country Club Friday, followed by a general session by the members and the election of officers and directors. The proceedings will close with a cocktail party, the Myers' testimonial dinner and dancing.

Trade Show Exhibits

Presses Bingo Action

MILWAUKEE, Sept. 22.—Charles W. Todd, local representative and head of Film Service, Inc., at a hearing before Court Commissioner Charles A. Orth, refused to accede to a plea that he drop his action to restrain the American Luther Association from conducting Bingo games.

Hays to Address D.A.R.

Will H. Hays, president of the M.P.P.D.A., will address the annual conference of the Indiana Chapter of the Daughters of the American Revolution on Oct. 1 at French Lick Springs, Ind.

Short Subject Reviews

"Information Please, No. 1" (RKO)

This is abundantly rich in exploitation newspaper headlines of the day, which has been enjoyed by millions on the radio, makes an entertaining comedy for the screen. As produced and directed by Arthur Leonard, the film shows Hollywoods with their particular means of diversion. The short is devoted to augmented with the appearance of Mrs. Roosevelt, who tells of the hobbies of each member of the White House staff. Off-screen sound effects and Smith's commentary are very funny. The short is amusing and exciting. Running time, 11 mins.

"Dave Elman's Hobby Lobby" (Columbia)

This is a Pete Smith film compilations of the dramatic highlights of 1939. It reviews the spectacular runs and thrilling plays during many of the year's top games. Off-screen sound effects and Smith's commentary are very funny. The short is amusing and exciting. Running time, 10 mins.

"Cruising With the Coast Guard" (Universal)

Following the academic term, Coast Guard cadets are given practical experience in the services, operating big guns and living as sailors. The ship visits colorful ports in Central and South America. The appeal of this short is that it seems to be mainly to masculine audiences. Running time, 10 mins.

"March of Time, No. 1" (RKO)

A subject of unquestioned historical value, and certainly attuned to the newspaper headlines of the day, this latest issue of the "March of Time," titled "On Foreign Newsfronts," re- minds us of the dramatic highlights of the Second World War up to the present. The manner in which such material is and has been covered by the foreign correspondents of American newspapers and newspaper services is the jumping-off place for the subject matter that side from an occasion social up of a correspondent, and a flash inside a Ministry of Information film show in London, the subject concentrates entirely on the war highlights. They, of course, make for compelling screen material, since, although the foreign correspondence that any newsreel cannot prepare and release, they do offer an impressive picture of a chain of momentous events, when seen in concentrated sequence. Running time, 19 mins.
FALL GATHERING
of the
MOTION PICTURE INDUSTRY

ALLIED THEATRE OWNERS OF NEW JERSEY, INC.

21st ANNUAL CONVENTION
and TESTIMONIAL BANQUET

to

COMMISSIONER ABRAM F. MYERS
Allied States Association of Motion
Picture Exhibitors, Washington, D. C.

at the

PRESIDENT HOTEL
ATLANTIC CITY, N. J.

September 25, 26, and 27, 1940
Television of NBC Returns For Testing

NBC’s television station returned to the air last week with a test pattern. The switchover from the elimi- 
nated channel 2 to channel 5 frequency was completed on schedule, and the new transmitter hookup broadcast with 507 lines instead of 441. It did when it went off the air in August.

Engineers stressed that the comple- tion of the modifications did not indicate that the transmitter could be used now for regular pro- grams. It was understood that consider- able testing had to be done and the problem of eliminating “hugs” was substantial.

NBC officials declined to state when regular programs would be resumed. It was pointed out that the work was proceeding on schedule and that nothing could be added at this time.

The pattern was flashed on the air for only seconds at a time and there was no announcement concerning the tests. Engineers asserted that the new line definition made little difference in the clarity of the picture except that only experts could detect a change.

Sets on the market will require no changes to pick up the new signal. Since the 507-line image is about three-eighths of an inch narrow- er than the 441 picture, an ad- justment of a small screw in the back of the receiver will be needed but this does not require an expert. In addi- tion, sets will have to be tuned to Channel No. 2 as marked on the set. Ultimately, of course, sets will have to be adjusted to all the new frequencies but it is consider- ed unlikely that his will be done prior to the establishment of stations on the new channel.

Benchley Here to Start Para. Shows

Robert Benchley has arrived at the Paramount home office from the Coast to discuss plans on the six shows he will make for the studio during the coming season. He will collaborate with Leslie Roush and Justin Herman of the Paramount shorts department.

The first of the shorts will go into work at the Paramount Astoria studio today, with Roush directing. The first three will be shot within the next two weeks. They are tentatively titled, “How to Control the Nerves,” “The Organ’s Angle” and “Walking for Baby.”

Heads Exchange Union

Philadelphia, Sept. 22—Ferd Fortunate, Universal banker, has been elected vice-president of the Film Ex- change Employees, replacing Ben Harris, who earlier in the month orga- nized the Exchange. Harris will combine with the group as an inactive member and was elected bankers for the re- mainder of his term.

Will Address S.M.P.E.

Hollywood, Sept. 22—Count Alcide de Sakhnoffsky, designating authority, will address the Society of Motion Picture Engineers here to- morrow night.

Off the Antenna

IN addition to the Kate Smith broadcast over CBS last Friday of a dramati- zation of "Brigham Young—Frontiersman," 20th Century-Fox has ar- ranged for another Kate Smith broadcast on Oct. 11. Teips with other networks for the latter picture also have been arranged and a hookup with Latin America by short wave is being consid- ered.

... Purely Personal: Lynnwood P. Yandell, NBC commercial short wave direc- tor, will discuss Latin American broadcasting at a dinner of the Advertis- ing Women of New York tonight. In- Glickman, WHN sports announcer, to Marjorie Dorman has been an- nounced. . . . John Hiestand will replace John Conte as announcer on the "Screen Guild Theater" program over CBS next week. . . . Wilfred Woods, WHO, Des Moines, publicity head, has been elected vice-president of the Des Moines Advertising Club.

... WEF over the weekend cut its broadcasting time from 6:30 A.M. to 2 A.M. to the new hours of 7 A.M. to 1 A.M. The purpose of the shift is to permit tests of the new transmitter and continue until it is ready for use some time in October. When the transmitter is officially ready for use, NBC plans to hire a yacht for a week and invite agency time buyers, sponsors, newspaper men and other interested persons on inspection trips.

... Taking a cue from Hollywood, WCAU, Philadelphia, will establish a central casting office for dramatic talent and use new voices for the microphone. Registration will be open only to those with proven ability. The bureau will be located in the WCAU build- ing and will be made available to all other Philadelphia stations without cost.

Program News: The new Brono Selzer show, "Ben Bernie’s Musical Quiz," will start over 68 NBC-Blue stations Tuesday, Oct. 1 at 8 P.M. and feature Ben Bernie’s orchestra and an audience participation. . . . Conniff’s show has renewed "Motha Webster" over 57 CBS stations. The program is heard Monday through Friday at 11:15 A.M. . . . "Americana Singers" will be sponsored by Carnation Milk over 42 NBC-Red stations beginning Monday, Oct. 7, at 10 P.M. . . . The Alba-Sky "National Barn Dance" celebrates its 15th year on the air and its seventh on NBC Saturday.

Schines Inaugurate Radio Broadcasting

Rochester, Sept. 22—Fifteen-minute radio programs five nights a week and Sunday afternoon have been in- augurated by Schine Theatres here under Station WSAY.

Kay Kruzer, who formerly was with Fox Theatres on the West Coast and associated with Buffalo radio stations, is featured organist on the programs broadcast from the Riviera. The programs, arranged and announced by Bob McGeher, Schine’s advertising manager.

Warnings File Motion

New Haven, Sept. 22—Warners have moved to have the answer in the J. F. Shulman of the Plaza, Wind- sor, Conn, stricken out and to have Shulman dropped as a party defend- ant in the action of the Lampert Thea- tre of Windsor, Inc, against Warn- ers. The action, filed last February, seeks an injunction declaring the agreement to be a result of an alleged violation of an agreement not to sell second run in the town of Windsor.

Bloff Released From Jail

Chicago, Sept. 22—William Bloff, I. A. T. S. E. leader, was released from the Cook County Jail on Monday after completing a six-month sentence on an old charge. He issued a statement saying he was a victim of "malice or ill-feeling against anyone."

Lubitsch Signs Meredith

Hollywood, Sept. 22—Ernst Lub- itsch has signed Burgess Meredith for the comedy he will produce starring Merle Oberon and Mylyn Doug- las, for U. A. release.

RCA Dismissal Plea Decision Reserved

N. Y. Supreme Court Justice Ber- nard Shientag on Friday reserved de- cision on an application of RCA to dismiss a consolidated stockholders’ suit brought against it, its officers, General Electric, American Tele- phone & Telegraph Co., and Western Electric Co. Former Judge Jo- seph M. Proskauer argued for the dismissal claiming that the suit was either barred by the statute of limitations and that the complaint did not state a cause of action.

The motion was originally sched- uled for hearing in May but was post- poned because of efforts to settle the action, which was subsequently dropped. The suit charged waste and mismanagement and the transfer of a large block of shares of RCA. Plain- tiffs were represented by Abraham L. Pomerantz.

Ascaps’ Counsel to Lincoln for Hearing

Louis D. Frohlich and Herman Finkelstein of Ascap counsel will leave for Lincoln, Neb., Oct. 3 for a Federal court hearing on the record for the U. S. Supreme Court appeal on the constitutionality of the Ne- braska laws. A Federal court had been invalid by a Federal statu- tory court last Spring and the state took an appeal to the Supreme Court.

Scharin in Hollywood

Eugene Scharin, vice-president of Fortrade Corp. of America, left via TWA Stratoliner Saturday for Holly- wood, to discuss plans for a John Stahl production. He will return in about three weeks.

See Settlement of AFRA-Web Fight

William H. Davis, chairman of the New York State Labor Mediation Board, declared Friday that there was every indication that the dispute between the AFRA and American Federation of Radio Artists would be settled amicably. The discussion was held at Davis’ office Friday and negotiations will be re- summed Wednesday morning.

4 Networks Sell Communists Time

The Communist Party has suc- ceeded in buying time for four na- tional networks and may lay a fifth. It was learned over the weekend. NBC- Blue will carry two, CBS, one, and MBS and Mutual will be scheduled to get the fifth if time is cleared.

Earl Browder, presidential can- didate, will appear on the Blue Wed- nesday, Oct. 4, at 10:45 P.M. and also on Mutual Tuesday, Oct. 3, at 10:15 P.M. Mutual will carry a speech and the CBS date is Oct. 10 at 10:15 P.M.

The fifth network, either NBC or 4 over CBS if time can be cleared. Speakers for the last three dates have not been set. All programs are for 15 minutes.

Because of the fact that Browder has been convicted of violation of Federal areas law and is not per- mitted to leave the jurisdiction of the New York Federal Court, tran- scriptions are being prepared and will be sent to all national stations if time can be purchased.

Statewide hookup are also being arranged, the first of which will be the NBC Quaker network in Pennsyl- vania Wednesday night at 8:30, two hours after the NBC Blue. Browder will speak from New York but his speech will be carried by Pennsylvania by telephone.

Business officials de nied that they were undecided about making any an- nouncement disclaiming responsibility for the speakers. Inasmuch as they were granted free time, a brief announcement stated that time had to be granted under the Com- munications Act and that the speeches did not reflect the opinion of the net- work

Recordgraph Is Sued

Suit for $115,000 damages has been filed in N. Y. Supreme Court by Ed- ward H. Torren, president of Recordgraph Corp., Albert G. Tompkins, John W. Montgomery and Howell & Co., Inc. Plaintiff claims he was in- duced by misrepresentation to sell to the defendants 6,000 shares of Record- graph stock in 1939 after receiving the stock for promotional work.

Coughlin Begs the Air

Pittsburgh, Sept. 22—Rev. Charles F. Coughlin has dropped his plans for weekly broadcasts which were sched- uled to start Oct. 20, he has revealed. Father Coughlin said many small stations had agreed to accept his talks but many of the larger stations had refused "for various reasons."
Revenues of 705 Stations
$89,990,646

1939 Broadcast Income Is
$18,206,716

WASHINGTON, Sept. 23.—Broadcast revenues of 705 radio stations in 1939 totaled $89,990,646 against which they had expenses of $7,283,930, leaving a broadcast service income of $18,206,716 for the year, it was reported today by the Federal Communications Commission.

Detailed figures on the reports of 519 stations with total sales in excess of $25,000 each and total broadcast revenue of $87,265,839, showed that there were six with a revenue of $1,000,000 or more. The aggregate revenue of $10,460,123, and 32 in the $500,000 range of $1,000,000 with total revenue of $22,598,547, there were 178 stations with revenues of $1,000,000 to $500,000 with an aggregate revenue of $34,937,170, the commission reported.

Of the total revenues, the 519 stations obtained $22,500,941 from the

New Films Strong
In B’way Starts

Four new films established themselves on Broadway over the weekend with a strong showing. "RKO’s驼We Watch” with a stage show at the Music Hall grossed an estimated $56,000 for its first four days and will make way Tuesday for “Howards of Virginia.”

"Pastor Hall” drew an estimated

First Luncheon Held
For ‘Night of Stars’

First “Night of Stars” campaign committee’s luncheon was held at the Hotel Astor yesterday with 400 in attendance. Nathan Straus, chairman, presided. Talks were given by Professors S. W. Schneck, chairman of the producing committee, Rabbi Jonah B. Wise and others.

The “Night of Stars” show Nov. 27 at Madison Square Garden will be for the benefit of the United Jewish Appeal. Honorary chairman of the producing committee are Barney Balaban, David Bernstein, Nate Blumberg, Jack Cohn, George J. Schaefer, Joseph M. Schenck, Maurice Silverstone and Albert Warner. Mrs. Leo Spitz is co-chairman.

RKO Closes New Pact For Disney Features, Shorts

RKO has signed a new releasing contract with Walt Disney Productions, under which the distributing company will continue to release the Disney short subjects and will handle two feature productions, “Bambi” and “The Reluctant Dragon,” both of which are now in work.

Samuel Goldwyn will carry on his legal battle for a declaratory judgment to have his United Artists releasing contract pronounced invalid and will designate a new attorney to receive the late Max Steuer to handle the case for him within the next day or two, the lawyer stated yesterday.

Authors believed last night that the attorney Goldwyn has in mind is William D. Mitchell, former U. S. Attorney General.

Asked whether there was a possi-

Tax Revenue
Rises 150%

WASHINGTON, Sept. 23.—Federal admission tax collections increased more than 150 per cent in the first month of the operation of the new 20-cent exemption, it was disclosed tonight by the Bureau of Internal Revenue.

Tax receipts in August, covering July business, the bureau reported, totaled $4,407,097, as compared with $1,650,163 in July and $1,513,468 in August, 1939.

On the basis of the July experience, a possible revenue of some $55,000,000 is expected in the first full year of the 20-cent exemption, as compared with slightly less than $22,000,000 last year on the old 40-cent basis. Approximately $85,000,000 in new revenue was derived from the de-

MPTOA Plans ‘Finish Fight’
On Five-Block

Executive Committee in Vote Backs Move

COLUMBUS, Ohio, Sept. 23.—A fight to the limit” by the M.P.T.O. A. against the block-of-five clause of the pending collective consent decree was authorized unanimously by the executive committee of the organization through a poll of committee members which has just been completed by Ed Kuykendall, president.

What form the fight will take has not been decided yet, but Kuykendall plans to leave for Washington, Oct. 1 to confer further with Department of Justice officials.

If these final conferences fail to result in a change in the five-picture clause the M. P. T. O. A. presumably will resort to litigation to oppose adoption of the decree.

Kuykendall said he had been authoritatively advised today that the government has made no final decision on the decree.

Arbitration Rules
Sent to Washington

Copies of the virtually completed arbitration rules to supplement the proposed Federal consent decree were sent to the Department of Justice in Washington and to the home offices of the five competing companies for checking and confirmation yesterday.

The arbitration proposals are also being examined by the legal advisory committee of the American Arbitration Association and the views of all three interests are expected to be made.

Sentence Nick and Weston to 5 Years

ST. LOUIS, Sept. 23.—John P. Nick, ousted head of the Motion Picture Operators’ Union, Local 143, and Clyde A. Weston, former business agent, were sentenced to five years in Federal prison and fined $10,000 each by Federal Judge John Cagle here today. They were convicted last week on charges of violating the anti-racketeering law.

Nick and Weston were released on bond pending an appeal. They were convicted on 11 counts.

Studio Conditions Better
Than for Years: Arnold

By EDWARD GREGG

Conditions at the studios are in the most satisfactory state they have been in for many years as far as actors are concerned and there is little likelihood of further complications, according to Edward Arnold, newly elected president of the Screen Actors Guild. Several minor points may need clarification, Arnold says, but these can be settled without trouble.

Arnold is in town for a Kate Smith broadcast over CBS Friday, and will return to the Coast the following day. He has several radio programs for which he has auditioned and will discuss them during his stay here.

The most serious problem the S.A.G. faces at the moment is the reduction of the extra ranks, he reports. Arnold believes about 25 per cent of those now on the rolls should be dropped. While deploiring the fact that some performers would be deprived of a medium, Arnold points out that the eliminations of about 1,000 extras who earn less than $200 annually would permit those more regularly employed to earn more.

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Ask Shots of N. Y. Be Brought Up to Date

THE Broadway Association has requested Hollywood studios to take new "stock" shots of Times Square and other parts of New York, contending that the present material is out-dated.

H. Frederick Bright, managing director of the Association, points out that such landmarks as the Cadillac Hotel, the International Commerce Theatre front have been replaced, and new landmarks have been added.

Bioff's Tax Trial

Put Over Until Feb.

Los Angeles, Sept. 23.—William Bioff, L.A.T.S.E. leader, today obtained a continuance until February of the Federal trial growing out of the alleged tax evasion when his attorney, George Breslin, told Judge Paul J. McCormick that Bioff's witnesses would be tied up in Joseph Schenck's Federal tax trial, which is scheduled to start in New York Oct. 3. Judge McCormick will set Bioff's trial date in February.

Delay Skouras Hearing

Federal Judge James P. Leamy yesterday postponed until Oct. 7 hearings on a date of trial of the Government's suit against George Skouras, Skouras Theatres, Ktima Corp. and Harvey B. Newman. The adjournment was granted when it was ascertained that no judge was available to hear the case.

Mainliners to Los Angeles

NO CHANGE OF SLEEPERS

The Continental Lv. 7 pm
The Overland Flyer lv. 10:40 pm
Luxurious thru-coast-to-coast Mainliners—at United's high, smoother flight levels.

Travel agents, hotels, or

United Airlines

67 Well St. or 58 E. 42nd St.
MU-2-7300

Personal Mention

LOUIS R. MAYER and Howard Stocking are expected in New York from the Coast tonight or tomorrow morning.

WILLIAM A. SCULLY, Universal vice-president and general sales manager, returned from Chicago yesterday.

FRED LANGE, Paramount Continental European manager, and LAUDY LAWRENCE, Loew's Continental manager, will leave for Europe as soon as they can obtain the necessary visas.

JAMES ROOSEVELT left for the Coast by plane yesterday following the premiere of the Globe of his film, "Pastor Hall."

HARRY NEEDLES, Warner Theatres district manager at Hartford, is confined to his home by illness.

RALPH B. AUSTRIAN, assistant vice-president of RCA Photophone, is en route to Hollywood for conferences.

JOHN NOLAN and C. A. RYAN, construction superintendents for the Comerford Circuit, visited in Providence over the weekend.

FAY FREEMAN of the Century Circuit has been inducted as president of the Junior League of Beth Israel Hospital.

JACOB SILVERMAN of Silverman Brothers Circuit, Altoona, Pa., is in town.

Premieres on Both Coasts for 'Thief'

Simultaneous premieres of Alexander Korda's "Thief of Bagdad" may be held in New York and Los Angeles Oct. 17. The picture will open on that date at the Century Circle, Los Angeles, on a roadshow policy. The opening here depends upon the availability by that date of a theatre now being sought.

The picture will be shown in a half-dozen or more key cities. A prior booking by the Music Hall here automatically becomes deferred to a date following the roadshow run on Broadway as a result of an admission scale in excess of $1.65 top being established for the roadshows, in accordance with the Music Hall contract.

Missouri M.P.T.O. Will Meet Sept. 30

St. Louis, Sept. 23.—The M.P.T.O. of Eastern Missouri and Illinois will hold its annual meeting at the Coronado Hotel here Sept. 30. Officers will be elected.

Ed Kuykendall, national president of the M.P.T.O.A., will be the chief speaker. Fred Wehrenberg is head of the organization here.

Donahue & Coe Named

Donahue & Coe, Inc., advertising agency, has been appointed to handle advertising for the Skouras Theatre Corp. circuit here. A daily motion picture directory has already been started in local newspapers.

Andrew W. Smith, RKO sales manager, left for Chicago by air yesterday. He had just returned from Toronto.

Charles Braasche, Elmer Lux and George Litchfield, RKO sales executives, attended the bachelor party in Albany yesterday for George Lynch, Schine circuit chief booker, who will be married next month.

Maurice Bergman, Morris Kinzer, Charles S. Chain, Louis Perkay, Bill Washar, Al Margolies, Monroe Greenhalch, Abe Green, Morris Helphin, Maurice Silverstone, Emmanuel Silverstone, Steven Pallos, Harry Gold and John Wright lunched yesterday at Lindy's (next to the Rivoli).

A. A. Schubart, manager of RKO exchange operations, has returned from Chicago.


Edward Small, Harry Greze, Laudy Lawrence, Robert Bussey, Wilkie, John Byram, Mort Spring and Jack Kirkland lunched yesterday at Sardi's.

Jack Cohn, Stanley Fields, Nate Spingold and Joseph Moskowitz at Lindy's (51st St.) for lunch yesterday.

Judges Will View 'Ramparts' Today

PHILADELPHIA, Sept. 23.—Judges B. M. Milner, Raymond MacNeille and H. A. Davis tomorrow at 2 P. M. will see "The Ramparts We Watch." The picture was shown in the room of the Pennsylvania State Censor Board, which has banned the March of Time film. The screening was attended Isadore Rays, attorneys for the producer and Jack Emanuel, operator of the Park, Reading, and Senate, Harrisburg.

The court, which denied a motion of the Deputy State Attorney General for a postponement, will set a date for hearing after the screening. The National Council on Freedom from Censorship and the American Cinema and Camera Union have volunteered to intervene in the suit against the ban.

Lawrence Publicity Director for AMPP

HOLLYWOOD, Sept. 23.—Jock Lawrence, former publicity director for Samuel Golding, who was at the AMPP convention yesterday, was appointed to the newly created position of assistant to the president, in charge of press relations, of the Association of Motion Picture Producers.

Y. Frank Freeman, president of the association, declared Lawrence will work with the studio publicity directors' committee, headed by Harry Coro, and AMPP. Lawrence's duties will include those formerly performed by Tom S. Petley, who resigned recently to become Hollywood correspondent for FM.

RKO Executives at Dinner to McNamara

PHILADELPHIA, Sept. 23.—Approximately 100 of the local film industry turned out for the testimonial dinner tonight at the Hotel Warwick in honor of Frank McNamara, the departing RKO branch manager here, and Charles Zagrans, the new branch manager.

Prominent Executives Present

In addition to the guests of honor, who included Ned E. Deo, president, and Robert Moich, respectively, RKO vice-president and Eastern sales manager, here; Fred B. Lefko, RKO Eastern district manager; Edgar Moss, 20th Century-Fox district manager here; William Goldman, independent circuit operator; Jay Emanuel, banker of the local Variety Club; John Nolan Comerford Circuit executive; Judge James P. Leamy, of the Common Pleas Court here; Francis L. Sullivan and Thomas C. Egan, local attorneys and Earl W. Sweeney, Paramount branch manager here, who was also chairman of the affair.

Powers Gouraud, local radio commentator, and John H. Wood Jr., March of Time; A. A. Schulart, manager of exchange operations; S. Barrett McCormick, advertising and publicity director; J. Harry Michalson, short subject sales manager; Michael Poller, playdate department; S. Wolff, New York exchange head; Herbert H. Ringblath, Pittsburgh branch manager, and Robert J. Pollard, Washington manager, as well as Al Pollard and E. Burns of the Washington exchange.

From Scranton and Wilkes-Barre came Worth Schmitt, John Comerford and Harry Spiegel, all of the Comerford Circuit. Other observers were Al Bays, managing editor; Henry Cohn, Baltimore exhibitors, and George Crouch of the Warner exchange in Washington.

Party for Bette Davis

Warners will hold a cocktail party for Bette Davis tomorrow afternoon at the Hotel Gotham.

RKO Delegation

At the RKO table out-of-towners included Isidore Ray, and John B. Wilson, the New York director, William F. Rodgers, Roy K. Shashak, retired district manager; John Comerford and Harry Spiegel, all of the Comerford Circuit. Other observers were Al Bays, managing editor; Henry Cohn, Baltimore exhibitors, and George Crouch of the Warner exchange in Washington.
It is Sunday morning . . .

It is Sunday morning in America.

Here are a man and his wife, too old now for the trip on foot to their church in the village square.

Here's a small-town girl in a great city, confident, unafraid. On Sunday mornings, maybe only on Sunday mornings, she knows the deep need—

And here's a traveller in a car or speeding train; and here's a rancher fifty miles from anywhere; and here an invalid, bed-bound—

It's Sunday morning. There is something special about Sunday morning.

Every Sunday morning at ten, and again every Sunday afternoon at one, Columbia's Church of the Air begins its service.

Before its single pulpit sits a nation-wide audience of millions. Men and women of every creed, of every class, listen and are heartened.

That audience, ever growing, has gathered before that pulpit nearly a thousand times—twice each Sunday for nine years. Last month Columbia began the tenth year of these weekly church services. The Church of the Air will broadcast its thousandth service over Columbia's network during this Tenth Anniversary Year.

The principles upon which Columbia launched its Church of the Air have never changed. There was of course from the first full recognition of the religious rights and beliefs of a nation-wide audience of many faiths.

Within that recognition, within that basic framework of freedom, there had to be fitted in, sensitively and justly, a proportionate representation of those many faiths.

Now, for the tenth year, the Church of the Air will go forward in that same way, on those same principles, which are America's principles.

Americans have responded to the Church of the Air. Each week, many thousands write warm and generous letters of praise. Always, too, there are letters from short-wave listeners in foreign lands. Often, and increasingly, come letters praising an individual service from people of quite different faith.

* * * * *

From the beginning Columbia has sought ways to twin the vast new powers of radio with the vast new responsibilities of radio. Here, in the Church of the Air, that search has been deeply rewarded.

In 1930 no one could predict that in a brief and terrible decade America would stand, almost alone, as mankind's strongest citadel of religious freedom. Today Columbia's Church of the Air thus becomes not only a far-flung phenomenon that brings pleasure and comfort to millions—

It becomes, too, twice each Sunday, by its very presence on the air, by the very ease with which it goes on the air, an object lesson in democracy.

It is Sunday morning in America . . .

THE ADVISORY BOARD: From the start, the Church of the Air has had the guidance of an advisory board whose members are of these faiths: Baptist, Catholic, Christian Science, Congregational, Disciples of Christ, Episcopal, Jewish, Lutheran, Methodist, Mormon and Presbyterian.

These faiths, and others with smaller congregations, share the Church of the Air periods in proportion to the numerical strength of each group in this country.
Assure Radio Regulation Not Intended

WASHINGTON, Sept. 23.—Plans for defense coordination of communications now awaiting approval of President Roosevelt do not involve regulation of industry, despite recent emergency but contemplate only the development and drafting of regulations to be put into effect in event that it is declared today by Federal Communications Commission Chairman James L. Fly.

Chairman Fly explained that it is proposed to set up committees on which all branches of the industry will be fully represented, rather than to create a new and expensive agency. The committees, probably acting under a coordination committee consisting of represented Federal departments and the industry, are to develop "paper plans" for the operation of all forms of communication, which are to be "locked up." They will not be put into effect unless the United States becomes involved in war.

The matter will be taken up with the President in a few days by the FCC chairman, he indicated. All objections raised by broadcasters and others who were apprehensive of immediate Government control have been dealt with satisfactorily, Fly said.

Rochester Station Cancels Red Talks

ROCHESTER, Sept. 23.—WSAY has cancelled a series of broadcasts scheduled to start next week. In Monroe County, it was revealed today by Mortimer Nussbaum, station manager.

The series, which was carried locally for four weeks, was not considered "in the best interest, convenience or necessity of the public," Nussbaum said.

A Communist organizer who was granted time to explain his party's position regarding an American Legion banquet at the Pennsylvania Hotel in Rochester, was granted an abrogation of freedom of speech and said action would be taken to upset the ruling. The weekly "Red Talks" broadcasts were scheduled to continue seven weeks. The fact that the Communist Party is no longer a legal party in this state aided the station in making the move, WSAY officials said.

NBC recently banned the Communist talks but was compelled to accept them because of a Communications Law requirement that all candidates be given equal treatment. CBS and Mutual have also booked Communist Party speeches.

FCC to See Color Television Friday

WASHINGTON, Sept. 23.—Members of the Federal Communications Commission in charge of its engineering staff will go to New York Friday for an inspection of developments made by Columbia Broadcasting System. It was disclosed today by FCC Chairman James L. Fly. Fly said it is probable that some time in November members of the commission will make another tour of television laboratories to acquaint themselves with progress made.

Novel Theft

MEXICO CITY, Sept. 23.—CONVICTED of stealing a crown by medal-ling with the masons, two important grinn houses, the Imperial and Universal, were fined $1,500 each by the Federal Government. This is the first time that exhibitors here have been convicted of such an offense.

Off the Antenna

A CENTRALIZED music bureau in New York is planned for the Mutual network to clear the copyright title to musical compositions, Fred Weber, general manager, reported yesterday upon his return from a board meeting in Chicago last week. Weber stated that the directors were well satisfied with the workings of the volume discount plan. He also said that a great many Mutual stations have filed applications for FM licenses with the FCC but did not disclose the exact number.

Purely Personal: Frank Brancher, WOR director and vice-president, has resigned effective Oct. 1. Brancher, who was also with the station in 1913, did not announce his plans for the future.

John Dickson has been named Mutual's Berlin representative. H. T. Rowe, Herald-Tribune radio editor, has been promoted to assistant Sunday editor and will be replaced by Betty Parke, who is Muriel Foster's assistant.

Elliott Roosevelt, head of the Texas State Network, said yesterday that he would have to discontinue his talks over the air as he received an assignment from the Army Air Corps. Roosevelt left New York yesterday for Washington.

Program News: Four renewals were announced by CBS yesterday. They were "Dr. Christian" with Jean Hersholt at the Chesbrough-Mtg. Co. Wednesdays at 8:30 P.M. on 64 stations; "Blondie" with Penny Singleton and Arthur Lake, by the R. J. Reynolds Tobacco Co. Mondays at 7:30 P.M. over 58 stations; "Saturday Night Serenade" by Pet Milk Saturdays at 9:45 P.M. over 54 stations; and "Vox Pop" with Parks Johnston and Wally Butterworth by Penn Tobacco Co. 7:30 P.M. Thursdays over 50 stations. Hotel Astor renewed for an additional 13 weeks "Memories of Broadway," a weekly half-hour show in Spanish over NBC short wave. "Lorinzom Jones" has been renewed by Charles H. Phillips Chemical Co. over 52 NBC stations Mondays through Fridays at 4:30 P.M. "Young Widder Brown" heard Mondays through Fridays at 4:45 P.M. over 51 NBC-Red stations has been renewed by the Bayer Co. . . . Grove Laboratories will sponsor "Sherlock Holmes" with Basil Rathbone on NBC-Red Mondays at 8:30 P.M. beginning next Sunday . . . Dublin Clothiers will sponsor "Echoes of Erin" Sundays at 9 P.M. over WBVN. . . Revelation Tobacco will sponsor Eddie Doolay in football forecasts and sports over three Mutual stations Thursdays and Saturdays at 8:15 P.M. beginning Thursday. . . Natural Bloom dippers is sponsoring "Today's Sports" over WMCA Mondays through Saturdays at 6:30 P.M.

Film Players on the Air: Joan Bennett and Walter Winchell will be heard on "In Chicago Tonight" over Mutual Thursdays at 8:30 P.M. . . . Claudette Colbert and Fred MacMurray will be heard in an adaptation of "His Girl Friday" over CBS on the "Lux Radio Theatre" next Monday at 9 P.M. . . . Dorothy Lamour, Walter Huston and Kiratian Flagstad, the opera singer, will be the guests of Producers in Networks, Inc. . . . Gloria Jean will be guest on the Bob Hope show over NBC-Red at 10 tonight.

Among those scheduled to appear on the Canadian Red Cross Emergency Appeal program Sunday at 7 P.M. are Dionne Quintuplets, Ronald Coleman, Laurence Olivier, Vivien Leigh, Herbert Marshall, Madeleine Carroll, C. Aubrey Smith, Anna Neagle, Cedric Hardwicke, Nigel Bruce, Fred Bartholomew, June Lockhart, Montagu Love, Reginald Gardner, Betty Jane Rhodes, Gloria Jean, Gracie Fields, Alfred Hitchcock, Alexander Korda and Edmund Goulding. Mutual has definitely booked the show and it is likely that the other networks will follow suit, but this was not definite last night.

'Police' Receipts Go To Ambulance Fund

Receipts of the five-theatre premier "North West Mounted Police" in Regina, Saskatchewan, will be turned over to the North West Mounted Police for the purchase of ambulance equipment. N. L. Nathan- son, head of Famous Players Canadi- an, yesterday informed Barney Bala- nor, president of Mutual.

Nathanson also reported the booking of the film on either Oct. 24 or 25 at the following theatres: Capitol, Vancouver; Capitol, Edmonton; Capit- ol, Winnipeg; Capitol, Ottawa; Up- town, Toronto; Loew's, Montreal, and Capitol, Halifax.

705 Stations Have $89,990,646 Gross

(Continued from page 1)

sale of time to major networks, $1.1 million. Stations' sales of non-network time returned $30,472, 053 from sales to local users and $34,590,967 to local users. Payments to stations and stations from 705 stations announced for Commission accounts for $4,324,219 of the revenue and commissions from placing talent another $110,262.

The commission reported that of the 705 stations, 362 with revenues of $50,000 or more showed a total broad- cast sale of $34,362,118, while 343 with lesser revenues showed a defici-ency of $285,402.

State Ticket Law Is Upheld by Court

Legality of the state ticket law which limits brokers to advances of 75 cents on tickets, was upheld yesterday by the N. Y. Supreme Court yesterday by Justice J. Sidney Bernstein, who de- nied a writ to restrain License Com- missioner Paul Moss and Police Com- missioner Lewis J. Valentine from enforcing the law. Justice Bernstein stated that the five brokers plaintiffs could have an early trial if they de- sired it.

In a 15-page opinion, it was held that the U. S. Supreme Court has changed its opinion since that court ruled state ticket brokers' prices unconstitutional. Justice Bernstein pointed out that most brokers in the city have been operating for the past two years under an agreement by the League of N. Y. Theatres to limit advances to 75 cents for orches- tra and 50 cents for balcony seats.

Kaufman Gets Dinner

CHICAGO, Sept. 23.—A farewell bachelor dinner was tendered to Kaufman by the P. & K. booking office at the Congress Hotel. Kauf- man will be married on Oct. 3 to Helen Kosman of the Warner staff.

Katzman to New York

HOLLYWOOD, Sept. 23.—Sam Katz- man, manager of Columbia for New York prior to starting his new Mon-ogram releasing contract under which he will produce four films starring Leo Gorcey.

Unterforft Wins Prize

SYRACUSE, N. Y., Sept. 23.—Harry Unterforft, city manager here for the Schine Circuit, has won first prize in a circuit-wide contest on promotion.

Schneider's Mother Dies

CINCINNATI, Sept. 23.—Frank Maffe- ry, 88, doorman at the Royal, down- fell from a subsequent run unit of Associ- ated Theatres, died at St. Mary Hosp- ital after a short illness. Maffrey, who had been with the Royal for 28 years, is believed to have been one of the oldest doormen in the United States.
Arbitration Rules
Sent to Washington

(Continued from page 1)

Motion

Hollywood Review

“The Gay Caballero”
(20th Century-Fox)

Hollywood, Sept. 23.—Latest and one of the best of the “Cisco Kid” series, judging by preview audience applause, “The Gay Caballero” swings merrily along for its 60 minutes, with action enough to satisfy even the most confirmed Western fan. Cesar Romero, in his customary role of a light hearted romantic beloved by the peons and feared by the marauding element, aided as always by Chris-Pin Martin, thwarts plans to balk an Englishman of his share of a ranch. Montagu Shaw portrays the Englishman, who has put everything he owns into a $40,000 investment in the ranch. Sheila Ryan enacts the role of his daughter.

Sees as the owner of the ranch, determined that no one shall take any part of it away from her, is Janet Beecher, with Robert Sterling interpreting her nephew. Edmund MacDonald is the ranch owner’s foreman, who tries to carry out orders to keep the ranch for her.

Based on the O. Henry character, the original story was written by Walter Bullock and Albert Duffy, the screenplay by Duffy and John Larkin. Otto Brower directed, with Walter Morosco and Ralph Dietrich as associate producers.

Running time, 60 minutes. “G.”

W. S.

New Films Strong
In B’way Starts

(Continued from page 1)

$6,200 for Saturday and Sunday at the Globe.

With a take of an estimated $10,000 for Saturday and Sunday, “Rangers of Fortune” with Jan Savitt’s band and the Andrews Sisters on the stage should gross an estimated $42,000 for the week ending tonight at the Paramount.

At the Rox, “Brigham Young-Frontierman” supported by a stage show headed by Barry Wood drew an estimated $26,500 over the weekend.

Holdovers were also strong. “Room Town” drew an estimated $21,000 for the first four days of its third week. In its fourth week at the Rivoli which ends tonight, “Foreign Correspondent” should do well for an estimated $28,000. The first three days of the third week for “No Time for Comedy” with the Strand with Larry Clinton’s band on the stage grossed an estimated $23,000. “Hell’s Cargo” in six days at the Globe drew an estimated $4,500.

Goldwyn to Carry
On UA Pact Fight

(Continued from page 1)

ility of the action being amicably settled, Goldwyn said: “The fight is just beginning. The issues are of a kind which must be settled by a court of law and the case was well prepared.”

Goldwyn expects the case will be tried this Fall and decided before his next picture is ready for release. He said he plans to proceed with production of “The Little Fences,” with Bette Davis this Winter, and also will make a big musical with Bob Hope, who will be loaned to Goldwyn by Paramount. He also has in preparation “City Without Men,” “Black Gold,” “Seventh Cavalry” and a story based on the life of Hans Christian Andersen.

Goldwyn will leave for the Coast on Friday. He came here following the premiere of “The Westerner” at Fort Worth.

New Federal Tax
Raises August
Revenue by 150%

(Continued from page 1)

Tense levies which went into effect July 1, not including those on individual and corporate income which will not be reflected in the figures until next March.

The greatly increased revenue for August brought total admission tax collection for the first eight months of this year to $17,225,032, as compared with $12,262,945 in the corresponding period in 1939, it was reported.

Indications of a decline in business in the Third New York (Broadway) district were seen in the bureau’s report that collections there increased only from $484,661 in July to $549,952 last month. In the same period last year collections declined from $397,416 to $336,191.

Analysis of the district’s returns showed that revenue from admissions was $15,927 in August against $14,748 in July and $291,413 in August, 1939.

Other collections included $4,265 on tickets sold by brokers, against $16,937 in July; $22 on tickets sold by proprietors in excess of established prices, against $1,250; $190 on permanent use or lease of boxes and seats.

Roosevelt Head Sounds
Hollywood, Sept. 23.—James Roose- welv has been elected president of Sounds Distributing Corp., with Mills Novelty Co. executives as other officers. The company will handle the coin film machines for which Roosevelt will produce films.

Perlberg to 20th-Fox
Hollywood, Sept. 23.—William Perlberg was signed today by 20th-Century-Fox as associate producer.

LeRoy Returns to Coast
Hollywood, Sept. 23.—Mervyn Le- Roy has returned from a three weeks’ stay in New York.

Connecticut MP TO
Opposed to Decree
NEW HAVEN, Sept. 23.—The Con- necticut M.P.T.O. adopted a resolu- tion today opposing the proposed Fed- eral consent decree.

Herman M. Levy, executive secre- tary, was authorized by the membership to communicate to Assistant U. S. Attorney General Thurman Arnold the organization’s belief that the decree will aggravate the block booking prob- lem, will merely add to the exhibitor’s present burdens and will fail utterly to accomplish any of the purposes for which it is intended.

Club Plans Program
BALTIMORE, Sept. 23.—The local Variety Club will open its new sea- son with a stag smoker Thursday evening. Plans for Winter program are to be outlined to J. J. Lewis, chief Barker, will preside, assisted by first assistant Barker Frank Durkee and second assistant Barker, William Hicks.

Says Equipment Obsolete
HOLLYWOOD, Sept. 23.—Coaut Alexis de Sahindofsky, an industry executive tonight told a meeting of the S.M.P.E. here that the industry is creating many forms of equipment which are obsolete, that art and engineering must be brought together.

Presenting
MARY BOLAND in
HIT PARADE OF 1941

starring

Kenny BAKER - Frances LANGFORD
HUGH HERBERT - Mary BOLAND - Ann MILLER
PATSY KELLY - Phil SHIVERS - STERLING HOLLOWAY
DONALD McBRIDE - Barnett PARKER - FRANKENFELDER - 606 HITS AND A MUG

Borish MINEVITCH and his HARMONIC RASCALS • John H. Auer - Director

AND A BRILLIANT CAST OF SCREEN AND RADIO STARS!
To bring them in and keep them coming, your screen illumination must be modern. The new “One-Kilowatt” High Intensity Arcs offer a most effective box-office stimulant for all small theatres that do not now have High Intensity Projection.

Modern in every respect, the new “One-Kilowatt” High Intensity Arcs are designed especially for the small theatre. They meet the most exacting requirements for a screen light of the highest quality at a very reasonable installation and operating cost.

Snow white light of daylight quality—perfect for color features and greatly improves black and white projection.

A high level of screen illumination—(50% more than low intensity)—for comfortable vision and clear natural pictures. Also prevents groping and promotes safety by permitting more light for general illumination of the auditorium.

Quality projection pays dividends by increasing audience satisfaction. Satisfied patrons come again and again—and tell others.

The words “National”, “Suprex” and “Orotip” are trade-marks of National Carbon Company, Inc.
Defense Unit Ordered for Broadcasting

Board of Limited Power Operative in War

WASHINGTON, Sept. 24.—Establishment of a Defense Communications Commission to develop plans for the use and protection of communications in the event of war, but specifically without any power to censor, regulate or other communications or to take over any facilities, was ordered today by President Roosevelt.

Signing an executive order which has been on his desk for some weeks, the President designated the 25 non-officer members of the Federal Communications Commission to be chairman of the board, other members of which will be the Chief Signal Officer of the Army, the Director of Naval Communications, an Assistant Secretary of State and an Assistant Secretary of the Treasury. The various branches of the communications industry will cooperate in an advisory capacity with the board.

In an explanatory statement issued from the White House, it was disclosed that the board was initiated jointly by the Federal agencies interested in communications, with the

AGVA Votes to Ban All Anti-Americans

A resolution banning Nazis, Communists, Fascists, members of the Christian Front and sympathizers with these movements from employment in the New York local of the American Guild of Variety Artists was adopted at a membership meeting early yesterday.

Peter Wells, acting president, was reported to have been a leading figure in the decision.

N. J. Allied to Get Buying Poll Data

PHILADELPHIA, Sept. 24.—The Allied Information Department will meet here tomorrow to prepare its initial report on its exhibitor buying survey, to be submitted Thursday to the New Jersey Allied convention in Atlantic City.

In addition to the full committee, several national Allied directors will sit in on the meeting, to be held in the offices of Sidney E. Samelson, head of the Allied organization here and chairman of the information committee.

Delegates Arrive for Convention

Atlantic City, Sept. 24.—Delegates began to gather here this evening for the three-day 21st annual convention of (Continued on page 5)

A POLL of exhibitor opinion on block booking, cancellation and the unit-of-five selling provision of the proposed New York case consent decree is now being conducted by Motion Picture Daily. The results of this poll, which covers independent and affiliated exhibitors throughout the country, will be published at an early date.

Advisory Plan On Arbitration Is Abandoned

A proposal for the appointment of arbitration coordinators from among experienced industry figures in all exchange centers, who would act as advisers to the arbitration boards to be set up under the proposed Federal consent decree has been abandoned, officials said yesterday.

The proposal was first made in answer to widespread exhibitor criticism of the arbitration panels to be made up of men entirely outside industry experience. It contemplated the appointment of the coordinators after consultation with regional exhibitor organizations and other trade groups in every city in which an arbitration board is to be established. The coordinators would serve in advisory capacities whenever called upon by either arbitrators or parties to a dispute.

Not Included in Former British Agreement Expiring Oct. 31

Universal will be included with the other seven major companies in the new British currency export agreement with American distributors, which is scheduled to be decided within the next month, it was learned yesterday.

The agreement expiring Oct. 31 allowed the seven companies to export works for $2,000,000, which was determined as the three-year average business done by them in Britain. This would be increased by about $2,000,000 with the inclusion of Universal, if the new agreement is renegotiated on the same basis for another year.

Universal was not included in the monetary agreement established last year. General Columbia distributors, which distributes for Universal in Britain, handled the currency export arrangements for the company and received allowable sums to Universal.

No definite proposals for the new monetary agreement have been received in New York yet although discussions have been under way in London for more than a month.

Distribution companies have been hopeful of having the past year’s business in Britain as a basis for the new currency agreement but sharp increases in business recorded there during the past year by most of the companies, Universal among them, make Britain’s acceptance of this proposal doubtful since it would increase the allowable withdrawals of currency.

Grover Jones Dies; Was Veteran Writer

Los Angeles, Sept. 24.—Grover Jones, 47, veteran screen writer, died in St. Vincent’s Hospital here today from complications following an operation. He had been ill 10 days. He leaves his widow, two children, his mother and a brother.

Jones’ last work was “Shepherd of the Hills,” for Paramount. He started his career as a laborer at Universal and through the years worked in virtually every branch of the industry, from scene painting to directing. He wrote a great number of films for Paramount and others. He was first president of the Screen Playwrights.
RKO to Release U. S. Film Free of Rental

“Power and the Land,” third in the series of political propaganda films produced by the Federal Government, is to be distributed by RKO Radio Pictures Corp. free of film rental, according to announcement of Ned E. DePetris, vice-president in charge of distribution.

Earlier pictures in the series included: “The Plow That Broke the Plains,” devoted to an exposition of the Administration’s Tripe A projects for agriculture, and “Two Rivers,” which was concernced with an approval of the plan and purposes of the Tennessee Valley Authority.

The new film was produced for the Rural Electrification Administration. The director is Joris Ivens, who has been prominently identified with Left-wing documentary film activities. Ivens was the producer of “Spanish Earth,” Left-wing view of events of the Spanish Civil War, and “The 400,000,000,” which treated with the situation in China.

No release date for “Power and the Land” has been announced.

Personal Mention

ROY DISNEY, business manager for Walt Disney Productions, plans to leave for the Coast Friday.

ASSEMBLYMAN W. T. A. Weib, only exhibitor in the New York state legislature, won the renomination in the Republican primary. He manages Smalley’s Sidney Theatre at Sydney.

J. REAL NEITH, president of the J. Real Nethe Theatres, Columbus, has been appointed acting city safety director for one year.

GEORGE TYSON, on a four-month leave of absence to direct the “Miss America” beauty pageant in Atlantic City, has resumed his post as publicity director for the Harris Amusement Co., Pittsburgh.

AUDREY E. REPASS, daughter of Charles Repass, operator of the Crown, Hartford, Conn., will be married to Otto Lexius Oct. 12.

GERHART SCHAPF, of the M-G-M home office and Paul Pellen of New York, who were married recently, are on a wedding trip.

HARRY WENZEL, Advertising Accessories manager at New Haven, is vacationing in Maine.

GEORGE WEBER, M-G-M checking supervisor in New Haven, will take the official pictures of the Yale football games.

SIDNEY R. KENT, president of the 20th Century-Fox, will leave for California at the end of the month.

LEE MARCUS, CHARLES MACARTHUR, JOSEPH YOGE, OSCAR A. DOOB, OWEN DAVIS, HARRY BRANDT, GEORGE SEALKER, FRED LANG, HENRY HAYES and MAURICE BERGEN at Nick’s Hunting Room in the Astor for lunch yesterday.

IRVING RAPPF, Warner dialogue director, arrived yesterday for a vacation.

MAX WEISFELDT, EMANUEL SILVERSTONE and RUBERT JACKE leaving yesterday at Lindy’s (next to the Rivoli).

MELTON KUESS, MARC CONNELLY, VINCENT TRATTA, FRANK PHELPS, JOHN D. HEBERT, JR., CHARLES CURRAN, JACK GOODWIN, SI FABIAN, ALAN DENGHART, RICHARD BARTHELMESS, BEN BOYAR and NOEL MADISON lunching yesterday at Sardi’s.

MARTIN QUIGLEY, COLVIN BROWN, WAYNE C. NICHOLSON, EUGENE PICKER, MARTIN SCHNEIDE, A. WHEELER, DOUGLAS ROTHACKER, AL MARGOLIS and SAM CYPRIAN at the Tavern for lunch yesterday.

CHARLES STERN, JACK GORTZ, AL YOUNG and J. J. MILSTEIN lunching at Lindy’s (5th St.) yesterday.

WILLIAM HAWK is here from the Coast for a visit.

CHARLES LAMARZ, M-G-M New Haven office, spending a week at Old Orchard Beach.

WALTER MARTIN has resigned as head shipper at the 20th Century-Fox Seattle exchange to reenter the University of Washington. He has been replaced by Ritchie Morrison.

RUTH GOLDBERG of the RKO New Haven office has vacationed for a week in Washington.

GORDON McENRAVY has joined the Fay’s Theatre, Providence, as assistant manager.

Take the Broadway For ‘Fantasia’ Run

The Broadway Theatre has been leased by Walt Disney Productions for the roadshow engagement here of “Fantasia,” new Disney symphonic feature-length cartoon, which is scheduled to open in mid-November. Special sound equipment will be installed in the house for the engagement. The picture will be shown twice daily at advanced admissions with the David T. Moore organization handling all phases of the exhibition as in other key cities. The run here is scheduled for about three months.

Newsreal Parade

THERE is nothing unusual in the way of your news in the new series air raid damage on Buckingham Palace being the leading item from the British area. The reel and its contents follow:


PARAMOUNT NEWS, No. 6—Legendary convert in Boston. Roosevelt receives a University of Pennsylvania National Guardian's football in Boston.


Testimonial Lunch For Dembow Today

The home office force and the Metropolitan sales staff of National Screen Service today at the Hotel New Yorker will treat to a luncheon to George F. Dembow, vice-president in charge of sales, in appreciation of his leadership in the recent national sales drive.

Leading executives of National Screen and associated companies who will attend are: Herman Robbins, Toby Green, Charles Caskave, William B. Bremner, Jack Leo and others.

Paralyses Net $1,407,245

The Committee for the Celebration of the President’s Birthday, of which Joseph M. Schenck was vice-chairman, raised a net total of $1,407,245 in the 1940 “Flight Intantial Paralysis” campaign. The amount exceeds all previous records. Eddie Cantor was chairman of March of Dimes of the Air, a part of the drive.
SITTING ON TOP OF THE WORLD!

“Boom Town’s” booming!
“Strike Up The Band” is a ten-strike!
“Wyoming” is wonderful!
“Escape” is excellent!
“Third Finger, Left Hand” is a honey!
“Bitter Sweet” is bountiful!
“The Philadelphia Story” is a sweetheart!
You’ll get it after the New Year!
And there’s a flock more where they came from!

Enjoy That Friendly Company Feeling!
Para. Drops Spanish Films, Signs Latin-American Star

Hollywood, Sept. 24

PARAMOUNT, which recently transferred its Spanish contracts to Tornasol in Spanish for the Latin-American market, has signed to a long term contract ESTHER FERNANDEZ, a known Latin American star. Her first assignment will be in "Las Vegas Nights." The actress appeared opposite Tyrone Guthrie when she was under contract to Paramount, in the Mexican produced "Alla en el Rancho Grande," the biggest grosser of any Latin American film.

WARNERS, which often casts forthcoming pictures with players staring together in a film about to be previewed or released, has announced that GEORGE BRENT and ANN SHERIDAN, following the successful preview of "Honeymoon for Three," will be teamed in "The Bride Came C.O.D.," original story by EDWARD GRADWELL and M. M. MUSSELMAN. JULES and PHILIPPE E. ERNST will write the script, and WILLIAM KEIGHLEY is directing.

"Obliging Young Lady," originally Arthur T. Horman, has been purchased by RKO. "Forum," entire program of plays for use in schools will be made in Cinecolor, according to James S. Burtchett, former president. Bob Crosby and his band, The Bob Cats, have been signed by RKO to do the "Let's Find a Song." 20th Century-Fox has changed the title of "The Californian," starring Tyrone Power, back to its original title of "Miracle of the Old Faithfuls.

Lucien Hubbard, associate producer at 20th Century-Fox, upon his return from a leave of absence will produce a picture entitled "Forest Service," starring JANE WITHERS. The film will have an National Youth Administration camp background, as the earliest automobile Withers vehicle has had one line, by a minor character, deleted in the release version because of a possible fear by executives that the N.Y. A. was being publicized. The release of the film has been set for after the November election.

Loan Out of Stage Player Questioned

Applicability of the N.Y. theatrical agency law to contracts which will provide for the right of Broadway producers to loan out stage stars for screen, and theatrical performance has been raised in the N.Y. Supreme Court by Emil K. Ellis, as attorney for Van Rensselaer, actresses who are defendants in a suit brought by the Shuberts' Select Theatre Corp.

Select claims that the defendants are under a contract restricting their right to perform only for the plaintiff and who have breached the contract by performing for other producers.

N.Y. Supreme Court Justice Aron Steuer reserved decision after argument on an application for an injunction against the defendants.

CARY GRANT will be starred in "Before the Fact," which KALFREID produced for RKO. ALICE FAYE will sing "America, I Love You," vintage of World War II song in 20th Century-Fox's "The Pan Alley." The same studio has signed dance director SEYMOUR FELIX to a term contract. GAIL PATTERSON, former "Fighting Sons," M-G-M EDMUND O'BRIEN replaces RICHARD CARLSON in "La Dolce Vita." LARRY DARMOUR has retitled "John Braun's Body" as "Ellery Queen." It is a first of a series of mystery stories starring RALPH BELLAMY for Columbia.

"Forty Thousand Smiths," a comedy in three acts, will be presented at the Ben Bard Playhouse starting Oct. 2. GORDON FRANK wrote the comedy, which he is producing, with Don Brodie directing. Thomas Mitchell will be starred in "Trial and Error," with Pleasant Benton Sherman directing. Burgess Meredith has been set for the role of Oberon-Jerry Butler. Peter Ustinov will direct. The film of Ernst Lubitsch is producing and directing. Charles Coburn joins the cast of "Lady Eve," at Paramount.

CHARLES Vidor will direct Para mount's "New York Night," in which MARY MARTIN will have her first dramatic screen role. He replaces CREWELL LEIGH, originally announced, who in turn replaced REED on the directorial assignment of "I Wanted Wings." JOHN TRENT, commercial airplane pilot discovered some years ago by B. P. SCHULBERG, has been signed by Para mount for a role in "I Wanted Wings." IRENE DUNNE will star in Waring's "Mr. Skelfington," best selling novel by Elizabeth which was adapted for Broadway. ROGER GOULDING will direct. BILL BOYD this week is expected to start back to the Hal Roach studio, but under contract to the RKO Studio is "Mount Doomed Caravan," which was suspended about four months ago because of his fractured leg. A. EDWARD SUTHERLAND is seeking Hawaiian swimmers for "Caribbean Nights," which will show scenes of lion hunting tiger sharks.

Problems Weighed At MPDPA Meeting

A clinical discussion of industry problems occupied the adjourned meeting of the board of directors of MPPDA, held in New York, with general sales managers, national circuit executives and advertising and publicity directors called in for consultation.

The meeting discussed ways and means of improving the industry's public relations, of increasing theatre attendance and of assuring a continuous flow of top-grade entertainment despite the present foreign and domestic problems.

Whether the diagnosis was completed and a prescription compounded was left to the discretion of the Office following the meeting, but it was revealed that further round-table discussions will be held.


End Shrevesport Strike

SHREVEPORT, La., Sept. 24—A short-lived strike of union operators at the Glenwood here ended when Darrell George, theatre manager, announced that the settlement had been reached within 24 hours after the house was forced to suspend a Sunday night show. The operators walked out on a full house.

Carson Visits Lehman


Seamen Welcome

Philadelphia, Sept. 24—In response to pleas from the Seamen's Church Institute, Rube Robinovitz and Frank Johnson, chairmen of the Board of the Belgrade and Clevelafld, respectively, have invited the following to be all British seamen and their families, as guests of the management. Nearby, at Potterville, Pa., all the Seamen have thrown open their doors to members of the National Guard en-camped there.

Coast Democrats to Be Hosts to Wallace

The "Hollywood for Roosevelt Committee" will tender a luncheon on Saturday to Henry A. Wallace, a candidate for vice-presidential, at the Hotel Biltmore, Los Angeles, according to Charles L. O'Connor, in charge of the film industry division of the Democratic National Committee, who has returned from the Coast. Pat Bronner is chairman of the Hollywood committee, with the following officers: Joan Bennett, vice-chairman; Bryan Foy, treasurer; Sid Grauman and Abe Lastfogel, assistant treasurers; Ralph Block, secretary; Milton M. Black, counsel, and Fred B. Mayer, chairman of the industrial relations committee.

'Ramprats' Appeal Heard Tomorrow

PHILADELPHIA, Sept. 24—Common Pleas Judge Edward A. Davis, Byron A. Milner and Raymond Mac Neille set 2 P.M. Thursday for hearing the appeal of resided the state censor board's ban on "The Ramprats We Watch." The request of the state attorney for a later date was denied, he said, as he "have seen the film they are ready to hear the appeal. The judges and counsel viewed the film privately this afternoon.

Report Awaited on Chicago Censor Bill

CHICAGO, Sept. 24—A report from the Committee on Judicary of the local City Council is expected shortly on proposed ordinance to limit and modify the city's present police censor board. The measure was introduced by Alderman Earl Dickerson.

The Chicago Daily Times, in a story filed official, has called for passage of the measure. It has been indicated that the film, "Beast of Berlin," later retitled "Goosestep," banned by the local censor, may be approved by the board.

'Westerner' Gross High

Harry Gold, vice-president and Eastern general sales manager of United Artists, yesterday stated that "The Westerner" on the first four days of its release in 94 theatres throughout the southwest, from Thursday to Monday, last inclusive, grossed $401,550. This figure includes the income from" Westerner" opening in Ft. Worth last Thursday.

\"Fifth Column\' Title Use Is Restrained\n
N. Y. Supreme Court Justice Felix N. Benvenuto yesterday signed a final judgment restraining the Film Alliance of the U. S. from using the title \"The Fifth Column\" for its film originally titled \"Spies of the Air.\" The injunction was obtained after suit filed by Ernest Hemingway, Benjamin Glazer and the Theatre Guild, Inc., which had charged the infringement and contended that the words \"Fifth Column,\" used by Hemingway as creator of the play of the same title.
Short Subject Reviews

"Cavalcade of San Francisco" (M-G-M)

The second in a new series of Fitz-Patrick Traveltalks which concentrates on the American scene, this is a tour of points of interest in San Francisco with considerable scenic and historical material. This is a good example of the "Cavalcade of the Golden West" production at the International Exposition. The latter re-enters a gallery of various developments in the West such as the completion of the Pacific and Central railways. Photography here is especially good. Running time, 9 mins.

"Stranger Than Fiction, No. 81" (Universal)

Here is a collection of five oddities. The items are a collection of hallmark-chefs autographed by famous people, a dolce's palace, a rifle association which uses muzzled brass guns, the raising of flies to test insecticides and finally a group of goats used for agricultural work. The short is mildly entertaining. Running time, 9 mins.

"Papa Gets the Bird" (M-G-M)

Papa, and Wilbur Bear are the principals in a Hugh Hargan cartoon that only about average in entertainment. Papa, attempting to give a canary a bath, creates considerable disturbance and eventually lands in a well. There are some laughable situations in it, however. Running time, 9 mins.

"The Baron and the Rose" (M-G-M)

John Nesbitt maintains the high standard established in his preceding "Passing Parade" shorts with this filming of the story behind the Pensylvania church which pays in just one red rose annually. George Tobias enacts the principal role, that of the strong man who, mastering the art of glass making, becomes extremely rich. He loses all his wealth, possessing only the deed to the church. The church will be stipulates the rent the church is to pay. Running time, 11 mins.

"Soak the Old" (M-G-M)

This is a "Crime Does Not Pay" short, produced by Jack Chertok and Richard Whorf, and employing experts Sammy Lee, and Stedding Ralph Morgan and Kenneth Cristy. It depicts the racket behind pension proponents who solicit funds allegedly to promote security laws for the aged. The subject is told well and makes for an interesting and exploitable short. Running time, 20 mins.

11 New Films Are Finished; Eight Started

HOLLYWOOD, Sept. 24.—Thirty-nine pictures were before the cameras this week as 11 started and 11 finished. Twenty-three were being prepared, and 69 were being edited. The tally by studio:

Columbia

Finished: "Signs of the Lone Wolf," formerly "Alias the Lone Wolf."

In Work: "Passage West," "The Wild Cat of Tucson."

Started: "This Thing Called Love."

M-G-M

Finished: "Hullabaloo.


Republic

Finished: "Friendly Neighbors," "Trail Blazers."

In Work: "Who Killed Aunt Maggie?", "Melody Ranch."

Started: "The Mysterious Dr. Satan."

Loew-Lewin

In Work: "Plotsam." 20th Century-Fox


Universal

Finished: "Streets of Cairo."

In Work: "Caribbean Holiday," "The Bank Dick."

Started: "Who Killed Doc Rohin?"

 Warners

Finished: "Meet John Doe," "Santa Fe Trail."

In Work: "High Sierra," "The Lady with Red Hair," "South of Suz."

Started: "Always a Bride."

N. J. Allied To Get Poll

Allied of New Jersey, which opens tomorrow at the President Hotel.

Following registration of delegates tomorrow morning, there will be a general meeting in the Marine Room in the afternoon, with reports by committees and selection of a nominating committee for the annual elections. Later in the afternoon a directors' meeting will be held.

An Eastern regional conference will take place Thursday morning, with the report of the Allied Information Department and an address by Col. H. A. Cole, president of national Allied, as the afternoon highlights.

On Friday, the final day, the delegates will participate in a golf tournament in the morning at the Northfield Golf Country Club. The afternoon session will be addressed by Abram F. Myers, general counsel of national Allied; William F. Rodgers, general sales manager; Jack Kirsch, Illinois A. A. C. and William A. Scully, general sales manager of Universal, among others. Election of officers will follow.


Nine States Proclaim 'Knute Rockne Week'

The governors of nine states have proclaimed the week of Sept. 29 to Oct. 5 as "Knute Rockne Week," in connection with the opening of Warners' "Knute Rockne—All American" at South Bend, Ind., Oct. 4.

The states whose governors have proclaimed the "Rockne Week" are: Indiana, Illinois, Tennessee, Florida, New York, Iowa, Massachusetts, Louisiana and Georgia.

Name Winners in Time Billing Drive

The following RKO exchanges have been designated as exceeding their quotas in the March of Time fifth anniversary billings contest: New York, Atlanta, Calgary, Chicago, Dallas, Kansas City, Milwauke, Montreal, New Orleans, Oklahoma City, Pittsburgh, St. John, St. Louis, San Francisco, Toronto, Vancouver, Washington and Winnipeg.

(Continued from page 1)
**Bread and Pictures**

Mansfield, O., Sept. 24.—Through a tieup with the H & R Bakery Co. at the Park, subsequent run double feature house, is accepting fiend wrapped up one paid ticket for two admissions on any Thursday showing. Patrons may have the wrappers redeemed for one ticket at designated grocery stores, if desired.

**Town’ Captures $14,500, St. Louis**

St. Louis, Sept. 24.—“Boom Town” closed a three-week run at Loew’s State with $14,500. The single run reserved seat policy at the Ambas- sador brought $6,000 for the second week of “Brigham Young.”

Estimated takings for week ending Sept. 19:...

**“Boom Town” Gets $9,300 in Buffalo**

Buffalo, Sept. 24.—All houses done well in excellent week. “Boom Town” made $5,300 in its third week at the Great Lakes. “Foreign Correspondent” took $5,000 at the Buffalo. Aided by personal appearances of stars of the picture, “Dance Girl, Dance,” the Twentieth Century second.

Estimated takings for the week ending Sept. 21:

**“Love You” Gives $9,200**

Indianapolis, Sept. 24.—“The Sea Hawk” with $7,600 at the Indiana and “I Love You Again” with $9,200 at Loew’s were the best grossers. The Andy with “Pass the Salami” and “Girls in Good Taste” took gross in 10 days. The weather was warm and dry.

Estimated takings for week ending Sept. 20:

**20th-Fox Is Sued For Back Salary**

Suit for $6,000 alleged back salary was filed yesterday in the N. Y. Su- preme Court against 20th Century-Fox by Marian Palmer as assignee of Moe Messerri. Messerri, former general manager of the defendant in Spain and France, claims that his employment contract provided for payment to him of one-third his salary in Spain and for the defense of the remaining third in a New York bank. According to the complaint, the defendant has failed to pay the two-thirds deposit since Sep- tember, 1939.
Out This Week!

MARTIN QUIGLEY
25th
ANNIVERSARY EDITION
of
MOTION PICTURE
HERALD
ISSUE OF SEPTEMBER 28TH

Martin Quigley's twenty-five years of service to the motion picture industry will be celebrated in the next issue of Motion Picture Herald—an issue that will be a record for the industry in many years to come.
Off the Antenna

NETWORK heads met with Charles Michelson, publicity director of the Democratic National Committee, yesterday to discuss the problem of political and non-political. The nature of the discussion. It is understood, however, that an agreement satisfactory for all around has been reached and that it will be reduced to an informal writing within the next few days.

Purley Personal: George McCoy has returned to the WHOM microphone with a new series of sidewalk interviews from 11:35 P.M. to midnight. He will work from a location at 44th St. and Broadway. . . . Helen Hayes will be guest of honor at a buffet supper at the Waldorf-Astoria following the first broadcast of "Helen Hayes Theatre" over CBS Sunday night. . . . Ida Bailey, WMA home economist, will do a series of articles for the Christian Science Monitor and do a regular column for the Boston Herald. . . . Billie Burke will be the subject of a promotion stunt for Elton Britt. . . . Estelle Brennan and Lila Paine have joined the staff of WNEW, while Maria Little has resigned to go to Compton agency. . . . Irving Parker, head of Radio Feature Service, Hollywood, is serving for conferences on Paley.

WHOM is toying with the idea of going to 50,000 watts as the result of the new frequency assignments effective March 29. WHOM now operates on 1,450 k.c.p. and has recently increased its power to 1,000 watts days, 500 watts nights, but the new assignment will be at 1,560 k.c.p. with a designation of Class B, or secondary clear channel station. Under the Havana treaty such stations may go to 50,000 watts, depending on geographical locations and interference with Class stations.

A unique sponsor in the form of a foreign government will take to the air this Sunday when Brazil sponsors "Washington Merry-Go-Round" with Drew Pearson and Robert S. Allen over eight NBC-Blue stations. It will be heard Sundays at 7 P.M. It is expected that the program will present "present Brazil and her problems which will be of sincere interest to the American people." and will emphasize the democratic form of government in Brazil, an announcement said. Canada also has a "Canadian Hour" sponsored by the Canadian government to promote travel in that country, but it is not sponsored. The program is an exchange broadcast with CBC.

Program News: General Mills has renewed "By Kathleen Norris" over 41 CBS stations and will switch the time to 10 A.M. Monday through Friday Sept. 30. . . . General Foods has renewed Kate Smith's noon period and "President's Choice" over 25 stations. "Confidentially Yours," and Wheeling Steel "Musical Steelworkers," . . . Ohio has adopted the CBS "School of the Air" for official classroom use, making 12 states in all. "Mrs. Broadhead," new daily half-hour interview Edna Perlow, Marc Connolly, Thornton Wilder, James Thurber, Katharine Hepburn, Dr. Frank Kingdon, Sidney Kingaley, Rodgera & Hart, Robert Sherwood, Alice Duey Miller, William Saroyan and Arthur Schwartz over NBC-Blue Friday at 9:30 P.M. in connection with the Democratic Woman's Day program.

NBC has revised its sales policy for daytime script shows, requiring sponsors providing the network with at least 90 stations. They have been in effect for some time but did not change the status of existing shows. However, all new shows and programs whose renewals occur after Oct. 1 must meet the requirement. Two renewals yesterday met the necessary conditions: "General Mills" is now leased over 51 instead of 48 stations and R. T. Watkins Co. added 18 stations for "Packadge Wife," bringing the total to 56. About 25 programs will be affected.

Canadian Summer Time Extended

TORONTO, Sept. 24.—The Dominion, as a war measure, has ordered that Daylight Time will be extended indefinitely beyond Sept. 29 throughout Ontario and Quebec in all industrial centers where it has been in effect, the move being taken at the direction of the Control-of-Electricity to obtain the maximum use of daylight in war industries. Previous Daylight Saving was extensively a matter for municipal choice but authority in this case has been placed under the direct control of the Federal Government in the future.

The decision has already caused considerable confusion in several quarters. The Canadian Broadcasting Corp. had just completed its entire revision of program schedules for the week beginning Sept. 25 and the lists have already been printed and distributed to daily newspapers for advance publication. These programs had been shifted to Eastern Standard Time and the time table had been rearranged to quite a degree to dovetail with programs broadcasting from the United States and England. All this work has now been tossed out and almost frantic efforts are being made to draw up new schedules and to advise sponsors and artists of the sudden change.

Loses Suit Against Winchell and NBC

A libel suit for $1,000,000 damages brought by Joseph Curran as president of the National Maritime Union against RCA, NBC, Walter Winchell, and Andrew Jer- gens Co., was dismissed yesterday by N. Y. Supreme Court Justice Jacob Blumenthal, who analogy contrived to the regulation concerning broadcasts in the public interest.

Defense Unit Ordered for Broadcasting

(Continued from page 1)

cooperation of the radio industry in developing the setup.

The board is basically a planning agency, without operating or procurement functions," it was stated. "As such it is charged with the important duty of maintaining, development, and control of our communication systems in the best interests of the national security.

The board will have no power to censor radio or other communications, or to take over any facilities.

Broadcasting and other forms of communication will come under the board which, however, it was said, "does not propose to interfere with the normal operation of broadcasting or other forms of communication, consistent with the national security. Through a correlated planning, it will seek to gear the great and strategically valuable American communication systems, in both the domestic and international fields, to meet any situation the national security may require."

It was explained that, with industry cooperation, the board will appoint committees from every branch of communications, including broadcasting, as well as from labor groups and that "all plans involving the utilization of facilities, necessary to the planning and requiring industry cooperation will be adopted only after consultation with such industry representatives, and the particular private companies whose properties may be involved."

The order provides specifically that the board will study the physical aspects of domestic standard broadcasting and shall recommend such preservation plans, adjustments, and reallocations as it shall deem desirable under foreseeable military conditions. The defense plans for the speedy and efficacious use of all necessary facilities in time of military emergency. The reports and recommendations are to be submitted to the President for final action.

NLRB Orders Vote At 4 Radio Stations

WASHINGTON, Sept. 24.—Secret ballots to elect collective bargaining agencies for transmitter operators at four broadcasting stations in Pennsylvania and Delaware were ordered today by the National Labor Relations Board.

Under the order employs at Stations WGAL, Lancaster, and WORK, York, Pa., and WLM and WDEL, Wilmington, Del., will vote on whether they desire to be represented by the Associated Broadcast Technicians unit of the International Brotherhood of Electrical Workers (A.F.L.).

Coonbe on Crosby Board

CINCINNATI, Sept. 24.—E. C. Coonbe has been elected to the board of directors of the Crosby Corp., filling the vacancy created by the resignation of Powell Crosby, III, as vice-president and director.

Land Arrives on Coast

Hollywood, Sept. 24.—David L. Law, Monogram contract department head, arrived here today from New York to establish his department here in line with the company's moving most of its departments to the Coast. . . .

G. T. E. Votes Dividend

Directors of General Theatres Equipment Corp. yesterday declared a dividend of 20 cents a share on the capital stock, payable Oct. 15 to stockholders of record Oct. 7.

San Francisco Station Sued Over Records

PHILADELPHIA, Sept. 24.—The National Association of Performing Artists has filed suit in Common Pleas Court charging an injunction to restrain KYW from broadcasting phonograph records. Use of records made on both the training and commercial programs, the bill states.

The suit contends that the station has required records made by members of N.A.P.A. despite the fact that the records were made for use only on phonographs in homes and that the association had forbidden their use for commercial purposes. The suit was filed by Maurice J. Speiser, N.A.P.A. counsel.

Major Nets Boycott S. F. Music Festival

SACRAMENTO, Sept. 24.—Major networks today refused to broadcast the music festival sponsored by Ascap at the World's Fair here this afternoon and evening. The festival, arranged by Gene Bock, Ascap presi- dent, featured many leading composers and musicians and the San Fran- cisco Symphony orchestra. A commissary was set up to allow for a boycott, and under the existing law is understood planning a trip to Wash- ington to file a formal complaint with the FCC, charging that the networks "boycotted contrary to the regulations concerning broadcasts in the public interest."


His work doesn't call for call for all the years. Frank Peters, operator at the suburban Gaetiy, neighborhood house, is a mobile advertiser for the three top networks, since in his opinion a "broad- cast" is a program which uses the backs and side of an old topless car as the medium. He is not content for paint- ing, he caricatures screen players and picture titles, and usually, with something that represents himself, they self also shown. The names of all depicted, including himself, are given.

Philadelphia Station Sued Over Records
British Trade Adjusts Itself to Blitzkrieg

Functions Without Any Sign of Panic

By AUBREY FLANAGAN

LONDON, Sept. 25—The film industry in England is gradually but unfaulteringly adjusting itself to the abnormal conditions occasioned by the almost constant air raids of Nazi planes over London.

A complete absence of panic marks the industry in its current functioning. Although many theatres in the vulnerable areas are down to 10 per cent of normal receipts, certain other areas are showing gains from earlier losses. The curfew principle is being extended here and there, voluntarily in some situations and under compulsion in others. Theatres in Portsmouth are closing at 9 P.M., in the South and Southeast Coastal areas at 10 P.M., and in other districts at various evening hours.

Among British productions currently in work for American companies are most notably, "An Empire Is Built!"

(Continued on page 3)

Allied Convention Discusses Decree

ATLANTIC CITY, Sept. 25—The proposed consent decree, particularly the five-picture clause, highlighted Lee W. Newbury's presidential address opening the 21st annual three-day convention of Allied Theatre Owners of New Jersey at the Hotel President here today.

There was a general discussion on this subject, as well as coin film machines, 16mm. film competition and (Continued on page 3)

Marguerite Clark, Silent Star, Dead

Marguerite Clark, 53, silent screen star, died of pneumonia yesterday at the Le Roy Sanatorium, Manhattan. She had been living here with a sister, Cora Clark, the latter being the only survivor.

Miss Clark was noted as a star of both stage and screen. Her film career extended from 1915 to 1921, during which time she starred in numerous films, such as "Wild Flower," "Goose" (Continued on page 3)

"Dictator" to Play Astor and Capitol

For the first time in the history of Loew's, its two principal Broadway theatres will be tenanted simultaneously by a picture of a company other than M-G-M when the United Artists film, "The Great Dictator," starring Charlie Chaplin, with Paulette Goddard and Jack Oakie, will be given its world premiere the evening of Oct. 15 at both the Astor and the Capitol theatres. This new Chaplin film, the subject of the greatest industry comment since "Gone With The Wind," will, thereafter, be given a city-wide run at both these houses, two-a-day at $2.20 top at the Astor and $1.75 cents to $3.10 on a continuous run policy at the Capitol.

(Continued on page 3)

Consent Decree to Be Complete Friday

The proposed Federal consent decree will be in complete legal form by tomorrow evening. Government spokesmen here said yesterday. The supplemental arbitration proposals will be in final form on the same day.

Copies of both will be sent to Washington at once for checking and confirmation by the Department of Justice as well as for comparative study by Attorney General Robert Jackson. Copies will also go to the five contesting companies for their checking with previous drafts and final approval.

The principles of the consent decree have undergone no change in the process of placing the draft in legal language, which has been under way for the past four weeks. Any changes in the formal draft prior to its confirmation.

(Continued on page 3)

'M-G-M Films To Music Hall

A closer alliance is being fashioned by W. G. Van Schmus, director general of the Radio City Music Hall, and M-G-M sales officials, whereby the Rockefeller Center theatre will be able to play more Metro pictures in the coming season.

Impetus to such an alliance was first given by the profitable results which the theatre achieved with Metro product during the past season when six Metro pictures were responsible for approximately 30 per cent of the theatre's gross. Under Van Schmus, the theatre in 1939-40 has had the most successful season in its history, and is likely to break all records for the

(Continued on page 3)

 Majors Begin Surveys to Determine Number of Employees Subject to Draft

Four major companies have begun surveys to determine the number and identity of employees in all branches of their service who are subject to conscription. Questionnaires have been distributed to employees to determine which of those eligible for conscription are most likely to be selected. Companies conducting the surveys include Warners, RKO, 20th Century-Fox and Loew's. Other companies may undertake similar studies later to determine whether any replacement problem is in prospect should an unexpectedly large number of employees be subject to conscription. In some cases, however, it is stated that no study is contemplated due to the fact that it is readily ascertainable that no great number of strategic positions are filled by those likely to be conscripted.

(Continued on page 3)

Reviews

"Spring Parade," "The Secret Seven," "So You Won't Talk."—Page 3
Personal Mention

WILLIAM F. RODGERS, M-G-M general sales manager, will leave for Atlantic City this afternoon.

PHIL REISMAN, RKO foreign manager, leaves tomorrow from Buenos Aires for Rio de Janeiro, to plan a convention there.

JOSEPH S. SCHINCK, 20th Century-Fox board chairman, arrived yesterday on the Coast from New York.

LOUIS B. MAYER is in town from a short visit to Lexington, Ky., before returning to the Coast. He is accompanied by HOWARD STRICKLING.

AL MAROGLIES, United Artists publicist, will return today from Washington where he handled opening arrangements for "Foreign Correspondent."

GENE DUCK, Ascd president, will arrive from San Francisco this week end.

SAM RINZLER, Adolph Zukor, Free Lang, and Max Dreyfus having lunch at Nick's Hunting Room in the Astor yesterday.

JOHN ROYAL, John Hertz, Jr., Harry Goetz, Joseph Moskowitz, Arthur Low, Owen Davis, Lee Shubert, and Thomas Cartale at Sadie's yesterday for lunch.

JACK GOETZ, Stanfield Fields and Mitzi Green having lunch yesterday at Linny's (51St) yesterday.

HARRY BUCKLEY, Harry Gold, William Marx, Eugene Picklev and Sol Edwards at Linny's (next to the Rivoli) for lunch yesterday.

WILLIAM A. SCULLY, Lou Pollock, Hank Linet, Paul Benjamin, Dwight Wiman, James Cron, Joseph McVittie, and Maurice Bogman at the Tavern yesterday for lunch.

THOMAS E. ROBERTS, son of William A. Roberts, manager of the Shawnee, Plymouth, Pa., was married recently to ELEONOR JEAN CHAPIN.

THOMAS HOFFMAN of the Cornerford Theatres real estate division in Scranton recently married CATHERINE O'BOYLE. They are on a wedding trip to the Midwest.

ALLAN KAHN, owner of the Pennington Theatre, Baltimore, is the father of a daughter, CAROL ANN, born this week.

Fay's Raisin Prices

PROVIDENCE, Sept. 25—Fay's Theatre will put a slight advance in its admission scales into effect on Friday to bring the house, specializing in RKO films, in line with slightly above the tariffs of the second rank. The new scale will be: to 3 P.M., 33 cents downstairs and 20 cents upstairs; evenings and Saturdays and Sundays, 39 cents and 25 cents upstairs.

Lamberton Demands Actors' Purgation

WASHINGTON, Sept. 25.—"Members of the various actors' unions need to get busy on a thorough, drastic housecleaning," Rep. William P. Lamberton of Kansas said today in connection with his charges that Actors Equity is dominated by Communists. "Lamberton said he would turn the material and records he has accumulated over to Rep. Martin Dies when the latter's committee on un-American activities undertakes its investigation of theatrical unions. In remarks inserted in the Congressional Record, Lamberton charged that "certain powers" in Equity were determined that the general membership shall not be acquainted with the extent to which the union is under Communist influence.

Momand Will Take Depositions Here

Notice was filed yesterday in the U.S. District Court by Peter Momand and Loretta L. Momand, plaintiffs in three anti-trust suits against the major companies and Griffith Amusement Co., that oral depositions will be taken in New York City of James P. Cunning- ham of Quigley Publications and Win- field Andrus of Film Daily on Sept. 30, and Harris D. H. Connick on Oct. 1.

It is understood that Momand seeks deposition regarding a compilation of film trade year books.

The notice also called for the examination of Fred C. Stone in Portland, Me., on Oct. 3. Two of the suits, which charged conspiracy to violate the anti-trust laws and to restrict exhibition in the U.S. District Court of Massachusetts, and the third in the District Court of Oklahoma.

SWG, Producers Reach Agreement

Hollywood, Sept. 25.—The Screen Writers Guild and Producers have reached an accord on a proposed collective bargaining agreement and a pact is now ready for submission for the approval of the respective memberships.

The S.W.G. has called a special meeting for tomorrow night, when it is expected approval of the proposed contract will be asked by the negotiating committee, headed by Sheridan Kullr, president.

Rodgers Tells I.T.O. Policy Is Flexible

The M-G-M sales policy is flexible, William F. Rodgers, M-G-M general sales manager, told the New York I.T.O., at a luncheon meeting at the Hotel Astor yesterday, and pictures will be sold during the 1940-'41 season in accordance with the needs of each situation. The I.T.O., at its meetings is discussing the sales policies of each distributor. No date was set for the next meeting.

MOTION PICTURE DAILY

Bernhard on N. J. Council of Defense

Joseph Bernhard, general manager of Warner Theatres, has been named a member of the advisory committee of the New Jersey Defense Council by Governor Harry A. Moore.

Disney Gives Short To Community Funds

"The Volunteer Worker," a three-minute short in color, has been produced and donated for use in the 1940 Community Chest campaigns in this country and Canada. The feature, which features Donald Duck as a solicitor of community chest donations, will be available to theatres in community chest cities during their local campaigns, most of which are scheduled for October and November. Dr. A. H. Gambini is vice-chairman of the project. Prints may be obtained from local offices of Community Chests and Councils, Inc.

Order Cassil Bill Oct. 6

KANSAS CITY, Sept. 25.—Sustaining defendants' motion for a bill of particulars, Federal Judge Merrill E. Otis has asked for such a bill from Eugenia and Frank Cassil, Rialto, St. Louis, Mo., by Carol Cassil. The Cassils have sued Dubinsky Brothers and major distributors for $450,000 damages. At a hearing Judge Otis asked the Cassils to be more specific with respect to the alleged "agreement" among defendants to eliminate the Cassils.

Cartoon Pact Reached

Hollywood, Sept. 25.—A tentative agreement has been reached by the Screen Cartoonists' Guild and M-G-M. The pact, a five-year contract for the workers in the studio cartoon plant. Pat Casey, producers' labor contact, said that talks will have been set for next week to reduce the agreement to writing.

Heads Guild Council

Hollywood, Sept. 25—F. W. "Big" Harburg, chairman of the Screen Actors Guild Council, governing extra players, succeeding Robert Davis, who recently resigned because of reported inernal friction.

See Duals Near End in Mexico

MEXICO CITY, Sept. 25.—Double bills in Mexico are seen near extinction, owing to the prospects that the war will make Hollywood further curtail production, and the increasingly critical economic situation in this country. All houses, it is estimated, will be down to single early next year, if not sooner.

There has been no looking as yet by local exhibitors for 1941. They want to see what is going to happen, and whether or not the new presen will be able to take office on Dec. 1 without violence.

Another production company is being organized here, Popo Films. Its moving pictures are Lie. Adolfo Fernandez Buxastan, noted lawyer, and Fernando Rivera, a director. The company is to get going in the fall on its first feature film, an album, "History of Talkies in Mexico," composed of excerpts from all pictures made in Mexico since 1930, when the first film was produced down here.
Allied Convention Discusses Decree
(Continued from page 1)
poster rentals. Other problems posed by Newbury were triple and dual features, "juggling of admission prices, Federal aid to the radio's "Pot o' Gold" program and sales policies.

Newbury appointed a resolutions committee including Harry H. Lowenstein, Maury Miller, Morris Spevack and Jacob Unger, and a nominating committee that was composed of George Gold, Dave Snaper, Irving Dollingen, Harry Hect, Helen Hildingen, Ralph Wilkins and Sidney Samuelson.

Features of the afternoon session will be an address by Col. H. A. Cole, national Allied president, and the first report of "D.S.A." for its Information Department on its film buying survey. High spot on Friday will be an address by Abram F. Myers, Allied general counsel, and a testimonial banquet to Myers in the evening.

Consent Decree to Be Complete Friday
(Continued from page 1)
ception are expected to be of a minor nature.

Completion of the draft on Friday would give Washington and the consenting companies one week in which to check the document, and agree upon and revise any disputed phraseology, before the draft is presented to Federal Judge Henry W. Goddard for approval on Oct. 7. Also, it leaves only one week for exhibitors to perfect their plans for opposing the adoption of the decree in its present form.

Ed Kuykendall, M.P.T.O.A. president, is scheduled to confer with Government officials in Washington next week.

Industry in Britain
Is Adjusting Itself
(Continued from page 1)
for Warners at Teddington; "Quiet Welding," Sokolin production for Paramount, and "Eighth Street Girl," for Century-Fox. All are continuing despite the bombing raids. The RKO film, "The Sailor's Vacation," is due to start in work immediately.

United Artists has evacuated its distribution headquarters on Wardour Street (London's Film Row). Despite the bombings, most of the operations on Wardour Street are still operating, except for some of the foreign offices, and in office buildings are exceptional. Universal's adoption of a "spotter" system is permitting work to be carried on with a maximum of efficiency, considering conditions.

Exhibitor Meet Monday
KANSAS CITY, Sept. 25 — The meeting of directors of all glass Milleri Theatres Association has been postponed to next Monday by Frank Cassil, president, who operates the Kilato in St. Joseph, Mo. Directors are expected to set a convention date, and discuss the consent decree and price increases on certain films.

Feature Reviews
"Spring Parade" (Universal)
DEANNA DURBIN'S latest starring vehicle under the capable guidance of Henry Koster, director, and Joe Pasternak, producer, emerges as another delightful hit for the youthful and lovely young player. This is entertainment for the whole family, anywhere, any time.

The story, one of young romance in the always pleasant setting of the waltzing Vienna of the end of the 19th Century, is filled with definite touches of enjoyable humor, the expert performances of a highly capable cast, and the wholly delightful singing of Miss Durbin.

The music and lyrics by Robert Stolz and Gus Kahn are most certainly a vital part of the entertainment with which the film is laden from beginning to end. Bruce Manning and Felix Jackson, who prepared the screenplay from an original story by Ernst Marischka, put the emphasis on the good humor of the story, kept the continuity smooth and lively, and never permitted the dramatic elements to gain the upper hand, while Koster saw to it that Miss Durbin remained in the forefront of the picture at all times.

In admirable support are Mischa Auer, Robert Cummings, Henry Stephenson (who plays the Emperor); Butch and Buddy; S. Z. Sakall and Anne Gwynne in particular. Miss Durbin, peasan girl at a country fair, has her fortune told, learns she will go to Vienna, fall in love with an artist and be aided by a great person. Falling asleep on the haywagon of Sakall, the baker, she goes to Vienna, meets Cummins, army bandsman and budding walts composer, and they fall in love. To save the revolutions in Russia, Sakall makes a speech, and when he sees the Imperial families, she rolls a note and one of Cumminings' compositions into the saddlebags for the Emperor. Sakall is arrested for attempting to poison the Emperor, and Miss Durbin succeeds in gaining an audience to save him. Stephenson fulfills Sakall's long-standing ambition, to be named pur- ...
Foreword

The life of Knute Rockne is its own dedication to the youth of America, and to the finest ideals of courage, character and sportsmanship for all the world. Knute Rockne was a great and vital force in moulding the spirit of modern America through the millions of young men and boys who loved and respected him, and who today are living by the high standards that he taught.

This picture has been made with the permission and valuable assistance of his widow, Bonnie Skiles Rockne.

Appreciation is expressed to the University of Notre Dame for its gratuitous co-operation.
So Stirringly Produced by Warner Bros.
ITS FAME WILL MATCH
THAT OF THE NAME IT PROUDLY BEARS

KNUTE ROCKNE
ALL AMERICAN

INAUGURATING NATIONAL KNUTE ROCKNE WEEK
WITH 4-THEATRE PREMIERE AT SOUTH BEND, OCT. 4
(Sold out 1st day of ticket sale at $1.65 top)

with

PAT O'BRIEN
GALE PAGE • RONALD REAGAN • DONALD CRISP

Directed by LLOYD BACON

Original Screen Play by Robert Buckner • Based upon the private papers of Mrs. Rockne
and the reports of Rockne's intimate associates and friends.
A Warner Bros.-First National Picture
End Squabble Of Two Parties On Radio Time

The vicious circle of alternating demands for free time by Democratic and Republican campaign committees has been interrupted to the satisfaction of all concerned.

An understanding reached between network officials, called the “deal of the century,” was announced yesterday by Captain Howard Reynolds, president of the United States Conference of Broadcasters, and will let the whole matter rest until after Election Day. At that time there will be a further meeting, and if the Democrats still feel aggrieved some form of mediation or arbitration will be used to determine whether the networks should rebate the charges for one speech to the Democrats.

With the Democrats withdrawing their demands yesterday, it was said the Republicans will have no basis for further requests for free time and even if they try to have to defend the charges for one Democratic speech they will have eliminated the ends.

The Coffeyville speech was broadcast free of charge because the Republicans claimed President Roosevelt’s Labor Day speech was political. The Coffeyville speech was non-political and asked time to answer the political Coffeyville speech.

In the view of the fact that neither party pays for the time until after the campaign is over the adjustments will not involve a difficult bookkeeping job.

Canada in America

‘School of the Air’

MONTREAL, Sept. 25.—Along with 12 other nations of North and South America, Canada will cooperate during the coming season in the “School of the Americas,” according to the Canadian Broadcasting Corp.

The series of broadcasts is designed to give nations of the Western Hemisphere a clearer understanding and better appreciation of each other’s culture, history and talents. Actual production will be handled by CBC in the United States and Canadian items and material will be contributed by CBC here.

In addition to supplying material for the program, CBC will carry it over the national network two afternoons each week, starting Oct. 8, and teachers in schools across the Dominion are agreeing to use the broadcast in classrooms. A manual for such teachers is being prepared by CBC.

Town Hall to Sponsor Lectures on Radio

TOWN HALL will present a series of lectures on Radio and How to Use It” this Fall. FCC Chairman James L. Fly will open the series on Oct. 17 with “Radio in America Today.”


Dismiss Radio Suit

Federal Judge Samuel Mandelbaum has dismissed the suit of American Broadcasting Co. for damages against the Wahl Co. and Blowe Co., Inc., to leave the air.

The defendant, operator of WOL, Washington, claims that the defendants’ radio program “Take It or Leave It” infringes upon the plaintiff’s program “Double or Nothing.”

McCrea in ‘Pioneer’

Hollywood, Sept. 25.—Joel McCrea will co-star with Barbara Stanwyck in Paramount’s “Pioneer Woman,” a William A. Wellman production.

Set Bette Davis Film

Hollywood, Sept. 25.—Warner to-day announced that the next Bette Davis vehicle would be “January Heights,” co-starring George Arliss. The film is due to start Oct. 21.

Connelly Suggests Heavy Radio Taxes

WASHINGTON, Sept. 25.—Heavy taxes on radio were suggested today by Rep. James L. Connelly as a check on monopoly and as protection for the industry. He pointed out that advertising revenues are threatened.

Attacking the radio monopoly, Connelly said, “Competing with newspapers provide employment for more than 100,000 workers at an average weekly wage of $30, while 700 radio stations employ only 11,000 persons at an average less than $30 and some 2,600 musicians and artists receive as much as $2 a week with part time work.

Connelly said that most newspapers of 100,000 or less on their investments during the past 10 years while the two major groups have shown net profits of almost 100 per cent on their investments during the past 12 years.

He asserted that it was not his desire “to cripple or hinder the radio industry” and pointed out that it “fulfills information and pleasure to many millions of our people” but added that the preservation of a free press was essential to democracy.

Cleveland School Board Shift to FM System

WASHINGTON, Sept. 25.—The Federal Communications Commission has authorized the Cleveland Board of Education to change the city’s school system of educational radio from amplitude modulation to frequency modulation, changing the board’s station, WBOE, from 41,500 to 42,500 kilocycles and increasing its power from 500 and 1,000 watts.

Stations KUJ, Walla Walla, Wash., and KKLQ, Clarksburg, W. Va., have advertised with exchange frequencies, the former moving from 1,370 to 1,390 kilocycles and increasing its power from 500 to 1,000 watts, and the latter moving from 1,390 to 1,370 kilocycles but retaining its present power of 100 watts.

The commission cancelled the license of WRTD, Richmond, Va., and ordered hearings, at dates to be set later, on the applications of the Harlen Broadcasting Co. for a new 1,420-kilocycle, 250-watt station at Hartington, Tex.; Stephen R. Rensford for a new 1,370-kilocycle, 250-watt station at Stamford, Conn., and Station WGNY, Newburgh, N. Y., for a new 1,390-kilocycle, 250-watt station at Clarksburg, W. Va. and 1,240 to 1,370 kilocycles and extension of time from day to unused.

Seek K. C. Band Shell

KANSAS CITY, Sept. 25.—Effort is being made here to obtain approval for a $40,000 project for erecting a band shell large enough to accommodate the Kansas City Philharmonic, so that it can give year-around performances. The orchestra plays only during the Winter season.

Library Party Tomorrow

The Museum of Modern Art Library will have a reception in the penthouse of the Museum tomorrow to celebrate the acquisition by the library of the entire News film library dating from 1910 to 1930.
"MUST BE AN ARMY ON THE END OF THIS, PAPPY!"

"YOU'RE RIGHT, POPEYE... WHAT PULLING POWER!"

"MAYBE IT'S THAT MAN-MOUNTAIN, GULLIVER, COME BACK!"

POPEYE
For box office pulling power, POPEYE—spinach-eating, hard-slogging hero of the screen's most popular cartoon—has never been licked! He's appearing in TWELVE fun-packed Max Fleischer Shorts in 1940-41.

POOPDECK PAPPY
Popeye gets real help for pulling 'em in, beginning with the release of "PROBLEM PAPPY" in October! "Poopdeck Pappy," the walloping sailor's pop, makes his screen bow in this short. Popeye fans will be nuts about him—just as the readers of the Popeye cartoon strip are nuts about him now!

GABBY
He's a little man—but he's definitely THERE when it comes to box office pulling power! Gabby, who took America by storm in "Gulliver's Travels," is very of a series of EIGHT TECHNO-NORE SHORTS to be released beginning in October. First release is "Ring For a Boy"—watch it pull 'em in!
PULLING 'EM IN IS ONLY
CHILD'S PLAY FOR
SUPERMAN

The biggest single draw in cartoons today, "SUPERMAN" adds his terrific pulling power to the Paramount line-up in a series of Max Fleischer shorts in production NOW for release starting at Christmas!

"SUPERMAN" THRILLS MILLIONS

... the "Superman" strip appears in 182 leading newspapers... "Superman Magazine" has a circulation of more than a million... the "Superman of America" Club now has an enrollment of more than a million kids... the "Superman" radio program reaches more millions... surveys show it is one of the leading serials on the air... "Superman" reaches 870,000 additional readers through "Action Comic Magazine"!

And when the "Superman" shorts are released, more than twenty authorized licensees will be hitting the stores of the nation with "Superman" merchandise... naturals for theatre tie-ups!

Remember there's plus PULLING POWER in all these
PARAMOUNT Shorts

6
"UNUSUAL OCCUPATIONS"
In Cinecolor! Always in demand by exhibitors who know!

6
"FASCINATING JOURNEYS"
In Technicolor! Your customers want to go places... take them there in your own theme!

4 Single Reel
Robert Benchley Comedies
A stand-out in any program. Book it and advertise it... watch the customers go for it!

"RAGGEDY ANN"
A two-reel cartoon in color - one of the biggest hits you've ever played!

6 Paramount
"PARAGRAPHERS"
The top-notch series now also known as Academy Award Winner, "Busy Little Bears!"

6
"MADCAP MODELS"
In Technicolor! Featuring three charming, amazingly human, new little figures in plastic!

13 Grantland Rice
"SPORTLIGHTS"
With Ted Husing announcing the best sports shorts in the business!

6
"POPULAR SCIENCE"
In Cinecolor! Sixth year... and still growing in popularity!

8
"HEADLINERS"
This series is hot as the bands it brings you... hot as the tunes they swing!

10 Max Fleischer's
"ANIMATED ANTICS"
New songs... new tricks... new characters... including Twinkletwins, the Three Spies and others you demanded!
**'Boon Town' Hits $50,000, Tops Boston**

Boston, Sept. 25—Grossing $80,000 in its first week at Loew's State and Orpheum, "Boon Town" was a standing-room-only hit in a firm week. The State and $28,300 at the Orpheum, "Hired Wife" took $15,500 at Keith's Memorial.

Estimated takings for the week ending Sept. 18:

- **Laughing at Danger** (Mon.): $3,500
- **Call to China** (RKO): $3,500
- **Keighley** (U.A.): $12,400

**'Correspondent' at $12,400, Providence**

Providence, Sept. 25.—Opening of the Metropolitan on a stage-screen policy gave regular film exhibitors some competition from "Foreign Correspondent" and "The Golden Fleecing" at Loew's State took $12,400 and the new release the Carlton $3,900 for the third week.

Estimated takings for the week ending Sept. 18:

- **The Ramparts We Watch** (RKO): $3,500
- **Saps at Sea** (U.A.): $3,500
- **The Golden Fleecing** (M-G-M): $3,500
- **A Run for the Money** (Warner Bros.): $3,500
- **River's End** (W.B.): $3,500
- **Turtle Ship** (M-G-M): $3,500

**'Sea Hawk' Draws $18,000 in Detroit**

Detroit, Sept. 25.—"The Sea Hawk" and "Ladies Must Live" grossed $18,000 at the Michigan, while the Fox drew $15,500 with "Brigham Young—Frontiersman."

Estimated takings for the week ending Sept. 19:

- **He Stayed for Breakfast** (Col.): $15,500
- **The Lady in Question** (Col.): $15,500
- **Brigham Young—Frontiersman** (20th-Fox): $15,500
- **Sailor's Lady** (20th-Fox): $15,500
- **The Lady in Question** (Col.): $15,500

**Estate Approves Thirteen New Films**

The National Legion of Decency for the current week has approved all of the 13 new films reviewed and classified, nine for general screening and four for adults. The new pictures and their classification follow.


**Legion Approves Thirteen New Films**

The National Legion of Decency for the current week has approved all of the 13 new films reviewed and classified, nine for general screening and four for adults. The new pictures and their classification follow.


**Heads Warner Club**

Albany, Sept. 25.—The Capital District Warner Clubs at a joint meeting elected James Moore, Warner, as speaker to succeed Max Friedman as president. Other officers are: Joseph Weinstein, vice-president for entertainment; Charles Pollock, vice-president for welfare; Howard Goldstein, vice-president for membership; Pauline Steinbach, secretary; Joseph Tannick, treasurer, and Jacob B. Fauhman, chairman of loans and contributions.

**Brennan to Opening**


**'Howards' Has Good $18,300, Philadelphia**

Philadelphia, Sept. 25.—There were mostly holdovers at the downtown houses. "The Howards of Virginia" at the Stanley took $18,300, "Wyoming," at the Stanton, did $5,900. Water conditions were perfect.

Estimated takings for the week ending Sept. 18:

- **Captain Caution** (U. A.): $12,000
- **Aldine** (3,400): $12,000
- **Franklin** (Col.): $12,000
- **No Time for Comedy** (R. B.): $12,000
- **Boon Town** (M-G-M): $12,000

**'Rescind Mexican Ban on 'Ninotchka'**

Mexico City, Sept. 25.—Lifting of the exhibition ban on M-G-M's "Ninotchka," which was imposed some time ago because the powerful Confederation of Mexican Workers objected to the film's spoiling of Communism, has resulted from the stand President Lazaro Cardenas has taken against the Red doctrine.

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**11 Pa. Towns to Vote On Sunday Pictures**

Pittsburgh, Sept. 25.—Eleven communities in the Greater Pittsburgh area, representing approximately 119,000 population, will vote on Sunday films at a referendum on the Nov. 5 election.

Three are now legal in three of the 11 boroughs: Carnegie, Castle Shannon, and Springdale.

Other opposition voting now without Sunday films are Brackenridge, Brentwood, Crafton, Harrison Township, Munhall, Tarentum, Turtle Creek, and Wilkinsburg.

**Tax Toronto Marques**

Toronto, Sept. 25.—The Toronto government has decided to impose a license fee on all marques based about the area covered by the projections at the rate of 25 cents per square foot, payable annually.

**Virginians at Opening**

About 300 members of the Virginians of the City of New York will attend the premiere of "Howards of Virginia" at the Music Hall tonight. They will gather for a reception in the studio penthouse before the performance.

**Extend Metro Contest**

The M-G-M exploitation contest among independent exhibitors has been extended to include releases from the start of the new season to Nov. 1. Prizes for the best campaigns will total $10,000. Lickey participants total more than $3,800 to date.

**Esther Ralston in Film**

Hollywood, Set. 25.—After an absence of two years, Esther Ralston has arrived in Hollywood to play the role of Nora Bayes in "Tim Pan Alley" for 20th Century-Fox.
Spurred by the desire to bring talking pictures to an ever higher state of technical perfection, ERPI and Bell Telephone Laboratories will continue to work hand in hand to anticipate and solve your problems of tomorrow. In years ahead, you can depend upon these two organizations to point the way to still finer apparatus for recording and reproducing sound in pictures.

*Electrical Research Products Inc.*

195 BROADWAY, NEW YORK, N. Y.

SUBSIDIARY OF

*Western Electric Company*
MYERS ASKED
TO CALL ALLIED
DEGREE MEET

Demand Made at Session
Of N. J. Convention

ATLANTIC CITY, Sept. 26.—Abram F. Myers, Allied States general counsel, was asked here today to call a meeting of the organization's leaders to further discuss the pending Federal consent decree and the problem which may confront exhibitors as a result of the block-of-five sales proposal.

Demand for the meeting was made upon Myers by Jack Kirsch, president of Illinois Allied and vice-president of the national organization, in an address to the convention of Allied of New Jersey in session at the Hotel President here.

National Allied has been reported to be amenable to the consent decree as it stands, despite numerous resolutions by its affiliated units condemning the block-of-five proposal. Myers will address the convention tomorrow on the decree.

In his address, Kirsch also attacked double and triple features and gave (Continued on page 4)

NAME WOMEN'S UNIT
FOR 'NIGHT OF STARS'

Mrs. Herbert H. Lehman, wife of the Governor of New York, and Mrs. Roger W. Straus, honorary chairman and executive chairman, respectively, will head the Women's Division of the seventh annual "Night of Stars" show for refugee aid at Madison Square Garden, on Nov. 27. The proceeds will go to the United Jewish Appeal.

Other members of the Women's Division are: Mrs. Richard Gottheil, Mrs. Ferdinand Sonneborn, and Sophie Tucker, honorary chairman; Mrs. Ted Lewis, Mrs. Leo Spitz and Mrs. Joseph Strock, chairman; Mrs. Barney Balaban, Mrs. Nathan Blumberg, Mrs. Sol Bortapar, Mrs. Israel Goldstein, Mrs. Hal Home.

PUSH CLOCKS BACK

Daylight Saving Time will come to an end at 2 A. M. Sunday morning, the last Sunday in September, and all timepieces are to be set back one hour, making up the hour lost at the end of last April.

NEW YORK, U. S. A., FRIDAY, SEPTEMBER 27, 1940

TEN CENTS

U.A. AND COLUMBIA
MAY FIGHT DEGREE

UA Producers
Split $250,000

A dividend of $250,000 is available for division among United Artists producers under the Maurice Silverstone producers' bonus plan, it was learned yesterday.

A proposed change in the basis of the total grosses of individual producers' units will be made in the decree, the pucrider to participation in the bonus, with the extent of the participation determined by the total gross of each producer's contributions.

The producers' bonus plan was inaugurated by Silverstone, United Artists chief executive, in 1926, and has been followed every year. Largest participations in earlier divisions of the bonus have gone to David O. Selznick, Samuel Goldwyn, Alexander Korda and Walter Wanger.

Action Would Be Based On Alleged Conspiracy In Escape Clause

United Artists and Columbia, individually, are considering the advisability of taking legal steps to oppose the Federal court's approval of the proposed consent decree in the New York anti-trust case, it was learned yesterday.

Intervention would be based upon the contention that the decree's escape clause embodies a conspiracy to force non-cooperating companies to become parties to the decree to the possible injury of their business, and that the wording of the clause implies discrimination or compulsion against non-consenting companies.

The United Artists board of directors, at a meeting yesterday, considered the advisability of opposing the decree in court. No final decision was made but board members were furnished copies of the escape clause and decree for further study.

Columbia officials also have been studying implications of the escape.

(Continued on page 4)

PACT GIVES WRITERS
80% GUILD SHOP

Hollywood, Sept. 26.—An 80 percent Guild shop is provided in the Screen Writers Guild contract with producers announced tonight at a mass meeting of film writers here. The agreement will run for six months, provides for S.W.G. credit and machinery to settle disputes.

A desire of Guild and producer committees to "get something down on paper" is believed the reason for the short term of the contract.

ARNOLD ON COAST FOR
FOX WEST COAST CASE

LOS ANGELES, Sept. 26.—Thurman W. Arnold, assistant U. S. Attorney General, arrived here today and spent several hours confering with Harold Collins, special assistant, on records concerning the Government citation of Fox West Coast and major distributors for alleged consent decree violations. Disposition of the contempt charges against Fox West Coast awaits outcome of the New York anti-trust suit.

COAST INDEPENDENTS OFFER
PROGRAM REPLACING DEGREE

LOS ANGELES, Sept. 26.—The Pacific Coast Conference of Independent Theatre Owners has proposed to the Department of Justice an 11-point trade practice program with the recommendation that the pending Federal consent decree be scrapped in its entirety and replaced by the suggested 11-point program, it was disclosed here today.

The West Coast exhibitor organization's proposals for trade practice reforms are as follows:

All contracts for features shall clearly identify individual pictures; the burden of proof as to whether or not the pictures described were subsequently delivered to rest with the distributor.

The exhibitor shall have the right to cancel 20 per cent of the pictures.

Distributors shall not have the right to designate preferred playing time. Distributors shall not force western reissues, reprints, serials, foreign productions, shorts, newsreels or trailers with any picture or features.

All clearance shall be computed from the opening date of the first run in each exchange territory. Unfair clearance shall be eliminated.

When an exhibitor buys a selective contract he shall be required to give notice of rejection or rejection of any picture covered by the contract within one week of receipt of a notice of unavailability, in order to establish definite availability dates for such pictures for subsequent runs.

A new, brief standard exhibition contract shall be prepared with the

(Continued on page 4)

U.A. Releases Will
Dominant Broadway

With the opening of Alexander Korda's "Thief of Bagdad" at the Globe Oct. 21 or 22, United Artists will have a virtual monopoly on Broadway, with films in six houses.

In addition to "Bagdad," on a roadshow policy, scaled up to $229, U. A. will have Charlie Chaplin's "The Great Dictator" at the Astor and Capitol; Walter Wanger's "Long Voyage Home" at the Rivoli; Samuel Goldwyn's "The Westerner" at Radio City Music Hall, and Wanger's "Foreign Correspondent" at Loew's State, all at approximately the same time.

ASCAP SEES
Radio Fight
Settled Soon

 Settlement of the feud between broadcasters and Ascap before Jan. 1 was foreseen by John G. Paine, Ascap general manager, at a meeting of board leaders yesterday. The meeting was called at the suggestion of Russ Morgan, who saw extensive music libraries valued at over $20,000,000 jeopardized by the fight.

The board leaders will meet with Broadcast Finance, Inc., on Monday.

(Continued on page 9)
Art Theaters End French Film Cycle

Foreign film distributors here are of the opinion that the "art" theatre has ended its cycle of French films as a result of the collapse of the French nation. There is a possibility that Spanish product may replace the French, but hardly in sufficient quantity to pay the way of the art theatres of the country. As a consequence, many of that type of intimate theatre, located for the stage where cities are closing or already have closed for lack of suitable product.

André Heymann, president of the French motion picture producers association, has several French pictures supposedly en route from France, with which his firm has lost contact, believes there is little chance of production being resumed in France while the country is occupied by the Nazis. Other executives see this as a transition year for the art theatres, with an expected change from French to Latin American product.

Court Extends City Control Over Signs

The city's control over large display signs was extended yesterday when Magistrate Michael A. Ford ruled that permits must be obtained for signs that are lighted indirectly as well as those having regular illumination.

Magistrate Ford gave the decision in Municipal Term Court, finding the Herald-Statesman Theatres Corp. operated by the Paramount on Broadway, $50 for failing to obtain a city permit and pay 10 cents a square foot for a big sign used last April which was illuminated by floodlights on the building. Officials said the ruling would open up a source of thousands of dollars of revenue for the city.

Conn. MPTO Against Price Slash for Tax

New Haven, Sept. 26.—The Connecticut M.P.T.O. membership, surveyed by the organization to determine its reaction to lowering the admission level for the Federal defense tax, has voted to continue unanimously in opposition to such a reduction, according to Herman M. Levy, executive secretary.

Clark Rites Tomorrow

Funeral services for Margarette Clark, silent screen star who died here June 17, will be held at 11:30 A.M. tomorrow at the Frank E. Campbell Funeral Church, Madison Ave. and 81st St. After cremation, the ashes will be taken to New Orleans and placed in the family mausoleum beside those of her husband, who was Harry P. Williams.

Goldwyn Leaves Today

Samuel Goldwyn will leave for the Coast today after a week in New York during which he conferred with Lillian Hellman, who is working for his forthcoming production "The Little Foxes," and retained George Z. Meddick, former U. S. District Attorney, to replace the late Max Steuer as his attorney in his contract litigation with United Artists.
**OPENING TOMORROW**

**THE 1940 FOOTBALL SEASON**

**Dates of the Big Events!**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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</table>
| **December 7** | Notre Dame vs. Univ. of So. California  
Played at Los Angeles |
| **November 30** | Army . . . vs. . . . Navy  
Played at Philadelphia |
| **November 23** | Yale . . . vs. . . . Harvard  
Played at New Haven |
| **November 16** | Missouri . . . vs. . . . Oklahoma  
Played at Norman |
| **November 9** | Minnesota . . . vs. . . . Michigan  
Played at Minneapolis |
| **November 2** | Duke . . . vs. . . . Georgia Tech.  
Played at Philadelphia |
| **October 26** | Cornell . . . vs. . . . Ohio State  
Played at Ithaca |
| **October 19** | Alabama . . . vs. . . . Tennessee  
Played at Birmingham |
| **October 12** | Texas A. & M. . . vs. . . . U.C.L.A.  
Played at Los Angeles |

**October 4**

The year’s most thrilling football event!

**PARAMOUNT’S**

**“THE QUARTERBACK”**

Makes 100% perfect score with New Rochelle preview audience, which turned into a Paramount cheering squad when those laughs started rolling. Play “The Quarterback” on your home ground and score a touchdown at your box office!

---

**“THE QUARTERBACK”** A Paramount Picture with Wayne Morris • Virginia Dale  
Lillian Cornell • William Frawley • Edgar Kennedy • Jerome Cowan • Alan Mowbray
\textbf{U. A. and Col. May Contest Consent Pact}

(Continued from page 1)

\textbf{Coast Independents Offer Program Replacing Declere}

(Continued from page 1)

\textbf{Myers Asked to Assemble Leaders on Suit Declere}

\textbf{Altec in Sound Deal On Veteran Hospitals}

\textbf{Films in Daylight Saving Fight}

Hollywood, Sept. 26.—Six companies are producing one short subject each of less than a reel with name players in the theatres fight against the daylight saving time proposal to be voted on in the coming election.

The films will be shown in every theatre in the state, it is planned by the California All Right Committee, headed by Arch M. Bowles of Fox West Coast. Rental will be charged. Warners, Paramount, Universal, RKO, and M-G-M are making the films, 29th Century-Fox having completed one. Joan Davis and Roscoe Arbuckle are featured.

\textbf{Wind’ Ends B’way Run October 6}

“Gone With the Wind” will wind up its two-day run at the Astor Oct. 6 after completing 42 weeks at the house, to make way for the “The Great Americans” scheduled to open there Oct. 15. The closing date for “Gone With the Wind” is still tentative, however, and the run may be extended for the event of sudden business spurt.

The David O. Selznick film drew an encore to last night’s record performance at the Astor. At the Roxy, “Brigham Young” and a stage show headed by Barry Wood drew an estimated $39,000 for the M-G-M and Conrow, respectively. “The Radio Parts We Watch” with a stage show at the Music Hall was good for an estimated $20,000 but had to be withdrawn because of a booking for “Howards of Virginia,” which opened there yesterday. “Processor Hall” should do an estimated $14,000 in its first week at the Globe. The third week of “Boon Tom” at the Capitol drew an estimated $29,000 and was held for two extra days to close tonight. “Strike Up the Band” opens at the Capitol Monday.

“City for Conquest,” with Bobby Byrne’s hand on the stage will open at the Strand this morning. “No Time for Sleep,” Pal Louie Clinton’s hand on the stage, grossed an estimated $29,000 for its third week there. “L. White” grossed an estimated $5,000 in eight days at the Rialto, and “Charlie Chan at the Wax Museum” will open there tomorrow morning.

“Long Voyage Home” will go into the Rivoli at a premiere on the evening of Oct. 4. The “Divorce” will be the new attraction at the Paramount Wednesday.

\textbf{Hollywood Players To ‘Police’ Opening}

Seven Hollywood personalities will attend the premieres of the Cecil B. De Mille feature, “North West Mounted Police,” at Regina, Sask., and Chicago, next month.

DeMille, Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston and Lynne Overman will appear at the opening at the Chicago Theatre, Chicago, Oct. 24. Miss Carroll, Foster and Overman will attend the Regina opening Oct. 21. Commissioner S. T. Wood of the Royal Canadian Mounted Police and various Canadian officials also will attend there. Proceeds of the showing will go to the police organization for supplies for Canadian overseas forces.

\textbf{Republic Closes for First Shorts Series}


\textbf{Phil. Club to Open}

PHILADELPHIA, Sept. 26.—The Showmen’s Club will open for the Fall season on Oct. 15.
OUT TODAY

MARTIN QUIGLEY

25th

ANNIVERSARY EDITION

of

MOTION PICTURE

HERALD

RECORDING A GREAT INDUSTRY'S QUARTER CENTURY OF PROGRESS

WATCH FOR YOUR COPY
<table>
<thead>
<tr>
<th>Week</th>
<th>Columbia</th>
<th>M-G-M</th>
<th>Monogram</th>
<th>Republic</th>
<th>RKO Radio</th>
<th>20th-Fox</th>
<th>Universal</th>
<th>Warners</th>
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<tr>
<td>Aug. 30</td>
<td>Five Little Peppers (D) Edith Fellows</td>
<td>Boom Town (D) 48 Clark Gable</td>
<td>Who Is Guilty? (D)</td>
<td>Earl of Puddleton (C) 024</td>
<td>Lucky Partners (D) 038</td>
<td>Young People (D) 109</td>
<td>Kit Carson (O) 101</td>
<td>Sea Hawk (D) 401</td>
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<td>Sept. 6</td>
<td>Fugitive from a Prison Camp (D) Jack Holt</td>
<td>Fugitive from a Prison Camp (D) 101 Leo Ayres</td>
<td>In the Air (D) 3914 Frankie Darro</td>
<td>Ride Tenderfoot, Ride (O) 043</td>
<td>Men Against the Sky (D) 101</td>
<td>Chan at Wax Museum (D) 110</td>
<td>Argentine Nights (C) 50-13</td>
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<td>Sept. 13</td>
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<td>Wyoming (D) 102 Wallace Beery</td>
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<td>Sept. 20</td>
<td>Haunted Honeymoon (D) Martha Scott</td>
<td>Haunted Honeymoon (D) 104</td>
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<td>Under Texas Skies (O) 062</td>
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<td>No Time for Comedy (C) 50-51</td>
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<td>Sept. 27</td>
<td>Angels Over Broadway (D) D. Fairbanks, J. Sr.</td>
<td>Strike Up the Band (M) 103</td>
<td>Drums of the Desert (D) 105</td>
<td>The Quarterback (C) 106</td>
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<td>Oct. 4</td>
<td>So You Won't Talk (C) F. Robinson</td>
<td>Old Smokey's Hole (D) 4010 Mara-Jones</td>
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<td>The Great Profile (D) 111</td>
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<td>Oct. 11</td>
<td>Nobody's Children (D) Billy Lee</td>
<td>Third Finger Left Hand (C) Myrna Loy</td>
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<td>Too Many Girls (D) 110</td>
<td>Cesar Romero 110</td>
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<td>West of Abilene (O) Girls Under 21 (D)</td>
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<td>Oct. 25</td>
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<td>Nov. 1</td>
<td>Beyond the Sacramento (O) Lone Wolf</td>
<td>Person of Devil's Gap (O) 111</td>
<td>Dancing on a Dime (C) 111</td>
<td>Who Killed Aunt Maggie? (D) 111</td>
<td>Remedy for Riches (D) 112</td>
<td>Father Is a Prince (D) 111</td>
<td>Father Is a Prince (D) 111</td>
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<tr>
<td>Nov. 8</td>
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<td>A Man from Atlantis (D) 112</td>
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</table>
**Feature Reviews**

**“Young Bill Hickok”**

(Republic)

One of the best of all the Cowboy Westerns, this entry by Alfred A. Maryan is a top-notch production with all the earmarks of a good Western. The story is well-told, the acting is fine, and the direction is masterly. The result is a movie that will please all fans of this type of film.

**“Out West With the Peppers”**

(Columbia)

This is a excellent comedy Western, with a cast of players who are all at the top of their form. The story is well-told, the direction is excellent, and the acting is all top-notch. The result is a movie that will please all fans of this type of film.

**“The Living Corpse”**

(Juno Films)

This is a excellent mystery thriller, with a cast of players who are all at the top of their form. The story is well-told, the direction is excellent, and the acting is all top-notch. The result is a movie that will please all fans of this type of film.

**‘Breakfast’ Is Los Angeles’ High, $22,000**

Los Angeles, Sept. 26.—“He Stayed for Breakfast” and “Dr. Christian Meets the Women” drew a total of $22,000 at the various theaters on Tuesday, during a dull week, with $10,000 at the Hillstreet and $12,000 at the Pantages.

**‘Foreign’ Is Frisco Lead With $11,000**

San Francisco, Sept. 26.—“Foreign Correspondent” drew $11,000 at the United Artists, and “Boom Town” took $13,000 in the third week at the Orpheum. The weather was good.

Estimated takings for the week ending Sept. 27 average $12,000.

**Persons’ Scores $8,700 in Montreal**

Montreal, Sept. 26.—“Lucky Partners” took $8,700 at the Palace in a slow week, accompanied by rain and a warm wave.

Estimated takings for the week ending Sept. 27 average $8,700.

**Authors Sue 20th-Fox**

Isola Forrester and Mamie Page have filed a plagiarism suit against 20th Century-Fox in N. Y. Supreme Court. They claim the Shirley Temple picture, “The Poor Little Rich Girl,” infringed their story, “Joyous.”

**Heads Warner Club**

Pittsburgh, Sept. 26.—James Tatum, assistant publicity director for Warner Theatres here, has been elected president of the local Warner Club.

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**Motion Picture Daily**

Friday, September 27, 1940
Ascap Sees Radio Fight Settled Soon

(Continued from page 1)

and this will be followed by a meeting among the musicians themselves. Paine urged the leaders not to take sides and be guided by their own best interests. Paine said he based his assertion of a settlement on the number of contacts he has already received and information on hand about the feelings of agency executives.

An Administration witness followed that indicated that leaders were restful of being "placed in the middle," as many expressed it.


Also present were Bob Miller of Music Men Inc., Harold Leno, and Herman Greenberg, assistant general manager, and A. P. Waxman, advertising counsel of ASCAP.

Sues on ‘Ninotchka’

M-G-M Pictures Corp., M-G-M Distributing Corp., and Loew’s, Inc., have been named defendants in a suit for an injunction, accounting and damages filed by Stephen Tanas in the N. Y. Supreme Court. Suit charges the defendants with infringing the plaintiff’s copyright of "John Paris and Return," in the M-G-M film, "Ninotchka."

20th-Fox Sued on Song

Suit for $250,000 damages has been filed in the N. Y. Supreme Court by Bryon Gay against 20th Century-Fox, Robbins Music Corp. and Leo Feist, Inc. Complaint alleges that the defendants infringed the plaintiff’s song, "The Vamp," in the film "Rose of Washington Square."

Robinson to Convention

Edward G. Robinson leaves here tonight for the convention of the American Drugists Association being held in Sulphur Springs, W. Va., at which he will be guest of honor. His latest film, "A Dispatch from Reuters," will be previewed there.

Off the Antenna

NBC plans a series of broadcasts to describe activities of men conscripted into Army service. It will be designed for the benefit of their families and to promote national defense, Niles Trammell, president, disclosed yesterday.

Announcers, engineers and production men will be sent on a tour of the 13 training centers for special programs in addition to others now on the air or under consideration.

Trammell pointed out that "Wings Over America" is describing the aviation program, "National Farm and Home Hour" is devoting a series on the relationship of agricultural policies to the supply of farm products, "Amen, America." a series of recruiting programs for the Army is in progress, and "This America" describes the nation’s resources and the part they play in defense.

Radio, said Trammell, enjoys freedom in this democracy and is willing to fulfill its democratic task by preserving that form of government here.

Purely Personal:

Reinwald Wrenneth Jr., NBC television engineer, will leave today to join the Bobek & Katz station in Chicago where he will be general assistant to William Eddy, who also left NBC recently to become general manager for B. & K. . . . N. E. Kerka, NBC assistant to the television coordinator, and Jack Hartley of the special events division leave today for one month’s training in the Navy. Both are reserve officers . . . Ed Filegard, WOR commentator, will teach a course in radio writing at the University of Newark this fall . . . David O. Alber, New York publicity man, and Irving Baker of Hollywood have merged their offices . . . Benny Baker will arrive from the Coast today. . . .

Luther J. Reed, publicity director for WABC, resigned yesterday. He will enter another phase of the publicity field but will not announce his plans for several years. He was an assistant news editor four years ago, later becoming news editor.

Program News:

The World Series broadcasts will be short-shifted to Latin America by General Electric . . . "Silver Screen" starts its third year on CBS Sunday, Oct. 6, at 3 P.M. Its renewals Sunday at 6:30 P.M. will have sponsors in 26 cities and will be heard as a part of the network. . . . WMC will broadcast Chicago University football games exclusively starting Saturday, Oct. 5, at 1:45 P.M. . . .

Exports of American radios totaled $1,468,340 in July, a decrease of 11.2 per cent from July, 1939. Receiving sets exported were valued at $906,615 and The figures are from a bulletin of the Radio Manufacturers Association.

Agent Seeks to End Scratton Union Split

Scranton, Pa., Sept. 26—John F. Kosik, field representative of CIO in the Scranton area, has been named administrator of the CIO United Theatrical, Amusement, Music Hall Employees and Allied Workers of America, local No. 273. Kosik has power to revoke the charter, if in his opinion this should be done. Kosik’s appointment is expected to end the 14-months old jurisdictional dispute between the CIO and AFL operators here.

Recently the dispute resulted in picketing of two local theatres, the Bulls Head and Taylor by the AFL, and Comerford Theatres by the CIO, with the court granting injunctions restraining both locals from picketing.

Newark Theatres Reopen

The Adams, Newark, has reopened with a vaudeville and film policy.

First Run Circuit Planned for Mexico

MEXICO CITY, Sept. 26.—A de luxe theatre circuit is in the offing here. It will be headed by the Alameda Theatre Alameda, one of the leading first run theatres, and will start with the remodeled Club Bucareli, an old house that is being renovated along modern lines, and a theatre that is being completed in the Alvarado residential section. Plans call for this circuit to eventually comprise six first class houses.

Stage shows have been almost entirely dropped by local houses, because of poor response and heavy expense. The last local theatre to take this action was the Alameda, which closed down temporarily, being equipped with Mexico’s only revolving stage.

On the other hand, there is a sure-fire box office available or as a special attraction during national holidays do the exhibitors go in for stage entertainment.

Shea’s Buffalo Will Disband Orchestra

BUFFALO, Sept. 26. — The Shea’s Buffalo orchestra, playing here 14 years, is soon to be disbanded. Its 21 members have received dismissal notices.

Vincent R. McFaul, general manager of the Shea’s circuit, was in New York discussing the fate of the group with Paramount, a partner in the Shea’s Theatres. The Buffalo orchestra, organized in 1926 when the Buffalo was built, has been considered one of the finest theatre orchestras in the country.

Takes Manhattan House

Omnia Amusement Corp. acquired a long term lease on the theatre located at 1499 First Ave., Manhattan. Known formerly as the Europe, it will open shortly for foreign films.

Finch Seeks High Frequency License

WASHINGTON, Sept. 26.—Application for a construction permit for a new high frequency broadcasting station in New York, to operate on 440,000 kilocycles, four miles with a population of 10,600,000 people, was filed with the Federal Communications Commission today by the Victor Finch Co.

Other applications filed with the commission included the resubmission, by the Contra Costa Broadcasting Company of its petition for a construction permit for a new 1,170-kilocycle, 200-watt limited time station WJLC, Redwood City, Calif., and a request permitting Station WCB, Chicago, that its application for change of frequency from 230 to 330 kilocycles be amended to provide that the new frequency be 820 kilocycles and day power be increased from 2,000 to 16,000 watts.

R. C. Patterson Heads Film Refugee Group

Richard C. Patterson, chairman of the board of ROO, has been appointed chairman of the motion picture division to help solicit funds for the United Service of the Care of the European Children. John Golden will head the legitimate theatre division of the campaign.

Name Club Committee

PHILADELPHIA, Sept. 26.—David E. Weshner, Sidney Samuelson, Jay Knamm, Jim Clark, Hillary Brown, and Charles Goldfine were appointed to the paralysis fund committee of the Philadelphia Variety Club and plans were made to visit to the pool where the infantile paralysis victims are getting treatment. Goldfine was named chairman of the club’s committee which assigns use of the charity truck for showing films to institutions.

Drive-In Case Delayed

PITTSBURGH, Sept. 26.—The injunction case brought against the Drive-In Theatre by 85 neighboring residents, based on a claim that the screen speaker created excessive noise, has been indefinitely continued. Norbert Smith and George Davis agreed to lower the pitch of their amplifiers, and to install a system of ground speakers. An appointed chairman will report to the next spring, after this year’s Nov. 18 closing.

Delay Receiver Hearing

Argument on the motion of Harry Silverstein, stockholder of French Cinema Center, Inc., and French Cinema Center, Inc., against Andrew R. Heymann, head of the companies, asking for a receiver for both companies, has been postponed until next week.

Open Local House Soon

The Art, 600-seat house, will be opened shortly at Eighty-Third St. University Place, Manhattan, by Henry Weingarten. French films will be shown.
Hanbury, RKO English Head. Killed by Bomb

Four Others of Family Nazi Raid Victims

By AUBREY FLANAGAN

London, Sept. 29.—Ralph Hanbury, chairman and managing director of RKO Radio Pictures, Ltd., operating head of RKO’s sales organization in the United Kingdom, was killed with four members of his family in the early hours of Friday morning, when a Nazi bomber made a direct hit on the Hanbury country home near London. He was 49 years old.

Hope was held today for the recovery of Mrs. Hanbury, who was seriously injured in the explosion. Hanbury was the first victim of the Nazi raiding at important film men in this country.

Hanbury had one son, Ralph Hanbury, Jr., and two married daughters.

(Co-continued page 2)

Japan May Ban All U. S. Films

American films, which have found the going difficult in Japan for many months, may be banned there entirely in the near future as a result of the signing by Japan of its 10-year treaty with Germany and Italy, foreign department officials here stated over the weekend.

The treaty with the axis powers covers economic as well as military and political considerations. A Japanese ban on further American film imports undoubtedly would apply to all of Japanese occupied China, as well, just as the German ban invoked this month applied to occupied territory on the Continent.

UA Will Show ‘Dictator’ in 2 Theatres in Key Cities

United Artists plans to present “The Great Dictator,” the new Charlie Chaplin film, at two theatres simultaneously in the more important key cities, on the same basis as the picture will be presented in New York. Maurice Silverstone, chief executive of the company, announced Saturday.

Harry L. Gold, vice-president in charge of eastern and southern sales, is presently negotiating for such twin-city plans with Government while L. J. Schlaifer, vice-president in charge of Western sales, is in Chicago negotiating for such showings in that city with Balaban & Katz.

Among other cities where the plan may be put into execution are Boston, Philadelphia, Atlanta, Cincinnati, Buffalo, Cleveland, Los Angeles and San Francisco.

The company provides for the presentation of the picture in one theatre on a two-a-day basis at $2.20 top, and at the second theatre on a continuous policy at 75 cents top matinées and $1.10 evenings.

In New York, the demand for tickets for the premiere to be held Oct. 15 at the Astor and the Capitol theatres, by Loew’s, is so strong that a special press performance of the film is being contemplated in advance of the opening night performances.

3,230 Firms Had 1938 Taxable Net

WASHINGTON, Sept. 29.—Only 3,230 out of 10,553 amusement industry corporations reported taxable net income from 1938 operations, it was reported tonight by the Internal Revenue Bureau in an analysis of income returns filed last year.

These 3,230 concerns, the report showed, had an aggregate gross income of $797,709,000 and a net income of $80,734,000, on which they paid $10,719,000 in income taxes.

(Co-continued page 1)

Myers Endorses U. S. Decree; Companies Get Legal Draft

Formal legal drafts of the proposed Federal consent decree were reported as completed on Saturday by the drafting committee of Government and company attorneys and distributed to the home offices of the five consenting companies.

After checking the language of the draft, attorneys for the consenting companies will meet with Government representatives again tomorrow to dispose of any questions which may arise in the checking process and then give preliminary approval to the draft.

Not until then will copies of the final draft be sent to Washington for action there, according to Department of Justice spokesmen.

Action by Washington is expected in time to present the draft to Federal judge Henry W. Goddard at the hearing scheduled for next week. However, it was intimated by Govern-

Expect British Quota Relief

London, Sept. 29.—The British Government is expected soon to give relief or exemption to American distributors on the Quota Act due to the war.

American companies consider it impossible to make and market multiple quota films here and believe they have a good case for exemption from the quota obligations. The increasing commandeering of studios by the Government and the difficulty of obtaining stars and major technicians may persuade the Government of the fairness of the distributors’ case, according to belief. Meanwhile, Paramount, Warners, RKO and 20th Century-Fox have films in production.
Personal Mention

HERMAN WOBBER, 20th Century-Fox general sales manager, and M. A. LAYTON, Kent drive leader, have completed a swing around the country on the drive and will hold a meeting today at the New York exchange.

LION NETTER, Paramount Theatres executive, left by air Friday night for New Orleans and Beaumont, Texas.

FRANK L. NEWMAN, Seattle division manager for National Theatres, is here.

WILLIAM C. GEHRING, Central division manager for 20th Century-Fox, has returned from a trip to Detroit and Toronto branches.

ROY T. HAINES, Warners' Eastern and Canadian sales manager, returns today after a week's tour of Eastern branches.

STANTON GRIFFIS is expected from Bermuda tomorrow after a brief vacation.

FRANCIS A. BATEMAN, Republic's Los Angeles branch manager, returned to his headquarters from the home office over the weekend.

LEW SCHREIBER, 20th Century-Fox casting director, is visiting here from Hollywood.

IRVING MANNEL, Republic franchise owner in Chicago, is in town.

REGINALD MARCH, branch manager for 20th Century-Fox in St. John, was in Boston over the weekend.

ALEXANDER SUX, South American film writer and director of Empire Prods., Mexico City, is in town.

MORRIS DRUCKER, assistant manager at the Poli, Worcester, Mass., is confined to his home with injuries sustained when he fell from a horse.

GEORGE RAFT is coming East for the World Series.

Five Higher Scale Dates for 'Police'

Five new city engagements have been set for North West Mounted Police, according to Neil F. Agnew, Paramount vice-president in charge of sales. Following the premiere at Regina, Canada, on Oct. 21, and the American premiere in Chicago, Oct. 24, the film will be shown Friday night at the Strand, Providence; Paramount, Seattle; Desnam, Denver; Center, Salt Lake City, and Fox, Spokane.

De Rochemont Promoted

Louis de Rochemont, producer of the March of Time, has appointed his brother, Richard de Rochemont, as managing editor. The latter represented Movie News in Europe for six years and in 1935 became director of Time, Inc. activities in Europe. He returned to this country when the Germans occupied France.

Museum Gets 20-Year Pathe Reels

The Museum of Modern Art Film Library was presented with 20 years of newsreel files from the Pathe News library last Friday by George J. Schaefer, RKO president and chairman of the board of trustees. The files donated to the Museum of Modern Art were those covering the years from 1910 through 1930. Each year thereafter, Pathe News will turn over to the Museum its film history for the year 10 years preceding the time of the donation, thus making it possible that it will turn over its files for 1931. "Students of history and laymen, alike, will find these film records ready to turn back the endless diary of Time," Schaefer said in his presentation address. "That's what we of Pathe News like about having the Movies, for these pictures are infinitely more fun and much better for us today than they were 20 years ago. They will still be available to the public which has helped and encouraged and supported us for 20 years. Yet it is also open to the use of scholars and scientists for a better understanding of what has gone before."


La Crosse Hearing

Set for October 14

Mansion, Wis., Sept. 29—Hearing will be held Oct. 14 in Federal court here on the action of the La Crosse Theatres Co., Inc., against major distributors and the Welworth Theatre Co., Minneapolis.

The La Crosse company, operator of five theatres, seeks $1,050,000 damages for alleged injury to its business on the ground that the defendant film companies conspired by refusing to release certain films to the La Crosse Theatres. The suit was started nearly two years ago.

Painters' Union Wins Scenic Artists' Vote

Hollywood, Sept. 29—Moving Pictures, Stage and Allied Trades Local 804 has voted a four to one vote over Scenic Arts Association as the collective bargaining agency for scenic artists in an N.L.R.B. election, results of which were disclosed over the weekend. This is expected to end a long jurisdictional fight unless the election is challenged in the courts.

Fox West Coast Deal Closed by Republic

Republic has closed a deal for the entire 1940-41 product lineup with Fox West Coast, Pacific Division. They deal was closed here, with James D. Langer, and the Republic resident, with Francis A. Bateman, Los Angeles branch manager, representing the film company, and Larry Kent acting for the circuit.

Granger left over the weekend for a sales trip, planning visits to Dallas, Kansas City, Milwaukee and Chicago. He is expected to return next Monday.

Mosconas New RKO Manager in Greece

Athens—Mosconas has been appointed RKO representative in Greece. He will cover Eastern Europe, and Athens. Antonio Blanco has resigned as manager of Republic Film Sales, S.A., RKO's Spanish company. No appointment has been made as yet to fill the vacancy.

Expect Play Backing by Companies in November

Investment in backing by film companies for Broadway plays should begin sometime in November if present plans continue, according to a consensus of Eastern story editors. A number of plays are already on hand and are being considered in the event the Dramatists' Council work out the necessary amendments to the basic agreement. However, film companies are concerned with the possibility that they may not be able to produce themselves and find no first rate manager willing to produce the play because of other commitments or any reason whatsoever. Some companies are unwilling to be forced into a position of accepting second rate managers simply because they have produced Broadway plays in the past, and seek a free hand in such a contingency. On the other hand, the League is fearful lest any exemption granted in the basic contract be used as a loophole which will permit an invasion of the Broadway field by "dummies" acting for film companies, according to a representative of a noted producer who feels the league's fear is well founded.

If the preliminary draft is being drawn satisfactorily by Mr. R. H. Brown of the Guild council will be able to vote upon the issue next week and the machinery for film company backing is expected to be in operation during November.

Hanbury, RKO English Head, Killed by Bomb

(Continued from page 3) The identity of the other member of the family killed could not be learned immediately.

Had Long Career in Industry

Ralph Hanbury was born in Hal-ifax, Nova Scotia, on May 2, 1891. He had a long career in the film industry in England in various executive posts, including his last position with the RKO organization in 1936.

He became branch manager of the Stoll Film Co., and later general manager. Following that he took a post as general manager of the Welsh Pearson Film Co.

He later became branch supervisor for M-G-M in England, then general sales manager of Radio Pictures, Ltd., in England. He was appointed shortly afterward as general manager of the company, and in 1936 assumed the post of chairman and managing director of RKO Radio Pictures, Ltd.

2 Omaha Pioneers Dead on Same Day

OMAHA, Sept. 29—Death took two veterans of the theatre here on the same day. William P. Byrne, 71, worked in almost all the legitimate houses in Omaha and managed the present Strand from its opening five years ago. He died of a heart attack.

H. W. Withnell, 75, stagehand at the Omalia Theatre and charter member of the I.A.T.S.E., had been connected with theatres for 60 years. He died at his home after an illness of five weeks.

Name Constantine to Para. Trinidad Post

Lazarus Constantine has been promoted to the post of manager for Paramount Films of Trinidad, Inc., by M. A. Levy, vice-president of Paramount foreign department head.

Constantine was formerly sales manager for films, S.A. of Panama, and he has been employed by the company for the past three years.

Motion Picture Daily

"WHEN YOU COME TO THINKING ABOUT ME, IT’LL MAKE YOU MAD... YOU’RE GOING TO HATE ME!"

you’ll see LIFE in "They Knew What They Wanted"
"They Knew What They Wanted"
 Directed by Garson Kanin

This Year's Great Drama!

... because it x-rays the human heart...

... because it presents two big stars in their biggest roles . . . . .

... because in direction, in production, in acting and in general excellence it is one of the finest pictures the screen has ever known!

Harry E. Edington, Executive Producer
Produced by Erich Pommer
Screen Play by Robert Ardrey
From the Pulitzer Prize Play by Sidney Howard
Orson Welles is giving the gun to his production of "Citizen Kane," one of the biggest of the big ones to win its place in the list of forthcoming big ones from RKO-RADIO . . . attractions like George Abbott's smash Broadway musical, "Too Many Girls"—Kay Kyser and his band in "You'll Find Out"—Ginger Rogers in "Kitty Foyle"—and Anna Neagle in "No, No, Nanette."
Industry Needs Exhibitor Aid, Says Rodgers

(Continued from page 1)

foreign losses." The problem, he said, is as important to exhibitors as it is to the producers.

Regarding the proposed Federal collective bargaining, Rodgers said M-G-M "has no ideas or thoughts of selling pictures on the auction block, but will do it only if compelled."

Deploring the fact that the convention had adopted resolutions attacking exhibitors and the industry, Rodgers said exhibitors should help make up in part the losses in foreign markets by extending playing time and occasional increases in admission price "if deserved," rather than making it necessary to increase rentals.

Will Not Withhold 'Boom Town'

However, he promised that M-G-M would not withhold bookings from exhibitors not cooperating in M-G-M's request to raise admission prices on "Boom Town," and before exhibitors are asked to increase admissions on films, the pictures are to be presented by the company's own booking agent. "The public expects," he said, "it was absurd to believe that double features are to blame for industry ills."

"It's nothing strange that theatre attendance has fallen down," he said. "It's only because other entertainment fac-
tors are becoming more important."

He pointed to dog racing, night baseball, bingo and radio as increasingly competitive factors. As a result, exhibitors must apply more and better showmanship, he said. "Discord that could set in," he urged, "A streamlined presentation is needed."

No Sacrifice of Quality

Rodgers defended Hollywood salaries, saying that "genius needs encouragement." And while economy in presentation is needed, he says, he is confident that "there would be no economy at the sacrifice of quality." Other M-G-M officials attending the session were T. J. Conners, Eastern and Southern division manager; E. K. O'Shea, Eastern district manager, and H. M. Richley, assistant to Rodgers in charge of exhibitor relations.

Crew Finishes Work On Canadian Picture

MONTREAL, Sept. 29—A crew of 21 has returned from the filming in British Columbia to complete the Canadian final sequences of "49th Parallel" in local studios before returning to England.

The crew actually had to leave the Eskimo country around the 49th parallel, from which the film gets its title, for "Cathedral," with Dick Foran, Leo Carrillo, Bag Jones, Charles Bickford, Nan Grey, Guinn "Big Boy" Williams and Noel Neary.

It is from a story by Oliver Drake.

Branch Managers Enlisted In Local Red Cross Drives

Branch managers have been appointed as coordinators for the theatres' nationwide cooperation with the Red Cross campaign, Nov. 11 to 30, by Major L. E. Thompson of RKO, general public relations and an attorney to local committees in each distribution zone and to insure full cooperation of the distributors.

Local exhibit committee chairmen in the larger cities and individual exhibitors at Deanna Durbin pictures no committee is established are urged to get in touch with the district coordinators to work out arrangements on books of the 400-foot Red Cross film featuring Deanna Durbin which is to be shown in theatres beginning Nov. 10. The official 100-foot Red Cross trailer will be shown the second week of the Roll Call, starting Nov. 17. The latter film, featuring Priscilla Lane, will be handled by local Red Cross chapters.

Thompson stressed that the plan is to support and promote local Red Cross drives and not to put on a campaign in the theatre to raise a special fund. Full information will be provided by the district coordinators, who will be assisted by other branch managers and a coordinator is the coordinator for the New York City area. Coordinators for other territories, except Oklahoma, are: San Francisco, Allied; Bernard G. Kranz, RKO; Atlanta, R. M. Avey, M-G-M; Boston, W. C. Proctor, RKO; Buffalo, K. G. Robinson, Paramount; Charlotte, R. J. Ingram, Columbia; Chicago, J. C. Osborn, RKO; Cincinnati, Allen S. Mertz, Columbia; Cleveland, J. R. Kaufman, Universal; Dallas, Doak Roberts, Warners; Denver, Charles J. Bell, Paramount; Des Moines, Stanley Mayer, 20th Century-Fox; Detroit, Fred E. North, Warner; Indianapolis, G. R. Frank, United Artists; Kansas City, Frank C. Hensler, M-G-M; Los Angeles, W. E. Calloway, Warners; Memphis, J. Frank Willingham, M-G-M; Milwaukee, Oscar J. Ruby, Columbia; Minneapolis, Eph Rosen, Monogram; New Haven, Morris Joseph, Universal; Oceans, F. S. and the United Artists; Oklahoma City, J. O. Robie, Warners; Philadelphia, E. W. Sweeney, Paramount; Pittsburgh, Ira Riedel, 20th Century-Fox; Salt Lake City, William F. Gordon; Seattle, Frank Wheeler, Coordinators; Seattle, Frank Wheeler, 20th Century-Fox.

Legal Draft Distributed

(Continued from page 1)

20th-Fox Branch in Chungking Bombed

The 20th-Century-Fox exchange building in Chungking, China, was bombed into a mass of wreckage last week, according to cabled advice to the home office.

No one was injured, but all accessories, furniture and fixtures in the building were rummaged, kept in a bombproof shelter, were un-
damaged.

This was the first authenticated instance where a film branch has been the victim of a bombing attack in the Far Eastern hostilities.

3,230 Companies Had Taxable Net in 1938

(Continued from page 1)

$11,614,000 in income and undistributed profits and taxes and $89,000 in excess profits taxes.

Another 5,935 corporations with no net income reported an aggregate gross of $3,892,000 and an aggregate net of $28,828,000. The remaining 1,188 corporations were inactive.

While 2,563 corporations paying taxes paid dividends other than stock dividends, amounting to $42,484,000, while the deficit companies paid $891,000, the bureau disclosed.

Universal Sets Serial

Universal will produce a serial, "Dick Tracy," with scenarios by Dick Foran, Leo Carrillo, Bag Jones, Charles Bickford, Nan Grey, Guinn "Big Boy" Williams and Noel Neary.

It is from a story by Oliver Drake.

Prepares for Opening

Terry Turner, RKO exploitation manager, has arrived on the Coast to escort Carole Lombard and Charles Boyer and their "Flemish Marriage" to premiere Oct. 8 of "They Knew What They Wanted" in which they are co-starred. After the premiere, Turner will accompany Laughton on personal appearance tour.

Myers States His Approval Of U.S. Decree

(Continued from page 1)

board of review, Myers indicated he would not grant a screening of the board until the decree was finally approved by the court.

The commission, immediately after Myers' speech, unanimously adopted a resolution giving complete endorse-
ment of the decree.

Myers urged Allied to cooperate with the Government in the fulfillment of the decree terms so as to derive the maximum benefit it contains. "He said that although he was just breaking "a four months' imposed silence" on the matter, he always was and still is for a consent decree, and while the present draft is far from satisfactory, he said, "it is possible in its final form will contain the elimination of many practices deemed objectionable by Allied."

Says Plan Is Experiment

Myers minimized possible negative reactions from the blocks of exhibitors, saying it was just an experiment for only one season. While the language might be broad and drastic, he added, "if it had been approved by Thurman W. Arnold, assistant U. S. Attorney General, he said, that the Department of Justice "could jump down their throats" if they do.

Myers further felt that the five-picture sales plan would not leave exhibitors "in the air" for product, adding that no distributor will offer less than four or five blocks of five films at a time. "Whatever the demand there will be product to meet it," he said. He termed the arbitration provisions particularly praiseworthy, and "the best the industry ever had or could ever hope to get."

Earlier Myers spoke of the effects of the war and the preparedness campaign on the film industry. Instead of seeking increased film rentals at the box office to offset the increased costs, Myers urged distributors to continue to explore Latin American markets and for Hollywood to economize.

Sees Increasing Taxes

He told exhibitors to expect dislocation of personnel because of conscription, to expect "more and more taxes" and that theatre attendance is bound to suffer with one million men drafted and "as many girls without dates."

A resolution adopted by the convention attacked Iown, films for nontheatrical showings and asked that steps be taken in New Jersey to enact legislation to the effect of the same. Another asked that the national Allied board institute legal action whenever possible, and the Allied board be restricted in its operation and held in check by distributors. A final resolution criticized Abe Montague, Columbia general sales manager, for failure to stick to his discretion regarding the status of certain pictures put to him by Sidney E. Samelson, chairman of the Allied Information Department.

Election of officers and directors by New Jersey Allied was postponed to Jan. 15. The convention closed with a testimonial dinner to Myers.
Sunday Show

Balloons Sent Out by Equity

Despite the fact that the membership meeting of Actors Equity took no action Friday on the Sunday show issue, the union went ahead with the weekend referendum to determine whether the union should permit member auditions on Sundays at the regular rate of pay for an experimental period up to June 1, 1941.

Originally, the Equity council had voted to send the referendum out only if the membership meeting approved it but the debate on Communism prevented any vote on Sunday shows and it was decided to send out the referendum anyway. All votes must be cast before Oct. 31. The meeting Friday was greeted with cheers the announcement that the council had raised minimum salaries to $50 weekly, effective Dec. 1, but no action was necessary.

The meeting approved with a few dissenting votes the council resolution "unalterably" opposing Communism, the Communist Party and the principles it advocates and the tactics it employs. An amendment to exclude the Nazi Bund and the Fascist Party also was approved.

A resolution called upon the Dies Committee to make a complete investigation of alleged Communist dominance in the union.

The membership meeting, however, adopted an amendment proposed by Wimifred Lenihan, that no member, or person sympathetic to, the three totalitarian parties be permitted to hold office or be in the employ of the union. Miss Lenihan, a member of the council, made the same motion on Thursday but it was defeated by the council. The effect of the adoption of the amendment by the membership-meeting is uncertain as the meeting itself acts only in an advisory capacity.

In view of the fact that the council has not had the resolution under consideration and defeated it, there is considerable doubt whether it will now reverse its decision as the council has rejected many of the proposals of the membership meeting.

A count at the door revealed that 799 members were in attendance. Bert Lytell, president, acted as chairman.

Argentine Lifts Embarque on U.S.

The Argentine embargo on all imports from the United States which was imposed Sept. 27 was lifted by the Buenos Aires government on Friday, a week earlier than originally scheduled. Film shipments to the Argentine were permitted without interruption during the 10 days the embargo was in effect. Argentinian interests explained that the embargo was invoked to provide time for the nation to update credit control to check up on gold stocks and remittances to this country.

Feature Reviews

"Melody and Moonlight"

(Religious) HOLLYWOOD, Sept. 29.

Republic's "Melody and Moonlight" is one of the best musical comedies to come out of Hollywood. It is good, solid entertainment. It has comedy, suspense, romance, excellent music and about everything else that makes a theatre audience sit back and thoroughly enjoy itself.

Johnny Downs and Jane Frazee, the latter making her film debut, supply the chief romantic interest, as well as several musical numbers. Mary Lee, recently seen in a number of Gene Autry musical westerns and who is being given a buildup, does several songs excellently, while Barbara Allen (Vera Vague to countless radio fans) and Jerry Colonna, also widely known on transcontinental programs, supply countless laughs. Others in the cast are Frank Jenks, Claire Carleton, Jonathan Hale, Marlen Lanmont and "The Kidoddlers," radio musical quartet.

Miss Frazee, of the radio Frazee sisters, makes a highly first appearance, being perfection in the singing, dancing and thespic departments.

Bradford Ropes turned out a highly competent framework for the story and musical numbers, in writing the script from the original story by David Silverstein. Joseph Santley, who directed, kept the film, produced by Robert North, at a quick moving pace, never lagging from start to finish.

Miss Frazee, as the daughter of a wealthy man, wants to make her mark in show business without the aid of the family name, and her father objects. She wins, with a stranger, a prize in a dance contest at a "taxi dance hall," and runs away from home to escape parental wrath. She again meets her partner of the night before and conceals her identity. The youth, playing to he his and his sister's house, where they plan to become a dance team.

Her father frustrates their plan of going on the air, but they get the dance hall to sponsor their program, and all turns out well.

Running time, 71 minutes. "G."**

VANCE KING

"Black Diamonds"

(Universal) The veterans Richard Arlen and Andy Devine are seen in an engaging story concerning coal mining. In featured roles are Kathryn Adams, Mary Treen and Paul Fix. The film should be found entertaining by average audiences.

Arlen is a crack newspaper reporter assigned to cover the war in Europe but who, upon visiting his home town, finds conditions deplorable for the coal miners and decides to stay. Investigating, he discovers the mine owner is bribing a Government inspector so that the latter turns in good reports despite the conditions of the mine. Jailed for perjury of which he is not guilty, Arlen escapes and with Devine and others exposes the shady situation to other miners.

The story was an original by Sam Robbins adapted by Robbins and Clarence Upson Young. Christy Cabanne directed. Ben Pivor was associate producer.

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

"Ragtime Cowboy Joe"

(Universal) Johnny Mack Brown, Fuzzy Knight and Nell O'Day combine in "Ragtime Cowboy Joe" to make a hard-hitting and tuneful Western film which should please where outdoor action films are popular. The music is of the bunkside and campfire variety and it adds a good deal of color to the background.

Brown, an investigator for a cattleman's association, is called in to solve a series of crimes involving cattle rustling and murder. The last ranch to survive foreclosure is owned by Miss O'Day whose father was murdered by the rustlers.

Brown is falsely accused of murder but succeeds in escaping when a lynching party arrives at the jail house. After several gun battles, Brown succeeds in rounding up the bandits and solving the murder.

Walter Soderling, Marilyn Merrick, Dick Curtis and the Texas Rangers are in supporting roles. Ray Taylor directed and Sherman Lowe wrote the original screenplay.

"G."**

EDWARD GREFF

400 Expected At Luncheon To Quigley

(Continued from page 1) and 150 individual tickets have been sold.

On the platform with Quigley, in addition to Bamberger, will be How ard, Summerfield, who introduce the guest of honor, and the following trade poster publishers and editors:

El Sugarman, Billboard; Ben Shly, Boxoffice; Ray Reinartz, Film Daily; Jay Emanuel, Jay Emanuel Publications; Jack Allocco and Chester Bahn, Film World, both of Harrison's Reports; Lionel Toll, The Independent; Calvin Brown, Quigley Publications vice-president; Sam Shain, Motion Picture Daily; Ray Ramsay, Motion Picture Herald; Charles E. Lewis, Showmen's Trade Review and Abel Bestre.

Companies Reserve Tables

Table reservations have been received from the following organizations: three tables each for Warners, R. A. M. A.; two tables each for M-G-M and RKO; one table each for Columbia, March of Time, M.P.P.D.A., National Screen Service, Paramount, United Artists and Universal.

Among the industry executives scheduled to attend:


Schaefer Heads RKO Group


From Warner Bros. Pictures: Mott Block, Michael Xaneras, Jr., Gilbert Golden, Sid Kestenik, Larry Golob, Leo Blumberg.

*"G" denotes general classification.
This week the big football teams of the nation swing into action on the first of their 1940 schedules, and Motion Picture Daily has asked the experts of the motion picture industry to state their conclusions on the sectional outcomes of the pigskin wars. The dope is straight from headquarters and the predictions are the authoritative opinions of important men in the film industry who follow the sport as well as the theatre boxoffice. The best selectors of the business have been invited to make their expressions—and here they are—the winning teams in each part of the U.S.A.—hot off the wire.

**SCHEDULES FOR NEW SEASON WE HAVEN’T HAD TIME ANALYZE POSSIBILITIES FROM OUR ARCH COMPETITOR FOOTBALL, BUT IF PREDICTION IS WANTED WE ENROLL UNIVERSITY OF MICHIGAN TEAM ON BASIS OF LAST YEAR’S PERFORMANCE. REGARDS**

**EARL J HUDSON**

**KANSAS CITY MO SEP 23**

**SAM SHAIN**

**NEBRASKA**

**JERRY ZIGMOND**

**CHICAGO ILL SEP 23**

**SAM SHAIN**

**NOTRE DAME APPEARS TO BE STRONGEST TEAM BUT IT IS NOT IN BIG TEN CONFERENCE. IN THIS GROUP MICHIGAN MINNESOTA AND OHIO LOOK LIKE WINNERS WITH MINNESOTA POSSIBLY WINNING CHAMPIONSHIP**

**JOHN BALABAN**

**DALLAS TEX SEP 23**

**SAM SHAIN**

**OUR SELECTION SOUTHWEST CONFERENCE CHAMPIONSHIP IS SOUTHERN METHODIST UNIVERSITY. CONSENSUS FOOTBALL AUTHORITIES THIS TERRITORY IS THAT TITLE HINGES BETWEEN OUR SELECTION AND TEXAS A AND M BUT WE ARE STRONG FOR SMU. REGARDS**

**R J O'DONNELL**

**DES MOINES IOWA SEP 23**

**SAM SHAIN**

**IT LOOKS LIKE ANOTHER IOWA YEAR. BELIEVE IOWA WITH ANDERSON COACHING, UNBEATABLE THIS SEASON, THE TALL CORN WILL DO IT AGAIN. REGARDS**

**G RALPH BRANTON**

**BOSTON MASS SEP 23**

**SAM SHAIN**

**I PREDICT BOSTON COLLEGE BEST FOOTBALL TEAM IN THIS SECTION**

**J J FORD**

**DENVER COLO SEP 23**

**SAM SHAIN**

**COLORADO UNIVERSITY EXPECTED WIN ROCKY MOUNTAIN CONFERENCE CHAMPIONSHIP. REGARDS**

**DAVE COCKRILL**

**ADV.**
ALL THE EXHIBITORS AGREE THIS IS THE BIG BOX OFFICE WINNER!

PARAMOUNT'S QUAFFERBACK

LILLIAN ORNELL - WILLIAM FRAWLEY - EDGAR KENNEDY - COWAN - HOWARD
WHERE HE'LL TAKE HIS DAME AFTER THE GAME!

"CHRISTMAS IN JULY"... Preston Sturges tops his "Great McGinty" with an even funnier hit!

"ARISE, MY LOVE"... Combines the laughter of "Midnight" and the heart appeal of "Farewell to Arms". It's by far Mitchell Leisen's best. Starring Claudette Colbert and Ray Milland!

Cecil B. DeMille's "NORTH WEST MOUNTED POLICE"... Ten stars... two love stories... all in Technicolor... it's a bigger-than-ever-DeMille spectacle!

"CHEROKEE STRIP"... Harry Sherman crashes through with another of those terrific outdoor spectacle-dramas!

"MOON OVER BURMA"... The public can't get enough of Lamour... so it's Lamour the merrier... a real "Typhoon" at the box office!
"The HOWARDS of VIRGINIA" (Columbia)

A lesson in American history and a photoplay of high quality... it is producer-director Frank Lloyd's best yet.—James Agee, Hollywood Citizen News.

There is a fine vital spirit in the story. And it reaches the screen with vivid, unguelable realism... rates not only as splendid motion picture entertainment, but as an inspiring production.—Jimmy Starr, Los Angeles Herald-Expre.

The film is frankly literary... Production—in Williamsburg, Va., as well as Hollywood—is in the finest tradition of both places.—Philip K. Scheuer, Los Angeles Times.

A thrilling, entertaining and very worthwhile screenplay... this one doesn't need a screen to be an entertaining picture for American people.—Louella O. Parsons, Los Angeles Examiner.


This cascade of Colonial and Revolutionary America, while ambitious, expensive and generally interesting, comes to life all too infrequently.—Newsweek.

An estimable historical screen saga... highly informative and frequently absorbing... has the compensating virtues of stanch acting, striking visual imagery and a restrained patriotic fervor.—Howard Barnes, New York Herald Tribune.

An historically absorbing picture of revolutionary days... the personal drama of the Howards is an absorbing story, which the director slights in favor of the greater political conflict... the political and war scenes are on call.—Nate Cameron, New York Daily News.

Completely satisfactory... The action of the picture, against one of the most thrilling pages in American history, is often inspiring. The story of the Howards is told in terms of true living. The photograph is excellent.—Lee Mortimer, New York Daily Mirror.

A pretentious, scattered and, alas, prettily dreary picture... clumsily attempts to draw a parallel between today's and tomorrow's fight for liberty.—Philadelphia Inquirer.

A handsome production, it works up a contagious enthusiasm. Action's aplenty and the film tells a number of different stories to engage a variety of tastes.—Ettie Foon, Philadelphia Record.

"BRIGHAM YOUNG—FRONTIERSMAN" (20th-Fox)

A lavish, sincere, at times exciting, but on the whole slow and uninteresting film capitably acted in its principal role by Dean Jagger.—William Boecht, New York World Telegram.

Both well played and well acted, although it lacks sprihtiness and humor... provides a worthwhile hour and a half in a theatre, presenting characters in Western history little known to most moviegoers.—Eileen Creelman, New York Sun.

The picture is much more tedious than Brigham's life must have been... monotonous.—Hastey Crotzer, New York Times.

A thrilling story of the lives and adventures of Brigham Young should have been subjected to such imaginative treatment. The outdoor scenes and the covered-wagon episodes are magnificent.—Lee Mortimer, New York Daily Mirror.

Lengthy but always absorbing, this restaging of the Mormon trek across a wilderness is one of the year's outstanding films.—Newsweek.

As impressive a motion picture as has been exhibited this season, and we aver that the quality of the work will be on all of the more responsible lists of the best photoplays of the year.—Gilbert Kanoner, Baltimore Sun.

A melodrama well suited to the popular taste, garnished with excellent acting and plentifully supplied with frontier glamour.—Donald Kirkby, Baltimore Sun.

Historically the photoplay is vague, and dramatically it is lacking. Physically, however, it is superb. There is real grandeur to some of its scenic expeditions.—Olle Wood, Philadelphia Ledger.

More successful both as entertainment and history than the Darryl Zanuck histories of Suez, Lindbergh and the James Boys... still may have been better.—Laura Lee, Philadelphia Bulletin.

"PASTOR HALL" (Roosevelt-United Artists)

None can compare for courage, truth and power with "Pastor Hall"... the film is very excellent... a film which everyone who still cherishes freedom and justice should and must see.—William Boecht, New York World Telegram.

Better than most of its inflammatory pieces... the material is lurid, the production dignified... one of the most effective anti-Nazi tracts.—Eileen Creelman, New York Sun.

Technically, the story is not very good, although the dramatic material of the play is so excellent that it offsets the production's shortcomings in other respects.—Kate Cameron, New York Daily News.

Out of the despair of the story it has brought a testament of faith... ranks above most of its predecessors... in its performances it has been well endowed.—New York Times.

Exhibits no trace of hysteria and is superbly acted... Wilfred Lawson does an unforgettable piece of work in the title role.—Chicago Tribune.

No one, we're certain, can see it without being tremendously moved excellently produced and acted by an English cast.—Doris Arden, Chicago Daily Times.

"Moments of Charm of 1941" (Paramount)

An unusually entertaining and well-produced short in color, this features the Spitalfields, the London orchestra, and several popular numbers are rendered, with individual members of the orchestra pictured in closeup. The subject ends as the full orchestra, plus a vocal group, performs Kavel's "Solero" in excellent fashion.—New subject. Running time, 11 mins.

"UNUSUAL OCCUPATIONS, LO 1" (Paramount)

Seen in this interesting collection of odd avocations are the Texas woman who makes Ginger Ale for men and women, the St. Louis truck driver whose spare time is devoted to making a small village entirely of matchsticks, the high school commercial teacher who makes amazing likenesses entirely with the typewriter and vari-color and the retired Iroquois captain who has made a pet of a penguin, which has been trained with amazing skill. Running time, 11 mins.

"Conquest" Scores $6,700, New Haven

New Haven, Sept. 29—"City for Conquest," dailied with "Money and the Woman" at the Roger Sherman, took $6,700. The Paramount, with "Hired Wife" and "Golden Gloves," took $5,000. The weather was rainy. Yale students have returned to college. Estimated takings for the week ending Sept. 26.

"Foreign Correspondent" (U.A.)

COLLEGE—(1,199) (39c-50c) 7 days, Gross: $5,000. (Average, $700)

"Bandido has Servant Trouble" (Col.)

LOEW-POLI—(1,145) (30c-40c) 7 days, Gross: $6,200. (Average, $875)

"Golden Gloves" (Para.)

$15,000, N.Y. 1 time, Gross: $5,000. (Average, $875)

"Hired Wife" (Univ.)

$1,000, N.Y. 2 time, Gross: $620. (Average, $600)

"Money and the Woman" (W.B.)

ROGER SHEERAN—300. (50c-75c) 7 days, Gross: $6,700. (Average, $950)
FCC Members See CBS Color Television

Members of the FCC probed the commercial possibilities of color television over the weekend in a personal visit to three CBS studios where they witnessed a private laboratory demonstration by Peter C. Goldmark, CBS chief scientist, who developed the new color system.

Study Early Broadcasts

The FCC group was particularly concerned with the possibility of an early start for color transmission, the possibility of using color and the effect of color on television programs and on public interest.

Goldmark showed the group a new "magnified" screen development which enlarged the color images by about 80 per cent in size. He pointed out that the small number of receivers now outstanding would make it commercially feasible to convert the present sets to color but that sets to be manufactured in the future could be converted with ease.

"Color television demonstrated by CBS is a valuable contribution to television development," said Commissioner T. S. Colson. "It is undoubtedly it will advance public acceptance of television. I hope color television will be made available at an early date as a service to the public."

Seeks Delay Justified

Commissioner Frederick I. Thompson asserted that color "confirms the commission's judgment in postponing in Wisconsin House

STEVENS POINT, Wis., Sept. 29.—With much fanfare, Fox has inaugu-

ated a single feature policy at the Fox, here for a month's trial, but is continuing twin bills at the Lyric. The houses are the only ones in the city.

According to Myron A. Neumann, manager of the Fox, the new policy is meeting with a good reception and if it proves successful, it will be continued. In addition to the single feature program, the Fox includes at least four short subjects. The show runs about two and one-half hours against the better than the three-hour double feature program.

Canadian Unit to Meet

HALIFAX, N. S., Sept. 29.—The Allied Estimate has announced that here will hold their annual meeting on Wednesday. The main item on the agenda is the discussion of plans for participating in war work. W. H. Cramer, proprietor of the Strand, Sydney Mines, is the retiring president.

Off the Antenna

A NETWORK of 253 stations in the United States, Canada and Hawaii will carry the World Series baseball games. Mutual claims this is to be the first year all games will be broadcast by Mutual.

Mutual, which paid $100,000 for the radio rights in 1939 and again this year, has an option for the 1941 series. The announcers who will handle the play-by-play are Red Barber and Bob Elson while Mel Allen will do the play-by-play sponsoring. Lester Godbole, Mutual's publicity director, left over the weekend to arrange details.

Purely Personal

Frank Myrtha, in charge of booking for the NBC artists service, was married yesterday to Emma Neugabauer of St. Mi-

chael's Church, Brooklyn, . . . Richard Blake has assumed the post of pro-

gram director for WOR, New York. . . . High Kendall Bocic, for eight years recent vice-pre-

dent of Bennett & Bowles, will join WJXR, Oct. 1 as vice-president in charge of sales. The station goes up to 5,000 watts on the day, . . .

Leonard Kaplan, of WCAX, Pittsburgh, is in town.

* * *

Negotiators for both sides look forward to a settlement early this week of the dispute on sustaining shows between American Federation of Radio Artists and the networks in four key cities, according to a spokesman for the New York State Labor Mediation Board. Discussions will be resumed at 10 A.M. today.

Four stations joined Mutual over the weekend to bring the number of affiliates to 154. The additions are WGH, Newport News, Va., on 1,310 kW, 250 watts, full time; WDAR, West Point, Ga., 1,310 kW, 250 watts, full time; WVCN, Roanoke, Va., 1,000 watts, night; and WJBY, Gadsden, Ala., 1,210 kW, 250 watts, day, 100 watts, night.

* * *

Program News: WOR will carry the Brooklyn Dodgers professional football games this season under the sponsorship of Schick razors. . . . "Woman in White," returns to CBS today at 11:15 P.M. It will be heard Mondays through Fridays under the sponsorship of Carney soap. . . . New business signed by WABY, Albany, includes Wibbek Motors, Stevens Clothing, Beaver Economy Soap, Ideal Restaurant, Ford, Albany County Demo-

cratic, Lockeway and Western Coal Co.

Popple Plans Light Beam

To Send Programs a Mile

It may sound like a story from Grimm's fairy tales, but J. R. Pop-

pele, WOR chief engineer, plans to carry programs from WOR's studios on a light beam and make WABY, New York City, the farthest point at 44 Madison Ave., almost a mile away, by a light beam, instead of by more conventional telephone wires. Although it is admitted that the idea is not likely to supplant wires for some time to come, and it is not to start the experiment within two weeks.

The engineering principle involved is the fact that light can be modu-

lated in the same manner as radio waves and can be transmitted to sound at the receiving end.

From the roof of WOR a concentrated shaft of light will be aimed at a sensitive photo-electric cell on the roof of the FM transmitter building, where it will be converted back to sound and broadcast. Since the cell is sensitive to infra-red rays, it will pierce fog or rain, according to Popple.

The principle has been demonstrated for the past two years at General Electric's "Dream City," and is said to work at the New York World's Fair but it is the first practical application of the principle to the best of Popple's knowledge.

Popple says that the experiments may have a vast influence on commu-

nications for military or naval pur-

poses. There will be no wires for the enemy to cut. For example, it would be possible to communicate between armies on two mountain peaks and there is the further advantage that the messages could not be intercepted because of the directional nature of the light beam.

A deep casing is used for the trans-

mitting and receiving end of the outfit so that light from interfering and this casing also permits transmission during day-

light hours.

3 New RKO Houses

To Open This Week

The three former Cascal theatres recently acquired by RKO will open this week. The Pelham, White Plains Road and Pelham Parkway will open tomorrow evening; the Mar-

bud, 211th St. and Broadway, on Wednesday evening, and the Castle Hill Theatre Thursday evening.

20th-Fox Finds 70

Eligible for Draft

More than 70 employees of 20th Century-Fox branches are eligible for the draft, according to a list recently completed by the company shows. 117 branch employees who are eligible may claim exemption because of de-

pendents. About 20 others are in the doubtful list.

Set French Film Run

Robert Mintz has closed with the 55th St. Playhouse for the initial run of the French film, "Le Chemineau," tentatively set to start Oct. 7. The American run will be "The Open Road."
Hamrick Named Manager

Seaside, Sept. 29.—William Hamrick has been named manager of the Coliseum, key second run house in the downtown Hamrick-Evergreen circuit. He succeeds Clyde Strout, who moves to the Paramount as assistant to Dan Redden.

Takes Two Canadian Houses

Sir John, N. B., Sept. 29.—M. E. Walker, operating the Gaiety, Halifax, N. S., and the Imperial, Sackville, N. B., has leased theatres in Barrington Passage and New Germany, N. S.

Altec Deal Completed

Manny Marcus has added the Esquire Theatre in Port Wayne, Ind., to the list of his Indianapolis theatres to receive Altec service, as a result of new service agreements negotiated for Altec by F. C. Dickson.

Reopen Vogue in Bronx

Phoenix Theatres, Inc., has reopened the Vogue, 1,500-seat theatre at 892 E. Tremont Ave., Bronx. Max Goldbaum is president of the company.

Reverts to Daily Operation

The Tiffany, 1077 Tiffany St., Bronx, has returned to daily operation after having been open weekends only during the Summer.

Theatre Changes

Theatre Firm Formed

Cincinnati, Sept. 29.—The Oakley Corp. has been incorporated here with a capital of $20,000 and 100 no par shares, to erect a theatre in suburban Oakley at a reported cost of $39,000. Willis H. Vance, who operates the suburban Ohio and Eden here, and the State at nearby Newport, Ky., is president of the new organization.

Close Three Theatres

Aliany, Sept. 29.—Robert Yates has closed the Lake, Lake George, N. Y., while Morris Schuman has closed the Gaiety, Inlet, both are Adirondack Mountain region theatres. Rossi Brothers, Schroon Lake, have closed the Paramount but are keeping the Strand open.

Photophone Closes Deal

RCA Photophone sound equipment deals have been closed with the following theatres: Dreamland, Lorain, 0.; a new house at Tonawanda, N. Y.; Temple, Pittsburgh, Westville, New Haven; Cascade, Cascade, Ia., and a new theatre at McComb, Miss.

Reseat Pawtucket House

Pawtucket, R. I., Sept. 29.—The Strand, M. & P. house in downtown Pawtucket managed by Al Lashway, is being equipped with new seats on the orchestra floor, the work being done at night.

Scheines Take Over Two

Rochester, Sept. 29.—The Scheins Theatre circuit has taken over the Webster and Plaza here, Max Fogel, former Webster owner, stays as booker for local Scheins theatres and manager of the Monroe. Kermit Armstrong continues as Webster manager, while Clayton Cornell, Monroe manager, moves to the West End.

Commonwealth Plans House

Batesville, Ark., Sept. 29.—A new theatre is now under construction here by the Commonwealth Amuse- ment Corp., Kansas City. When completed early this Winter, it will replace the Melba, which is being returned to business use.

Completing Cincinnati Theatre

Cincinnati, Sept. 29.—The new 700-seat Times, being built by Isaac Libson and associates downtown here, formerly the site of the Cincinnati Times-Star, local daily, is nearing completion.

Adds Parking Lot

East Providence, R. I., Sept. 29.—The Hollywood, owned by Samuel Bowers and managed by Corey P. Richmond, has opened a new parking lot for patrons accommodating 150 cars.

Brooklyn House Reopens

The Jefferson, Brooklyn, reopened late last week.

Showmanship Flashes . . .

Invites Freshmen to House as Colleges Open

Providence, Sept. 29.—With the cooperation of university authorities, Robert Grossman, manager of the Avon, sent invitations to freshmen entering Brown University and Pembroke College, asking the new students to be his guests during the first fortnight of the college year. In all, 650 invitations were sent out. Avon is situated only a couple of blocks from the campuses of the two colleges.

'Newspaper' Used on Run of 'Sea Hawk'

Gloversville, N. Y., Sept. 29.—The Glove Theatre here, printed a special four-page newspaper to ballyhoo "The Sea Hawk." Done in authentic newspaper format, the paper was called the Glove Theatre News and contained publicity stories and stills on the film.

'Ramparts' Selling

Stresses Patriotism

Kansas City, Sept. 29.—Lawrence Lehman, manager of the Orpheum here, in selling "The Ramparts We Watch," concentrated on patriotic groups, holding a screening for the commanders of the American Legion posts, Veterans of Foreign Wars, other similar organizations and leading local ministers. An Army recruiting truck carried advertising for the film.

Kenny Baker
SINGS TWO NEW HIT SONGS
"WHO AM I?" and "IN THE COOL OF THE EVENING" in
HIT PARADE of 1941
A REPUBLIC PICTURE

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