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1939 Radio's Biggest Year, Says Sarnoff

9,000,000 More Sets Sold; Employment Jumps

"Radio in 1939 enjoyed its greatest year," said David Sarnoff, RCA president, as he announced in his annual year-end statement. Pointing out that the birthdate of broadcasting in the United States is generally regarded as December 1920, Mr. Sarnoff added: "In all history, no other industry ever benefited to such an extent as radio during the 20-year span."

Sarnoff declared that more people will "very much enjoy the new suit of television" which he had received. The new suit of television would reduce radio sales "poorly." The radio industry gives employment to 400,000 persons in this country and the annual payroll is in excess of $500,000,000, according to Sarnoff. In the RCA organization, employment rose approximately 15 per cent during the year, from 24,000 in 1933 to 23,500 in 1939.

Goldwyn Silent On Next Legal Move; Action Up to Steuer

Hollywood, Jan. 1.—Samuel Goldwyn today declined to discuss with newsmen any further move in his protracted legal efforts to terminate his exclusive distribution contract with United Artists.

The producer insisted as he has on other occasions that Max D. Steuer, his New York attorney, is in complete and sole charge of the litigation and that any and all statements in the matter must come from him.

Inquiries as to whether a new suit would be instituted in view of the dismissal of the original action in the Supreme Court in New York last week were referred to Steuer, as were all other interrogations put by newsmen.

Max D. Steuer maintained his silence on the Samuel Goldwyn suit dismissed and the next move in the producer's United Artists litigation over the weekend. At the attorney's office it was stated that Steuer was still confined to his home with a cold and that no comment would be made in his absence.

However, trade opinion holds that (Continued on page 8)

Walker and Mayor Talk Eastern Films

Former Mayor James J. Walker of Wilmington, Delaware, arrived in New York City yesterday to confer with Mayor LaGuardia on the subject of Eastern film production. Walker denied the report that he was offered to represent the city.

LaGuardia said he had discussed the matter with Mayor Walker, who had offered to represent the city.

The Mayor indicated that Walker represented exhibitors who favor increased Eastern production, and declined to identify those whom Walker represented.

Referring to the status of production itself, the Mayor said:

"Some points are now beyond the pioneeing stage; others are rounding out into practical shape."

Leon Berger, who claims to represent (Continued on page 8)

'Raffles' Plays Roxy; Following 'Swannee'

"Raffles," Samuel Goldwyn-Ungar Artists picture, will play at the Roxy following the run of "Swannee." The latter film opened at the theatre last Friday, and its stay is indefinite.

Radio Control Pact Ratified by Mexico

Mexico City, Jan. 1.—The Mexican Senate has last night ratified the North American Radio Control Agreement entered into at the Havana convention in December, 1937.

The long-delayed ratification here is seen as eliminating the difficulties which caused United States and Canadian stations considerable trouble. The Senate acted only after long and persistent urging by most Mexican stations.

The agreements allocate wave lengths in the Americas and serve to prevent "jamming" of the air lanes.

Bondy Delays RKO Hearing to Jan. 9

Hearings on the proceedings of RKO were adjourned Friday Jan. 1 at 3:30 P. M. by Judge Bondy at the request of Hamilton C. Hickay, attorney for the New York Corporation.

Hickay told Judge Bondy that the adjournment is necessary to await a U. S. Supreme Court decision on applications to review the order which confirmed the reorganization plan.

He announced that subscription warrants under the underlying agreement had been offered to RKO creditors on Dec. 22 and that the offer would expire on Jan. 8. In order to expedite the carrying out of the agreement, he stated, the time to exercise the option to purchase a new stock had been shortened from 20 to 17 days.

O. C. Duering, attorney for the Irving Trust Co, is preparing an order transferring RKO assets from Irving Trust Co. to the new RKO company, Rickaby said.

Mutual Net Revises Its Financial Set-Up

A revision of the capital stock division of Mutual under which seven independent broadcasting organizations controlling 52 of Mutual's 124 stations will share the stock and underwrite the financial operations of the network, was announced Friday by W. E. Macfarlane, president. All 57 stations have renewed their contracts with Mutual for five years, effective Feb. 1.

The stock will be distributed among WGN, Chicago; WOR, New York; the Don Lee network with 33 stations in

(Continued on page 8)

Film, Air Bills Face Big Tests By Congress

Neely Measure to Cause Greatest Debate

Washington, Jan. 1.—Passage by the House of the Neely block booking bill, already approved by the Senate, tonight loomed as the greatest legislation threatening film industry this session of Congress which convenes Wednesday.

Although a number of measures affecting the motion picture and radio industries are pending in Congress, held over from the last regular session, the block booking legislation is seen by observers in Washington as the only one likely to be enacted although, if the Administration presses its possible reorganization of the Federal Communications Commission will be taken up.

Only three film bills received attention at the last session, the Neely bill which was passed by the Senate; the Barbour bill to lift the ban on fight films, also passed by the Senate, and the Johnson bill to ban liquor advertising by radio, heard by a Senate committee which submitted both majority and minority reports.

There are, however, a number of

(Continued on page 2)

Coast Flashes

Hollywood, Jan. 1.—The public of the West Coast was eagerly awaiting two events of the last week of the year. The former was the announcement of the production of the latest film from the Goldwyn company, "The Westerner." Disposition of that picture was not mentioned when Goldwyn two weeks ago announced that the former distribution contract with United Artists.

Hollywood, Jan. 1.—Pandro Berman, former RKO production head, will become associated with M-G-M upon completion of his current vacation. Berman is at Sun Valley, Idaho. He plans to go there to New York to confer with M-G-M house official offices.

Year in Review

A review of the year 1939 in the motion picture industry, as recorded in the day-by-day headlines from Motion Picture Daily, appears in this issue, beginning on Page 4.
Blumberg Is Host To Trade Officials

Nate J. Blumberg, Universal presi-
dent, and William A. Scully, vice-
President and general manager, were hosts Friday to a large number of New York trade officials and press representatives at the Sherry-Netherland. They took the guests in the nature of an annual New Year's party inaugurated by Blumberg two years ago upon becoming president of Universal.

Among those present were: Blumberg and Scully, F. J. A. McCarthy, William Heimann, Joseph Neidel-

Also Harry Mandel, Leo Justin, Harry Ende, Leon Goldberg, Harry Ponsman, Tito Maier, Max Fellen-
man, Daniel Shakes, Jules Bratour, Joseph Sedler, David Chatkin, Bud Kopf, Daniel Collins, Fredrey, William Gerber, Ethel Wilson, Francis Levin, Mona Reilly, Leotta Cassally, Hank Linet, William Feller, Paula Cantor, Pat Hendriks, Charles Lewis, William Ornstein, Al Steen and Sher-
win Kane.

22 Para. Releases For Next 5 Months

Paramount's release schedule of 22 pictures for the next five months was announced today, as follows over the week-
end by Neil F. Agnew, vice-presi-
dent in charge of distribution:

January—"Emergency Squad, "Ger-
ronino," "Sante Fe Marshal," and
"Remember the Night."
February—"Parole Officer," "The
Light That Failed," "Sidewalks of
London" and "Knights of the Range.
March—"Seventeen," "Adventure in
Dixie," "Virginia Woman," 
"Wuthering Heights," "Road to Singapore" and
"The Farmer's Daughter."
April—"Dr. Cyclops," "Open Md.
Mistake," "French Without Tears,"
and "The Biscuit Eater."
May—"Way of All Flesh," "Show-
down," "Taylor Jr.," "Light of the
Western Stars" and "Buck Benny
Rides Again."

Ida Bartel Dies

CLEVELAND, Jan. 1—Ida Bartel, veteran film exchange employee here, died late last week of a heart attack. She was with M-G-M 11 years.

Get Press Book Jobs

Lynn Farnd, United Artists pub-
lishing and advertising director, has
promoted Thomas P. Agnew, Robert
Gildersleeve and Ned Norwich to jobs
in the press book department.

Feature Reviews

"City of Chance" (20th Century-Fox)

Hollywood, Jan. 1—Using as
a preface, with varied scenes and
universality of the gambling spirit in
a large city, "City of Chance"
thereafter concerns itself with the events of one night in a de luxe
gambling house.

Seen as partners running the resort are C. Aubrey Smith and Don-
ald Woods, while Ray Milland acts as a reporter sent out to expose
the resort. Amanda Duff as a society girl who is being blackmail-
ed, and Richard Lane as a gangster who wants to control the resort.

Nedloder's dramatics of the story are more prominent than the
teachy touches, which were well received by the preview audience.

The cast was responsible for the original screenplay, with Ricardo Cortez directing, the picture having come from the Sol Wurtzel side of the studio.

Running time, 88 minutes. "G."

WALTER SELEN

"Katie" (Mayer & Burativy)

The tragic romance of a young girl and a monarch, which ends in
his assassination, this French production of E. A. Algraz for Metropo-
lar Films of Paris, offers Danielle Darrieux an opportunity to dem-
strate her skill as an actress and versatility.

Her performance is the outstanding entertainment factor in the pro-
duction, wherein English subtitles permit understanding for those un-
familiar with French.

The girl is a daughter of Russia, the victim of the middle 19th Cen-
tury, the monarch young Emperor II. Despite the traditional em-
unity of her family for the Romanoffs, she meets and falls in love with Alex-
ander, and with her. Her effort to persuade him to grant a con-
stitution to the Russian people she loves falls only when his assassina-
tion occurs—a few days before her coronation and following her secret
marriage to the Czar; then a wrenching tale of love, loss and life.

John Loder, as Alexander, is hardly more than adequate, being
rather too stiff for easy handling of the role. Maurice Tourneur
directs from a screenplay by Jean-Jacques Bernard.

Running time, 80 minutes. "G."

CHARLES S. AARONSON

Congress to Settle Fate of Film Bills

(Continued from page 1)

other measures, pending, including bills
to create a Federal motion picture
commission, to ban alien actors, to try
films out for the recording of court
evidence, and to establish a Bureau of
Fine Arts.

While there are no indications that
young Federal legislation will be intro-
duced during the coming ses-
sion, it is expected that new copy-
right legislation will be introduced and
an effort made to obtain its enact-
ment, the success of which, however,
is doubtful. Past history of copyright
legislation shows that it takes two full
sessions to obtain consideration by
both houses.

Radio Measures Coming Up

In the field of radio legislation, the Administration drive for reorga-
nization of the F.C.C., which President
Roosevelt has been represented as
willing to drop in view of the "improve-
ment" in that body, and the campaign
for investigation of the commission are
the most important matters carried
over into the new session.

Other measures affecting radio in-
clude bills for establishment of a Gov-
ernment broadcasting station, for fur-
ther experimental use of super-power,
and for restrictions on radio adver-
sing.

Paramount Theatre Grosses $1,920,000

Paramount theatre, under Robert
Weisman, managing director, grossed
an estimated $1,920,000 during 1939, it
was revealed over the week-end. This
does not include the grosses for "Gulliv-
er's Travels" and "The Great Victor
Herbert."

The average annual gross during
the past five years has been an estimated
$1,690,000. In 1935, when Paramount
inaugurated its stage hand policy, the gross was $1,209,652. This figure,
compared with the gross for 1939,
shows the effectiveness of the new
policy.

Streimer Testifying

BOSTON, Jan. 1—Moe Streimer,
New York branch manager for
United Artists, tomorrow will con-
firm his testimony in the Morse &
Rothenberg anti-trust action against
major companies here. Streimer be-
gan his testimony Friday.

SCRATCHES

On Film Can Be Removed Only by
AMERICAN RECON, INC.
245 W. 55th St., New York, N. Y.

Negative—Positive—
Color Film Rejuvenated

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THE KEYSTONE OF YOUR FUTURE

Swanee River

Biggest in opening in history of Roly Theatre

20th Century Fox

THE KEYSTONE OF YOUR FUTURE
**January**

**February**

**March**

**April**

**May**

**June**
re-sold audience
millions of radio
listeners every Monday
that is eagerly awaiting
a triumphant screen
appearance of their
golden-voiced favorite,
Tony Martin, star of
radio's 'Tune-up Time'!

Music
IN MY Heart

Tony MARTIN * Rita HAYWORTH

with EDITH FELLOWS - Alan Mowbray - Eric Blore - George Tobias and
ANDRE KOSTELANETZ AND HIS MUSIC

Original story and screenplay by James Edward Grant • Directed by JOSEPH SANTLEY • Produced by Irving Starr
July

July 3—Trade chiefs pleased with U. S. code. Directors adopt a领衔 to accept code; call Allied’s action “initiative.”

July 8—CBS and NBC June billing hit new high. New product brings boom to Broadway.

July 9—New season’s deals showed marked increase in middle and for strike.

July 10—N. Y. Allied takes independent code stand, 4-A’s rejects mediation offer of William Green; A-F-A. trial starts. Trendis raises United Detroit Theatres bond.

July 11—Maxwell offers new booking idea to aid 1,000 British independents. C.I.O. begins vertical drive in all studios. Quebec theatres reopen.

July 12—Trade plans golden jubilee celebration. National Association of Broadcasters accepts code governing summer policies.


July 14—Theaters ask reduction in clearances, C.I.O. musing in studio. Key city grosses show upturn at $1,166,729.

July 17—Court upholds charter return to Screen Tax Board, 4-A’s suit brought. Loew’s 40-week deal is $1,073,400.

July 18—Senate passes Neely bill, 46 to 26. American Guild of Variety Artists places A.F.A.; enrols 1,000. First industry short-wave broadcast to Latin-America and Europe successful.


July 20—Government suit discovered to be on trial calendar since March. Green lacks A.F.A. as still part of A. F. L. Century theatres resume games after three-week experiment.


July 24—U. S. seeks Nov. 1 as trial suit trial date. Studio A. F. L. unions unite to battle C.I.O. Warners reports $2,917,106 profit for 39 weeks. F.R.I. to fight Fox receivership. 4-A’s and F-A. do not go to before A. F. L. council.


July 29—Government Vale accepts appeal; judgment against M-G-M cut to one-fifth. Capitol to show Korda’s ‘Four Feathers.”

August


Aug. 8—S.O. officials are foes of I.A.T.S.E. RKO hearings; producers all-A.F.A. ad to A.F.A. Paramount files $1,000,000 suit for six months. 20th-Fox adds television to radio ban for second time.

Aug. 4—Union battle grips entire amusement world. 4-A’s polls 20,000 actors on strike. Broadcasters open to battle. American with new music source. 20th-Fox reports $6,000,000 profit for third quarter. Columbia adds annual for 20th-FX’s 20th anniversary.

Aug. 5—S. F. files link to strike suit. Atlantic presents RKO financing plan. N.L.R.B. to arrive ready to go before A. F. L. council in jurisdictional dispute. Column of majors offer no defense.


Aug. 9—C.I.O. main strike to the end. F.B.I., reportss are as to clearance. Warner's $1,276,750.

Aug. 10—A.F. L. hearings on 4-A and L.A.T.S.E. strike to be held in New York. Loew’s gets $15,000,000 refund loan.


Aug. 15—A.F. L. hearings on 4-A and L.A.T.S.E. strike to be held in New York. Loew’s gets $15,000,000 refund loan.


Aug. 18—Warners submit own trade code. C.I.O. is in a 4-A dispute. little hope seen.


Aug. 25—British war issue orders the attack. film titles and set up stock. British war issue orders the attack. film titles and set up stock. British war issue orders the attack. film titles and set up stock. British war issue orders the attack. film titles and set up stock.

Aug. 26—Groom Roosevelt as A.M.P.P. chief. Profit of $1,000,000,000 in six months returned. N.L.R.B. sets Sept. 14 for election. British 6-A. 28,000,000 for C.I.O. and C.I.O.

Aug. 27—British West Coast accused of violation of consent decrees by U. S. Strike licenses as zero hour set by 4-A. nears.

Sept.


Sept. 6—U. A. resigns from M.P.P.D. in Balaban & Katz dispute. War to affect theater. Chicago News reports that news sends film stocks and bans New Jersey Allied strike.

Sept. 7—Trade stops on radio. W.A.S.T. stop. Industrial officials rush Sept. 8—British film loss is $500,000. Majors win 30-day delay in move and unemployment.

Sept. 9—Quarter per cent of British theatres reopen. RKO and Universal win Chilean case. C.I.O.° names “excellent.”

Sept. 10—Local 79 per cent of British theatres reopen. RKO and Universal win Chilean case. C.I.O.° names “excellent.”


Sept. 12—Newsreels suffer war gag.


Sept. 17—British rent for new in United States. Agreement;

Sept. 18—British film code to vote to new music source.


Sept. 20—British film code to vote to new music source.

Sept. 21—Cohn slash own sales by one.

Sept. 22—British film code to vote to new music source.


My Deepest Gratitude...

TO THE NEW YORK FILM CRITICS FOR HAVING ACCLAIMED WUTHERING HEIGHTS AS THE BEST PICTURE OF 1939...

I ALSO WISH TO EXPRESS MY APPRECIATION TO THOSE ASSOCIATED WITH ME IN THE PRODUCTION OF WUTHERING HEIGHTS...

BEN HECHT AND CHARLES MACARTHUR, SCREENPLAYWRIGHTS,

WILLIAM WYLER, THE DIRECTOR,

MERLE OBERON, LAURENCE OLIVIER, GERALDINE FITZGERALD, FLORA ROBSON AND THE OTHER MEMBERS OF THE CAST,

GREGG TOLAND, CINEMATOGRAPHER,

ALFRED NEWMAN, MUSIC,

JAMES BASEVI, ART DIRECTION,

AND ALL THE OTHER MEMBERS OF MY ABLE ORGANIZATION WHOSE SINCERE EFFORTS MADE WUTHERING HEIGHTS POSSIBLE...

Samuel Goldwyn
November


2. Arthur Miller's "The Crucible" may strike, demand 17 per cent increase. New York theater unions threaten to strike if the solution of the business problem will probably avoid further technical advances which will permit lower list prices.

3. Dr. Baker also commented on the fact that G.E. is experimenting with frequency modulation and that FM receivers should be expected to replace present receiving equipment when FM transmission is made available.

4. Dr. Baker pointed out that the business viewpoint, television, has not produced the favorable results anticipated. He warned that the solution of the business problem will probably avoid further technical advances which will permit lower list prices.

5. The President, General Murph says proposed code cannot be approved without a change in the present defense.

6. Universal TV newscast will be carried on New York circuits.

7. Dynagistics Guild approves amendment to film industry.

8. Studio unions vote against giving benefits to industry in short-circuit worries English exhibitors.

9. TV to go commercial.

10. Paramount's earnings for nine months estimated at $2,500,000. Strike called, then rescinded in Schenectady.


12. X. C. Jones companies plan to resume production.

13. Showdown on whole wage issue in Hollywood is seen. Film unions in nine months dropped to 27,000.

14. Arbitration board grants 10 per cent increase to Eastern Federation of Labor.

15. Board strike leaders will have to rescind strike order if 10 per cent increase is refused.

16. Showdown on whole wage issue in Hollywood is seen. Film executives see small possibility of a strike.

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23. New York film attorneys see no likelihood of a company other than United Artists making a deal for distribution of the picture while the litigation is pending.

24. Asap law in Nebraska, George Formby and Robert Taylor in "Where the West Begins," from distribution for that length of time.

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Plan for RKO Is Confirmed By High Court

Cassel, Stirn Pleas for Review Are Denied

WASHINGTON, Jan. 2—The U. S. Supreme Court today refused to review two petitions which attacked the order approving the plan of reorganization of RKO.

The court orders rejecting the applications of H. Cassel & Co., holder of $217,000 in RKO gold debentures, and Ernest W. Stirn, Class A stockholder, serve as a confirmation of Federal Judge William Bonds' order, subsequently affirmed by the U. S. Circuit Court, which upheld the plan.

The Supreme Court order, as is usual in applications to review, gave no reasons for its denial. The full text in the exception of Associate Justice Douglas participated in the decision.

The long-awaited ruling will act as a full-speed ahead signal to bring RKO out of reorganization proceedings, a member of Simpson, Thacher & Bartlett, attorneys for the Atlantic-Goldwyn Co., proponent of the plan, stated.

Necessary preliminary steps before this goal can be reached, he said.

(Continued on page 11)

Trade Watches Bills In State Legislature

ALBANY, Jan. 2—New York's present legislative session, which gets underway tomorrow with Governor Lehman's annual message, will consider many measures of interest to the film industry, but none will have as far-reaching consequences as agitation for a two per cent sales tax.

Despite the necessity for adoption of an enabling act to govern pari-mutuel betting as approved last November, agitation for repeal of the cigarette tax, renewal of the drive to put across I.A.T.S.E.'s "full crew" bill and a score of other important legislative bits favored or opposed by exhibitors and distributors alike, the most urgent problem is that municipalities will not have funds to be centered on sales tax proposals.

On the brink of their lawful borrowing power, many upstate cities, towns and villages believe the sales tax is their only salvation, while New York City and in general labor unions (Continued on page 11)

U.A. Will Contest Goldwyn-Warner 'Westerner' Deal

United Artists will contest in the courts Samuel Goldwyn's right to enter into a distribution contract with Warners for his picture, "The Westerner," Charles Schwartz, United Artists counsel, said yesterday.

Schwartz said that the form in which the legal opposition would take could not be disclosed at this time due to the fact that United Artists has no official information that a distribution deal has been made by Goldwyn with another company. Its present information is limited to press reports: "We will look into the matter," Schwartz said, "and if the press statements are substantiated, we will defend our exclusive distribution contract with Goldwyn with every legal means at our command. Our position has not changed. We intend to hold him to his contract with us."

The Warner studio succinctly announced late Monday that: "Negotiations have been completed with Samuel Goldwyn for the distribution of 'The Westerner,' starring Gary Cooper and directed by William Wyler."

Studio officials refused to comment further on the closing of the deal, as was reported by Max D. Steuer, Goldwyn's New York attorney, likewise maintained his silence. United Artists officials referred inquiries to the company's attorneys.

Unofficial conjecture held that United Artists executives maintain an intention to restrain Goldwyn from deal (Continued on page 11)

Holiday Grosses Smash 10-Year Broadway Mark

Broadway staged the biggest New Year's weekend in 10 years over the holiday, in both first and subsequent run houses. Several house records toppled. Night clubs, hotels, and the legitimate stage did a sellout business well ahead of recent years.

The weather during the weekend was below freezing but it failed to affect the holiday spirit. Out-of-town tours continued to draw big crowds throug Times Square in the customary New Year's manner.

All film houses, with the exception of the Astor and the Capitol, where "Gone With the Wind" is being shown, played extra shows. The Rivoli and the Rialto were open all night. At the Paramount and the Roxy, higher prices were charged for the midnight shows.

The Sunday business broke all-time house records at both the Music Hall and the Roxy. In addition, the weekend record at the Roxy was also broken. At the Music Hall, "The Hunchback of Notre Dame," with a stage show, which did not open until Saturday, drew an estimated $60,000 for the weekend, with an estimated $52,000 on Sunday. The previous house record was $23,000 set in 1936 with "Follow the Fleet" on Washington's Birthday.

The Roxy played to 89,207 persons over the weekend with "Swannee River" and a stage show as the attraction (Continued on page 6)

Berman Praised
By Louis Mayer

Hollywood, Jan. 2.—Louis B. Mayer today lauded Pandro S. Berman, newest member of the M-G-M executive personnel, as "one of the most outstanding young producers in the industry today."

Mayer said Berman would report for active duty as soon as he finishes his current vacation.

Berman, who left RKO Dec. 15, was represented in the M-G-M deal by the William Morris Agency.

Metro Orders Night Reserved Seat Sale For All 'Wind' Dates

Reserved seat admissions will prevail for all "Gone With the Wind" evening shows during engagements which will open from now on. This has been decided by the M-G-M distribution department as a result of tests with reserved and unreserved admission policies in seven representative cities.

During the first week of the run at the Capitol it was found that the large crowds at the theatre led many persons to believe that no seats were available at night and that this discouraged a larger attendance. M-G-M executives believe that the reserved seat policy will obviate this sort of (Continued on page 2)

RKO, 'U' Sign Deal With Ad Accessories

Becomes Effective Feb. 1; Trailers Included

Deals for distribution by Advertising Accessories, Inc., of all RKO and Universal accessories have been closed, Charles Casanave, vice-president and production of pictures in England, said Screen Service subsidiary, stated yesterday.

The deals follow closely upon the one closed last week, and additional deals are being discussed with other major distributors, Casanave said. Like the Paramount deal, the RKO and Universal arrangements will become effective Feb. 1 and also include distribution of the trailers of all three companies.

The inauguration of this new method of marketing all display advertising on major company product marks the beginning of a new phase in Theatre advertising, Casanave asserted. It is the first time that large distributors have authorized the sale and distribution of their ad accessories by an organization other than their own.

Advertising Accessories will establish offices in 31 exchange centers throughout the country. It has its own offices now in 23 cities and will rent space in Paramount exchanges in Albany, Buffalo, New Haven, Pitts-burgh, Cincinnati, Indianapolis, Milwaukee, Salt Lake City and Portland, Ore. The last named office may be consolidated later with a Seattle branch, it was said.

The accessories handled by the new (Continued on page 11)

Fox Pushes Film Work in England

Hollywood, Jan. 2.—In spite of the war, 20th Century-Fox will continue the production of pictures in England, according to Robert Kane, in charge of company's production activities in England, who arrived today in Hollywood from London last week.

"War conditions naturally have restricted our activities in England to some extent, but the British government has cooperated briefly to keep the industry going," said Kane. "As matter of fact we have missed only three days of shooting since the outbreak of the war and that wasn't due to hostilities but to a suspension made necessary when we moved our (Continued on page 6)
Metro Orders Night
Reserved Seat Sale
For All ’Windy’ Dates

(Continued from page 1)

situation as well as eliminate the long wait for tickets.

Regular runs of the picture have been set in 38 cities, following the preli-
minary engagements in seven cities now under way. Of these, 31 com-
prise the main circuit theatres.

Warner’s have set the picture day-
and-date in two theatres in Philadelphia.

The première will be held the night of Jan. 18, at the two reserved seat shows thereafter.

The Earl will open the film Jan. 19, on a continuous run policy of three
shows a day, starting at 10 A. M. Prices will be advanced over regu-
lar scales.

The other engagements will be the one-theatre circuit of 21, a rental top
of $1.10 with $1.65 for loges.

Four openings are scheduled for
Jan. 25 as follows: Capitol, Wilkes
Barre, Pa.; Commodore, Hungry
Pt.; Strand, Binghamton, N. Y.;
Great Lakes, Buffalo. The Cataract,
Niagara Falls, N. Y., will open the

Loew circuit engagements are dated as follows:

Jan. 26—Century, Baltimore;
Palace, Washington; Loew’s,
Wilming-
ton; Warner, Scranton; Warner-
Providence; State, Syracuse; Roches-
ter, Rochester; Loew’s, Indianapolis;
Midland, Kansas City; Loew’s, Louis-
ville; Cleveland; State, Louisville;
State, New Orleans; Ven-
dome, Nashville; State, Memphis;
Yge Theatre, Providence.

Feb. 2—State, Norfolk; Loew’s,
Richmond; Loew’s, Akron; Valen-
tine, Toledo; Broadway, Columbus;
Loew’s, Capitol, Columbus; Ma-
estic, Bridgeport; College, New
Haven; Palace, Hartford; Elm,
Worcester; Poli, Springfield, Mass.;
Victory, Providence.

Feb. 3—Poli, Waterbury; Poli,
Meriden.

“Gone With the Wind” will play
the Fifth Ave, Theatre in Seattle at
a night top of $1.15, which will in-
clude a five-cent state admission tax.

In Tacoma the picture will probably play the Music Box, according to
John Hanrick, operator of the the-
atre, who is in town.

Capacity business for second week
runs of “Gone With the Wind” con-
tinued in large out-of-town houses.
In Boston, where the second week ends
today at both the State and Orpheum,
a total of $92,000 is indicated, with
$45,000 at the State, where two shows
with reserved seats are played, and
$47,000 for the Orpheum.

The Grand, in Atlanta, reported
$25,000 for the second week, on a
two-day basis. In Cincinnati, the
Capitol reported $30,000, more than
twice the amount two weeks ago.

At the Loew’s, in Reading, the first
week figure of $18,000 was equaled
during the second stanza. In Harris-
burg, the Capitol reported $155,
$500 for the second week.

Based on the first five days, in-
dications are that the film will do
$65,000 in Los Angeles with $35,000
at the United Artists house, and $30,-
000 at the Carthy Circle.

Purely Personal

S. CHARLES EINFELD, War-
ner’s advertising and publicity
director, is due from the studio early
next week.

WILLIAM F. ROGERS, Tim-
consul, will join John H. Hicks,
Rusell Holman, Tony Green
and Max A. Cohen at Nick’s Hunting
Room in the Astor for lunch yester-
day.

ANITA Louise is due today from
the western area, a broadcast Friday.
After a week here, she will go to
Hartford, Conn., for a personal ap-
pearance.

L. R. BRESLIN, jr., Roswell L.
Gilepag and Thomas A. Halleran
have joined the law firm Cravath,
GERSDORF, Swaine and Wood.

ALBERT MARGOLIES, publicity
manager of United Artists, will fly to
the Coast Friday for conferences on
campaigns for forthcoming pictures.

HENRY King, 20th Century-Fox
director, is in Miami Beach for a
day or two.

MILTON HYAMS, M-G-M New
Haven salesman, is visiting his daugh-
ter in St. Louis.

TIMOTHY O’Toole, Columbia New
Haven manager, has left for a short
vacation in the South.

JOAN CRAWFORD is in town for a
week.

Macntyre Touring
For Depinet Drive

Herb Macntyre, captain of the
RKO Red Depinet Drive, left yester-
day for a rapid tour of the country’s
38 engagements in this country and
Canada. The drive runs from Jan. 27
to Feb. 10.

Macntyre will be accompanied by
Walter Branson, Midwestern district
manager, and Harry Gittleson, editor
of the company’s house organ, who
will get out the paper from the field
during the drive. Branson will visit
the cities in his territory and with
other district heads visiting their ex-
changes with Macntyre. The drive capt
will complete its tour on Feb. 5 with
a meeting at the New York exchange.

Legion Approves 6
Of Seven New Films

The National Legion of Decency
for the current week has approved five
of six new films reviewed, two for gen-
eral patronage and three for adults,
and classified one as objectionable in
its present form. The films and their clas-
sification follow:

Class A-1, Unobjectionable for Gen-
eral Patronage—Parole Fixer, Class
A-2, Unobjectionable for Adults—“Hunchback
of Notre Dame,” Invisible Stripes,”
Class E, Objectionable in Part—“Gone With the Wind.”

Warner Executives
On Coast for Parley

Gradwell L. Sears, Warner gen-
ral sales manager; Joseph Bern-
hard, general manager of Warner
Theatres and Sam Schneider, home
office executive, have left for Holly-
wood for conferences with H. W.
Warner, Warner Bros., Hal R.
Walls and Charles Einfeld.

Mordaunt’s Death

Funeral services will be held at St.
Catherine’s Church, Detroit, for Mrs.
Eileen T. Machell, mother of Edward J.
Mordaunt, president of C. B. Friar
(Appleton) Co., Monday morning.

Motion Picture Daily and other
Quigley publications will be in-
cluded at the Calvary Cemetery.
Mrs. Mordaunt’s body will arrive in
Mt. Vernon Sunday at her home in
Mt. Vernon.

Samuel Sulzbacher Dies

MORROW, Ala., Jan. 2—Sam-
uel Sulzbacher, 66, local theatre op-
erator and business leader, died here.
DEAR MISTER EXHIBITOR:

This is 1940 writing to you. I’ve just arrived and while I find this world a bit screwy I was delighted to discover one outfit with chin up, full of smiling optimism and courage that’s admirable. I refer, of course, to Metro-Goldwyn-Mayer. I have looked over the M-G-M pictures that the Big Year of 1939 gave you, such as “The Women”, “Thunder Afloat”, “Babes in Arms”, “Ninotchka”, “Another Thin Man”, “Judge Hardy and Son”, “Balalaika” and others. They’re great, but I assure you 1940 will do even better! This M-G-M outfit is your best bet. To start my new year, two pictures just previewed, are sensational: “THE SHOP AROUND THE CORNER” (another Lubitsch hit starring Margaret Sullavan, James Stewart); “EARL OF CHICAGO” (starring Robert Montgomery). Then there’s “BROADWAY MELODY OF 1940” (starring Fred Astaire, Eleanor Powell); “STRANGE CARGO” (starring Clark Gable, Joan Crawford); “NORTHWEST PASSAGE” (in Technicolor, starring Spencer Tracy). That’s just the start. I’ll be seeing you.

(Signed) 1940 AN M-G-M YEAR
M-G-M

STABILITY!
THE MOUNTAIN WILL BE THERE TOMORROW!

It is a comforting thought in these uncertain times to find the leader of the motion picture industry serenely stable, solidly strong, thankfully capable of assuring continued security and prosperity to its thousands of friendly customers.

With justifiable pride M-G-M points to these year-end surveys of the trade publications, the accumulated vote of exhibitors from coast to coast. Watch for more surveys.

FIRST IN HITS!

Thirty percent of all the industry's Box-Office Champions in the last 10 years are M-G-M. (Quigley Publications' Annual Poll.) M-G-M was the Box-Office leader again in the past year. (Box-Office Magazine's Report, Quigley Publications' Poll and others.)

FIRST IN STARS!

M-G-M leads all companies in Box-Office Stars (Box-Office Magazine's Report.) M-G-M gets 1st place and leads with 5 out of the first 4 top-money stars. (Quigley Publications' Annual Poll.)

The current season has set a new hit record, even for M-G-M. Completed productions and others in the making assure continued happiness at your box-office. Your security is our responsibility and to that we pledge ourselves anew. THE FRIENDLY COMPANY.
Holiday Nets
Best Grosses
In Ten Years

(Continued from page 5)

Hollywood Review

“High School” (20th Century-Fox)

HOLLYWOOD, Jan. 2.—A lively story which gives Jane Wyethers every opportunity to enact one of her natural and unaffected roles should do much to put “High School” among her best pictures to date.

Based on an idea by Robert Ellis and Helen Logan, the original screenplay by Jack Jungmeyer, Jr., and Harold Tarrant is unfolded against the background of Thomas Jefferson High School, in San Antonio, Texas, a widely publicized institution by virtue of its corps of ROTC boys, girls’ lariat groups and the like.

Entering the school as an accomplished and cocky miss from a ranch, Jane discovers that the ability that along with her fellow students is more than a matter of accomplishments or of being the Principe’s niece.

A final plot twist involves a chase in old cars, reminiscent of Key-stone days, and just as pleasing to the audience, judging by preview-night reports.

Joe Brown, Jr., who is featured opposite Miss Withers, bids fair to establish himself solidly among audiences receptive to a completely disarming portrayal of youth. Paul Harvey, Lloyd Corrigan, Lynn Roberts and Clift Edwards are seen to advantage, also, in the story directed by George Nicholls, Jr. Sol Wurzel was executive producer, with John Stone as associate.

First of a projected series, the picture should create a demand for a continuing supply of more of the same.

Running time, 75 minutes. “G.”

WALTER SELDEN

*G* denotes general classification.

Northwest Gross
Up, Says Hamrick

Theatre business in the Pacific Northwest has been on the upgrade in the last four months, according to John Hamrick, general manager of the Hamrick circuit in Seattle, Portland and Tacoma.

Hamrick said that for a long time labor controversies in Seattle held grosses down, but the increase in employment at appliance plants and other industries has helped business materially of late.

Hamrick is conferring with Spyrus Smith, in charge of the Central with “Marshal of Mesa City” and “North Sea Patrol,” he is, thus far, after an estimated $3,500.

Neighborhood theatres generally reported equally increased business over the holiday. Along 42nd St., managers said Sunday night business was “tremendous.”

Fox Pushes Film
Work in England

(Continued from page 1)

studio at Gainsborough to Shep-

hers Bush.

“A great majority of theatres have reopened,” he added, “but the run-

ning houses are still_a around that
too many people won’t be on the street at once. The greatest hazard to business are the blackouts. On moonlit nights business is excellent.”

Kane said that the studio has completed its quota up to March 31, including “King of the Night” with Will Fyffe and “Shipyard Sally” with Gracie Fields.

Kane is here to confer with Joseph Schenck, Darryl F. Zanuck and Wil-

liam Goetz. Kane will remain until Feb. 15.

Graham, Hicks Confer

Robert L. Graham has arrived from Ancon, Canal Zone, where he has been Paramount manager, to confer with his brother, Harry, and vice-presiding in charge of foreign dis-

tribution. He will go from here to Hollywood as assistant to Arthur L. Prattehle, Paramount general manager for Central America.

Telecinos Formed

ALBANY, Jan. 2.—Telecinos, Inc., Port Chester, N. Y., has been char-

tered, with H. I. Pettijohn, Hector Vieni and Anna Iahari as directors.

Slo-Mo Studio Slowly
Downs, 30 Shooting

Hollywood, Jan. 2.—Production slowed to 30 pictures before the cam-

era had a chance to rest, and by the end of January, as many as six

were being prepared and 74 were being edited.

The picture production of “Columbia” was finishing “Five Little Pepp-

ers at Home,” “Texas Express,” “In the Night—1940,” “They Don’t Call

Her Mary businessman."


Brooks, Ingrid Bergman.

In Work: “Strange Cargo,” “Florian.” “New Moon.” “I Take This Woman.”

Started: “Little Mothers.”


PARAMOUNT—Finished: “Safati,” “Gush of Gloves,” “Hold Your Horses.”

In Work: “Down Went McGinty.”

PRODUCERS PICTURES — Finished: “Soft Justice.” “Shapare Family Rides

In.”

RKO—In Work: The “Primrose Path.” “Trene,” “Little Orvie,” “Millionaire Play-

by,” “The Eve of Ferencz,” “My Favorite Wife.”

REPUBLIC— Finished: " Village Barn Dance.”

“Down The Trail—1940.”

EDWARD SMALL—In Work: “My Son, My Son.”

20TH-CENTURY-Fox—In Work: “Dance with the Devil,” “Hotel for Women No. 2.”

Started: “Cisco Kid No. 2.”

UNIVERSAL—Finished: “The Devil Is Yellow,” “Rigadin.”

In Work: “Mike of Chinatown.”

Started: “It Happened in Kaloko,” “Black Friday.”

WARNER’S—In Work: “Virginia City.” “We Shall Meet Again,” “It All Came Out Right,” “On the Riviera.”

Started: “Three Cheers for the Irish.”

$44,000 to ‘Geronimo’
As St. Louis Slumps

St. Louis, Jan. 2.—Grosses were off here, but “Geronimo” and “High Sierra” are doing well. Estimated takings for the week ended Dec. 28:

“Raffles” (U. A.) LOEWF’S—Finished (M-G-M) INDIANA (35c-50c) 7 days Gross: $13,000 (Average, $1,860)

“Olive’s Happenings At Night” (20th-Fox) AMIS’S—Finished (Para.) Missouri (35c-50c) 7 days Gross: $3,000 (Average, $430)

“Charlie McCarthy, Detective” (Univ.) FLYING Doveses (RKO) SAVOY—IDLE (45c-50c) 7 days Gross: $3,000 (Average, $430)

“High School” (20th-Fox) RANGER—FREE (35c-50c) 7 days Gross: $2,500 (Average, $350)

“Geronimo” At $6,500
Best in New Haven

New Haven, Jan. 2.—“Gulliver’s Travels” and “Television Spy” at the Paramount was the only bill to gross over $5,000.

Estimated takings for the week ended Dec. 28:

“The Amazing Mr. Williams” (Col.) “ROGER”—FREE (M-G-M) UNIVERSE—Finished (U.) college (1,499) (25c-40c) 7 days Gross: $1,500 (Average, $215)

“Judge Hardy and Son”(M-G-M) “The Battle of the Bulge” (Para.) M-G-M—Finished (25c-40c-60c) 7 days Gross: $13,000 (Average, $1,860)

“Gulliver’s Travels” (Para.) “The Unknown” (U.) PARAMOUNT—Finished (25c-40c-60c) 7 days Gross: $9,000 (Average, $1,300)

“Waterfront” (IRE) “Amerigo” (Para.) “Gulliver’s Travels” (Para.) M-G-M—Finished (25c-40c-60c) 7 days Gross: $9,000 (Average, $1,300)

“Gulliver’s Travels” (Para.) M-G-M—Finished (25c-40c-60c) 7 days Gross: $9,000 (Average, $1,300)
Swanee River
BIGGEST WEEK-END
in all Roxy history...

(including every holiday week-end)!
MUSIC HALL RECORDS
BIGGEST DAY IN HIST

FIVE SHOWS PLAY TO 30,000 ADMISSIONS!

WORLD’S LARGEST THEATRE PILES UP WORLD’S BIGGEST DAILY THEATRE GROSS!

* SUNDAY, DEC. 31

"HUN"
SMASHED WITH DRY OF HOUSE!

RADIO DRAMA SWEEPING TO TERRIFIC HEIGHTS EVERYWHERE! . . ONE HUNDRED HOLIDAY OPENINGS SEE RECORDS FALL AND UNANIMOUS HOLDOVERS COAST TO COAST!

Produced by PANCHO S. BERNAN Directed by WILLIAM DITTEL

Screen Play by Sozo Levien Adaptation by Bruno Frisoni
'Gulliver' Is Denver Lead With $12,500

Drexel, Jan. 2.—"Gulliver's Travels" at the Dechaum ran up a powerful $12,500. "Judge Hardy and Son" and "Mexican Spitfire" at the Orpheum grossed $12,000. Estimated takings for the week ending Dec. 27:

- "Housekeeper's Daughter" (U.A.)—DENVER ($1,750); 3 days, $1,500. Average, $500.
- "A Nightingale" (M-G-M) BROADWAY—2 days, $2,000. Average, $1,000.
- "Secret of Dr. Kildare" (M-G-M) BROADWAY—2 days, $2,000. Average, $1,000.
- "Gulliver's Travels" (Para.)—DENVER—$9,000. (25c-40c) 7 days. Average, $1,250.
- "Judge Hardy and Son" (M-G-M) BROADWAY—2 days, $2,000. Average, $1,000.
- "Private Lives of Elizabeth and Essex" (U.A.)—DENVER, Pueblo, *$10,000. (25c-35c-40c) 7 days. Average, $1,428.

That's Right! Pulls $25,000, Pittsburgh

PITTSBURGH, Jan. 2.—Kay Kyser pulled $25,000 at the Stanley with "That's Right, You're Wrong." Estimated takings for the week ending Dec. 28:

- "Shipyard Sally" (20th-Fox) $2,500. (25c-30c-35c) 3 days. Average, $833.
- "Too Busy to Work" (20th-Fox) BROADWAY—2 days, $2,000. Average, $1,000.
- "You're My Lucky Star" (20th-Fox) FULTON—1,100 (25c-90c), 7 days. Average, $157.
- "Gulliver's Travels" (Para.)—LOEW'S PENN—$5,000. (25c-35c-40c) 7 days. Average, $1,428.
- "Destry Rides Again" ( Univ.)—LOEW'S PENN—$5,000. (25c-35c-50c) 7 days. Average, $1,428.

That's Right, You're Wrong! (RKO) STATA, KILDARE—$5,000. (25c-35c-50c) On stage: Marion Raye, Wences, Jack Will-iams, The Kildares, the Blankspotify. Gross: $25,000. (Average, $7,0000.
- "Joe and Edel Tuff Call on the President" (M-G-M) BROADWAY—2 days, $5,000. (25c-50c) 7 days. Average, $1,428.

Ask Libel Suit Dismissal

Application to dismiss the $500,000 libel suit filed by the Metropolitan Life Insurance Co., Bamberger Broadcasting Service, Inc., Edwin C. Hill, Leroy A. Lincoln, Sen., was filed in the N. Y. Supreme Court yesterday. Dismissal of the suit, which also charges conspiracy to force the plaintiff out of business, is requested for failure to state a cause of action.

Montague to Testify

Bostor, Jan. 2.— Abe Montague, general sales manager for Columbia, will testify tomorrow morning in the Morse & Rothenberg anti-trust action against the major companies. Moe Steiner, United Artists New York manager, completed his testimony today and was followed by Seymour Schussel, New York salesman for Columbia.

Personnel Theatre Notes

Shift Carolina Managers

RALEIGH, N. C., Jan. 2.—W. G. Ellis and W. E. Dollar, North Carolina Theatres, Inc., has changed managers at three local houses. C. B. Rossong, manager of the Capitol, which has been transferred to the Carolina at Asheville; N. H. Hicks, Capitol, succeed Rossong at the State; to fill Hicks’s shoes left vacant by his death, C. B. Rossong will return to the State, left vacant by his death, C. B. Rossong will return to the State.

Georgia House Opens

MIAMI, Ga., Jan. 2.—The Cobb, Marietta’s newest house, seating 500, has opened. It was erected by Manning & Wing, operators of the Strand, the city’s other theatre.

Build Arkansas House

FLIPPIN, Ark., Jan. 2.—This town’s first film theatre is being erected here by W. C. Christman. The structure, located across from the Courthouse, will be of native stone and stucco.

Manages Pittsburgh Rex

PITTSBURGH, Jan. 2.—John J. Howley has been appointed manager of the Rex, formerly of the Strand. He was with the Harris Amusement Co.

Finish Little Rock House

LITTLE ROCK, Ark., Jan. 2.—Construction work on the new Rex has been completed. The structure was designed by C. C. Mundo, manager of the theatre.

Manager in Milwaukee

MILWAUKEE, Jan. 2.—Francis Miller has been named house manager at the Riverside here, succeeding Charles Clark. Miller has been chief of service for the past several years.

Wuerz Palace Manager

WUERZ, Jan. 2.—Charles Wuerz is the new manager at Fox’s Palace, succeeding Jack Richards.

Reverts to Second Runs

PITTSBURGH, Jan. 2.—The Harris Family theatre in the East End neighbor- hood, has reverted to second run double features, after a brief trial period as a newsreel house.

Chicago Teleneves Opens

CHICAGO, Jan. 2.—The Telenevens, Chicago’s first strictly newsreel thea- tre, opened today in a new house which seats 600, has a main floor seating capacity of 400 and a balcony seating of 200.

Open in Marshall, N. C.

MARSHALL, N. C., Jan. 2.—The new State has been opened here. It is owned and operated by3o32o3 Amusements, Inc., of Erwin, Tenn. W. H. Parrott is president and Earle Hendren, secretary-treasurer.

Lost-Poli Staff Changes

NEW HAVEN, Jan. 2.—Harry F. Shaw, Lost-Poli division manager, has made the following theatre staff promotions: William Scanlon, assistant at the Lost-Poli here, named assistant at the Palace, Meriden; Sidney Klepper, formerly at Meriden, now assistant at the Palace, Hartford, succeeding John Feshler, resigned; Charles Guadino, assistant at the College here, new assistant at the Poli, New Haven; Harold Alpert, chief of service at the College, now assistant.

Reopen House in Iowa

AUDUBON, Ia., Jan. 2.—Floyd Thompson, who recently closed the Broad- way for remodeling, has re-opened it as the Rose. The seating capacity has been increased to 400.

On This Day

1939

"GONE WITH THE WIND"

A sincere effort has been made to translate faithfully Margaret Mitchell’s comprehensive word picture of the passing of the old South. The screen adaptation is exceptional and noteworthy enter- tainingly. It lacks nothing of the melodrama that is in the book, with the significance of the tragic collapse of the social order (Cin- cinatti Enquirer). In its length alone, "Gone With the Wind" is the most imposing spectacle ever to reach the screen. It is magnifi- cent, too, in its superb color, in its scrupulous details, in its scope, in its technical virtuosity, in its sheer extravagance. As to Margaret Mitchell’s story, I don’t know if that has been told so well... The film is dominated by Vivien Leigh (Cincinnati Times-Star). The audi- tiences did not come in the house with an idea of viewing every inch of the motion picture. Never before had they seen a film of such dimensions... Almost laconically faithful to Margaret Mitchell’s novel, as it is, as the story is. One carries away from the picture a rich store of unforgettable images (Cincinnati Post).

"THE HUNCHBACK OF NOTRE DAME"

The Laughton study is one of his more striking portraits... It is so striking that it will probably leave its mark on a whole film-going generation. It is by frightening them half, or even two-thirds to death (Boston Evening Transcript). A gruesome horror film.

Charles Laughton... a makeup which probably will go down in the annals as the most horrendous of all times... Produced with a look of Laughton’s as its background and, at times moving representation, but by no means the perfect achievement which was the late Lon Chaney’s (Chicago Tribune). The heart-shocker of all of Notre Dame... Charles Laughton is frightening and grotesque... Has been given an incredibly spectacular mounting (Boston Post). Here’s a bang-up piece of movie entertainment... Its romantic scenes have amped and its horror scenes have carried away the excitement and suspense (Kansas City Star).

"GULLIVER’S TRAVELS"

A thoroughly pleasing show is "Gulliver’s Travels"... Max and Dave Fleischer have produced a picture with many novel twists... Entertaining for adults as well as children (Kansas City Jour- nal). A fairy tale come to life and it’s a lot of fun. A bang-up color production... Some of the artistic compositions are start- ling and delightful (Kansas City Star). The Fleischer production stands on its own footage as a diverting enough film for adults and a top-flight-of-fancy for youngsters (Newesveck). It was a noble effort, but in craftsmanship, color, delicacy of treatment and invention, "Gulliver’s Travels" falls considerably short of “Snow White,” although reminiscent of it (Time). A full-length cartoon for which the younger patrons ought to be properly grateful... An hour and a half of bright colors, broad humor and tuneful music (Boston Evening Transcript). An admirable color feature length cartoon... An excellent picture, packed with visual gags (New York World). Children will enjoy it whole heartedly, and adults will enjoy themselves also (Boston Herald). A Christmas present for the younger generation, but it will also prove a delight to fond aunties and grannies (Herald News).... A full hour 7% of delightful whimsy (Boston Daily Globe). Should be much more en- tertaining to children than the Disney classic, which primarily was for adults. (Boston Traveler). A grand Christmas present for the children, a picture book come to life... Plenty of chuckles for the grownups (Boston Post). Jonathan Swift’s 200-year-old classic, "Gulliver’s Travels," given a shot in the arm by the ingenious Max Fleischer, will pop out your eyes and warm your heart. You’ll doze on this fairy tale in color which combines fantasy and satire in such infectious blend (Boston Evening American).

"THE EARL OF CHICAGO"

Montgomery has plunged into the very depths of character melo- drama and made of his portrait as the Earl of Chicago something that will cling in your mind long after his drawing-room roles have been forgotten... Too many distracting points of incidental interest (Hollywood Citizen-News). Montgomery’s best in psychological studies led him slightly astray... The motive of the score is frequently obscured, but Montgomery’s acting is whole, (Los Angeles Daily News). Montgomery’s is a literate score, too, with an unerring sense of balance... It should interest the average fan as well as the esthete (L. A. Times).
Plan for RKO Is Confirmed By High Court

(Continued from page 1)

were a complete transfer of assets to the new company, payment of all liens and issuance of securities. The decision did not raise any question as to the execution of the agreement under which Atlas undertook to hold RKO common stock. The agreement, as offered by Atlas, stipulated that a decision of the Supreme Court granting a review of the order would give Atlas the right to withdraw.

Cassel had attacked the plan with the contention that it did not ade-
quately protect debenture holders for their loss of security and pref-
erred creditor status. Stirm claimed that the 1937 charges amendments of the company were invalid and that certain compromises of claims were improper. He appealed to the Circuit Court, whose terminal attack was di-
rected against Atlas participation.

Trade Watches Bills In State Legislature

(Continued from page 1)

(Continued from page 1)

Sixto of August, Miller and Spence, the two leading unions in the New York area, have already prepared their sales tax demands for the 1940 session leg-
islating today and at least a 50-
percent chance of passage is accorded ex-
mended.

Theatres, of course, are hopeful of excluding admissions from any sales tax scale, but would have scant chance of so escaping from a broad-
based host of sales taxes.

Next in importance is an effort to legalize bingo and bank nights. The State Board of Tax Appeals has announced its intention to fight any further attacks on the state's anti-gambling statute.

Along the lines of gambling will be included the legalization of pari-mu-
quel horse race betting to effectuate the state's $100 million goal by 1941.

The vote of the Senate in 1939 caused the New York State Senate to pass a bill prohibiting all forms of gambling.

The bill was signed into law by Governor Dewey.

1940 Billings Up 14%, Set Mutual Record

Gross billings for 1939 rose to $3,-
390,782 for the Mutual network, an increase of 14 per cent over the 1938 figure of $2,090,324. The 1939 gross was the highest in Mutual's History.

In December, billings totaled $317,-
699 as compared with $337,369, a drop of 5.8 per cent.

Cooperatives showed a gross increase of $402,414 during the year. Among the agencies, Ivey & Ellington gave Mutual the largest amount of business, a total of $521,164.

Rothrauff & Ryan, $420,016; R. H. Alber Co., $304,651; Erwin, Wasey & Co., $282,265; R. D. O., trade definite company, $157,036; Cuff-
field, $132,440; Young & Rubicam, $113,008; Grady & Wagner, $102,-
000; and Kelly, Stalman & Zahrndt, $99,565.

Small Brokers Still Defy Tickets Code

The deadline set by the League of New York Theatres for the signing of the ticket code by the smaller bro-
kers passed yesterday without any bargain held.

Gustave A. Gerber, attorney for As-
sociated Theatre Ticket Agencies, de-
clared: "The code isn't 'dead yet,' but indicated that legal action would be brought to restrain enforce-
ment of the code as soon as the pres-
ent line of tickets is exhausted.

Most of the brokers, who receive their allotments in advance, have a supply for the next 10 days. Six brokers, including the largest, have accepted the code.

TBS Delays Start For 30 More Days

Transcontinental yesterday set out to obtain the business which would permit the network to start operations on Feb. 2. This was originally sched-
uled to start Jan. 1, was compelled to postpone the opening when Blackett-
en's World War II摆脱ed the plans to complete the network. The company is eager to go, but the agency declared that the business was not placed be-
cause it was "under the assumption that TBS had failed to offer sufficient evidence of its financial stability.

Assessment Fights By 20th-Fox, Roxy

Twentieth Century-Fox and the Roxy Theatre, in separate N. Y. Su-
preme Court actions, yesterday took steps to obtain reductions of 1938 tax assessments.

Application was filed by Fox for an order directing the City Tax Com-
mission to hold hearings to reduce the tax assessment against the Roxy Theatre for a reduction of $115,-
000 on 1938 assessments. Taxes af-
fect a warehouse and two buildings owned by Roxy. The City Tax Com-
mission was directed by Supreme Court Justice Mc-
Cann to hold hearings to reduce the tax assessment against Roxy for $995,000 on 1938 assess-
ment reduction on 1938 taxes. Failure to do so will result in con-
sent proceedings, the order provided.

U.A. Will Contest Goldwyn-Warner 'Westerner' Deal

Delivering the picture to Warners. Ind-
ustry attorneys pointed out that this
would involve a legal test of the Gold-
wyn contract with United Artists, the picture, "The Nightingale," a Gold-
wyn show that was stopped by the Wil-
lington Federal court last week.

The suit, which shows that Goldwyn had given a release from his contract or that the producer's one-fifth stock interest in United Artists had been turned to the company.

United Artists officials are on rec-
ord as having threatened Goldwyn a release if he relinqu-
ished his stock in the company, for
which, they said, he paid nothing.

Goldwyn is scheduled to arrive in New York from the Coast on Sat-
urday to receive the award of the New York Film Critics who recently voted his "Wuthering Heights" the picture of the year. The award will be presented at the Rainbow Room on Sunday.

Equity Postpones Television Action

Action by Actors Equity on televi-
sion shows was postponed until next week at yesterday's council meeting because of the failure of the American Federation of Radio Ar-
chitects to send a committee to discuss the issue.

The council asked A.F.R.A. to send a representative of the executive secretary, and George Heller, New York execu-
tive secretary, next week if A.F.R.A. is still unable to assemble a commit-
tee. Discussion among Equity mem-
bers yesterday centered around the need for immediate negotiations with B.F.G.

Philip Loeb, chairman of the com-
mittee which is investigating Equity's relations with its parent body, American Actors Equity, said that the investigation is under way, and unless a solution is found, the committee will meet next week to discuss further steps.

Dismiss Trust Suit In Florida Court

Miami, Jan. 2.—The anti-trust suit filed Jan. 15 by A. H. Goldreyer and other major companies and two local circuits, Paramount Enterprises, Inc, and Wo-
metco Theatres, Inc., has been dismissed by the Florida Circuit Court.

Plaintiffs were Washington Operating Co. and Garden Operating Co., both of which own the Alamo Theatre in Coral Gables, and Herman Weinertag, president of both companies, Brooklyn theatre operator now at Miami Beach, will retire from exhibition in this area.

Hoffberg Changes Name

J. H. Hoffberg has changed the name of his company from J. H. Hoff-
berg Co., Inc., to Hoffberg Productions, Inc.

(Continued from page 1)

RKO, 'U' Sign Deal With Ad Accessories

(Continued from page 1)

The new company, as it did in the case of Paramount, will absorb as many of the employees of the RKO Picture Company as possible, and the distributors themselves will absorb others, it was said.

Advertising Accessories eventually will have the two largest ad sta-
dards in the commercial world, Casanave declared. He emphasized that adver-
tising heads of the individual com-
panies would continue to originate the ideas for the display ads and will send their visual sheets to Advertising Accessories for development and man-
ufacture.

In this way, he pointed out, any danger of the accessories of all com-
panies, becoming standardized will be avoided.

Casanave pointed out that the de-
velopment of this place will be a great convenience to the exhibitor, who will be able to purchase a large part of his total ac-
cessories needs in a single office, and that the distributors will benefit by having their accessories sold by a sales organization specializing in these lines alone.

5-Year Campaign Successful

He said that the deals just closed constituted a five-year effort by Na-
tional Screen to establish centralized distribution of accessories. The new company hopes eventually to add ex-
ternal National Screen facilities for rental to exhibitors, he said.

Announcement of the new service was made yesterday by the National Screen division of National Screen, from exhibitor organization leaders throughout the country in wires of approval, Casanave said. Among those present were Mr. W. A. White, Mr. Abram F. Myers, chairman, and H. A. Cole, president of Allied States Ass'n, Mr. Edward Kelly, and Mr. T. O. A president; Max Cohen, presi-
dent of National Screen; Harry Brandt, T.O.A. president, and W. A. Steffes, president of Northeast Allied.
Paramount is proud to report that Ronald Colman, in William A. Wellman's production of Rudyard Kipling's "The Light That Failed," with Walter Huston, Ida Lupino, Muriel Angelus and Dudley Digges, has given the New York Rivoli Theatre its biggest week's business in 6 years.
B. & K. Balks "Wind" Terms; Film to Rivals

Two Loop Houses to Open Picture on Jan. 25

CHICAGO, Jan. 3.—Unable to come to terms with Balaban & Katz on the first-run Chicago engagements of "Gone With the Wind," M-G-M on Jan. 25 will open the picture at the Oriental, Jones, LINICK & SCHAEFFER's, and the Woods. Essaness here.

M-G-M had been negotiating a deal with B. & K. for two Loop theatres and, later, for three subsequent run houses in various parts of the city, the five engagements to run simultaneously. In addition to the 70 per cent rental asked, inability to get suitable B. & K. Loop theatres for a double roadshow handicapped a deal with the major circuit.

The Woods is a double bill house, seating about 1,200. Its "Gone With the Wind" policy will be the same as at the Astor in New York, two reserved-seat daily, The Oriental, seating 3,200, will have three performances daily, with the evening show reserved.

M-G-M yesterday disclosed additional engagements, bringing the total (Continued on page 4)

'Stand' Broadcast On Critics Program

New York film critics praised host to Mayor LaGuardia at the United Artists projection room yesterday afternoon for a special screening of "Wuthering Heights," winner of the 1939 Critics' award. The mayor, who will speak Sunday night on an NBC broadcast of the awards, had not previously seen the film.

Scenes from the film will be dramatized on the program. Several scenes from "Mr. Smith Goes to Washington" also may be included. NBC orchestra in New York and Hollywood will play live tunes from films produced during the past year. The remainder of the program will consist of short speeches.

Tentatively scheduled to be heard from New York are Mayor LaGuar- dia, Samuel Goldwyn, producer of "Wuthering Heights," and Kate Cameron, president of the New York Film Critics.

Those scheduled to be heard from (Continued on page 2)

Suit Today to Attack Theatre Ticket Code

Members of the Associated Theatre Ticket Agencies voted last night to bring suit to restrain the enforcement of the new York The- atres ticket code. Gustave A. Gerber, A.T.T.A. attorney, declared after the meeting that the suit would be brought in the King v. N. Y. Supreme Court for "restraint of trade and disability."

Combat Neely Bill, 400 Urged at Rally

About 400 persons were urged to act for the defeat of the Neely bill at a mass meeting sponsored by the New York I.T.O.A. yesterday at the Hotel Astor. Harry Brandt, president of the I.T.O.A., was the chief speaker.

After discussing the bill in detail, Brandt asked those present to register protests against the measure with their Congressmen and to solicit support for the campaign among their landlords, bankers, employees, equip- ment firms, and others with whom exhibitors do business. Suggestions from the floor were that telegrams be used for the rea- sonableness and that newspaper cooperation be obtained.

In addition to theatre and film men, the gathering included representatives of supply companies who were asked to attend the meeting by exhibitors.

Before Brandt's discussion, Gilbert Josephson, operator of the World The- atre, read the Neely bill. Members of the I.T.O.A. board on the dias, in addition to Brandt and Josephson, were David Weinstock, Hyman Rach- man and Louis Brandt.

British Government Ready to Aid Trade With Cash Proposal

LONDON, Jan. 3—Realizing that the British film industry faces a serious situation unless it receives early financial support, the Government intends to come to its rescue by promoting a financial plan, as yet undesign- ed, Parliament circles believe. The Films Council will meet to- morrow to study the practicability of the production financing.

However, as yet the method of sup- plying the funds is undetermined. The indifference of the financial district of London to lending money for films in- dicates the need either of a Govern- ment subsidy or a guarantee of pri- vate loans by the Government. The latter is considered more probable.

Labor unions are insisting that the quota provisions of the Films Act be carried out, although they are understood favorably disposed toward the credit bank idea, if it supplements (Continued on page 7)

U.S. Majors Revive London Films Soon

Practically all major American producing companies will resume British production within the next 30 or 60 days. M-G-M has plans prepared for the production of four multiple quota credit pictures in England.

The first, "Busman's Holiday," is scheduled to start late this month. Ben Goetz, in charge of British production, and Robert Montgomery, who (Continued on page 2)

RKO Sees Court Rule Over

By Feb. 1 After Seven Years

RKO stands a good chance of emerging from reorganization by the end of January, almost seven years to the day since it consented to an application for an equity receivership, Jan. 27, 1933, according to attorneys engaged in the final phases of the company's rehabilitation process.

With the transfer of assets to the new RKO company, expected late this month or early in February, the company's board and management will be in the operating control free of court and trustee supervision. Irving Trust Co., RKO trustee, however, will be engaged in winding up details of the reorganization for some time thereafter.

RKO is expected to show a profit for 1939. Results for the final quarter will be well in the black and more than compensate for the $85,000 loss reported for the first six months of the year. Profit for 1939, however, depends entirely upon the extent of year- end adjustments, not yet determined, and whether or not any allocation is made to reserve.

U A Releasing Deal Obtained By Roosevelt

Silverstone Hails Move; 'The Bat' First Film

James Roosevelt yesterday signed a long term, exclusive distribution contract with United Artists for sales and distribution of all pictures made by his newly formed Globe Productions, Inc., of which he is president.

Roosevelt's first production will be "The Bat," rights to which he acquired recently from Mary Pickford, and which is scheduled to start April 1. He will make two or more a feature a year for United Artists release under his contract, which is believed to cover a minimum period of five years. Production will be at the Samuel Goldwyn studios, of which Roosevelt is president.

Roosevelt, pre- signed recently as vice-president of Samuel Goldwyn Prod., the Gold- wyn producing company, after a year in that post. His affiliation with United Artists comes on the heels of Gold- wyn's attempts to terminate his distribution contract with that company, which this week by his closing of a distribution contract with Warners for "The West- erner."

Negotiations for Roosevelt's affiliation with United Artists were con- ducted by Maurice Silverstone, head of the company's world wide opera- tions, during his December visit to the coast.

With the closing of the deal last year, Silverstone said: The enlistment of this young producer is a most important event, not only to United Artists, but to the industry. He has not only financed and organized his own company but will be, in every (Continued on page 8)
Purely Personal

By GEORGE BALABAN, AUDREY KIRSH, ROBERT MONTGOMERY, MALCOLM EAN, JOHN GOLDEN, A. P. WARK, VERNON DUXE, MONTY PROSER, ROBERT MONTGOMERY, DONALD BYRD, HUGH MARLOWE, VICTOR ARSE, DAVID BLUM, BERNARD SORREL, AL LEWIS, BERNIE KAPLAN and MARTIN BUCK, lunching at Sarat's yesterday.

HERBERT YEATS, M. J. STEELE, JACK COHN, EMANUEL SILVERSTONE, ARTHUR LEE, WILLIAM FITZEL, JOSEPH MAHERL, SAM CITRON, ROBERT SAVINI, CHARLES CASANAVE, BUD ROGERS, HARRY GOLD and HAROLD BUCKLEY at Don Goldstein's Tavern for lunch yesterday.

WILLIAM F. ROGERS, general sales manager of M-G-M, leaves tomorrow for his annual vacation in Hollywood Beach and Miami. He plans a trip to the studio on his return.

DOUGLAS YEATS returns to the Republic studio today after spending the holidays with his parents, Mr. and Mrs. H. J. YEATS.

EDWARD LUDWIG and JACK HVELY, RKO directors, this week concluded their New York visit and returned to Hollywood.

HORACE MURRAY of Warner's has left for New York where he will remain three weeks.

TOM PETTY, press representative for the Producers Association, is in New York from Hollywood for a one week visit.

VIRGINIA A. LYNN is supervising the production of a film for the Hebran Kindersein and Infants Home.

HARRY DAVID is here from Salt Lake City for Paramount home office conferences.

HARRY COX, National Theatres treasurer, is vacationing in Florida.

Mr. and Mrs. LEOPOLD FREEMAN have returned from Florida.

BRUCE JOHNSTON is in town from San Francisco.

Kreisler Is Winner
In Universal Drive

By GEORGE SORENSON

B. BERNARD KREISLER, Washington branch manager for Universal, was the national winner of the first prize of $1,500 and a two-week trip to Hollywood, in the Exhibitor-Sponsored Testimonial to New Universal.

Kreisler led all Universal branch managers in the country in the drive. He is distributing the $1,500 cash prizes among his officers personnel of 30.

Souhami to Buffalo

Edmund Souhami, New York Allied counsel, will attend a regional meeting of the organization in Buffalo Monday.

A regional meeting is scheduled for Syracuse Jan. 18 and in New York City the same week.

First Customer
Chicago, Jan. 3.—The independently owned Teletens theatre is showing a newsworthy week that featured the first ticket purchaser. Given the spotlight as he walked through the ticket booth other than John Balaban, head of the Balaban and Katz circuit here.

Indianapolis Fee
Faces Court Test

Indianapolis, Jan. 3.—Hollywood Theatre Corp., here has filed suit in Marion County Superior court, seeking a declaratory judgment on validity of a $1,500 annual theatre license fee.

The suit contends that a 1937 Indiana law nullifies the 1927 city ordinance under which the fee is collected. Edward H. Knight, City Corporation Counsel, said that no attention will be collected the 1940 fees will be made until the court has decided.

Holiday Business
Strong at Chicago

CHICAGO, Jan. 3.—Local exhibitors report that business over the New Year's weekend was of almost record proportions. Many theatre men found business to be the best it has been in the past eight years. Loop theatres did extra shows on Saturday and Sunday nights with the admission prices advanced to as high as $1.10. All loop theatres were sold out at all shows.

Harry Davis, Film Pioneer, Dies at 78

PITTSBURGH, Jan. 3.—Harry Davis, 78, who opened the first film house in the world in association with the late Samuel Goldwyn Senegal and B. S. Rubin, died here yesterday after 12 years as an invalid. They opened their theatre here in 1905, calling it the Nickelodeon. He sold his interests to the Stanley Co. of America in 1927. He is survived by his wife and his sister, widow of Senator Harris.

MPPA Discusses
Requests of Guilds

Hollywood, Jan. 3.—The Motion Picture Producers' Association, in a form of week meeting last night, discussed representations made by the Screen Actors Guild and Publicists Guild, but took no final action in the matter.

James Roosevelt reported to the meeting on the activities of the Motion Picture Relief Fund.

Richey at ITO Meet

H. M. Richey, director of exhibitor relations for RKO, will be one of the speakers at the annual convention of the ITO, of West Virginia at Charleston, W. Va., next Tuesday. Richey returned yesterday from Detroit and spent the holidays with his family.

Hays Meeting Post

Meeting of the M.P.P.D.A. board of directors, scheduled for yesterday, was postponed to today because of a lack of a quorum.

Trust Suit Counsel
Hold Parley Today

Attorneys for major company defendants in the Government's New York anti-trust suit will confer today with William Williams, special assistant to the U. S. Attorney General, and William Farnsworth, special Government counsel.

The conferences will be concerned with clarification of the interrogatories served on the Government recently by the defendant companies. Similar conferences were held last week in summation of the interrogatories served on the defendants by the Government in the important limitations being placed on the Government's questionnaires. A objection by the government may interpose to the major's interrogatories must be filed by Jan. 15 under a stipulation recently signed by parties to the suit.

Columbia Division
Meeting Saturday

First of four divisional sales meetings this week will be held in the Mayflower, Washington, on Saturday and Sunday. All office sales executives who will attend include: Maurice Montgomery, general sales manager, who will preside; and A. S. Morton, Cincinnati branch manager; A. H. Levy, Pittsburgh branch manager, and L. Zucker, Cleveland branch manager.

The meetings will review the company's forthcoming product and sales plans for it. Subsequent meetings will be held in Chicago, Dallas and San Francisco.

British Government
Ready to Aid Trade

(Continued from page 1)

and not subsidies for the Films Act. Exhibitors favor in principle the cooperative production plan, and will consider it further at an executive meeting Tuesday.

The producers' organization, which today elected Michael Balcon as chairman for the current year, claims inadequate representation on the Films Council, contending that Capt. Richard Norton is the only actual producer on the council.

Heights' Broadcast
On Critics Program

(Continued from page 1)

Hollywood included William Wyler, director, Laurence Olivier, Merle Oberon and Geraldine Fitzgerald, who appeared in the film; John Ford, who won the director's prize; James Stewart, winner of an Oscar; B. O. Howard, producer of "Oberon," and Brian A. James, who was honored as a director of "Gold Diggers of 1941"; and David O. Selznick, producer of "Mogambo." All others were given awards.

Robert C. Benchley, well-known critic, was awarded a special award for his contributions to the art of motion pictures in the United States.

Heights' broadcast included a number of radio stations from all over the world.

Lehman Hits Delay
In Billboard Laws

Albany, Jan. 3.—Governor Lehman struck sharply at opposition to the regulation of billboards here in his annual message to the state legislature which convened yesterday.

He pleaded for no further delay in the enactment of a ban on displays near certain important interstates, highways and the like.

He said: "Neither the billboard industry nor the self-centered property owner should longer be allowed to delay it."

U.S. Major's Revive
London Film Soon

(Continued from page 1)

will star in that and a second film, sail today on the Saturnia to resume production which was interrupted by the outbreak of war.

It is planned that Goetz will spend six months in England and six months in the M-G-M studio on the Coast to complete his contracts in both capitals. Mrs. Goetz is remaining on the Coast.

Sistrum Coming to N. Y.
To Discuss English Films

William Sistrum is expected in New York from the Coast in about 10 days to confer with George J. Schaefer, ZKO Manager; Reisman, Vice-President and foreign head, on the company's plans for British production activities.

William Sistrum may head RKO's producing unit in England and if plans are completed at the home office conferences he may leave for London shortly thereafter.

Rose Row H. M. Ridey
Sails for England Jan. 15

David Rose, head of Paramount's British production, will arrive from Hollywood on Monday for final conferences on British production arrangements before returning to London.

Paramount plans to produce four features for the England, one of which will star Madeleine Carroll, who agreed to accept the assignment in England after conferring with Rose. The latter is scheduled to sail on the Steadfast Jan. 15.
NOTICE TO THE TRADE!

"GONE WITH THE WIND"
will be shown everywhere exactly as it was shown in its World Premiere in Atlanta. There has never been any intention of cutting the picture following Atlanta.
Chicagolands — Gulliver’s Travels at the Roosevelt grossed a strong $18,700. The weather was cold and fair most of the week.

Fox officials testify in suit on Lincoln

Robert E. Sherwood and the Playwrights Producing Co., plaintiffs in suit against Twentieth Century-Fox, yesterday called upon the testimony of Charles E. McCarthy and Harry M. Goetz at the start of trial before N.Y. Supreme Court Justice Peter J. Schumch. Plaintiffs are seeking to prove that the Fox film, “Young Mr. Lincoln,” infringes upon the Sherwood play, “ Abe Lincoln in Illinois.” Trial continues today with the reading of testimony of Darryl F. Zanuck.
All-time record, topping even "Alexander’s Band."

Greatest gross in a year and a half!

Topping "Rains Came," "Drums Along the Mohawk."

Beats everything since "Jesse James."

Out-grosses "Rains Came," "Drums Along the Mohawk."

Biggest of all 20th hits for a solid year!

Breaks every opening day and week-end record in Roxy history!
**Raffles’ Pulls Good $12,000, Leads Frisco**

**San Francisco, Jan. 3.—**Raffles" drew a strong $12,000 at the United Artists.

**Estimated takings for the week ending Dec. 26-28:**
- **"The Flying Deuces" (RKO) GOLDEN GATE—(2,500) (5c-$0.10-$0.50) 7 days. Stage: vaudeville. Gross: $1,100. (Average, $150.)
- **"Beware Spooks" (Col.)** PARAMOUNT—(2,000) (25c-35c-50c) 7 days. Weekend: $3,100. (Average, $443.)
- **"Jade Hardy and Son" (M-G-M) CITY IN DARKNESS (29th-Fox) ORPHEUM—(2,900) (15c-30c-50c) 7 days. Second week: $1,100. (Average, $157.)
- **"Gulliver’s Travels" (Para.)** ORPHEUM—(2,700) (25c-30c-50c-65c) 7 days. Second week: $1,200. (Average, $171.)

**Kansas City Gives “Gulliver” $9,000**

**Kansas City, Jan. 3.—**"Gulliver’s Travels" collected a good $9,000 at the Newman.

**Estimated takings for the week ending Dec. 24-28:**
- **"Everything Happens at Night" (29th-Fox)** EMPIRE—(2,700) (15c-30c-50c) 7 days. Gross: $1,400. (Average, $200.)
- **"Judge Hardy and Son" (M-G-M) B.]** RIVERSIDE—(1,000) (7Sc-$1.00-$1.50) 7 days. Gross: $600. (Average, $86.)
- **"Gulliver’s Travels" (Para.)** ORPHEUM—(2,000) (25c-30c-50c) 7 days. Gross: $900. (Average, $130.)
- **"Four Wives" (Omaha) The Big Guy" (Uni.)** RIVERSIDE—(2,400) (25c-30c-50c) 7 days. Stage: Kiddie. Review: Will Rock’s Thurston Magic Show. Gross: $5,200. (Average, $743.)
- **"Everything Happens at Night" (29th-Fox)** ORPHEUM—(2,000) (25c-30c-50c) 7 days. Gross: $4,500. (Average, $643.)

**Four Wives’ Omaha Leader with $7,100**

**Omaha, Jan. 3.—**"Four Wives" took $7,100 in eight days at the Brundance for the only business in town. Hopey knew kept many patrons at home.

**Estimated takings for the week ending Dec. 26-28:**
- **"Smashing the Money Ring" (W. B.)** B.] ORPHEUM—(2,500) (25c-30c-50c) 7 days. Average: $350. (Average, $50.)
- **"The King of the Castle" (M-G-M)** RIVERSIDE—(2,700) (25c-30c-50c) 7 days. Average: $350. (Average, $50.)
- **"Everything Happens at Night" (29th-Fox)** ORPHEUM—(2,000) (25c-30c-50c) 7 days. Average: $350. (Average, $50.)
- **"Gulliver’s Travels" (Para.)** ORPHEUM—(2,000) (25c-30c-50c) 7 days. Average: $350. (Average, $50.)

**Fox Theatre’s PayDividend**

**St. Louis, Jan. 3.—**Directors of the Fox-St. Louis Theatre Co. have paid a 50-cent dividend on preferred stock.

**Motion Picture Daily**

Thursday, January 4, 1940

**Raffle Review**

**Holwood Review**

**Story of Stripes**

**Warner’s**

**Holwood, Jan. 3.—**Warner’s reputation for crime and gangster pictures suffers not by “Invisible Stripes,” top role are probably given by George Raft and Humphrey Bogart. Taken from the book of the same name by Warden Amos E. Lawes, the film bristles with gunfire, armed robbery, sires and murder, and contains a preachment against society’s refusal to accept a fellow who has paid his penalty in prison.

The part taken by Raft as the “Golden Boy” fane, as his brother; Bogart, as the ex-convict still bitter against society, and Miss Bryan, of recent sterling characterizations, are the chief figures in the melodrama, which ends with Raft giving his life so that Holwood and his bride may find happiness. Their happiness, however, is apparently forever by the laws of crime to which Raft retires after failing to find honest employment.

The screenplay by Warren Duff, who adapted a story by Jonathan Finn based on Lawes’ hook, is a tightly packed chain of events leading to a rousing climax. Director Lloyd Bacon guided the Louis F. Edelman production with a firm hand. Hal B. Wallis was executive producer.

Running time, 80 minutes. “A.”

**Vance King**

**Hunchback Starts Big in Providence**

**PROVIDENCE, Jan. 3.—**Outstanding feature was “The Hunchback of Notre Dame” which took $8,300 during the first three days of its run at the RKO-Argyle.

**Estimated takings for the week ending Dec. 27-30:**
- **"Invisible Stripes" (M-G-M)** RKO ALIBEE—(1,000) (35c-40c) 7 days. Gross: $1,200. (Average, $171.)
- **"The Hunchback of Notre Dame" (RKO) RKO PALACE—(2,700) (35c-40c) 7 days. Gross: $2,200. (Average, $314.)
- **"We Are Not Alone" (W. B.)** RKO SHUBERT—(2,300) (35c-40c) 7 days. Weekend: $1,100. (Average, $157.)
- **"Going With the Wind" (M-G-M)** RKO CAPITOL—(2,400) (35c-40c) 7 days. Second week: $1,100. (Average, $157.)
- **"South of the Border" (Republic)** ORPHEUM—(1,500) (25c-30c) 7 days. Gross: $4,400. (Average, $630.)
- **"The Phantom Strikers" (M-G-M)** RKO LYRIC—(1,400) (25c-30c) 7 days. Average: $300. (Average, $43.)
- **"The Hunchback of Notre Dame" (RKO) RKO PALACE—(2,700) (35c-40c) 7 days. Average: $386. (Average, $55.)
- **"The Hunchback of Notre Dame" (RKO) ORPHEUM—(2,000) (25c-30c) 7 days. Average: $386. (Average, $55.)

**Love" Montreal’s Best with $10,800**

**Montreal, Jan. 3.—**“First Love” grossed $10,800 at Loew’s. “We Are Yon Vain Alone” took $7,500 at the Palace.

Estimated takings for the week ending Dec. 30:
- **"The Secret of Old Koda" (M-G-M)** Loew’s: (2,200) (15c-25c-35c-40c-65c) 7 days. Gross: $7,200. (Average, $1,030.)
- **"Green Heaven" (M-G-M)** STEAMER—(1,500) (15c-25c-35c-40c-65c) 7 days. Gross: $5,900. (Average, $983.)
- **"Our Miss Brooks" (RKO)** LOEYS—(2,300) (30c-40c-60c) 7 days. Week: $5,900. (Average, $843.)

**Canada Plans Fair Films**

**Toronto, Dec. 30.—**The Canadian Government has announced that a new feature of the Dominion exhibit at the 1940 New York World’s Fair will be the production of silent films to be prepared by the newly-formed National Film Board of Canada, under which John Grierson is acting commissioner.
RESPONSIBLE LEADERSHIP

EASTMAN’S negative films—*Plus-X*, *Super-XX*, *Background-X*—have special features that more than meet every contingency. This ability is backed up by unmatched photographic quality and unvarying uniformity, the vital factors in Eastman leadership for over fifty years. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

**PLUS-X**
for general studio use

**SUPER-XX**
for all difficult shots

**BACKGROUND-X**
for backgrounds and general exterior work
way, the guiding spirit behind his pictures. To his new associates Roosevelt symbolizes a fine maturity. He has been trying to visualize and a synthetic understanding of the public, giving him unusual competence to create entertainment for our vast theater and television audiences, a sharp, analytical student of motion picture problems, Roosevelt also possesses the magnetic personality and executive ability to master quickly the complexity of advanced motion picture production.

Plenty of Studio Space
It was stated that the Goldwyn and Walter Wanger studio facilities and technical staffs will be placed at Roosevelt’s disposal. Wanger also uses the Goldwyn studio.

David O. Selznick congratulated Roosevelt on his association with United Artists in a message urging Olin to “call on us if Selznick International or I can be of any help to you whatever.”

Henry Hengston, former production executive of the Goldwyn company and M. G. M., vice president and an associate producer for the Roosevelt company, and J. T. O’Connor, former U. S. Comptroller of the Currency, is a corporation director and counsel.

Storm in Paradise’ too
Roosevelt’s second production probably will be “Storm in Paradise,” which he acquired recently. He is negotiating for two other story properties at this time.

Roosevelt sent the following message to Silverstone, in which he outlines his production aims:
“I am highly gratified over my association with United Artists. I am extremely grateful to Samuel Goldwyn who has so generously loaned me any staff and work and intensive study of the motion picture business, and now that I am able to become an independent producer and having created and creating my own pictures, I am most eager to begin what I most earnestly want to make my life’s work.”

Emphasizes ‘Play’s the Thing’
Roosevelt wants to develop pictures that will provide a fresh and modern method of entertaining. I wholeheartedly subscribe to Shakespeare’s belief that the play is the thing, and that presentation will not place limitations of either time or expense upon our efforts provided it is a picturized story material we consider timely and universally appealing.

“It is my intention to surround myself with the most competent and alert talent I can find and with the strict instruction that in addition to making our pictures with technical efficiency, they shall possess that important, intelligent and distinctive entertainment for the many millions comprising our audience. You have my assurance that we shall give most careful consideration and experienced counsel, and my assurance that our energy will be concentrated on winning recognition through delivering product of the highest United Artists standard.”

Classical Music, Comedy Hold Most Radio Appeal
Classical music, semi-classical music, news broadcasts and dramatic programs are preferred by radio listeners in the upper brackets while dramatic and other similar Fox the motion my film a 3.10 Leader,” can bill Princeton to add more of independent companies, for the Princeton Radio Research Project.

The survey discusses general listening patterns and pursuits, according to income groups, effect of competition on audiences, and the effect of competition on different income groups. It was based on the Crossley and Hooper reports.

Radio is most popular with the lowest income groups, was disclosed by $1,000-$3,000, the survey finds. Income groups were divided into four classes. Over $5,000 into Class A, $3,000-$5,000 Class B; $2,000-$3,000, Class C; and under $2,000, Class D.

Class A uses its sets least, particularly on a geographic basis, it was found that the Pacific Coast uses sets most while the South uses sets least. In the North, set use varied greatly from 6.5 to 3.8, average except between 8 P. M. and midnight. The Midwest listens to the radio on the same programs, but set use drops after 5 P. M.

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Radio Brevities
LADY ESTHER CO. renewed the Gay Lombardo show over 50 CBS stations for an additional 52 weeks yesterday. The program is heard at 3:30 P. M. Lombardo’s show for the same sponsor on Friday nights over NBC-Red is due to be dropped on Jan. 25.

A poll of 12 film critics heard on Metropolitan stations by Martin Welden, WINS stage and screen announcer, who said (with the “Wind” as the best film with “Mr. Smith Goes to Washington” in second place).

Bayer Aspirin renewed the American Alliance of Familiar Music’s day for an additional 52 weeks, effective Feb. 4, over NBC-Red. The program is heard over 60 stations on Sundays at 9:30 P. M.

Mutual added another station yesterday, bringing the total up to 126. KTSW, Emporia, which opened Jan. 25. The station is operated by the Emporia Broadcasting Co., the station operates full time on 1,370 k.c. with 250 watts.

Ralph Patt, general manager of WXPY, Portsmouth, has married Bertie Champaee of Detroit.

Arthur Kurlan, who formerly handled “New York Town” for WOR and “Gotham Nights” for WHN, has been signed by Young & Rubicam to do the adaptation of Robert Sherwood’s “Petified Forest” for this Sunday’s Gulf Oil “Screen Guild The- atre.” Tyrone Power, Joan Ben- nett and Humphrey Bogart will be heard in the dramatization.

Spencer Tracy and Bette Davis will appear together for the first time Monday on the Lux “Radio Theatre” in “The Faith of the Drowned,” to be heard over CBS at 9 P. M.

WNEW has signed four sponsors for participation and spot announcements. They include the Motor Boat Show, Personal Distillery, J. I. Fox and Thomas J. Linn, Inc.

Fred Allen yesterday started his seventh year on NBC for the same sponsors, Sal Hepatica and Ipana.

Congress to Get Copyright Ideas
Proposals for new copyright legislation drafted by the Shotwell conference with the aid of all industries interested in the cause were forwarded to Washing- ton early this week in time for the opening of Congress yesterday.

The proposals will be intro- duced in the Senate by Senator Rose of Washington, chairman of the Sen- ate Patents Committee, and in the House by the new chairman of the House patents committee. Chairman- ship of the latter committee has been vacated by the recent death of William J. Stiroch.

Although committee hearings on the proposals are expected within a month or two, final action by Congress is not expected at this session.
British Trade
To Have Film
Credits Bank

Cash from Government
Loans as of Certainty

LONDON, Jan. 4.—Formation of a
Film Credits Bank, backed by British
Treasury money, and without the
participation of London's financial houses,
was authoritatively forecast here to-
day, following the meeting of the
Films Council.

A drastic measure to bolster the fal-
tering British production industry, the
Treasury investment will be consider-
able, and the control of the Bank will be
vested in a joint committee.

With Government representatives
forming a majority of its personnel, the
committee will include financial execu-
tives and representatives of the
Board of Trade and the industry.

Joint stock banks may ultimately
participate in the plan on a loan basis.
The object of the Bank will be to
provide a solid financial foundation
for the British industry with the
Board of Trade or Films Council as
the ultimate guarantors.

The Films Council committee,
meanwhile, is pressing for legislation
to be ready as an alternative imme-
 diate, on the expiration of the present
quota stipulations on March 31.

Monogram to Stage
5-Week Sales Drive

Monogram will hold a five-week
playdate drive, from Feb. 25 to March
30, according to George W. Weeks,
general sales manager. The campaign
will use the slogan, “March for Monogram,”
competition among Monogram's 30 exchanges in
the United States has already started for
the three money prizes which will be
awarded.

Monogram franchise holders will
meet at the Blackstone Hotel in Chi-
cago tomorrow and Sunday to discuss
plans for the drive. Attending from the
home office will be W. Kay John-
ston, president; Edward A. Golden,
distribution vice-president, and George
W. Weeks, general sales manager.
From the studio will be Scott R. Dun-
ap, vice-president in charge of
production, and Trem Carr, produc-
tion chief.

Franchise holders will include Steve
Broidy, Ben Welansky, Harry Thom-
son, Harry Berkson, John Mangham,
William Onie, Nate Schud William
(Continued on page 2)

RFC Denies Loan
To Grand National;
Crisis Due Today

The Reconstruction Finance Corp.
has denied Education's application
for a $450,000 loan, which had been
carried over from the financial recon-
organization of Grand National Pictures.

Earle W. Hammons, Educational-
Grand National president, is negoti-
ating with private financial interests for
funds to meet the cost of interest
coverage for potential Grand National operating
losses over a period of a few weeks
which, he feels, will be covered by the
principal loan will be renewed.

The bond must be posted or new
financing obtained by this afternoon
in order to forestall liquidation of
Grand National's assets. A hearing
before Peter B. Obeys, Jr., referee in
bankruptcy, is scheduled for this after-
noon.

Grand National has been operating
at a loss of approximately $4,000
weekly. Referee Obeys directed the
(Continued on page 2)

Parley Continues
On Trust Queries

Special Assistant Attorney
General Paul Williams stated
yesterday that "considerable
progress" had been made in
reaching an agreement on
interrogatories interposed by
the major defendants in
the Government's anti-trust
suit, after a conference with
the majors' attorneys.

Discussions will continue today.

Chicago and Detroit
Fight 'Wind' Terms;
M-G-M Defends 70%

M-G-M will make no exceptions
in its policy of selling "Gone With the
Wind" to any regular accounts.
It terms the picture will be sold to
opposition theatres, distribution
officials said yesterday.

This is emphasized in controversies
in terms in both Chicago and Detroit.

It was learned the reason Balaban
and Katz and M-G-M fail to agree
on a deal for the picture in Chicago
was that the circuit refused to reduce
the house expenses figured in M-G-M's
profit guarantee of 10 per cent of the
boxoffice gross.

M-G-M offered B. & K. an alter-
native deal of 70-30 without profit
 guarantee, which the circuit re-
jected. As a result "Gone With the
Wind" has been sold to the Oriental.
Jones, Lincoln, & Scherl & Co.
house.
(Continued on page 5)

UA Stock Omitted
In Fairbanks' Will

The will of the late Douglas Fair-
banks will be admitted to probate in
Surrogate's court here this morning.

No mention is made in the will of
Fairbanks' one-fifth stock interest
in United Artists. The stock is held by
the Elton Corp., of which Robert
Fairbanks, the deceased's brother, is
president. Fairbanks' share of the in-
vestment is $21,600,000.
(Continued on page 3)

Tickets Net 20 Million Tax;
U.S. Expands Film Service

WASHINGTON, Jan. 4.—(Continued)

economic conditions have resulted in
the
Treasury revising its estimates of
tax collections upward, with the Fed-
eral admission tax now figured as
returning $20,500,000 for the current
year, which ends June 30, next, as
compared with $19,300,000 calculated
a year ago, it was disclosed today in
the annual budget submitted to Con-
gress by President Roosevelt.

On the basis of existing conditions,
it was estimated that for the fiscal
year 1944 this tax would return a
revenue of $21,600,000.

If the current estimate for the pres-
ent year is met, collections will be
more than $1,000,000 above the $19-
40,801 collected for the last fiscal
year and But $300,000 below the $20-
80,729 collected by the U. S. in 1938.

The budget disclosed that the long-

planned centralized film service, which
the deficit National Emergency
Council sought to establish, will be
put into operation July 1, next, with
a proposed appropriation of $106,400,
by the Office of Education, now a part
of the Federal Security Agency, to
which the film and radio activities of
the N.E.C. were transferred under the
President's reorganization program.

The Office of Education is to get
$40,000 for radio service, as compared
with $2,000 allocated to the N.E.C.
for that work for the current year,
before the transfer.

The proposed film service is to act
as a clearing house for all Govern-
ment
(Continued on page 7)

Cartoons by Disney
Win Poll on Shorts

The Walt Disney cartoons, dis-
tributed by RKO, were voted the lead-
ing attractions at the box-office among
short subjects, by independent exhibi-
tors, according to a poll taken for
Fame by Motion Picture Herald.

The 10 leading short subject series
in the voting were as follows:

1. Walt Disney cartoons.
2. Merrie Melodies.
4. Pete Smith Specialties.
5. Our Gang Comedies.
7. MGM Makers.
8. Terry-Toons.
10. FitzPatrick Travel Talks.

M-G-M accounts for five of the
leaders: the Pete Smith subjects, Our
Gang comedies, M-G-M cartoons,
GN is Denied Loan by RFC; Crisis Today

(Continued from page 1) management yesterday to obtain bond to post to cover the indicated losses during a further postponement of the court proceedings, or liquidation would be ordered today.

Seeks Distribution Deals

Hammons is also endeavoring to secure immediate distribution by Grand National to offset the potential operating losses and has promised assistance in this by J. A. Corn, head of Producers Laboratories, who informed Olney yesterday that he had several productions he was willing to turn over to Grand National for distribution if a further postponement is granted.

Will Renew Fight For Loan

If bond is obtained, or a new adjournment won otherwise, it was stated that Hammons would renew negotiations with the R. F. C. for the $400,000 loan and, conditionally, would begin immediate negotiations with independent producers for a product supply. Company officials believe an adjournment of four or five weeks is needed.

The R. F. C.'s action in refusing the loan is expected by Grand National officials to represent a move by smaller creditors of the company that Grand National had no prospects of getting product on short notice to offset current operating losses.

Monogram to Stage 5-Week Sales Drive

(Continued from page 1) Hurbut, Henri Elman, Charles Wein- ter, Charles Trampe, F. E. Judd, Sol Francos, Lon Fidler, Howard Stum- hans, Eric Scott, George Rapo- km, John Francosi and Ed Blumenthal. Dunlap and Carr will come to New York for the quarterly directors meet- ing here Tuesday. On their return, they will be accompanied by Johnston, who is expected to spend two months at the studio.

The drive will coincide with the release of important features on the Monogram schedule. Among these are Boris Karloff in "The Fatal Hour," "The Secret Four," Edgar Wallace story; "Chasing Trouble" with Frankie Darro; Bella Lugosi in "The Crime of Dr. Orloff," "Son of the Navy," "Tomboy" and "Hidden Enemy.

Delay RKO Allowances

Applications of the Chemical Bank & Trust Co. for an allowance of $34, 375, and its attorneys, Wright, Gor- don, Wilkeson & Ross, for $500 for services in RKO proceedings must await final action on allowances under the decision of Federal District Judge handed down yesterday. The Chemi- cal Bank & Trust Co. is trustee of RKO six per cent notes gold notes.

Purely Personal

DAVID ROSE, managing director of all Paramount's activities in Great Britain, leaves Hollywood today en route to his London headquarters.

WILLIAM F. ROGERS, John Hicks, Russell Holman, Erno Rapee, Max A. Cohen, Ted O'Shea, Maurice Nellis, George Ross, George Roy, and Jack Neal at Nick's Hunting Room in the Astor for lunch yester-

CHARLES ROBERTS, Columbia home office supervisor for Latin America, returned to New York from Mexico yesterday by plane after a tour of the company's offices in his territory and attendance at a sales meeting in Buenos Aires.

Cresson E. Smith, Western and Southern sales manager for RKO, will leave over the weekend for a sales tour in Denver, Salt Lake City, Portland, Seattle, San Francis- co and Los Angeles.

Harry Buxbaum, Phil Baker, Ben Boyar, Sidney Phillips, David Burns, John Golden and W. H. Kason at Sardi's for lunch yester-

John Caskey of Dwight, Koogle & Haisman, and Elmer T. O'Brien, Driscoll & Ratfey re-

Walter Huston arrived yesterday afternoon by plane from Hollywood to start rehearsals for a Broadway stage role.

HERMAN Wobber, 20th Century-

Fox distribution head, arrived last night from the Coast via United Air-

line.

I. Goldberg, British producer, ar-

rives from Europe Jan. 13 on the Re-

x.

E. L. Morrison Dies; Ex-Official for Para

ATLANTA, Ga., Jan. 4.—E. L. Morrison, 46, widely known theatre executive, formerly Southern district manager for Paramount, died in De- catur today. Burial will be there to-

morrow.

He had been inactive recently due to ill health but was working in and out of Dallas, New Orleans, Atlanta, Savannah and Miami. Surviving are wife, daughter, two brothers and two sisters.

"U' Official's Wife Dies

Funeral services were held yester-

day for Gussie Machnovich, wife of Samuel Machnovich, treasurer of Universal. Mrs. Machnovich died Wednesday night following an opera-

tions of five months. Her husband and three daughters, Stella, Rae and Mrs. Harold Rubin, survive.

Circuit Pays Dividends

LOUISVILLE, Ky., Jan. 4.—Stock-

holders of the Fourth Avenue Amuse-

ment Co. received a dividend of 75 cents a share, the first paid in nine years. The company operates a cir-

cuit in Kentucky and Indiana.

Newsreel Parade

Highlighting the new issues of the week is President Roosevelt's address before the opening session of Congress. Annual Bowl football games are abound in the review.

MOVIETONE NEWS, No. 34.—President opens Congress, Launches minia- tures in Miami. Machine gun practice in Philadelphia. John Edson sworn as Secretary of Navy. All Smith celebrates birth-

day. Senator Taft is candidate for Presi-

dential nomination. Sugar Bowl game. Writing as Mr. Hood.

NEWSPHAGE, Jan. 4.—Presi-

dent's address before Congress. Hotel openings in Chicago. Ro
gos, Sailor, Orange and Bowl football games.

PARAMOUNT NEWS, No. 37—Rose-

weet address at world's fair. Charles Edison sworn in as Navy Secretary. Sugar and Orange Bowl football games.

PARADE, Jan. 4.—President's annual message to Congress. George E. Blum is new Secretary of Navy. Hotel fire in Minne-


Big Grosses Extend Runs on Broadway

Broadway first runs are holding over their current attractions with grosses holding up well.

"Got With the Wind" at the Astor is earning a "Gulliver's Travels" at the Paramount are set for indefinite engagements.

Swanse River," with a stage show, at the Rialto, which again is losing $7000 during the first week and will grow three or four weeks.

At the Roxy, "Four Wives," with Abe Lyman's band on the stage, took an estimated $5000 for the second week to go ahead of the first week's gross. It continues for a third week.

"The Light That Failed" runs until Jan. 19 at the Rialto. "The Hunch-

ler," at the Wilan, ended last week's run at the Music Hall to mor-

row, also will be held over.

Wyrick Dies at 81

DALLAS, Tex., Jan. 4.—Manfred Wyrick, assist engineer at the Palace theatre until he suffered a stroke five years ago, is dead.

Motion Picture Daily

(Registered U. S. Patent Office)

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New York Review

“The Fighting 69th!”
(Warners)

A dramatic, action-laden and powerful item of screen fare has been woven about the World War story of the 69th New York Regiment, better known as the "Wild Irish" fighting unit of song and story.

The story, in effect, has a triple theme— the rejuvenation of a recalcitrant private, who comes through for the regiment at the sacrifice of his life; the noble work of the famed Father Duffy, regimental chaplain, one of the most noted in the A.E.F., and the activity of the regiment itself, in carrying forward its peace-time record. The three aspects have been skillfully blended, however, into a moving and pulsating unit.

The three star names of top marque calibre, each doing an exceptionally fine job, are James Cagney as the recruit; Pat O’Brien as the cadet, as Major Cagney; and Donovon driving his horse, as the chaplain. Excellent supporting roles in this woman-less cast are handled by Jeff-

rey Lynn, Alan Hale, Frank McHugh, Dennis Morgan, Dick Foran, and Sammy Cohen.

The direction of William Keighley, from an original screenplay by Norman Reilly Raine and Ben Schwartz, is always skillful, whether in the handling of fighting scenes in the front line, or the calmer dramatic moments as Cagney fights his battle with his own abject fear.

The 69th is seen at Camp Mills in 1917, with Father Duffy befriending Cagney, troublemaking "tough," and Donovan driving his horse. She. Cagney suddenly turns yellow under fire, and on successive occasions, causes the death of several of his fellow soldiers. Only Duffy saves him from transfer. A final slip results in his sentence to death. An artillery barrage blasts open his jail and Duffy gives him the alternative of escape or joining his comrades in a suicide attack. He chooses the latter, saves the day by operating a gun to cut barred wire, and is killed saving his sergeant from a grenade explosion.

It is a striking piece of dramatic entertainment. Hal B. Wallis was executive producer.

Running time, 90 minutes.

*+G* denotes general classification.

N.Y. Critics Awards

Presented Sunday

The presentation of the annual awards of the New York Film Critics, to be held in the Rainbow Room on Sunday, will be broadcast nationally on an NBC-blue hookup from 6:30 to 7 P.M.

Kate Cameron, as chairman, will present the awards to Mayor LaGuardia, who will make the awards. Samuel Goldwyn, producer of "Wuthering Heights," the winning film, will also be heard before the program is switched to the Coast. From the NBC Hollywood studio, Vivien Leigh will accept the award for her performance as an actress and James Stewart will accept the actor's award. Stewart is still writing scene from "Mr. Smith Goes to Washington."

A spokesman for John Ford, probably will accept the director's award, and he will be fol-

lowed by William Wyler, director of "Wuthering Heights," the Oscar-winning film, with Merle Oberon, Laurence Olivier, Geraldine Fitzgerald and Flora Robson, will follow, and a stub-

by will be used by the critics with selections from films produced during 1939.

Fire Empties Theatre

About 900 patrons were forced to leave the RKO Academy of Music late Wednesday night when fire broke out in a restaurant of an adjoining building. Although the fire Negro hotel and George Brown's restaurant was extensive, the theatre was unharmed.

UA-Goldwyn Fight

In Court Next Week

United Artists attorneys will begin preparation today of an application for an injunction to restrain Samuel Goldwyn from entering into a distribution contract with Warners and to restrain the latter company from distributing Goldwyn's picture, "The Water".

The application for a temporary injunction will be made in Federal court here next week. Issuance of a permanent injunction, thereafter, will be sought but will be dependent, of course, upon the outcome of argu-

ments on the status of Goldwyn's contract with United Artists.

The law firms of O'Brien, Driscoll & Rayfier and Frank & Frohlich will work jointly with United Artists on the Goldwyn litigaiton.

SEC Reports

Sale of Stock

By Bernstein

WASHINGTON, Jan. 4.—Transfer of 7,808 shares of Loew's, Inc., common stock, by William S. Paley, chairman, in partial payment of indebtedness, was the largest single stock transaction for the week in the New York Stock Exchange. Sales of stock of film corporations reported today in the first November summary of the Se-

curities and Exchange Commission. The sale of Paley as still holding 22,220 shares of Loew's common at the close of the month.

Only a few stock transactions were carried in the report, which showed the acquisition of 100 Co-

Columbia Pictures common voting trust certificates by Abraham Schneider, treasurer, bringing his holdings to 404 cent shares of Class B stock. Fifty percent of shares of Reel-Idse-Orpheum seven per cent preferred stock held by Leonard Goldberg, bringing his holdings to 230 shares.

The summary showed that Loew's, Inc., increased its interest in Loew's on the exchange in 1940. A limited amount of common during the month, giving it a total of 100,307 shares, and that Samuel Brody, Monogram director, increased his holdings of common stock by a net acquisition of 700 shares, giving him 1,600 shares held directly and 700 through Mono-

gram Pictures, Inc., together with 111 - 129 options for common held direct. A report on Columbia Broadcasting System shareholders discussed the disposition by Leon Levy, Philadelphia, by gift, of 127 shares of Class A and 168 shares of Class B stock, reducing his hold-

ings to 37,723 shares of the former and 43,102 shares of the latter, and the disposition, also by gift, of 400 shares of Class B stock by William S. Paley, reducing his holdings to 340,126 shares. Paley was also holding 20,530 shares of Class A stock directly and 87,980 shares through a holding company.

Reports on the holdings of persons whose names follow: those of registrant companies showed that Joseph R. Vogel, held 100 shares of Loew's, Inc., common stock when be-

coming the chairman of the board and that John J. Burns, New York, held 400 shares of Class A Columbia Broadcasting System stock when be-

coming a member of its board of directors.

Chicago Luncheon

For Miss Parsons

CHICAGO, Jan. 4.—The luncheon on Monday for Louella O. Parsons, being staged by the Headline Club of Chi-

cago, will find the majority of Chi-

cago's leading exhibitors present. The luncheon, which was planned, is intended to be one of the highest spots in Chicago theatre history.

Gary Suit Trial Set

CHICAGO, Jan. 4.—Trial of the Gary suit against Balaban & Katz, the ma-

jors and Warner Theatres has been docketed for trial in Federal Court.

Today expressed doubt that the trial will begin on that date.
THE FIGHT

It has no equal for action!

It makes entertainment history.

Their greatest performances — their greatest picture!
AS NEVER BEFORE!
He gives to his part from the heart...definitely an all-time top!

It will make business history!

Heading a glorious
New Warner Year!

JAMES CAGNEY • PAT O'BRIEN
GEORGE BRENT

'THE FIGHTING 69TH'

JEFFREY LYNN • ALAN HALE • FRANK MCHUGH
DENNIS MORGAN • DICK FORAN
WILLIAM LUNDIGAN • QUINN "BIG BOY" WILLIAMS
HENRY O'NEILL • JOHN UTEL

 Directed by WILLIAM KEIGHLEY
Original Screen Play by Norman Reilly Raine, Fred Niblo, Jr., and Dean Franklin • A Warner Bros. First National Picture
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*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*
MPTOA in Drive Against Neely Bill

Enlistment of M.P.T.O.A. members throughout the country in an organized campaign to oppose passage of the Neely bill by the House is urged in the current bulletin of the national exhibitor organization sent to members yesterday.

The bulletin contains a detailed analysis and interpretation of the bill with particular reference to its application to the industry. It urges all theatres owners to study the measure and its effect upon their business, and to write to their representatives in Washington voicing their opposition to the measure.

Various phases of industry opposition to the Neely bill were discussed and considered at the adjourned quarterly meeting of the M.P.P.A. board of directors yesterday. The board also concluded its formal discussions of the foreign market situation and adjourned without date.

Jackson to Press Anti-Trust Drive

WASHINGTON, Jan. 4.—Continuance of the present anti-trust policies of the Department of Justice here under the leadership of Solicitor General Robert H. Jackson, today nominated as Attorney General to succeed Frank Murphy, simultaneously elevated to the place on the Supreme Court made vacant by the death of Associate Justice Pierce Butler.

As assistant attorney general in charge of the anti-trust division, which position he was succeeded by Thurman Arnold, and as Solicitor General, Jackson has been in close cooperation with the Department's monopoly campaign and is in full sympathy with the objectives of the administration.

No action on the House of Representatives' anti-trust bill for the department, submitted to Congress today, were finally developed after the recommendations of Murphy and Jackson were practically assured, the maintenance of the anti-trust enforcement fund at practically its present level is seen as another indication of the Department's continuing action on the bill, the belief is that it may not reach the House until April.

Committee to Take Early Neely Action

WASHINGTON, Jan. 4.—Senator Neely's bill to outlaw book block voting was expected today to come up for consideration by the House Committee on Interstate and Foreign Commerce some time next month.

The committee's calendar calls for consideration first of pending railroad legislation, with the block voting bill as the second subject.

No meeting of the committee has yet been called, and it is probable that no decision as to the handling of the Neely bill will be made until the measure is reached, but indications are that no action will be taken without extensive hearings.

If the committee holds hearings on the bill, it is believed that the measure may not reach the House until April.

Small Brokers Face Split on Ticket Code

A split in the ranks of smaller brokers appeared imminent yesterday as several indicated that they might accept the ticket code drawn by the League of New York Theatres. Gustave A. Gerber, attorney for Associated Theatre Ticket Agencies, who stated Wednesday night that he would bring suit yesterday, declared that he was withdrawing the filing of the suit until next week.

Doubt Action On Copyright By Congress

WASHINGTON, Jan. 4.—Chances for enactment of copyright legislation this session were said today to be rather doubtful because of the controversial nature of the legislation, the desire to curtail the session and the lack of committee activity for both the Senate and House Patent Committees.

Senator Bone of Washington, head of the Senate group, is still confined to his home in Tacoma with a broken hip, fractured some weeks ago when he slipped on a rug. He probably will not come to Washington until late in February, Representative Si- rovich, chairman of the House Committee, died last month.

The legislation drafted by the Shotwell Committee has been sent to both committees, where it is considered as proposals for legislation, and has yet to be traded into bill form.

Ampa's Neely Fight Group Sets Meeting

Amaph's committee considering means of campaigning against the Neely bill will meet Monday at 1 o'clock at the Hotel Astor, Kenneth Clark, Hays office publicity director, will attend.

The committee includes Martin Starr, chairman; Lou Pollock, Herb Berg, Leon Bamberger, Paul Lazarus, Jr., and El Sugarman.

1939 Grosses Best in History Of 3 Networks

Ticket Tax Yields

U. S. $2,500,000

1939 grosses for the year for NBC were $3,982,165, for CBS $3,529,154, and for NBC-Blue $262,191, making 1939 the best year for the networks. Mutual, which leased its figures earlier this week, also found this year the most profitable.

CBS was first with gross bills for December of $87,466, or a rise of 39.5 per cent over 1938. NBC-Red grossed $3,982,165, the highest for the year, a rise of 11.4 per cent over the same period last year, while NBC-Blue grossed $262,191, a rise of 6.1 per cent over last year.

For the year, CBS rose 26.3 per cent over last year's gross of $7,343,597. NBC-Red rose 9.9 per cent over last year's gross of $31,827,548. NBC-Blue rose 6.5 per cent over last year's $10,262,191.

U. S. $20,500,000

(Continued from page 1)

ment picture distribution activities eventually and will take over the production of films for the various departments and agencies. It will be headed by a director at a salary of $7,500 a year, who will have a staff of 26 persons.

President Roosevelt's emergency national defense program, in addition to the regular defense programs, will involve an expansion of the Navy's motion picture service, the budget disclosed.

The supplemental appropriation, to be acted on by Congress immediately, will provide $40,000 for the motion picture service which supplies films to ships and shore stations for entertainment of the enlisted personnel, and for which the Navy appropriation bill carries $8,540 a year. For the coming fiscal year, $50,000 is to be added to the regular $8,540.

Motion picture activities of the Department of Agriculture during the coming year are to be curtailed by a reduction of its film fund from $73,500 to $59,500 for the year ending June 30.

The Federal Communications Commission is to be given an increase of nearly $306,000, to a total of $2,125,000.

Denies Plea of U. A. On Folly Dismissal

Federal Judge Vincent Leibell yesterday denied an application of United Artists to dismiss the complaint of Folly Holding Company for the company's anti-trust suit against the majors, Monogram, Republic and others.

Judge Leibell refused to pass on the question of jurisdiction, however, until a bill of particulars is filed by the plaintiff.

"THOU SHALT NOT KILL"

"Yes . . . yes . . . yes! I killed Julie! I killed her!"

Charles BICKFORD

OWEN DAVIS, JR. • DORIS DAY • PAUL GUILFOYLE

A Republic Picture
Hailed by the Associated Press in 1,200 leading newspapers as one of the best pictures of the year.

Publicized in the current issue of Collier’s with a double-spread feature article to 3,500,000 readers. Featured by Life as The Picture of the Week. Given a smash four-page break in Look.

Okayed by its famous author, John Steinbeck, who says he is “proud to be associated with this very moving picture.”

Held Over in its pre-release engagements at the FOUR STAR, LOS ANGELES and the ORPHEUM, MONTREAL.

HAL ROACH presents

“OF MICE AND MEN”

by JOHN STEINBECK Author of “The Grapes of Wrath”
with BURGESS MEREDITH • BETTY FIELD • LON CHANEY, JR.
Produced and Directed by LEWIS MILESTONE • Associate Producer
Frank Ross • Screen Play by Eugene Solow • Released thru UNITED ARTISTS
Fairbanks UA Stock to Son, Widow Looms

Sale Doubted as Terms Of Will Are Revealed

Douglas Fairbanks' one-fifth stock interest in United Artists may be disposed of at the discretion of the trustee and executors of his estate, it was revealed with the admittance of Fairbanks' will to probate in Surrogate's court here on Friday.

Although neither the United Artists stock nor the Elton Corp., Fairbanks' personal holding company which owns it, is mentioned in the will, the trustee and executors are authorized through the will to liquidate and sell Fairbanks' property necessary to set up a $2,000,000 fund out of which specific bequests are to be made to the widow and members of the family. Initial bequests totaling $95,000 have been made.

Guaranty Trust Co. is named trustee and that bank and the Bank of America National Trust & Savings Association, are executors.

However, an affidavit attached to the will and signed by Dennis P. O'Brien, Fairbanks' attorney, discloses that trust funds aggregating approximately $1,700,000 comprise a large part of the present estate and, with real estate and investments in West Coast studios, may be sufficient to meet the specific bequests without a sale of the United Artists stock being necessary.

In that case, ownership of the Elton Corp., and with it the United Artists stock, will pass to the widow. (Continued on page 5)

La Guardia Film Statement Today

Mayor La Guardia will have an important statement today on his campaign for Eastern film production.

His office made this announcement Saturday following a conference with a delegation of American Federation of Labor union leaders, headed by Sal J. Scoppa, business manager of Studio Mechanics Union, Local 52.

The nature of the Mayor's statement was undisclosed. However, it is believed that La Guardia will reveal specific progress in efforts to stimulate movie-making in New York City. It has been unofficially reported that several major companies are prepared to cooperate in the plan.

Bankruptcy Order For Grand National Won by Creditors

Efforts to reorganize Grand National Pictures ended Friday when Referee Peter B. Olney, Jr., ordered liquidation of the company and appointed Henry Fromberg as trustee in bankruptcy.

Fromberg, who must post a $20,000 bond, took office immediately with authority to continue business for five more days.

The liquidation was ordered during a meeting of creditors after J. T. Cosman, head of Producers Laboratories, had withdrawn a $4,000 check which he had filed earlier in the day as indemnity to allow continuation of the business.

Cosman's attorney charged creditors with raising too many objections and with the intention of causing "trouble" for the proposed plan.

Saul E. Rogers, attorney for the company, stated that the R.F.C. had rejected the application for a $450,000 loan in a letter which said that the company had not sufficiently demonstrated that the loan and other funds would enable the company to operate profitably.

The Creditors' Committee was polled by Referee Olney and voted unanimously for liquidation. (Continued on page 8)

FM Broadcasting Ready, FCC Told

Widening of the band for frequency modulation, permission for regular operation instead of on the experimental basis as at present and an increase of the power limit for FM stations from one to five kilowatts will be sought at F.C.C. hearings on Feb. 28 by station operations interested in the (Continued on page 8)

Warner Delays Goldwyn Deal Pending U. A. Contract Study

Hollywood, Jan. 7—Formal closing of the deal by which Warner Brothers would distribute Samuel Goldwyn's "The Westerner" will be deferred until the legal status of the producer's contract with United Artists has been clarified.

It appears certain that preparations for the sale and release of the picture are being held in abeyance. Meanwhile, however, the statement of a week ago that Warner Brothers would distribute "The Westerner" had not been changed up to Saturday.

Samuel Goldwyn declined to comment on any phase of his contractual relations with either Warner Brothers or United Artists on his arrival here from the Coast over the week-end. He referred all inquiries to his attorney, Max D. Steuer, who also said he had no comment to make.
Paramount Houses Close ‘Wind’ Deals

Deals with three Paramount theatre partners for “Gone With the Wind” cover Ohio, Minnesota, and Wisconsin, in contrast to Balaban & Katz in Chicago and United Detroit Theatres in Detroit, with whom negotiations have fallen through.

Contracts with Paramount affiliates were approved Friday by the home office. Local offices of the风 will open the picture at the Paramount, Omaha, Jan. 25, and Paramount, Des Moines, Jan. 26; Inter- mediate for the Lake City, Minn., Jan. 29; Minnesota Amusement Co. for the Orpheum theatres in Minnesota and St. Paul, Feb. 2, and the Garlick, Duluth, Feb. 16.

A seventh deal closed Friday was for the RKO Orpheum, Denver, Jan. 24.

All will follow the general policy of three performances daily, with the exception as noted. In Des Moines, there will be two shows on Sunday, both reserved.

Selznick Offers Prizes For Best ‘Wind’ Letters

Selznick International is offering $50,000 to theatre staffs for the best letters on presentation of “Gone With the Wind.”

A prize of $100 will be given for the best letter on “How I Exhibited Gone With the Wind.” Other prizes include $50 for the best letter on how the picture was projected; $25 on how thrilling problems were handled and $25 on “How I Assisted the Exhibition” of the picture, and $50 for anyone who predicts will not be eligible for any of the other prizes.

The letters will be judged solely on the basis of the letter’s value to future exhi- bitions of the film and will become the property of Selznick International.

Loew’s Houses Start Reserved Seat Sale

Advance ticket sales started yester- day, simultaneously with the first local premiere at Loew’s theatres out of town where “Gone With the Wind” will open Jan. 26. Seats are reserved on a first-come, first-served basis for midnight shows and Sunday matinees at $2 p.m. Weeklyday matinee prices will be 75 cents for unreserved seats.

Tri-States Closes Omaha Paramount

OMAHA, Jan. 7—Tri-States Theatres closed the 3,000-seat Paramount here after 60 days of operation at what District Manager Cummings said was “a tremendous loss.”

The house is four blocks from the city’s main business sector and has been closed as a white elephant almost from time it opened in January. It has been open from 30 to 60 days per year during last five years. Don Alf- den, manager, has moved back to his post as Omaha manager, and Don Shae, substituting for Allen at the Omaha, has returned to the Orpheum.

Ohio Admission Tax
Nets $1,645,147 in ’39

COLUMBUS, Jan. 7—Collection from the Ohio admission tax in 1939 amounted to $1,645,147.57. Theatres pay the three cent per retail sales tax, based on gross receipts, to the industry paid the Ohio censor board $195,083.52.

So Monotonous!

W. A. Finney, Loew district manager in Atlanta, tells of the excitement in Atlanta over “Gone With the Wind,” where it is playing Loew’s Georgia Theatre.

“The reserved seat sale line started four weeks before the opening Dec. 15 and has never been broken for five weeks. We now have in four weeks of capacity performances and selling into the sixth week. It’s really getting monoto- nous.”

400 See Godwyn Get Critics’ Award

About 400 guests from the film and stage attended the New York Film Critics’ cocktail party at the Rainbow Room yesterday on the occasion of the presentation of the annual awards.

Samuel Goldwyn, producer of the winning film, “Wuthering Heights,” received the bronze plaque emblematic of the first award.

Highlight of the party was a Coast- al Council Variety session with NBC-Radio stars from Hollywood and New York. The Hollywood end of the program was heard loud speak- ers from Rainbow Room. Headed on the air were Kate Cameron, chairman; Mayor LaGuardia, Goldwyn, Vivien Leigh, James Stewart, Wallace Wanger, William Wyler, Merle Oberon, Laurence Olivier, Geraldine Fitzgerald, and Flora Robson.

MacIntyre in West

On RKO Sales Drive

Herb MacIntyre, captain of the RKO Ned Dinpet Sales Drive; Cresson E. Smith, western and southern sales manager, and Harry Cohen, western sales, were in Denver today to meet with J. H. Ashby Denver manager, and his staff, Harry Gittleson, editor of the RKO house organ, and with the group.

The sales heads will go on to Salt Lake City, Portland, Seattle, San Francisco and Los Angeles in the interests of the drive.

Newark Receives Rogers Fund Check

Harry H. Buxbaum, 20th Century-Fox manager, today presented a check for $2,900 to City Commissioner Thomas J. McMahen in Newark as that city’s share of the Will Rogers Memorial Fund con- tribution to the National Foundation for Infantile Paralysis. The money will be used by local institutions.

Buxbaum, who was chairman of the New York-New Jersey zone in the Will Rogers Memorial Fund Campaign, recently presented a check for $1,500 to Hoboken institutions.

Four Firms Chartered

ALBANY, Jan. 7—Four theatre companies have been incorporated here recently. They are: Lake Amusement Corp., Rochester; Beross Theatre Corp., Brooklyn; Vanguard Corp., Brooklyn, and H. & B. Theatre Corp., Brooklyn.

U. S. Tells Majors Of Queries Stand

Special Assistant Attorney General Paul Williams stated Friday that Congress had been completed on that day with an exposition of the government’s position in reference to answering in- terrogatories of the defendants in the anti-trust suit.

Williams declared that the govern- ment had ‘released a long time ago how it would go in answering que- stions, and that it remained for the de- fendants to say whether this was satis- factory or not.’

In the event that the government position is acceptable, he said, a stip-ulation was ready, which would set it forth. Refusal to accept by the majors, he concluded, would necessitate a decision by Federal Judge Knox on the question.

Monogram Drive Details Are Fixed

CHICAGO, Jan. 7—Franchise holders representing 25 Monogram exchanges met at the Blackstone Hotel here yester- day and today with a home office delegation headed by John A. Johnston, president, and set details of the com- pany’s five-week sales drive.

The drive, “March of Monogram,” will run from March 5 to April 5, with Scott R. Dunlap, vice-president in charge of production, arrived from the Cleveland office.

The Saturday meeting was devoted to the allocation of individual branch quotas for the drive, based on terri- torial percentages. Johnston, who pres- ided, pointed out that the company has had no drive for more than a year. (Continued on page 9.)

Yorke Service Held

A memorial service for Augustus Yorke, 79, member of the old vaude- villes, and son of Ellen Yorke, was held Dec. 27 in Hollywood. Yorke was held yesterday at the Midtown Memorial Chapel. Yorke was the father of Gale Yorke.

Morgan Shooting Short

Herb Morgan, in charge of M- G- M’s short subjects publicity, is in Cleveland this week working on a short at Clyde Beatty’s lion farm.
"CONFIDENTIALLY, ROSALIND, FOX–WEST COAST SAYS WE'RE 'SOCK ENTERTAINMENT'!"

CARY GRANT

ROSA Lind RUSSELL

HOWARD HAWKS' HIS GIRL FRIDAY

Ralph Bellamy
Gene Lockhart
A COLUMBIA PICTURE

... and more ...
"SPLENDID," says Ray Lindsey, Fox Pomona Theatre manager, in a confidential report to Fox-West Coast headquarters on a "sneak" preview of 'HIS GIRL FRIDAY'.

"Story starts at LIGHTNING SPEED and never loses pace... the SMART LINES crackle from the screen with the RAPIDITY OF MACHINE GUN FIRE... laughs tumble over laughs so fast that many were lost in the GALES OF LAUGHTER from the audience. There is not a dull spot.

"Audience reaction: 100% APPROVAL. Hearty laughter... at the finish a BIG ROUND OF APPLAUSE.

"Rating: from any standpoint A PLUS. It CANNOT MISS at the box-office."

It's the Year's Wildest, Wittiest Whirlwind of a Love and Laugh Show!

CARY GRANT
Rosalind RUSSELL in HOWARD HAWKS'
"HIS GIRL FRIDAY"

with RALPH BELLAMY
GENE LOCKHART • Helen Mack
Based on a play by BEN HECHT and CHARLES MACARTHUR
Screen play by CHARLES LEDERER • Directed by HOWARD HAWKS

General Release—JAN. 18
Unions of N.Y. Join in Attack On Neely Bill

Continued from page 1
puries, which are already staggering.

“We have scrutinized the proposal minutely, and we can see no objection that, if it is passed by Congress, it will mean a great curtailment in the number of films produced annually by the American studios. This, in the end, will mean the destruction of the jobs of workers employed in the studios and at the same time, the shutting out of thousands of motion picture theatres for lack of sufficient product, with a consequent loss of employment to operatives and other workers in the theatres.

“Less Freedom for Exhibitor”

“It is claimed for the Neely bill that it will correct what is alleged to be an unhealthy condition, but, as a matter of fact, the measure seeks to give to the exhibitor far less freedom than he now possesses.

“Under the Neely bill the exhibitor cannot get out under an agreement to show in his theatre a given picture. This is in contrast with the present system, which permits the exhibitor to cancel freely.

“Will Solve No Problems”

“Without this suggested law, it has been shown conclusively that theatre owners do have a wide selection. It has been also demonstrated that every producing company gets one of its pictures shown by 5,000 to 9,000 more theatres than would play some other picture turned out by the same studio. Despite all the hue and cry over block booking, the record shows that there is the widest variation in the number of showings of pictures on the annual list of any studio.

“Lack of organized labor are interested, naturally, in the welfare of the wage-earners. That which is destructive of the industry in which they are employed is in the public interest. We are going to do everything within our power to kill this bill, which will do great damage to a major American industry and one of the serious problems and difficulties of that industry.”

Spokane Showmen
Support Neely Bill

Spokane, Wash., Jan. 7.—Eight local independent exhibitors, meeting at the call of Howard D. Biddle, member of the board of trustees of the I.T.O. of the Northwest, went on record in favor of the Neely bill, and discussed the feasibility of organizing a local branch of the state organization, affiliated with the Pacific Coast Conference of Independent Exhibitors. James Hone, executive secretary of the I.T.O.N., is expected here for an organization meeting later this month.

First Run for State

Columbia’s “The Amazing Mr. Williams” will be first run at Loew’s. “The Amazing Mr. Williams” begins the Monday, Jan. 8. This is one of the few films which have been given a first run at the theatre. The vaudeville bill that week will be headed by Louis Sobol, Journal-American columnist, and Joe E. Lewis, comedian.

THE GREAT VICTOR HERBERT

A magnificently melodic film...Allan Jones makes his comeback in the light of the fact that he has been occupying from the beginning of his screen career...Miss Martin is the surprise of the season...Chicago Herald-American.

Victor Herbert’s lovely music pervades, like a fragrance, this story about the great composer...Allan Jones plays the part magnificently, and he can sing. Walter Connolly is splendid...Most cunningly directed—Chicago Tribune.

Mary Martin’s beauty and charm and voice belong to the screen...Allan Jones’ voice is fine.—Boston Post.

Don’t expect much beyond a pictorially charming production and an earful of Victor Herbert. The plot just doesn’t matter. You’ll like Mary Martin...You should have a nice time.—Boston Herald.

Mary Martin’s pleasing personality and exquisite charm indicate future success...The Herbert melodies couldn’t be sung with better number on fresh slant this picture.—Boston Globe.

The choice of Walter Connolly for the title role was an inspired one...His performance is flawless...Many tunes sung gloriously by Allan Jones, Mary Martin and Susanna Foster.—Boston Traveler.

What matters is that there are almost 30 Herbert songs on the screen...There isn’t a great deal of Mr. Herbert himself...Bulldog is to say you will enjoy hearing the familiar numbers.—Boston Transcript.

Melodious Mary Martin and Victor Herbert’s superlative score of the chief assets...Her debut picture is another triumph for the lovely Miss Martin and lavishly backgrounded by Susanna Foster counts herself in as the picture’s real find.—Boston American.

The combination of Victor Herbert’s music, Mary Martin and Allan Jones makes a real triumph in one of the pictures you’ve seen and heard in a long time.—Chicago Daily Times.

THE HUNCHBACK OF NOTRE DAME

We suspect that when the picture was produced before it must have been more moving than it is here. Mr. Laughton is obviously a pathetic character, but you seldom feel it...The picture itself is an exquisite, spectacular and thoroughly gripping affair.—Chicago Daily News.

“The Hunchback of Notre Dame” is Charles Laughton. It is also Victor Hugo...Grips the emotions. The present film is more than adequate...The cast is not only distinguished, but good, and William Dieterle’s direction is another fine feather in a plush cap.—Chicago Daily Times.

A striking, enormously spectacular costume drama in which Charles Laughton plays the deformed bellringer with force and power.—N. Y. World-Telegram.

RKO has made a spectacular drama of “The Hunchback of Notre Dame.” The script is not completely satisfactory...Charles Laughton gives another of his vivid characterizations.—N. Y. Sun.

RKO’s remake of “The Hunchback of Notre Dame” is decidedly impressive on the pictorial side...Lavishly produced...Charles Laughton features a properly horrendous makeup, but the film revolves itself into a stately and handsome pageant.—N. Y. Journal and American.

A grotesquerie of considerable fascination. Little conviction and a number one in the making is the picture...It is at once impressive and ludicrous...It will arouse more interest than feeling.—N. Y. Post.

Has tremendous dimension...It is a constant feast for the eyes, and once in a while it makes the hair stand on end...When it comes to the deeper emotions, the photography seems to have a cold quality.—Philadelphia Public Ledger.

An artistic and ingenious achievement in motion pictures...Charles Laughton is superb...It is a picture that will make you gasp and shudder.—Philadelphia Daily News.

The film discovers a serious, thoughtful study of social and economic France of the 15th Century...Laughton’s performance is a masterpiece in the grotesque.—Philadelphia Record.

A really colossal production. But one still feels that Charles Laughton might have been a little more than a slightly confusing $750,000 spectacle...The film discovers a serious, thoughtful study of social and economic France of the 15th Century...Laughton’s performance is a masterpiece in the grotesque.—Philadelphia Record.

Generally Laughton’s performance is a matter of magnificent and terrible makeup, seldom impressive one with the horror of a human soul having been trapped in a monstrous body.—Philadelphia Inquirer.

A more spectacular remake of an old horror film...Charles Laughton’s contribution is one of his best performances.—Time.

Compared with the elementary horrific of the Lon Chaney film, this Charles Laughton successor is a postgraduate exercise in the macabre...For the sensation-seeker, the film is a high-powered jolt of cinema hocus-pocus.—Newspaper.

Fairbanks UA Stock to Son, Widow Looms

Continued from page 1
Sylvia Fairbanks, and Douglas Fairbanks, Jr., in equal proportions.

The will of the late Mrs. Fairbanks authorized the trustee and executors to form a corporation, if they so desire, and transfer to it all property and trusts of the deceased, then sue to beneficiaries their proportionate shares of its stock. “In this way, the will will provide that any such properties at an inopportune time may be prevented.”

$10,000 to Actors Relief Fund

Initial requests are made to the following: Motion Picture Actors Relief Fund, $10,000; Charles L. Lewis, Los Angeles, “friend and employ,” $10,000; Mrs. Adelaide Crombie, Los Angeles, a loan of $37,500; in trust, and Kenneth Davenport, Hollywood, $37,500 in trust.

Thereafter, the will directs the establishment of the $2,000,000 fund from the residual estate, of which one-half; but not to exceed $1,000,000, to left to the widow; twenty-fourth, not to exceed $4,000, to left to Douglas Fairbanks, Jr.; two-fortieth, not to exceed $1,000, to left to Robert Fairbanks, a brother; and one-fourth, not to exceed $50,000, to Norris Wilcox, a relative.

Son and Nieces Get Bequests

Also one-fourth, shares each, not to exceed $30,000, are left to trust to Flobelle Fairbanks, Margaret Chappell, Letitia Fairbanks and Louise Fairbanks, nieces. One-fourth, not to exceed $30,000, is left to Douglas Fairbanks, Jr., to distribute to persons in amounts designated in a private letter accompanying the will. All residual property is to go to the widow and Douglas Fairbanks, Jr., in proportions of one-half to each.

League Acts to Stop Bootlegged Tickets

Continued from page 1
try cases involving ticket sellers or brokers. It may hold trials of producers only upon the latter’s consent. Producers have the right to ask for a trial before an impartial trial board composed of one member each from the League and Equity and one neutral member.

Up to Friday, when the enforcement board meeting was set, the three largest brokers and six of the smaller agencies had signed the code.

Dismiss Kibbye Charges

Montreal, Jan. 7—Charges of theft and forgery against Charles E. Kibbye, accountant for Consolidated Theatres, were dismissed at a preliminary hearing Friday. Company counsel informed the court the prosecution had no evidence.

Hold Rites for Davis

Pittsburgh, Jan. 7—Funeral services were held on Friday for Harry Davis, pioneer exhibitor, who died Tuesday after a 12-year illness. Davis opened the first film theatre, the Nickelodeon, about 35 years ago here.
**Feature Reviews**

**“His Girl Friday”**

*(Columbia)*

The hit play of a few years back, “The Front Page,” by Ben Hecht and Charles MacArthur, which later was transferred successfully to the screen, here returns again as a film, but this time revamped so that a woman may play the role of the unrequenched newspaper reporter, Hildy Johnson.

The result, with Rosalind Russell as “Hildy” Johnson, is a racy, melodious yarn, a bit spicy as to occasional bits of dialogue, but first rate, fast paced entertainment, where the laughs plug the spots where the action lets up. Cary Grant plays the double-crossing, quick-thinking managing editor, only this time, instead of merely wanting to hang on to a good reporter, he also wants to marry her, as she returns from her long honeymoon in Tahiti.

Miss Russell does a splendid job as Hildy, combining the dynamic excitement which is the main characteristic of the role, with a capable dramatic performance. No less expert is the Walter Burns of Grant. Charles Lederer, in his screenplay, virtually retained the play’s plot intact, as well as the greater part of its dialogue, merely altering it to provide the romantic element and changing such other portions as became necessary for a feminine “Hildy.”

Contributing marked assistance in support are Ralph Bellamy as the “Mister Milktoast” type of insurance man whom Miss Russell plans to marry; Gene Lockhart as the politician-sheriff; John Qualen as the murderer, Earl Williams; Helen Mack as Williams’ girl, and Billy Gilbert as the bearer of the governor’s reprieve.

Howard Hawks, who directed, maintained all the pace and speed which always characterized the play.

Running time, 92 minutes. “A.”

**Charles S. Aaronson**

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**“The Shop Around the Corner”**

*(M-G-M)*

Hollywood, Jan. 7.—M-G-M’s “The Shop Around the Corner,” directed and produced by Ernst Lubitsch, is a light comedy laid in Budapest, charmingly and refreshingly told and enacted by James Stewart and Margaret Sullavan.

Some time ago, Lubitsch purchased a Hungarian play by Nickolous Laszlo and waited for the opportunity to cast Stewart and Miss Sullavan. Samson Raphaelson wrote the screenplay. After weeks of fine production technique which marks Lubitsch productions, the producer-director had his faith in the vehicle vindicated by a preview audience which gave all indications of enjoying its 97 minutes thoroughly.

Stewart, whose recent roles have gained wide acclaim, is chief clerk in a Budapest shop and carries on a romance through letters with a girl whom he has never seen and who has never seen him. Both fall in love through the correspondence. A new girl is hired by Frank Morgan, the proprietor, and she and the clerk constantly battle. He discovers that she is his sweetheart, and in the climax, which comes after the proprietor discovers that another employe is the inamorato of his wife, he breaks the news to her.

Of the supporting players, Morgan, Felix Bressart as a kindly, fatherly clerk, Joseph Schildkraut, as the paramour, and William Tracy, as the adolescent errand boy with ideas of grandeur, are standouts.

Running time, 97 minutes. “G.”

**VANCE KING**

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**“Tevya”**

*(Mayan Films)*

This well-produced film is drawing big houses at the Continental Theatre on Broadway where Yiddish patrons indicate by their reaction that they find it entirely satisfactory. Maurice Schwartz, director of the Yiddish Art Theatre, wrote the script, directed and acted the title role.

Based on Sholem Aleichem’s folk tale of Tevya the Dairyman, the film is successful in reproducing the atmosphere and spirit of rural life in the Ukraine of old Russia. Schwartz is an expert screen player and has capable support, especially in the appealing personality of Ole Bull as Tevya’s father-in-law.

The story deals humanly with a simple head of a family, his joys and sorrows, his philosophy under oppression and his reactions to the impacts of life. The picture has a heart-warming quality throughout and the virtue of good acting. Henry Ziskin was the producer. The music is by Sholom Secunda. English titles are provided.

Running time, 99 minutes. “G.”

**ALFRED FINSTONE**

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**Dutch Trade Censoring All Reels or War**

**By PHILIP de SCHAAP**

**AMSTERDAM, Dec. 12 (By Mail).**—The Dutch Motion Picture Federation has appointed a special committee to review all newsreels before they are sent to the National Censor Board for examination.

The Federation, ordering that all reels he handled be regarded as titles, dialogue and the like in Holland, bans all reels which may cause confusion or raise problems because of their war content. As a result of the plan, in which distributors are cooperating, the Government generally views the situation largely in the hands of the Federation.

Distributors of foreign product here have been in a state of alarm for some time. American films form 60 per cent of the total imports, while France imports 15 per cent and Germany 15 per cent. The American figure compares with 50 per cent before 1933. The Federation has requested that its members not destroy old prints, not because of a threatened lack of new product, but because of the value of the celluloid.

Traveling film houses have been used extensively for performances for the army. During November, 350 performances were given for more than 75,000 soldiers.

“’It’s in the Air,” English production, starring George Formby, recently concluded a run of 28 weeks at The Hague. The film has been held over in the city Dutch town it has played, and was the most important hit of 1939.

On Jan. 1, 1939, there were 350 film houses in Holland, 17 more than on Jan. 1, 1937. Seven cities have 98 film houses, led by Amsterdam, which has 20,000 inhabitants. The total number of inhabitants is 6,000,000. Three of the 1,100 film houses serve the 24,500 inhabitants. The 350 theatres have a total seating capacity of 180,297 seats.

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**Heads Boston Operators**

Boston, Jan. 7.—Thad C. Barrows has been elected president of Moving Picture Operators Union, Local 192, for the twenty-fourth year. Bernard Magalifian was chosen vice-president; Albert Mouton financial secretary, Joseph Rose treasurer and James Burke business manager. Joseph Nuzzolo, John Diehl and Louis Pirriano were named to the executive board.

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**Ampa Transfusion**

Ampa members in this morning’s mail will receive formal cards reading: “You are cordially invited to attend a blood transfusion.” But it is nothing to be alarmed about. It is just a teaser campaign on the part of new members who will conduct next Thursday’s meeting at Stouffer’s Restaurant.
Now blazing a record trail of holdovers from coast to coast — after breaking the records of 20th's biggest hits!
Plan Cincinnati House CINCINNATI, Jan. 7.—Plans for the $75,000 theatre, to be known as the Times, being built on the downtown site of the recently razed old Times-Theatre, have been filed. The 700-seat house has been leased by Gilts, Inc., of which Isaac and Abe Libson are the heads.

Takes Caroline Theatre LUMBERTON, N. C., Jan. 7.—The Caroline Theatre will be taken over by North Carolina Theatres, Inc., under terms of a 10-year contract. The house will be closed for remodeling.

Dismantle Kentucky Theatre ST. LOUIS, Jan. 7.—The Savoy, a 666-seat, one of the Crescent Amusement Co. circuit in Princeton, Ky., is being dismantled.

Dan Terrell Resigns WASHINGTON, D. C., Jan. 7.—Dan Terrell, publicity man for Warner here, has left to take charge of publicity for American University.

Change House Policy ALTA, Ia., Jan. 7.—The Roxly policy has been changed to two changes a week instead of three programs to change on Thursdays and Sundays.

FM Broadcasting Ready, FCC Told (Continued from page 1) The new type of broadcasting method.

A committee of nine was elected over the Jack-O-lantern plan up plans for an incorporated organization similar to the Independent Radio Network Affiliates, Inc.

Several representative of 47 radio organizations met in the Ritz Tower Friday and Saturday to formulate plans for the presentation of a complaint to the F.C.C. hearing.

The meeting was of the opinion that FM broadcasting is sufficiently established to warrant presentation of testimony.

Bankruptcy Order For Grand National (Continued from page 1) The order was made by Leon Berger to secure a further postponement with a declaration that he had a plan which would provide for payment to creditors and for a new application to the R.F.C. Creditors, however, vetoed this request.

Referee Olney ordered a new hearing for March 19 at P. P. M. inquired the trustee to report back to him on that day. Officers of Grand National will be examined at that time.

Mayer Has War Film "Lights Out in Europe" is being prepared for distribution, according to Peter Mayer, associate producer, who has just returned from Europe. Mayer produced the picture in Poland, England and France with Herbert Kline, producer of a similar film.

Templeton Honored Alec Templeton, blind pianist, was guest of honor at a cocktail party tendered by NBC Friday night at the Waldorf-Astoria. For the next five weeks, his programs will originate in studies here.
First Front House
Labor Board Ballot

The first labor board election for designation of a collective bargaining agency by theatre managers and assistants, will take place tomorrow for the Endicott Circuit (Nelson & Rem- man). Balloting will take place at the offices of the New York State Labor Relations Board, 88 W. M. At the same time, ushers, doormen and matrons employed by the same circuit, will also vote.

Both ballots will ask whether the employees involved wish to be represented by the Motion Picture Division of the Electrical Managers, Agents and Treasurers Union and will call for a "yes" or "no" answer. Only employees on the payroll on Aug. 17 will be permitted to vote.

The T.M.A.T. called a strike at that time because of the alleged re-fusal of R.F. to enter into a collective bargain- ing contract with the union. Officially, the strike still exists, although there is no picketing.

Although the I.A.T.S.E. has a local covering ushers, cashiers, doormen and matrons, its name will not appear on the ballot. The union has taken the position that the I.A.T.S.E. did not petition for designation and therefore has no standing.

Although the S.L.R.B. has called, the ushers and others struck in sympathy with the managers. At that time, it was stated that the T.M.A.T. would turn over these employees to the L.A.

However, a subsequent dispute arose between the two unions on the question of jurisdiction over boxoffice men in the legitimate stage field, and the T.M.A.T. is now claim- ing jurisdiction over these employees. The union's claim on its part that A. F. of L. charter grants it jurisdiction over "front of the house" employees.

The S.L.R.B. created a precedent in this case several weeks ago when it decided that the circuit should be polled as a unit despite the fact that the various theatres in the circuit are owned by different interests.

Auditors, Checkers
Hear Metro Chiefs

How M-G-M's 1,100 checkers in the field, employed by the Motion Picture organization of its kind in the business, will handle the accounting of "Gone With the Wind" engagements was discussed at a four-day meeting of company au- di tors and checking supervisors which closed here Friday.

The collecting of booking for the legal department in connection with the Government anti-trust suit increased the work of the operations department in the last year and will continue to do so, it was said at the meeting. The department representatives attended the annual auditors' meeting for the first time, with maintenance representatives present.

The meeting was under the direction of Alan F. Cummings, manager of exchange operations, with C. K. Seter, assistant manager, T. C. Clary of the Loew Theatre account- ing department and Charles E. Quirk of the MGM traffic department conducting various sessions.

William F. Rodgers, general sales manager, and Division Managers T. J. Connors and L. M. Spalding spoke on sales matters.

Radio

Radio

Brevities

A FULL-HOUR variety show over the combined networks of NBC, CBS, ABC and Mutual, Saturday, Jan. 20, for the benefit of the National Foundation for Infantile Paralysis. Scheduled to appear are Connie Boswell, Meredith Wilson, Mickey Rooney, Bing Crosby, Burns & Allen, Frances Langford, Bob Burns, Frank Parker, Fanny Brice, Portia Nelson, George Gobel, Bob Hope, Bing Crosby, Nelson Rockefeller, Dustin Hoffman, Alec Guinness, Julie London, David Wayne, Jerry Lewis, Diahann Carroll, Norma Shearer, James Stewart, Angela Lansbury, Jane Wyman, and many more.

The arrival of the 25,000,000th Gen- eral Motors automobile from the assembly line will be broadcast over NBC-Blue from Detroit Thursday at 10:30. The assembly line has been arranged and leaders in the auto- mobile world will attend.

"Hollywood Ten-000," featuring Ken Carpenter and a dramatic cast under- going the difficulties of a Hollywood casting office, is scheduled to start tomorrow over nine NBC-Red sta- tions. Sponsor will be the Prune Growers of California.

Krug Baking Co. will sponsor Ade- line Hazley's "The Woman's Page of the Air" over WABC on Mon-days, Wednesdays and Fridays, start- ing today, at 8:45 A.M.

WDRC, Hartford, is scheduled to start construction of a new tower and directional antenna at the Bloomfield transmis- sion studio. Power will be raised in night power, from 1,000 to 5,000 watts, necessitated the new construc- tion.

The Vatican has started short wave broadcasts on three wave bands to the Americas. The programs are heard on Sundays and Wednesdays at 9:30 P. M. Eastern time, in other broadcasts in Spanish, French and Portuguese.

E. A. Joscelyne takes over as man-ager of WBT, Charlotte, on Jan. 15. His predecessor, Charles R. Ball, who went to manage KSFO, San Francisco. Another WBT change is that of Wil- liam Winter who has been promoted to direct the educational broadcast in 11 states cast of the Mississippi.

Buys City's Station

ATLANTIC CITY, Jan. 7.—Sale of WPG, municipally-owned station, has been completed with the delivery of the station to the City of Atlantic City Jan. 1 for $200,000. The station's frequency of 1,100 k.c. will be transferred to Balboa's station WOV in New York. WPG was operated for 16 years but opera- tions resulted in a loss to the city.

MOTION PICTURE DAILY 9

First Front House
Labor Board Ballot

Tips on Exploitation

Chamber of Commerce
Aids Metro Screenings

OMAHA, Jan. 7.—The Chamber of Commerce of Spencer, la., is cooper- ating with the T.M.A.T. in sponsoring trade screenings for exhibitors from the surrounding territory. The or- ganization will give a luncheon for Unionized exhibitors and the invita- tion of the union's wives will entertain exhibitors' wives at tea. Homer L. Lambert, district executive for the T.M.A.T., and Harry L. Sunswom, Omaha branch manager, ar- ranged the teip.

Detroit Cripples See 'Gulliver' in Tieupe

DETROIT, Jan. 7.—All crippled and handicapped children, gave vic- iancy saw "Gulliver's Travels" through a teip by the Michigan Thea- tre with the Detroit Negro Sunshine Club and the local Variety Club. Special portable equipment was used. The theatre played host to about 2,000 crippled and handicapped children, with the cooperation of various community or- ganizations.

Marketers Are Used To Exploit "Hunchback"

MIAMI, Jan. 7.—Marketers with a reading list suggested by the T.M.A.T. developed in earlier, on one side, were used by Harry MacDonald, manager of the Warner here, to plug "The Hunchback of Notre Dame." Marketers advertised the picture and starting date and were distributed at library branches.

Radio Giveaway
Is 'Gulliver' Plug

KANSAS CITY, Jan. 7.—For "Gul- lier's Travels" at the Newman here, Ziggy Zimond, manager, arranged a giveaway of five Gulliver radios through Stewart-Warner. The sets, on display in the lobby, were given to winners of a contest for the best letter on "Why I Liked the Picture. Gulli-

Wire-Haired Puppies Used to Sell 'Thin Man'

DES MOINES, Jan. 7.—Pioneer The- atre Corp., recently tried a new stunt on "The Thin Man"—having nine theatres of the circuit. In a tie- up with the newspapers of each of the towns, they obtained nine pedigreed wire-haired puppies named "Astas" and was displayed in the lobby of each theatre during the showing of the picture. Each patron was asked to select a middle- and last name for the dog. The person owning the best names won the dog.

9th Regiment Dinner
To View 'Fighting 69th'

PITTSBURGH, Jan. 7.—A "Big week 69th" will be shown at a dinner celebration on Jan. 24 at the Waldorf-Astoria, marking the anniversary of the entrance of the Rainbow Division, A.E.F., of which the 69th was a part, as the regiment. Col. William P. Don- ovam, war-time commander of the 69th, will be among the governmental military and civic leaders who will attend as guests.

Wedding Dress Display Helps 'Wives in Frisco'

SAN FRANCISCO, Jan. 7.—Advance ballyhoo for the showing of Warners' Four Wives," at the Fox here, included a showing of four original wed- ding gowns, worn in the film, in the main display windows of four leading downtown department stores.

Store Space Ads Sale
Of 'Gulliver's Travels'

Pittsburgh, Jan. 7.—Robert I. Clark, local Paramount exploitation manager, promoted space in a large three-sided window of Gimbel's De- partment Store here for an animated and talking display on "Gulliver's Travels," featuring rubber and papier mache models. Manager Charles MacDonald, Penn's and Joseph Feldman, publicity director here for Warner Theatres, assisted in the teip.

Philadelphia Houses
Weigh Use of Games

PHILADELPHIA, Jan. 7.—Local ex- hibitors, assured that state authorities will not molest them in regard games, are considering means of getting around the decision handed down last year by Judge Harry S. McDevitt banning the games on the ground that they are violations of the state's gambling acts.

Russell Schockley, Chief Deputy Attorney General, ruled that there is supersession provision in the statute books regarding games. He said "The question hinges on whether the state's general laws sup- presses the state's general gambling laws."

With the current change of city ad- ministrations, independent exhibitors will seek a new interpretation of the law to set aside the McDevitt de- cision.

CBS Pays Off $200,000

CBS has repaid $200,000 in liabili- ties from 1939. This amount represents one-fifth of a $1,000,000 5-year loan agreement made last year when CBS acquired the American Recording Co.
Spend your advertising dollars where they sell the most seats at lowest cost per ticket sold and your money will be talking for you in the only language that counts... PROFITS!

NATIONAL SCREEN TRAILERS reach more people... reach more customers... present more selling points from more different angles... quicker... more dramatically than any other advertising you can buy.

* That's how NATIONAL SCREEN TRAILERS have proven themselves the best seller in the business for more than twenty years... making more profits per dollar spent...

* The most concentrated... quick-action... lowest cost advertising in the field.

MONEY TALKS!
Fox Plans 52 Feature Films For Next Year

Zanuck and Wurtzel Set 24 Pictures Apealce

BY ALFRED FINESTONE

Herman Wobber, general sales manager of 20th Century-Fox, says that the company has decided on a schedule of 52 features for 1940-41, the same as the present season.

Of these, 24 will be Darryl F. Zanuck productions and 24 will come from Sol Wurtzel. Four will be British pictures, to be made by Robert T. Kane. Kane is inaugurating the new lineup at the studio and is scheduled to leave for England shortly.

Wobber, who returned over the weekend from the coast, said that while the total budget has not been definitely set for next season, the company "will spend generously and will maintain quality production despite curtailing of foreign revenue."

Zanuck plans to complete the pre-Christmas program by the end of February, when work on next season's films will begin. About 60 stories have been lined for next season and several have been signed. One of the big pictures will be "Broadcast," a dramatization of the progress of radio, which will star Alice Faye and Don Ameche.

Wobber says he has noted a strong boxoffice upturn since Jan. 1. He believes that the release of several big (Continued on page 5)

TMAT Aims Drive At 87 N.Y. Theatres

Starting its 1940 campaign, the Motion Picture Division of Theatre Managers, Agents and Treasurers, Union suspended 83 members for non-payment of dues and sent registered letters to circuits controlling 87 New York City houses demanding recognition as collective bargaining agency for managers and assistants.

Union officials refused to comment on the suspensions, beyond stating that the members had failed to pay their dues. The union claims to have several hundred members in good standing.

Having won a victory from the Enderson circuit from the State Labor Relations Board in a ruling that circuits must be treated as a unit for bargaining purposes, the union is taking (Continued on page 8)

Half of New RKO Stock Subscribed; Atlas to Buy Rest

Approximately one-half of the 500,000 shares of new RKO common underwritten by Atlas Corp. to provide $1,500,000 of working capital for the reorganized company was subscribed for with the expiration yesterday of the subscription period.

This will leave approximately 250,000 shares to be picked up by Atlas Corp. at $1 per share, less 25 cents per share. Atlas must subscribe for these shares by Jan. 16, under the terms of its underwriting agreement with RKO. This will amount to approximately $600,000.

With the general unsettled credit of RKO not having exercised their subscription right to the new common, the bulk of the shares which were subscribed for went to Rockefeller Center.

Subscription to the shares was on the basis of one share for each $24.44 of allowed unsecured claims. Thus, Rockefeller Center, with a claim of $4,150,000, was entitled to subscribe for approximately 101,000 shares.

The Atlas underwriting fee, in addition to the 25 cents per share on the stock which was not subscribed for, includes a taximeter fee of one-third cent per share on the $500,000 of each day during the making of its underwriting offer, Dec. 12, to today, when it will receive notice of the number of shares not subscribed for. This fee will amount to approximately $62,000.

A hearing on the RKO reorganization is scheduled for today before Federal Judge William Bandy.

(Continued on page 8)

125 Films A Year IN N.Y.—LA GUARDIA

Mayor's Error, He Apologizes!

Omitted 'Harvest' Award In Critics' Broadcast

After an exchange of accusations and apologies following Mayor LaGuardia's failure to mention the New York Film Critics Award to "Harvest" as the best picture for this year, last night on the NBC broadast, Andre Heyman, president of French Cinema Center, decided to accept the award after all.

Heyman was indignant at the broadcast and dispatched an angry telegram to the mayor alleging that no mention of the film had been made "because of Hollywood politics.

The mayor responded by accepting all the blame for the omission.

"There is simply no excuse for my stupidity," said the mayor, "just as there is no excuse for your getting excited about it and seeking to embarrass the film critics' organization and their committee."

William Boechel, World-Telegram critic, who handled most of the arrangements, said yesterday that last minute word that the Hollywood end of the program required an additional minute and one-half caused the confusion.

(Continued on page 8)

Lasky Back As Producer; Films to Star Radio Talent

BY SHERWIN A. KANE

Jesse L. Lasky will return to production this year, during which he plans to make three pictures featuring new talent discovered through the medium of his Gateway to Hollywood radio program, the producer said yesterday.

Lasky is negotiating for a major company affiliation for both production and distribution of his pictures and expects to complete a deal during his current stay in New York.

Lasky's radio programs for this year are planned in three series extending over a period of 13 weeks each. Talent selections will be made at the end of each 13 weeks, with the public being invited to vote for the selection of four winners from each of the three broadcast series, and with Lasky as the final arbiter.

Production of a picture will be started after the winners of each broadcast series have been selected, with the first tentatively scheduled to go into work in the late spring. Lasky will select the stories and will work at the Hollywood studio with which he becomes affiliated, borrowing stars and studio supporting players from that studio to work with his new talent.

Heretofore, the talent discovered on the Gateway to Hollywood broadcasts has gone to any studio bidding highest for him. Lasky's radio program will be tied in closely with the pictures planned.

(Continued on page 8)

2½ Million Trust Suit Filed by 7 Theatres

BOSTON, Jan. 8.—Charging violation of the anti-trust laws, seven theatre corporations from Massachusetts to Florida today filed suit for $2,955,000 in Federal court here. Eight major companies are accused.


Need for a suit, returnable in twenty-two years, are 20th Century-Fox; Loew's, Inc.; Vitagraph, Inc.; Para-
Philadelphia Court Rules Games Illegal

PHILADELPHIA, Jan. 8.—Theatre games again are under legal ban here, as a result of a decision by Judge Eugene Alessandroni in Common Pleas Court that has been brought by Assistant City Solicitor James F. Ryan against the Mayfair, which features a weekly game.

The court held that several aspects of the quiz game made it a lottery rather than a test of skill.

The prosecuting attorney in these games was spreading to other theatres, said Ryan, but under the decision of Judge Alessandroni all such games are now held to be lotteries. On the strength of the ruling, police will be instructed to see that the games are not permitted.

Fourth Nick Trial Starts in St. Louis

Sr. Louis, Jan. 8.—The fourth trial of John P. Nick, deposed head of the motion operators union, on an extortion charge, will open today in Circuit Judge Thomas J. Rowe's court. The Judge, before opposing counsel began examining prospective jurors, told the veniremen that Nick had been acquaintances with the Nick family, and the third when a venireman said he has been offered a bribe to "go easy on Nick."

Glett Vice-President Of General Film Co.

Lawrence W. Fox, Jr., president of General Film Co., Hollywood, has named Charles L. Glett executive vice-president of the New York subsidiary, General Film Industries, Inc.

On Dec. 1, last, Glett resigned as vice-president in charge of studio operations for Eastern Service Studios. Offices have been established at Rockefeller Center, and Glett will divide his time between here and the Coast.

Margolies to Coast For UA Conference

Albert Margolies, publicity man for United Artists, left by American Airlines for Hollywood last night on a special, connecting flight which will keep him on the Coast two to three weeks. During his stay he will make a study of the company's new products and confer with the various U. A. producers on their lots.

FRANK FREEMAN, Paramount studio head, is expected from the Coast next week for home office conferences.

Adolph Baas, assistant to the president of Alexander Film Co., has left for Miami, Fla., to join Mr. and Mrs. J. Don Alexander, hosts on the yacht Fifty-Fifty.

Dorothea Shewbridge, secretary to Sam Bendix, Jr., general manager of Neighborhood Theatres, Richmond, has announced her engagement to Alton W. Smith.

Roy E. Larsen, president of Time, Inc., is the father of a son, Jonathan Zebrak, born to Mrs. Larsen over the weekend at Doctors Hospital.

Oscar A. Door, Jack Geitz, Ernest Emlerling and Art Schmidt are among those booking at Bob Goldstein's Tavern yesterday.

Nancy Kelly, screen player, returned to Hollywood following an appearance on the Kate Smith show.

H. M. Richley of RKO left yesterday for Clarksburg, W. Va., to attend the I.T.O. of West Virginia convention.

Phil Zenovich, manager of the Harding, San Francisco, was married here to Irene McCague of Spokane.

Judy Garland has arrived here from the Coast for a brief vacation, accompanied by her mother.

George J. Schaeffer, RKO president, will return today from a brief vacation in Florida.

Max Gordon, Broadway producer, is the house guest of Ben Blents in Miami.

Samuel Goldwyn plans to leave for the Coast tomorrow.

Jules E. Brulatour plans to leave Saturday for Florida.

David O. Selznick Honored by N.E.A.

David O. Selznick has been honored by the National Education Association for making "Gone With the Wind." The producer has been named a member of the association's advisory board and has accepted a trophy which bears the inscription: "Gone With the Wind" writes a new page in the development of the screen, marking a milestone which all future cinema endeavors will be judged, and serving as an inspiration for the finest things in motion picture art.

Announcement of the association's action was made yesterday by Dr. William Lovin, chairman of the association's motion picture committee.

For Lunch, Dinner or Supper
LaHiff's TAVERN

The Industry's MEETING AND EATING PLACE

156 W. 48th St., Tel. Chickerick 4-2000

S. O. S. Acquires Firm

S. O. S. Cinema Supply Corp. has taken over International Theatre Ac, with which S. O. S. has been affiliated for some years. The latter recently absorbed Consolidated Theatre Supply Corp.

MOTION PICTURE DAILY

Tuesday, January 9, 1940

Capacity Crowds At 'Wind' Houses

"Gone With the Wind" continued its capacity business at both the Capitol and Astor in its third week at both houses. For the second successive week its grosses at the Astor topped $30,000 while the Capitol took an estimated $22,000. The first week at the Capitol, the period immediately before Christmas, was under par. The Astor has been a clean slate from the start.

At the Music Hall, The Hunchback of Notre Dame, a stage show, drew an estimated $97,000 for its first week and took an estimated $31,000 over the weekend. It held over through the week, $19,500, at the Strand.

"Gulliver's Travels" with Glen Gray's band on the stage at the Farkas had an estimated $20,000 for its third week and holds over for a fourth stanza. At the Rivoli, "The Lights That Failed" drew an estimated $4,000 in its second week, and holds over until Jan. 19.

Bondy to Hear RKO Allowances Jan. 17

Federal judge Bondy yesterday fixed Jan. 17 at 2:30 P.M. as the date to hear applications of George W. Bondy, manager of the Chemical Bank & Trust Co. and its attorneys, Wright, Gordon, Zachary & Parine, for final allowances in the RKO case.

Alger, who acted as special master during hearings on the plan, seeks an unspecified sum. The Chemical Bank asks for $40,000 and its attorneys for $25,000 for acting as trustee of RKO 6 per cent gold notes.

S. O. S. Acquires Firm

S. O. S. Cinema Supply Corp. has taken over International Theatre Ac, with which S. O. S. has been affiliated for some years. The latter recently absorbed Consolidated Theatre Supply Corp.

MOTION PICTURE DAILY

Registered U. S. Patent Office

GREAT! 123% in Worcester

GREAT! 127% in Hartford

GREAT! 131% in Salt Lake

GREAT! 132% in New Haven

GREAT! 134% in New Orleans

GREAT! 135% in Boston

SENSATIONAL!

Record-breaking business in Chicago and New York!

Paramount's

"THE GREAT VICTOR HERBERT"

with

Allan Jones • Mary Martin • Walter Connolly

Lee Bowman • Judith Barrett • Susanna Foster • A Paramount Picture • Produced and Directed by Andrew L. Stone • Screen Play by Russel Crouse and Robert Lively • Based on a Story by Robert Lively and Andrew L. Stone
**Latin America Boom Enjoyed by U.S. Films**

By EDWARD GREIF

“American film companies will show a marked increase in billings in Latin America in 1940 and further increases can be expected this year,” Charles Roberts, Columbia’s Latin-American representative, said yesterday.

Roberts returned last week from a four-month trip through Havana, Brazil, Argentina, Chile, Peru and Mexico.

The upturn cannot be attributed solely to the war conditions in Europe, in Roberts’ opinion, because American films “had a good head start earlier this year.”

“The French, who used to send only selected product to Latin America and acquired considerable prestige thereby, are now trying to cash in on that popularity by sending everything they have to Latin America. The result is a falling off of popularity and consequently increased playing time for American product. Playing time will show further gains this year as the French and German product becomes less and less selective.”

Roberts believes that American product, generally, has almost reached the saturation point in Latin America. In popular areas, the American film occupies the major portion of the time and distribution costs are too great in the interior regions to be worthwhile, he says.

Columbia plans to continue its policy of distributing films produced in Mexico City, he points out, because the five films produced there last year were satisfactory. Latin Americans are better equipped than Hollywood to produce special films for their own market, Roberts believes.

Roberts presided at the Buenos Aires convention from Dec. 14-16. Columbia plans to keep him in the field part of the time so that the home office may be in constant contact with distribution in Latin America. He will leave for Mexico City shortly.

**Paramount Delays New Studio Plans**

HOLLYWOOD, Jan. 8.—In view of the fact that its 1940-41 program will be reduced because the company has decided to cut out so-called “in-between” pictures next season’s production to “A” films only, Paramount has temporarily shelved its plans for construction of a new studio. Such a studio will not be immediately necessary since the present studio facilities will be ample to meet the requirements of a reduced schedule, officials said.

Y. Frank Freeman, Paramount vice-president, and Cliff Lewis, studio director, may return to New York for future conferences with Eastern offices.

Adolph Zukor, Paramount board chairman, left today on the Santa Fe Chief for New York where he will be joined by John W. Hills, foreign department head. They will sail Friday on the SS. Santa Elena for Rio de Janeiro.

**Hollywood Reviews**

**Slightly Honorable**

(United Artists-Wanger)

Hollywood, Jan. 8.—As daffy a comedy as was ever made in Hollywood, “Slightly Honorable,” produced and directed by Tay Garnett, becomes more by virtue of its rather grim undercurrent of violent death. From the flash of its opening title to the final fadeout, it is hilariously funny, despite the finding of a corpse made by the editor.

Paul O’Brian, fast talking attorney intent on outing a crooked ring operating some contracts from the state, is “framed” for two murders by Edward Arnold, a politician, and his henchmen. The attorney whose first query upon meeting an attractive girl is “Are you over 18?” manages to divert suspicion from himself after time while exposing the politicians. At the climax he is, in a desperate fight, accidentally killed. Ruth Terry, young night club singer who insists upon displaying an amazing naivety as far as clothes are concerned, supplies the love interest. Broderick Crawford does nicely with his role as associate of the attorney. Alan Dinehart, Phyllis Brooks, Claire Dodd, Janet Beecher, Douglas Dumbrille, Bernard Nedell, John Sheehan, Willie Best are some of the outstanding supporting players.

Ken Englund turned out a most smoothly flowing script from the adaptation, by John Hunter Lay and Robert Tallman, of the novel, “Another Collar,” by F. G. Pressnell. Popular as the novel is, the film story transcends it.

Garnett gave it a sense of tenseness and levity, in a combination which has seldom been equalled.

Running time, 85 minutes. “A”.

VANCE KING

“Slightly Honorable” was produced by Tay Garnett for United Artists-Wanger, and distributed by Tartan Films.

**Remember the Night**

(Paramount)

Hollywood, Jan. 8.—Producing director Mitchell Leisen has imported “Remember the Night,” with a tenderness of human sympathy that makes for an ideal love story. This Paramount picture has for exterior display the names of Barbara Stanwyck, Fred MacMurray, Beulah Bondi, Sterling Holloway and a cast of sterling supporting players including Willard Robertson, in an outstanding role, Paul Guilfoyle, Snowflake, Tom Kennedy, Charles Waldron and Spencer Charters.

Fred MacMurray, a young deputy district attorney in New York, furnishes bail bond for a pretty jewel thief, played by Miss Stanwyck, through an altruistic move so that she would not have to spend Christmas and New Year’s holidays in jail. They meet outside when the bondsman mistakes MacMurray’s idea, so the deputy drives her to the office of MacMurray’s mother on Christmas. Her mother refuses to entertain her, so MacMurray takes her to spend the holidays at his mother’s house, 50 miles away. After a week of holiday parties and small town celebrations, they return to the city.

When the trial resumes, MacMurray attempts to throw the case, but the girl changes her plea to guilty. The end comes as the girl, faced with punishment for her crime, refuses a quick marriage and deposition. She marries him if he wants her when she ends her prison sentence.

The original screenplay of Preston Sturges is a moving portrayal of character, which will get sympathetic response from widely assorted audiences.

Running time, 92 minutes. “G”.

VANCE KING

**Emergency Squad**

(Paramount)

Hollywood, Jan. 8.—Patently designed to round out a dual bill, “Emergency Squad” promises satisfactory screen fare for those subsequent situations where the screen is a siren and the noise of an explosion constitute audience stimulation.

Seen as a cub reporter whose first story lands on the front page, with a byline, Louise Campbell gets to know the work of the Police Emergency Squad, and also helps to expose machinations causing explosions in a tunnel.

William Henry, Richard Denning, Robert Paige, Anthony Quinn and John Miljan also figure prominently in the screenplay by Garnett Weston and Stuart Palmer, based on an idea by Robert Musel and Jack Raymond.

Running time, 58 minutes. “G”.

WALTER SELDEN

“A” denotes adult classification.

Vance King was associate producer and director of “Remember the Night,” Fred MacMurray was starred in “Emergency Squad,” and John H. Milligan was part of the cast in “Slightly Honorable.”

**125 N.Y. Films A Year! Vision Of La Guardia**

(Continued from page 1)

no payment of extortionate or unreasonably high bounties,” he assured the press.

The Mayor declared that a “way will be found” to “create a ‘cinema city.’” He refused to name the sites under consideration because, he said, real estate values in those locations would jump. Pictures made here, he continued, would be as good as those produced in Hollywood. Productions started gradually, he said, increase slowly but surely, the Mayor stated. “Before very long, you will see individual pictures made here,” he said, “and those pictures will be the footstools of our objective.”

In concluding his interview, the Mayor said that he expected to work closely with the individual Golds and that he realized that Western production had tremendous capital invested.

**Ampa Drafts Drive Against Neely Bill**

Ampa’s Neely bill committee, meeting at the Hotel Astor yesterday, formulated a campaign which will seek to stop the measure expected to be acted upon in this session of Congress.

The committee tentatively decided to use three major channels of information: Trade papers, house organs of film companies and circuits, and a campaign of personal contact in important localities. It is aimed to roll up a large number of protests to be registered with the committee.

Kenneth Clark, Hays office publicity editor, informed the committee that the organization has no funds for a campaign and that special appropriation can be made. The Ampa will therefore pay the expense of the campaign out of its own funds.

Martin Starr, chairman of the committee, conducted the meeting.

**Coast Guilds Ready To Fight Neely Bill**

Hollywood, Jan. 8.—Representatives of the Actors, Writers and Directors, who have decided to oppose action against the Neely bill and tend to Washington to lobby against it. Final action is up to the board of the individual guilds.

Spokesmen pointed out that opposition to the proposed law is being made only on the basis that it will make for local censorship and hinder production through the requirement that synopses of pictures must be given to exhibitors before the product is sold.

Guilds, however, will take no stand until the pending phase of the Neely bill until they have thoroughly familiarized themselves with it first.

**Testifies in Boston Suit**

Boston, Jan. 8.—John J. Ford of Maine and New Hampshire Theatres was recalled to the stand today to testify in the masters hearing of the Morse and Rothenberg anti-trust suit against the major film companies.
Radio Brevities

"I'm sorry we don't see as much as we used to, but there are reasons," is the way the war situation was summed up by Edward R. Murrow, chief London correspondent for CBS, speaking of William S. Brinker, CBS Berlin correspondent in the first direct communication between the two war capitals since the outbreak of hostilities.

The correspondents discussed food supply, blackouts and general conditions. The conversation was arranged after a week's work by the network. The questions were prepared here and the correspondents submitted their answers to the authorities of the respective countries before taking to the air.

From Germany the broadcast was sent to New York and then re-broadcast by short-wave to England. The same procedure was followed from London, a distance of 7,000 miles each way.

The Committee for the President's Birthday Ball is repeating last year's experiment for use of recordings to obtain the cooperation of local stations. The announcements are recorded and the stations are asked to spot them through the program as they see fit. Though recordings will be used with Fred Allen, Paul Muni, Paul Ney, Crawford, Clifton Fadiman, Clem McCarthy, Elmer Davis, Benny Venuta and many others, probably the best known of all will be Glenn Miller, spokesman. The tenth is yet to be selected.

An unusual sponsor, in the form of a steamship line, has been added to WABC. The Grace Line will sponsor Elmer Davis on Mondays, Wednesdays and Fridays at 6:30 P. M. in news broadcasts.

FM Broadcasters Will Incorporate

The new organization of industry figures interested in frequency modulation will be known as the F. M. Broadcasters, Inc., it was learned yesterday.

Dues of $300 per annum, starting as of Jan. 1, will be levied to provide funds for presentation of testimony at the FCC hearings on Feb. 28. Each station will be required to join separately.

John Shepard, of the Yankee network, will serve as chairman of the new group and Phillip Lounac of Washington will be attorney. The corporation will be organized in Delaware with its main offices in Washington. J. R. Popple of WOR, will head the executive committee.

Pics on Sunday

Win Jury Approval

DANVILLE, Va., Jan. 8.—The Sunday film issue, virtually settled here, after a jury of five held that Charles Abercrombie, local theatre manager, did not violate the State Sunday observance laws by opening his theatre last Sunday.

This decision was the second during recent weeks in which a manager had been acquitted on the same issue.

Joan Blondell and Powell Signed for Para. Picture

HOLLYWOOD, Jan. 8.—Paramount has signed Joan Blondell and Dick Powell (wife and husband) to star in "I Want a Divorce," screen story from the Broadway play of the same name. Powell will have a non-musical role. George Arthur will produce.

Mae Murray has been signed to star in Kansan Film Productions' picturization of "Cloudburst," directed by Jack Conway, and starring director and producer. Henri Bellocq will direct, at International Studios, starting Jan. 24. John Huston is doing the screenplay for Warners' remake of "The Constant Nymph," which will star Merle Oberon. ... Anne Shirley has been borrowed from RKO for the feminine lead of Warners' "Married, Pretty and Poor." Refusal to take the role has caused the suspensions of Jane Bryan and Olivia de Havilland.

Armstrong & Cohan of All-Star Features in San Francisco, has been awarded the Northern California franchise for Producers Distributing Corp., entire 1941 program, to J. R. Duff. John King has been given a term contract by Monogram and gets the lead in "Arm of the Law," which T. R. Williams will produce. ... Josephine Cottle, who as Gale Storm won a "Gateway to Hollywood" contest, gets a term contract from Towne and Baker for their "Tom Brown's School Days."

David Hemphill's first assignment as RKO producer will be "Kitty Foyle," Christopher Morley's best seller. ... The National Education Association's committee on Motion Pictures, Department of Secondary Education, has named David O. Selznick a member of its advisory board.

Ann Sheridan will invite the audience to sing with her in her six-old-time favorites in Warners' "It's All Game." She will also sing two additional numbers. Bing Crosby and Mary Martin are scheduled to co-star in Warners' present "Gypsy" musical. The original story by Billy Wilder and Jacques Thiery. ... William K.

U.S. Officials Watch Ticket Tax Reports

WASHINGTON, Jan. 8.—Constant surveillance of the amusement industry is being brought into the treasury consideratory sums of admission tax money which might otherwise be lost, it was disclosed today in the annual report of the Commissioner of Internal Revenue.

The report did not indicate that any great difficulty was being encountered in collecting proper taxes from exhibitors, but indicated that ticket brokers and cabareters required close scrutiny.

Reduce Union Dues

ST. LOUIS, Jan. 8.—John P. Nick, ousted boss of the operators' union, Local 143, took a salary of $125 a week, and his personal representative, Clyde A. Weston, paid himself $225 a week out of the union's funds, it was disclosed with the announcement that union dues will be reduced.

Charles BICKFORD

OWEN DAVIS, JR. • DORIS DAY • PAUL Guilfoyle

A Republic Picture

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A Republic Picture

“THOU SHALT NOT KILL”

"But life is sacred, too. Can a priest become an accessory to the killing of a man—simply by keeping silent?"
**‘Hunchback’ Is Frisco Hit With $25,000**

SAN FRANCISCO, Jan. 8—Business reached a high for the past year with "The Hunchback of Notre Dame" soaring to $25,000 at the Golden Gate, and "Destry Rides Again" taking $11,000. Again paired with "The Amazing Mr. Williams" to get $15,000 at the Orpheum. Estimated takings for the week ending Jan. 2-5:

- **"Hunchback of Notre Dame"** (RKO) GROSS: $11,000. Average: $1,571. (4,000). (8 days). (Average, $1,375) Gross: $1,000. (7 days). (Average, $143).
- **"Destry Rides Again"** (20th-Fox) GROSS: $11,000. Average: $1,571. (4,000). (8 days). (Average, $1,375) Gross: $1,000. (7 days). (Average, $143).
- **"The Amazing Mr. Williams"** (Col.) GROSS: $10,000. Average: $1,429. (5,000). (7 days). (Average, $1,429) Gross: $1,000. (7 days). (Average, $143).
- **"Swannee River"** (20th-Fox) GROSS: $10,000. Average: $1,429. (5,000). (7 days). (Average, $1,429) Gross: $1,000. (7 days). (Average, $143).

**‘Swannee River’ Grosses $11,000, Kansas City**

KANSAS CITY, Jan. 8—Good bills and the New Year's holiday gave first run its best score in months. "Swannee River" made the best mark with $11,000 at the Esquire and Uptown. The weather was cold.

Estimated takings for the week ending Jan. 2-5:

- **"Swannee River"** (20th-Fox) ESQUIRE—$6,000. (25c-40c) 7 days. Gross: $6,000. (25c-40c) 7 days. Average: $857. (5,000). (7 days). (Average, $114).
- **"Babes in Arms"** (M-G-M) NICK CARTER, MASTER DETECTIVE (M-G-M) MIDLAND—$4,000. (25c-40c) 7 days. Gross: $4,000. (25c-40c) 7 days. Average: $571. (4,000). (7 days). (Average, $114).
- **"Our Gang"** (Par.) PARAMOUNT—$3,000. (25c-40c) 7 days. LARKIN—$3,000. (25c-40c) 7 days. Gross: $3,000. (25c-40c) 7 days. Average: $429. (2,000). (7 days). (Average, $61).

**Daylight Savings Attacked in Frisco**

SAN FRANCISCO, Jan. 8.—Local exhumation of active opposition to the governmental proposal of a widespread "daylight savings" law, which goes on the ballot at next general election. A drop in receipts of 25 per cent has already been reported by Arch Bowl, president of the California Theatre Association, if the bill passes. Also opposing the bill is the local operators' union, and the musicians' local 6.

**Affirm Eureka Dismissal**

The U. S. Circuit Court of Appeals yesterday affirmed a decision which had dismissed the suit of Eureka Productions, Inc., against Raymond J. Maloney, former U. S. Attorney for $5,300 damages for alleged illegal confiscation of the film "Eustacy." The dismissal was directed by Federal Judge Copper in June, 1939, after a jury trial.

**Heads Patent Committee**

WASHINGTON, Jan. 8—Rep. Charles Kramer of California, the new chairman of the House patents committee which is in charge of copyright legislation due to be considered by Congress at this session. Kramer said that no hearings will be held on the proposed copyright law revisions until the end of next month.

**Metro Buys New Play**

Hollywood, Jan. 8—M-G-M has acquired the screen rights to the play, "The World We Make," by Sidney Kingsley, and currently on Broadway. Rights to Millen Brand's book "The Outward Room," on which the play is based, are included in the contract.
Out Today

Edited by
TERRY RAMSAYE

A QUIGLEY PUBLICATION
Loew's Sets
Greater N.Y.
‘Wind’ Dates

First Greater New York showings of “Gone With the Wind” other than Brooklyn will be at Loew’s for Jan. 25 at the State, Newark, and the Jersey City Theatre, Jersey City, and Feb. 1 at the Metropolitan, Brooklyn.

The picture will thus be running at five theatres in the New York area at the same time including the Astor and Capitol on Broadway.

The new engagements will follow M-G-M’s general policy of two continuous unreserved performances, as observed at L.A., Detroit, and others, with evening shows reserved at $1.10 top.

On Sunday there will be two reserved shows, afternoon and night, with $1.10 reserved seats.

68 Engagements Now Set

Additional dates set yesterday brought the number of engagements to 68. There will be two simulcast showings each in Miami and Detroit. The film will open Jan. 17 at the Sheridan, Miami Beach, where it will be shown twice daily on a reserved seat basis. On Jan. 18 the picture will open at the Olympia, Miami, three-a-day continuous.

John E. Flynn, M-G-M district manager at Detroit, yesterday worked out a deal with Division Manager Edward Saunders at home office to open the picture Jan. 25 in two Detroit theatres. The Wilson, legitimate house, will have two-a-day engagement and the United Artists the three-a-day showing. The United Artists is operating the new house as a Paramount affiliate, and is the regular M-G-M outlet in Detroit.

Other Dates Announced

Additional dates set are: Jan. 25, Lincoln, Lincoln, Neb., three-a-day; Jan. 15, Palace, Clinton, Iowa, three-a-day; Jan. 29, Capitol, Charleston, W. Va., and Gloria, Charleston, S. C., three-a-day, and Feb. 1, Rialto, Williamsburg, five-a-day.

Orders totaling $1,500 for the Newark and Jersey City engagements were on hand yesterday before the ticket sale started. At Loew’s Rochester in Rochester the advance orders totaled $6,500, swelled by block reservations made by employees of the Eastman Kodak Co. The Century, Baltimore, had orders for $3,700 before the sale started Sunday.

In Philadelphia, where the film will open Jan. 18 at the Boyd and a day later at the Earle, the advance sale yesterday totaled $22,000. Heavy reservations are reported for other forthcoming openings.

‘Wind’ Deal Being Set
For Second Chicago House

CHICAGO, Jan. 8.—Deal for the showing of “Gone With the Wind” on a two-a-day policy at the Esquire theatre here will be closed probably tomorrow, it was learned today. The Esquire is operated by Harry and Elmer Balaban, whose circuit is not affiliated with Balaban & Katz. The picture opens at the Oriental in the Loop on Jan. 25 on a three-a-day basis.

Saints and Sinners
To Induct Hershoft

Jean Hershoft, RKO player, will be inducted as a “fall guy” by the Circus Saints and Sinners at a dinner tomorrow night at the Hotel Astor. He will be subject to the usual ribbing by Main Guy Horr and Director Tex O’Rourke. Hershoft will be the first dramatic actor to be inducted by the Saints and Sinners.

TMAT Aims Drive
At 87 N.Y. Theatres

(Continued from page 1)

atting a new attitude in the case of eight Brandt houses and proposes to bagain separately in each of eight houses. These houses are the Town, Waldorf, Windsor, Park, Terrace, Liberty, Times Square, and Apollo, all in Manhattan.

However, in the case of the Principal circuit, with 30 houses, Ray and benz, 12, and the RKO circuit, with 13, and Windsor with 8, the union plans to treat the circuits as a whole. Other houses where the union is seeking agreements are the Playhouse, Blue, De Luxe, Brooklyn, Star, Bronx, Jewel, Brooklyn, and Stanley, Manhattan.

Error by Mayor,
But He Apologizes

(Continued from page 1)

One special screening of the Kate Cameron, Daily News critic and head of the organization, declared that the award was given to the film, of which Marcel Pagnol was producer, and that Heyman, who holds the American distribution rights, was in no position to receive it.

After receiving the mayor’s letter, however, Heyman agreed to accept the award. He explained his original objection to the time and release status of the film, the ban, the long fight to obtain its release, the victory over the censor, and the inevitable struggle to reach the audience in Hollywood, where it was ended by inviting the mayor and Mrs. LaGuardia to see the film and presented them with a pass.

Incidentally, the mayor surprised his audience Sunday by making no reference to Eastern film production. He referred to Hollywood as “the greatest center in the whole world for moving picture films.”

Bill Legalizing Bingo
To Assembly Today

ALBANY, Jan. 8.—Bill intended to legalizing Bingo, including theatre participation, will be introduced tomorrow in the Assembly. Senate Majority Leader John G. Blake, head of the Senate Ways and Means Committee, was expected to introduce a bingo bill, which would be transmitted to the Senate by the Assembly.

‘U’ Officials on Coast

HOLLYWOOD, Jan. 8.—J. Cheever Cowlow, Nate Blumberg, Joseph Sele- delman and W. A. Scally arrived at Universal today for extended conferences on 1940-41 product.

Lasky Returning
As Producer, Sets
Radio Talent Films

(Continued from page 1)

During the 13 weeks that each of the three broadcast series is on the air, the station is expected to profit from the increased national advertising and exploitation medium for both the new talent and the picture to follow. Whereas the Gateway to Hollywood program has had a limited run to the discovery of juvenile leads only, the new broadcast series will be open to the discovery of talent of all kinds and ages, Lasky said.

Lasky believes her utilization of radio to be of the greatest practical benefit to the film industry, and has been confined to the discovery of juvenile leads only, the new broadcast series will be open to the discovery of talent of all kinds and ages, Lasky said.

Halls Great Pictures

“Twentieth Century-Fox entered 1940 with an appreciation of not only our own problems, but those of everyone else. There is no problem that’s good, money making business-building pictures will not solve.

“A company with a studio that can turn out such great pictures as ‘Grapes of Wrath,’ ‘The Blue Bird,’ ‘Little Old Lady from Providence,’ and many others is not easily disturbed.

“We want to earn our way in 1940 — and every year. But we want contracts made and decided on to be carried out in the same spirit. We are con- tent to place our product on its merit.

“Suicidal to Sacrifice Quality’

“We are a sound company; we are in the soundest condition of any in the business. We intend to stay in that condition.

“When we planned the budget for 1940, there was fear of war, and no one believed it would actually come. Notwithstanding war, that budget based on domestic plus foreign ex- pansion has been sound, and sales have not been diminished. There is no reason to believe it would be suicidal to sacrifice quality, or to ignore the fact that never before has there been more imperative need for the best possible box-office pictures. We know it would be foolish to take any step that would threaten the quality of our product.”

1940 to Solve
Big Problems,
Believes Kent

“There are no problems within our industry that cannot be solved. Sidney R. Kent, president of 20th Cen- tury-Fox, told executives and em- ployees of that company in a closed meeting yesterday.

“This New Year will decide much that is undecided today,” he said.

“Each one of our problems with mutual understanding and with a sincere appreciation that each is dependent upon the other for constructive, lasting business exis- tence.

“We know bigger and greater enter- tainments than ever will be neces- sary to command the patronage the industry must get.

Buffalo Grievance
Committee Formed

BUFFALO, Jan. 8.—Edmund Sou- hani, counsel for New York State Allied, was here today to sanction an- nouncement of a grievance committee for Allied in this district.

The committee, headed by Herman Lorez, will include Paul Grummett, Marvin Atlas, Herbert Hoch and Raymond Pasley, the latter two to act as alternates. Mrs. Mima Rosen, one of Buffalo’s four women motion picture theatre opera- tors, was named as the selected secre- tary of the Buffalo unit. She and Souhani jointly presided over the meeting.

Warner Product Deal

Warner Brothers has closed a prod- uct deal with the Colorado Corp., oper- ating 11 theatres in and around Los Angeles.
Stanley Shift May Imperil Film Finance

Successor's Trade Views Are Not Known

By AUBREY FLANAGAN

London, Jan. 9.—British film trade leaders are disturbed and somewhat apprehensive about the status of proposed plans for the financial support of the industry as the result of the transfer of Oliver Stanley's economic advisory council to the Board of Trade.

Last week it was officially announced that the Government decided to organize a Film Credits Bank backed by Treasury money and without participation of the City.

There was considerable conjecture today as to whether the selection of Sir Andrew R. Duncan as Stanley's successor will have any important effect upon all of Stanley's financing plans which the industry looked upon with favor.

A deputation of exhibitors will appeal (Continued on page 8)

New I. A. Demand; Producers Yield

Hollywood, Jan. 9.—Threat of a strike by I. A. T. S. E. workers hung over Films Union's resolution, approved by agreement of producers to adhere to the Alliance locals' jurisdiction and schedules.

This morning William Blofitt, I. A. T. S. E. leader, gave producers until noon to set the date for an early meeting to discuss reports of asserted "chiseling," Joseph M. Schenck and a producers' committee met with him and business representatives of 10 Alliance locals this afternoon to settle the dispute.

Blofitt, after the conference, threatened to release a spokesman who declared that producers had agreed to respect unions' jurisdictional lines and schedules and that all was well again. The union claimed that since the recently-announced 10 per cent wage increase was given producers were using laborers to do "grips' work, grips to do gaffers' work and pay them lower scales for the work they did.

Tomorrow business representatives of Alliance locals will present full jurisdictional schedules to Pat Casey and Fred Pelton, producer-labor contact officers, who then would forward to all studios orders to maintain.

Allied Board Calls Meeting Jan. 17-18

Washington, D. C., Jan. 9.—Board of directors of National Allied were summoned yesterday to attend a meeting at the Carlton Hotel here on Jan. 17 and 18. Many important problems will be discussed.

Order by Bondy To Transfer RKO Assets By Feb. 1

RKO may emerge from the supervision of the trustee and the District Court before the end of the month, it was indicated at a hearing before Judge Bondy yesterday when the court was told that an order providing for the transfer of all assets from the Irving Trust Co. to the new company would be submitted Friday.

The order which becomes effective three days after the court's approval will in all likelihood be signed before Feb. 1. In addition, a number of other orders providing for the virtual wind-up of other phases of the reorganization proceedings will be submitted on the same day by Simpson, Thacher & Bartlett, attorneys for Atlas Corp. and the Irving Trust.

Atlas will receive $102,000 as its total compensation for underwriting the new RKO stock issuance, it was disclosed yesterday. Rockefeller Center has subscribed for 105,639 shares and other creditors for 87,099 shares. The American Stock Exchange, a subsidiary, has taken 77,871 shares, leaving a balance of 171,401 to be picked up by Atlas as unsubscribed. RKO will receive $1,398,000 for (Continued on page 5)

TMAT Loses First Labor Board Vote; Challenges Ballots

In the first test of its power in New York State, the Motion Picture Division of the State Labor Relations Board yesterday for the Endicott Circuit of 11 theaters (Nelson & Roemer), according to Melvin A. Albert, attorney for Endicott.

The result was not announced officially by the board because a number of the votes were challenged.

The vote was for the designation of the joint management bargaining agency for managers and assistants in the first part of the balloting, and for ushers, cashiers, doormen and matrons in the second.

The vote, according to Albert, was 10 against the union and five for, with five challenges in the first part, and 33 against and 29 for, with two challenges in the second.

In addition, the union insisted that X former employees of the Howard, Brooklyn, be permitted to vote. These (Continued on page 5)

Academy Research Post Given Zanuck

Hollywood, Jan. 9.—Darryl F. Zanuck today was appointed chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, succeeding William Koenig. He will direct the cooperative technical effort of the Council during 1940 and represent producing companies. Companies each have one technical representative on the Council. Thirty-five committees studying various technical improvements are functioning.

Film Chiefs Attack Mayor's 27% Revenue in N.Y. Claim

Major company distribution managers were wondering yesterday where Mayor LaGuardia obtained the impression that New York City is a 27 per cent revenue territory for the film industry.

They regard the Mayor's figure as about three times too high on any of the three bases of computation: Box-office gross, film rental returns or return on capital investment.

Mayor LaGuardia, in a trade press interview at City Hall on Monday, stated that New York City was entitled to 27 per cent of the industry's total production output since it contributed that percentage of film revenues.

Distribution executives, on the other hand, asserted yesterday that New York City accounts for more than 10 per cent of the industry's annual domestic box office; about 10 per cent of its domestic film rentals and represents not more than 10 per cent of its capital investment in the United States.

Several distribution executives figure the New York City distribution (Continued on page 2)

3-Yr. Contract To Two Chiefs Of Monogram

Loach Chosen Treasurer; Weeks Refiring

By SAM SHAIN

At the recent request of franchise holders who desire to assure the permanency of the management, S. W. Loach and Scott R. Dunlap, president and vice-president in charge of production, respectively, of Monogram yesterday were given three-year extensions of their contracts.

The action was taken at a meeting of the Monogram board of directors, during a five-and-a-half-hour session last night at the company's home offices. Various policy changes and production were discussed and approved.

George Weeks Refiring

George W. Weeks, vice-president in charge of sales, is retiring from the firm. His duties will be taken over by Edward A. Golden, who becomes general sales manager. Golden will relinquish his title of vice-president.

Thomas P. Loach, vice-president of Pathé Film Corp., was elected treasurer. He will fill the vacancy caused by the resignation of Albert, T. Scheiber, of the accounting (Continued on page 8)

Movietone Shows Warship, Air Fight

Movietone News mid-week issue released yesterday has an exclusive of the first film of a warship-plane battle at sea. The clip, running 159 feet, shows a Nazi bomber attacking a British cruiser on blockade patrol somewhere in the North Sea.

Robs are shown flying around the warship, and the plane zooms out of sight as the ship's anti-aircraft guns go into action. The commentary, spoken by Lowell Thomas, poses the question whether air attack can defeat sea power and says that the engagement fails to give an adequate answer.

Movietone officials said that the film is an outstanding example of home pictures taken under adverse conditions. They were taken by an officer on board the warship and purchased by the newsreel in London after they were censored. Name of the cruiser and location of the engagement are not disclosed.
**Attorney Mayor’s 27% N.Y. Revenue Claim**

(Continued from page 1) as a 12½ per cent quota territory. The zone, however, includes adjacent Yt New Jersey territory, all of Weschester County and Long Island counties in addition to Kings and Queens, leaving an approximate 10 per cent for Long Island alone.

This should reduce the Mayor’s production quota of 125 pictures where he believes should be made in the East every year, to about 42 pictures annually.

However, one distribution executive connected with the zone is of the opinion that it is a valid reason for bringing production to New York, that it can be advanced by any community, anywhere, which happens to want pictures produced locally. They all contribute to our revenue and the upshot would be 100 or more films being distributed throughout the country, he said.

Another executive said: “Mayor LaGuardia usually has a good reason for anything he asks for. For some unknown cause, on his campaign for bringing production to New York, he has not offered a single good reason yet.”

**Judge ‘Only Angels’ Exploitation Today**

Judging of campaigns on “Only Angels Have Wings,” for Columbia’s prize contest which started May 25, has taken place at a luncheon today at the Astor.

Judges are Jack Allcoat, Maurice Kany, Charles Lewis and Martin Quigley. A-Mike Vogel and Gertrude Merrin of Morrow Picture Herald’s Managers Round Table will be present. Columbia will be represented by Jack Cohn, A. Montague, N. B. Singold, Maurice Bergman, Horstine Scherl, Frank McGrann and Frank Rosenherd.

The competition was open to all theatre managers and advertising men.

**Film Alliance Sets Distribution Plans**

Norman Elson, sales manager for Film Alliance of the U. S. L., yesterday for visits to Pittsburgh, Cleveland, Detroit, Chicago and Boston.

The company has completed its national distribution plans, with branches established in leading exchange centers. Two current releases of the company are “Treachery on the High Seas” and “The Face Behind the Scar.”

**J. R. Grainger Back; Visited 16 Branches**

James R. Grainger, Republic president, returned yesterday after a five-week trip during which he visited 16 company branches and spent the holiday in Hollywood. He is at bis home in Chicago. On his return Grainger visited Dallas, New Orleans and Atlanta, traveling by plane.

**Guaranteed Gets Two**

Guaranteed Pictures Co. has acquired foreign distributing rights of the two films, “Tomorrow’s Children” and “High School Girl.” Special foreign versions are being prepared in French, Spanish and Portuguese.

**Purely Personal**

CHARLES E. McCARTHY, 20th-Century-Fox advertising and publicity director, was home with the grippe yesterday.

JOHN HAMRICK, general manager of Hamrick-Evergreen Theatres on the Pacific Coast, and Mrs. Hamr- rick, who have been traveling here, will leave Sunday for Florida. They then will visit Palm Springs and return to Seattle late in March.

Mrs. Olga Hanna, wife of John Hanna, M-G-M checking supervisor in Cleveland, recently became the mother of a girl in Cincinnati, her home town.

Tom Petrey, press representative for the M. P. P. A., left for Hollywood by train last night after a week's visit at M. P. P. D. headquarters here.

Max Margolis, Cincinnati Republic branch manager, has returned from a vacation in Florida, where he went on account of his health.

JANE WITHERS, 20th Century-Fox star, started a six-week personal appearance tour this week at the Circle in Indianapolis.

G. L. CARRINGTON, Allstate vice-president and general manager, is back at his desk after a trip to Detroit and other midwest cities.

Don Wahl has been appointed ad manager at the 20th Century-Fox exchange in Minneapolis.

ERNST MORELL, M-G-M transport manager, observes a birthday tomorrow.

Joseph Bernhard, general manager of Warner Theatres, returned to the home office yesterday from the Coast.

**Zukor, Hicks Sell On Friday for Tour**

Adolph Zukor, Paramount board chairman, will arrive from Hollywood today and will sail on the Sant San Friday with John W. Hicks, vice-president and foreign department head, for a two-month business goodwill tour of Central and South America.

Their itinerary includes Cristobal and Balboa, Panama; Buenos Aires, Guayaquil, Ecuador; Tahiti, Savaltery, Callao and Molendo, Peru; Asuncion, Asunciendo, Paraguay; Valparaiso and Santiago, Chile; Buenos Aires, Argentina; Montevideo, Uruguay; Santos and Rio de Janeiro, Brazil, and Trinidad, B.W.I.

They are scheduled to return to New York March 18 on the Uruguay.

**Walsh on Boston Stand**

Boston, Jan. 9—Testimony of John J. Ford of Maine and New Hampshire Theatres was continued throughout most of today in the anti-trust suit against the Paramount company. (Continued from page 2) Charles C. Walsh, president and general manager of Necto Theatres Corp. of New York, subsidiary of Paramount, was sworn in late in the day and will continue tomorrow. Walsh has direct charge of 15 theatres in the state.

**N.Y. Sales Tax Bill Given No Chance**

ALBANY, Jan. 9.—Informed quarters here see practically nowhere to chance for passage in its present form of the retail sales tax bill proposed by Senator William Bevley and Assistant Maurice Whitney. The measure, at each cent of admissions over 50 cents, with an exemption for tickets up to that figure, is recommended to leave Assembly Speaker Frank G. Morey unopposed. The General Assembly will also provide for a season passes, and that tickets carry the name of the theatre and the ticket number. Executors may also benefit from a sales tax bill carrying the real estate provisions of the Bevley-Whitney measure, which calls for a 1 per cent tax on real estate and at least 10 per cent in the fiscal year preceding the imposition of the retail tax.

**Seek Union of N.Y. Publicity, Ad Staffs**

Members of film companies’ publicity and advertising departments received yesterday an anonymous notice for a meeting of “The Screen Publicists and Advertisers Association at the Hotel Bel-Air in Hollywood to-morrow at 8 P. M.

The notice says home office employees have been organizing a union similar to the Screen Publicists Guild of the Coast which recently obtained a contract with wage increases from the studios.

The New York union, according to the notice, has “already obtained a majority of eligibles in a number of places, and signed up the ‘executive committee,’ but no names are given.

**Warners Combine New York Branches**

New York, Jan. 9.—Brown and Brothers, Warner Bros., distribution organization of Warners formerly operating as separate exchange units with offices at the Warner Building, have been merged into a single unit.

Roy Haines, Eastern and Canadian sales manager, has appointed Sam Zucker, former Warners manager of the three exchanges, as branch manager of the new branch, which will be known as the New York Metropolitan exchange.
Quickly Mr. Exhibitor!
Tell your patrons about M-G-M’s

"THE SHOP AROUND THE CORNER"

It’s a dream! It’s a honey! It’s BOX-OFFICE!
Opening soon at Radio City Music Hall!
Thank you Mister Lubitsch!
While the folks are still howling over “Ninotchka”.
You deliver another hilarious hit!
You know what laughter means these days:
It means escape from the world’s woes—
And it means lines at the box-office for every Tom, Dick and Mabel in town. And it’s a grand love story between sweet Margaret Sullavan and James ("Mr. Smith Goes to Washington") Stewart.

Whoopee! ONE WAY M-G-M!
**Newsreel Parade**

Newscutters' midweek issues picture the post-winter conditions made by President Roosevelt, Winter sports and other events. Reels and their contents follow:

**MOTION PICTURE DAILY**

Wednesday, January 10, 1940

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**Critics' Quotes . . .**

**BALALAÏKA**

Tasteful, tuneful and thoroughly artificial, serves as a nostalgic reminder of less troubled days . . . Beautifully and lavishly produced . . . attractive with appealing lack of genuine pathos. —Philadelphia Daily News.

To put it mildly, Iloana Massey look like the "oomph" girl of 1940 . . . another thing we like about "Balalaïka" is its dependence on familiar music . . . there are no rough edges . . . the picture to which none exception may be taken, one of them being the plot. It isn't bad—but it's old. —Philadelphia Evening Ledger.

A musical feast is provided . . . the beauty, talent and charm which is Iloana Massey, enhanced by that delightful place among the Hollywood stars . . . An elaborate production. —Philadelphia Daily News.

This reviewer saw a fairy-princess beauty, blonde, feature-perfect and exceedingly graceful . . . Her singing voice has an engaging accent and her singing voice, sometimes lyric, is weak but melodious. —Philadelphia Record.

The charm of our Russia is such a story-bookish thing you can forget all about it and concentrate on the song and blonde beauty of Iloana Massey. —Philadelphia Evening Bulletin.

Iloana Massey is a beautiful, blonde singing star . . . The picture is a gay and happy musical . . . Acted with vibrant musical . . . Miss Iloana Massey tops the show.—Kansas City Star.

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**Hitchhack Pulls**

**$11,500, Providence**

*PROVIDENCE, Jan. 9—All houses ran well above average, the holiday prices on the New Year weekend and midnight shows boosting the grosses. Still a standout was "The Hitchhack of Notre Dame" at the RKO-Albee, taking $11,500.

Estimated takings for the week ending Jan. 4:

**Swanee River** (25c-35c-50c) 7 days, Gross: $12,500. (Average, $1,700)

**Four Wives** (20c-30c) 7 days, Gross: $18,000. (Average, $2,500)

**Destry Rides Again** (25c-35c-40c) 7 days, Gross: $12,500. (Average, $1,700)

**The Hunchback of Notre Dame** (RKO) (25c-40c-50c) 7 days, Gross: $10,000. (Average, $1,400)

**Our Neighbors, the Carters** (Para.) (25c-35c-50c) 7 days, Gross: $8,500. (Average, $1,200)

**The Clearing** (M-G-M) (25c-35c-50c) 7 days, Gross: $6,500. (Average, $900)

**Swanee at $15,000**

**Leads in St. Louis**

St. Louis, Jan. 9—Sub-freezing weather has a big effect on the low grosses registered by the theaters here last week, and New Year's Eve business, with 65-cent top, wasn't sufficient to pull them up. "Swanee River" drew $15,000 at the Ambassador.

Estimated grosses for week ending Jan. 4:

**Swanee River** (25c-35c-50c) 7 days, Gross: $12,500. (Average, $1,700)

**Riviera** (RKO) (25c-35c-55c) 7 days, Gross: $15,000. (Average, $2,100)

**Our Neighbors, the Carters** (Para.) (25c-35c-50c) 7 days, Gross: $8,500. (Average, $1,200)

**The Clearing** (M-G-M) (25c-35c-50c) 7 days, Gross: $6,500. (Average, $900)

**Hitchhack of Notre Dame** (RKO) (25c-40c-50c) 7 days, Gross: $10,000. (Average, $1,400)

**Our Neighbors—the Carters** (Para.) (25c-35c-50c) 7 days, Gross: $8,500. (Average, $1,200)

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**'Williams' and Band $14,600, Minneapolis**

Minneapolis, Jan. 9—There was little complaining along the main stems of the local audiences as the "Williams" and band did a solid two-night stand at the Orpheum where the gross was $14,600. In St. Paul, the best was "Four Women" which grossed $7,500 at the Orpheum.

Estimated takings for the week ending Jan. 4:

**Minneapolis:**

*Rerto* (RKO) (20c-30c) 7 days, Gross: $5,000. (Average, $700)

*Call Me a Messenger* (Univ.) (25c-35c-40c) 7 days, Gross: $2,500. (Average, $350)

*Our Neighbors—the Carters* (Para.) (25c-35c-50c) 7 days, Gross: $7,500. (Average, $1,000)

*Amazing Mr. Williams* (Col.) (25c-35c-40c) 7 days, Gross: $7,500. (Average, $1,000)

*Our Neighbors—the Carters* (Para.) (25c-35c-50c) 7 days, Gross: $7,500. (Average, $1,000)

*You Shout Not Kill* (Rep.) (25c-35c-40c) 7 days, Gross: $7,500. (Average, $1,000)

*Our Neighbors—the Carters* (Para.) (25c-35c-50c) 7 days, Gross: $7,500. (Average, $1,000)

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**'Balalaïka' Scores**

**$20,000 in Buffalo**

Buffalo, Jan. 9—All downtown houses broke their one-day attendance records New Year's Day. Best for the week was "Balalaïka" and a show at the Buffalo with $20,000.

Estimated takings for the week ending Jan. 4:

**Buffalo:**

*Balance* (M-G-M) (25c-35c-50c) 7 days, Gross: $8,000. (Average, $1,100)

*Our Neighbors—the Carters* (Para.) (25c-35c-50c) 7 days, Gross: $6,000. (Average, $800)

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**Drops $500,000 Suit**

Suit of John C. E. Carnevale for $500,000 damages against RKO Radio Pictures, M. P. F. D. A., Columbia Broadcasting System, Inc., Robert W. Fife, William Wrigley, Jr., Co., Jesse L. Lasky and Howard H. Hays has been discontinued in New York Supreme Court. Plaintiff, in his complaint, had been turned over an idea to Hays for a radio program to find new faces for which the program was adopted in the "Gateway to Hollywood" broadcasts without payment to him.
Variety Artists Get Thomson 10 Days

Hollywood, Jan. 9.—The board of directors of Screen Actors Guild has elected Kenneth Thomson, its executive secretary, for a 10-day trip to New York for conferences on organization plans of the American Guild of Variety Artists.

The board declined to release Thomson or any other person represented back with details of the situation. Thomson will leave as soon as pending business, such as negotiations over reclassification of atmosphere players and wage increases for them, are completed.

The A. G. V. A. is experiencing difficulty in selecting an executive secretary. Following its organization in September, Maida Reade was appointed the job but was replaced by her. Mrs. Bryant collapsed last week from overwork and was compelled to resign.

The other branches of Associated Actors and Artists of America, particularly Actors Equity, believe that Thomson will remain in the post temporarily because he was the leader of the fight against the American Federation of Actors, whose charter was revoked.

Thomson will act in his capacity as vice-president of the 4-A and will probably discuss the "no boss" plan during the trip. The 4-A board voted last week to request Thomson's assistance and the A. G. V. A. board followed suit.

Order Due Friday On RKO's Assets

(Continued from page 1)

The stock of which Atlas pays $405,816 and other bonds followed. It was also revealed that applications for final allowances will be filed with the court before the end of the month. These applications will be heard at an early date.

RKO, which has been in reorganization since Jan. 27, 1933, may emerge from the process in four or five years at the seventh anniversary of the filing of its petition in 77B.

Information Please' Shorts Scoring Hit

The popularity of the "Information Please" short subject series after its initial four issues indicates distribution possibilities of approximately 7,500 theatres, according to Harry Michalson, RKO short subject sales manager.

"The series is now playing in almost every major independent situation in the United States and Canada," Michalson said.

It has also been booked by such exchanges as Denver, Salt Lake City, Portland, Seattle, Philadelphia, Pittsburgh, Kansas City, Chicago, Miami, Las Vegas, Dallas, Omaha, St. Louis, Minneapolis, New Orleans, Cincinnati, and Detroit.

Ski Chase' Booked

World Pictures Corp. has booked "Ski Chase," featuring Hans Schnieder, for the Warner and Comedore circuits.

Television Wages Stir New Dispute

A heated debate between members of the Screen Actors Guild and the Alliance of Artists and Artists of America, which would merge all the branches, should be completed first.

In addition, A. F. R. A., under its present contracts with the networks has promised not to attempt to organize the television field until August. If no new contracts are started now, A. F. R. A. would be compelled to permit Equity or some other union to do the organizing if it was presumed.

Representatives of Equity, A. F. R. A. and Screen Actors Guild have been meeting for several months but they have failed to agree on wage scales or working conditions.

Pay Up Your Dues! Ampa Makes Plea

Ampa officials are appealing to their members everywhere to pay this year's dues to do so immediately in order to maintain the treasury in a strong position. Only members are paid up.

The organization is in the black in many years, according to the directors, who have submitted the annual financial report. The figures show that expenses were $283,81 in the bank. Total assets are $455 in debt.

On Jan. 1 there was $283,81 in the bank. Total assets are $545 in debt.

Committee Tackles Copyright Changes

Washington, Jan. 9.—Introduction of the Shotwell CommitteeCopyright legislation in the Senate yesterday by Senator Thomas (Democrat, Utah), has met with some resistance in getting the legislation before the Senate Patent Committee and not with the idea of pushing it through immediately, it was said yesterday.

Senator Thomas said he desires merely that members of the Senate might have an opportunity to study the legislation, over which there are "a great number of conflicts." Indications are that the committee will not take up the measure for some weeks, due to the absence from Washington of Chairman Bone and Senator Toomey.

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Studio Work
Suffers Lull, 26 Shooting

Hollywood, Jan. 9.—Production dropped to 26 pictures in work, the lowest total since the pictures finished and only two started. Seventeen are being prepared and 74 are being edited.

The weekly schedules:

COLUMBIA—in Work: "Blondie on a Budget," "Too Many Husband," "Passionate People." (25c-30c-60c) 7 days. Gross: $12,000. (Average, $1,850.)

GOLDWYN—in Work: "The Westerner," "The House of the Seven Gables," "Czar." (25c-30c-60c) 7 days. Gross: $12,000. (Average, $1,850.)

"I, Take This Woman." In Work: "The Dark Command." (25c-30c-60c) 7 days. Gross: $12,000. (Average, $1,850.)

STARK—in Work: "My Son, My Son." (25c-30c-60c) 7 days. Gross: $12,000. (Average, $1,850.)

WISCONSIN—in Work: "Dance with the Devil," "Hotel" (Para.) (15c-40c) 7 days. Gross: $12,000. (Average, $1,850.)

"UNIVERSAL—Finished: My Little Chickadee. (25c-30c-60c) 7 days. Gross: $12,000. (Average, $1,850.)

"WATERMAN—Finished: "Virginia City," directed by "The Dark Command." (25c-30c-60c) 7 days. Gross: $12,000. (Average, $1,850.)

The story of that is a stirrings tale of three battleship commanders of nations who are thrust into a common adventure. National hatreds fade as the men learn to respect each other in the face of courage.

In the theme, is similar to that of "Grand Illusion," with three cultured members of the officer class of France, England and Germany deciding that war doesn't pay. Dramatically, the treatment is different and the climax is genuinely tense. Produced in France, the film is now banned there.

The story is that of a French commander who is ordered to capture an outlaw vessel carrying a cargo of poison gas. In accordance with international law, British and German officers accompany him. The gas is a powerful chemical against which gas masks are ineffectual. When the ship is sunk, the gas travels over a wide area to threaten the ship on which the French commander's family is traveling.

French, English and German are spoken but the English subtitles are adequate. Pierre Fresnay, Rolf Wanka and Kim Peacock portray the roles of the commanders with considerable understanding. Patrons of foreign films should find this enjoyable fare. Leo Joannon wrote and directed.

Running time, 81 mins. G.**

Edward Greif

**G** denotes general classification.

Holiday Weekend
Booms Washington

WASHINGTON, Jan. 9.—With all first run houses having New Year's midnight shows on both Saturday and Sunday nights, grosses were very strong.

Estimated takings for the week ending Jan. 5-7.

Four Wives (W. B.) $9,500.

Warner's Earlie's (2,250) $9,750.

Lubitsch's (25c-40c) $10,000.

Gulliver's Trains (Para.) $10,500.

Warner's Metropolitain (1,300) $10,750.

The Secret of Dr. Kildare (M-G-M) $11,000.

Loew's Capitol (2,250) $11,250.

The Hunchback of Notre Dame (RKO) $11,500.

Honeymoon's Over (25c-40c) $12,000.

The Hunchback of Notre Dame (Paramount) $12,500.

Fred and Eva (25c-30c-60c) $13,000.

The Honeymoon's Over (2,250) $14,000.

To Saint Vaudville

PHILADELPHIA, Jan. 9.—The Holne, neighborhood theater, will inaugurate a combination vaudeville-film policy.

Sine Transfers
Several Managers

ROCHESTER, N. Y., Jan. 9.—Bud Silvern, for many years Schine district manager in Louis Lazar's Ohio zone, is city manager here in charge of all Rochester, East Rochester and Fairport theaters.

Louis Levitch, former city manager, remains as manager of Schine's Madison house. Gene Curtis, Rochester publicity director for Schine, moves to the Paramount at Syracuse, while Pat McGee, who has been managing the Syracuse house, goes to Lazar's Ohio zone as district manager. He will probably fill the post of Jim Levine, Ohio district manager.

Lee Stern, manager of Schine's West End here, goes to the Empire. Len Fals, as manager. Sidney Holland, Schine general manager, goes to Gloversville as district manager in the Mohawk Valley and adjacent territory.

Robert Lord having acted as associate, Ray Enright di-

To Start Vaudville

PHILADELPHIA, Jan. 9.—The Holne, neighborhood theater, will inaugurate a combination vaudeville-film policy.

Hitchback' Tops Seattle, Draws $8,500

SEATTLE, Jan. 9.—"The Hunchback of Notre Dame" at the Fifth Avenue drew $8,500. "Invisible Stripes," sup posed to be the strongest play that Palomar, took $7,000. The weather was rainy but warm.

Estimated takings for the week ending Jan. 5:

*Gulliver's Travels* (Para.) $8,500.

*Blue Moon* ($25-c-35-c-5) 7 days. Gross: $12,000. (Average, $1,850.)

*Hunchback of Notre Dame (RKO)* (25c-40c-60c) 7 days. Gross: $8,500. (Average, $1,250.)

*Blondie Brings Up Baby* (Col.) $11,000. (Average, $1,850.)

*Blonde* (M-G-M) $10,000. (Average, $1,250.)

*The Secret of Dr. Kildare* (M-G-M) $10,000. (Average, $1,250.)

*Honeymoon's Over* (25c-40c) $11,000. (Average, $1,250.)

*The Hunchback of Notre Dame* (RKO) $10,000. (Average, $1,250.)

*The Honeymoon's Over* (2,250) $11,000. (Average, $1,250.)

*The Honeymoon's Over* (2,250) $11,000. (Average, $1,250.)

*Judges Hardy and Son* (M-G-M) $10,000. (Average, $1,250.)

*United Artists* (2,250) $10,000. (Average, $1,250.)

*Victor Herbert* Is
New Haven Winner

NEW HAVEN, Jan. 9.—The Paramount split run this week caused by the cutting short of the proposed second week of "Gulliver's Travels" and "Television Spy" to a six-day run at the Great Victory Theatre, "Herbert" and "Emergency Squad" six-day run makes up the figure.

Estimated takings for the week ending Jan. 5:

*Judge Hardy and Son* (M-G-M) $10,000. (Average, $1,250.)

*City in Darkness* (25c-40c) $9,000. (Average, $1,250.)

*Everything Happens at the Fifth* (25c-40c) $8,500. (Average, $1,250.)

*The Honeymoon's Over* (2,250) $9,000. (Average, $1,250.)

*The Great Victor Herbert* (Paramount) $9,000. (Average, $1,250.)

*The Honeymoon's Over* (2,250) $9,000. (Average, $1,250.)

*The Honeymoon's Over* (2,250) $9,000. (Average, $1,250.)

"Swanne" Is Detroit
Smash with $27,500

DETROIT, Jan. 9.—"Swanne River" and "The Honeymoon's Over" garnered $27,500 at the Fox.

Estimated takings for the week ending Jan. 5:

"Charlie McCarthy, Detective" (Univ.) $15,000. (Average, $2,143.)

*One Hour to Live* (Univ.) (2,250) $14,000. (Average, $6,364.)

"Bachelors" (RKO) $15,000. (Average, $2,143.)

"The Honeymoon's Over" (2,250) $15,000. (Average, $6,364.)

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"The Honeymoon's Over" (2,250) $15,000. (Average, $6,364.)

"Judge Harding and Son" (M-G-M) $15,000. (Average, $2,143.)

*Blonde* (M-G-M) $15,000. (Average, $2,143.)

*The Honeymoon's Over* (2,250) $15,000. (Average, $6,364.)

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"More revenue"

... "I MIGHT ADD IN PASSING THAT YOUR PUBLICATION IS INSTRUMENTAL IN MANY WAYS FOR MORE REVENUE IN BOX OFFICES THROUGHOUT THE COUNTRY, AND IS INTERESTING AS WELL AS INSTRUCTIVE AND TIMELY."

AL. SCHWARTZ
Managing Director

FOUNTAIN SQUARE THEATRE COMPANY
INDIANAPOLIS, INDIANA

MOTION PICTURE HERALD
ROCKEFELLER CENTER
NEW YORK
Stanley Shift May Imperil Film Finance

The producers of the three selected producers of phonographs, who are holding negotiations with the Biow, have been advanced $204,839; do Washington the Wednesday, J. Neely opposed S. T. Saltzgiver, who was accused.

Clearance is No. 1 How Says Ritchey

Clarlsburg, W. Va., Jan. 9.

"Clearance and its solution is the No. 1 problem for 1940, for more general clearance for all exhibitors, which is one of the factors that will be most to help the industry, and this is the solution," stated the executive director of the American Tobacco, William H. Levey, at the American Tobacco, Philadelphia, January 8.

U.S. Officials to See 'Lincoln' Premiere

Mr. Franklin D. Roosevelt will head a crowd of notables who will attend the world premiere of "Abraham Lincoln," scheduled for January 22 at the RKO Keith at Washington, D. C. The Newspaper Women's Club of Washington will sponsor the premiere.

Tickets will be $2.50 and $5 and proceeds will be donated to the charity fund of the sponsoring organization.

Guests at the premiere will include, in addition to Mr. Roosevelt, Cordell Hull, Mrs. Nicholas Longworth, Mrs. Eleanor Patterson, Mrs. Charles Evans Hughes, Mrs. Stanley F. Roby, Mrs. Alfred E. Smith, Mrs. George Sutherland, wives of foreign diplomats; Robert E. Sherwood, author of the Pulitzer prize play, and Max Gordon and Harry Goets, producers; film industry executives and press representatives.

Following the premiere, the picture will begin an extended run engagement at advanced admission prices. The houses will have coin-ops to pay for the picture, but not until 7:30 P.M. daily, with a morning admission of 55 cents and an afternoon admission of 75 cents. A single evening performance will be given nightly, beginning at 8:30, with all seats reserved and an additional charge of $1.50 for the best seats.

RKO also is planning a number of roadshow engagements for the picture in selected localities where similar policies will be in effect.

Edington Praises Personnel at RKO

Hollywood, Jan. 9.—In his first official statement this year, assuming his new position as production head of RKO, Harry Edington today said: "The marked progress made by RKO in the past year offers sufficient evidence of the company’s splendid personnel. I hope to continue that progress and encourage that spirit."

Lloyd Plagiarism Suit

An order for the taking of depo- sitions of Harold Lloyd in Los Angeles was sought yesterday in the U. S. District Court by William H. Jordan, a lawyer for the plaintiff, who filed a suit in a $75,000 plagiarism suit against Lloyd and his company. Suit claims violation of the copyright of the play, "Greek to You," by the film, "Professor Beaveer."

Warner Signs Director

Hollywood, Jan. 9.—William K. Howard has been appointed director for Warner Brothers. He will report to the studio Feb. 1.

Fox West Coast Business Up 10%

Business of the Fox West Coast circuit is 10 to 15 per cent above last year’s at this time and indications are that it will continue better, according to Charles Skouras, head of the circuit, who is in New York.

Employment is up on the Pacific Coast and people are in a frame of mind in contrast to last year when business was unsettled. Skouras added.

Skouras is discussing plans with his brother, Sypros, head of National Theatres, for a divisional managers meeting to be held in Los Angeles late in January or early in February.

Associates to Have Election on Jan. 16

Motion Picture Associates will elect officers Jan. 16 at the C.B.S. Astor at a luncheon meeting.

Chief interest centers around the candidacy of which Jack Ellis, incumbent, is opposed by Morris Sanders.

Monogram Chiefs’ Contracts Extended

(Continued from page 1)

firm of Price and Waterhouse was made assistant treasurer.

RKO general manager of foreign distribution, is retiring from the board to make a place for John W. Mangham, of Atlanta, chairman of the executive committee of the franchise holders.

Recently Harry H. Thomas was put in charge of the company’s exchange in New York, Philadelphia and Washington.

Radio News Notes

A T yesterday’s demonstration of a one-hour television commercial over radio for the benefit of the Bulova convention only, some interesting facts concerning Bulova’s spot announcements were given by Mr. Jordon and John H. Ballard, Bulova president.

Bulova is the leading user of spot advertising and spends one million dollars a year on radio advertising. During 1939, Bulova used magazines but relied on dealers for cooperative newspaper ads. This year the word is that Bulova will spend $1,524,757 spent in 1939 to $2,000,000, in order to permit newspaper ads. This year the media on Bulova’s ads is to be through three media was not disclosed.

Jimmie Lunceford, band-leader, is looking forward to the day when swing will lose its appeal. Lunceford was picked up by Harold Lloyd when the former’s band was stranded in upper state New York. Together they have formed the New Era Music Publishing Co., negotiations for the purchase of three ASCAP catalogues are nearing completion and, together with arrangements already owned by the band, will form the nucleus of the new company.

Set manufacturers, notably General Electric, are adding to their facilities, featuring combination modulation and frequency modulation receiving sets in their new 1940 lines. Manufacturers are also trying to tell what the sales will be, both companies are pushing the new models. If any degree of marketability is achieved by the sets, it will probably mark the beginning of the FM broadcasting on a regular basis.

In New York, set manufacturers are overcoming public reluctance to purchase expensive sets because of the fear of television by featuring push-in advertising. In which a television set can be attached.

Parler Watkins, the Negro toilet seat manufacturer, has been entertaining customers at Pennsylvania, and the Christmas Eve, will receive his chance on radio Friday on Ben Venuta variety show over ORC.

Alfred Wallenstein, the musical director, read newspaper accounts of his wife’s arrival at the terminal on Christmas Eve, after being dropped from the relief rolls, and his singing which attracted huge throngs.

On New Year’s Eve, Walter Parkinson called for Wallenstein and gave him a test. If he makes good Friday night, he is in line for a permanent spot.

Honor Radio Officials

The Advertising, Publishing and Radio Section of the New York Foundation of Greater New York will tender a reception to Clarence F. and H. Aylesworth at the Starlight Roof of the Waldorf Astoria Hotel today at 9:45 P. M.
Bioff Indicted; U.S. Charges Tax Evasion

1936-37 Incomes Cited; Surrenders Today

Los Angeles, Jan. 10—William Bioff, I.A.T.S.E. leader, today was indicted on two counts of income tax evasion by the Federal Grand Jury here. He will be surrendered tomorrow by his attorney, George M. Breslin.

Concluding one phase of investigation of several months' duration, grand jurors voted a true bill charging Bioff failed to pay proper tax during 1936 and 1937, the latter year being a period in which he received what he described as a $100,000 loan from Joseph M. Schenck.

Higher Incomes Claimed

Government charges that Bioff should have paid $4,354 in excess of income tax payments in 1936 and $80,250 on income of $176,417 for 1937.

According to Charles H. Carr, assistant attorney general in charge of the probe, Bioff in 1936 paid a tax of only $105,02 for asserted income of $23,000.

Goldwyn Weighs Dismissal Appeal

Samuel Goldwyn's attorneys are considering an appeal to the U. S. Circuit Court as Federal District Judge John P. Niels of a recent decision in Wilmington, dismissing Goldwyn's breach of contract suit against United Artists.

Goldwyn, who discussed arrangements for a new releasing deal with RKO, Paramount and finally War-ner. (Continued on Page 2)

Weeks to Produce For Monogram

George W. Weeks, general sales manager for Monogram, said production of the company in Hollywood upon his retirement from the sales post March 1. Extensions of contracts voted to W. Ray Johnston and Scott R. Dunlap, vice-president in charge of production, by the board of directors, will carry their contracts to March 1, 1945.

Weeks has been planning to enter production for some time. He joined Monogram as vice-president in charge of sales more than a year ago.

Ticket Code Fight Settled; 21 Small Brokers to Sign

Win Three Concessions From Theatre League After Long Dispute

The ticket code controversy was settled yesterday after several months of wrangling between the League of New York Theatres and the Associated Theatre Agencies, organization of the smaller brokers.

Twenty-one of the 23 A.T.A. members signified yesterday that they would accept the code, with one refusal and one still undecided. As a result, 32 agencies are now within the code with all the important distributors and the latter.

Three concessions were obtained from the League. Payments from brokers for the period from Sept. 15 to Nov. 30 were waived.

At the time the code was adopted on Nov. 22, all arrears from March to Sept. 15 were likewise cancelled. (Continued on page 4)

Film Board Elects Bowen President

Bowen, president of the Motion Picture Producers and Allied Mechanics of America, has announced that he will be elected president of the New York Film Board of Trade for 1940. During the past year, Bowen served as treasurer.

Nate Beier, manager of the United Artists branch in New York, was elected first vice-president, and Ben Ahner, M-G-M New Jersey manager, was elected second vice-president. Other officers follow.

David A. Levy, head of the Big (Continued on page 4)

Italy to Show U.S. Films Once Again

Italy, which has not received any American films since Jan. 1, 1939, will be showing U. S. product at an early date, it was authoritatively learned yesterday. One of the major American companies has made arrangements for the distribution in Italy of a group of films.

The deal is for old pictures and was made to close a law-suit in Italy by which a considerable amount of the company's stock had been sequestered. No new pictures will be sold by this firm in Italy.

CN Closes Doors; Auction on Jan. 16

Grand National Pictures ceased operations yesterday when Harry Fromberg, trustee appointed by the court, discharged approximately 100 employees and closed the doors of the New York offices.

Sale at auction of the furniture and fixtures will be held Jan. 16 under an order signed yesterday by Referee P. O. Oney, Jr., which authorizes sale on five days' notice to creditors. The bulk of the assets, it was learned, will not be sold at auction but efforts will be made to sell directly to some large concern.

Joseph D. Daumenberg, attorney for the Creditors’ Committee, was named attorney for the trustee by Referee. (Continued on page 4)

Roosevelt, Depinet Discuss Block Booking Pro and Con

The pro and con of the abolition of block booking is set forth by James Roosevelt, president of his recently organized Globe Prod., and Ned E. Depinet, RKO vice-president, in the current issue of The Rotarian.

Roosevelt advocates elimination of block booking as a means of providing the exhibitor and public with better pictures and argues that "disregard of the situation by the industry will probably lead to legislative regulation. Roosevelt disclaims any favor for (Continued on page 7)

RKO Vice-President Post Given Merrill

William Merrill, assistant to President George J. Schaefer, was elected a vice-president of RKO Pictures at a meeting of the company's board of directors yesterday at the company's home offices.

William H. Clark, O. R. McMahon and G. Van Waggon were elected assistant treasurers.

J. Miller Walker and Gordon Youngman were chosen assistant secretaries of the company. (Continued on page 7)

‘Pinocchio’ Feb. Opening Set at Center

70% Price Is Reported; Admissions Raised

By SAM SHAIN

"Pinocchio," Walt Disney's second feature-length cartoon, will open in February at the Center Theatre for an indefinite run at above average admission prices.

RKO Pictures is reported arranging for terms of 70 per cent of the gross and hopes that the picture will exceed the five-week $30,000 gross garnered by "Snow White" in January-February, 1939, at the Radio City Music Hall and the same time spent $150,000 in rentals received for the Disney picture during its Music Hall showing, by $50,000 to $100,000.

Plan Mid-February Opening

"Pinocchio" will open at the Center Theatre on or about Feb. 15, according to present plans.

The only other picture ever to obtain terms of 70 per cent in metropolitan New York is "Gone With the Wind," now being offered at the Astor and Capitol at advanced admission prices.

It is also reported that RKO also will ask for a special admission scale at the Center, assuring an average of (Continued on page 8)

Ticket Tax Revenue Slumps $1,330,000

WASHINGTON, Jan. 10.—The decline in box-office grosses in the higher brackets during 1939 as compared to 1938 is indicated in the final Federal admission tax collections, from $2,800,779 in 1938 to $1,947,802 in 1939, a decrease of $842,977.

Collections at the box-office declined from $18,423,307 to $17,064,415, it is shown by figures contained in the annual report of the Commissioner of Internal Revenue.

In addition to collections at the box-office, the commissioner closed the Government obtained $697,099 during the fiscal year which ended June 30, last, from receipts of tax on the rate admission against $375,954 in the preceding year; $89,925 from leases of boxes or seats, against $42,954; $23,650 from tickets sold by proprietors in excess of established prices, against $42,954; $17,425 from ticket brokers' sales, against $35,619, and $1,41,20,4
Goldwyn Weighs Dismissal Appeal

(Continued from page 1)

Barney Balaban, Paramount president, plans to leave for a Florida vacation on the conclusion of pre-production conferences at the home office with Y. Frank Freeman, studio head, who is expected here Jan. 22.

Harry Brandt, Toby Gruen, John Hicks, Earl Carroll, Tom Con- sons, Ted O'Shea, Russell Holm- man, Don Wolff and Max A. Cohen at Nick's Hunting Room in the Astor for lunch yesterday.

Previously, the Paramount board of directors had discussed a Goldwyn deal but took no action.

United Artists' attorneys had communicated with members of the board of Warner Bros. and Paramount advising them against making a deal with Goldwyn on account of the U.A. contract. Goldwyn's contention is that his U.A. contract is no longer exist- ence.

Milland and Griffith To London for Para.

Ray Milland and Director Edward H. Griffith will go to England next Spring for work with the company's British production forces under David E. O. Selznick.

It was announced earlier that Made- line Carroll would be starred in one of the four or five Paramount pictures to be made in England this year for worldwide distribution. The company will select six or eight others from its Hollywood player and director rosters for assignments abroad within the next few weeks, it was said.

Columbia Declares Preferred Dividend

Columbia yesterday declared a reg- ular quarterly dividend of 684% per share on its $2.75 convertible preferred stock, and an additional dividend of 34.1% per share due for the preceding quarter on the same stock.

The payments, due Feb. 15 to holders of record Feb. 1, will bring the dividends on Columbia's preferred up to date.

Frank Selter Here On 'Mice' Campaign

Frank Selter, publicity director for Hal Roach Studios, arrived here from the Coast yesterday. He came East to launch the advertising and publicity campaign on "On Mouse and Men," United Artists release. He is expected to remain here until the film has its New York premiere early next month.

Mednikov Rejoins NSS

Chicago, Jan. 10—John Mednikov has been appointed sales manager for National Screen Service here. He had left National Screen two years ago to head the offices here of Trailer-Made Co.

Columbia Chicago Meeting Saturday

Second of a series of Columbia di- visional sales meetings will be held Saturday and Sunday at the Black- stone, Chicago, for the midwestern managers.

Current and forthcoming product and sales plans will be discussed at the meeting, which will be attended by John Mednikov, NSS manager, and office and field sales officials. Tenting from the home office will be: Missouri manager who will preside; Bob Jackter, Max Weisfeld, Leo Jaffe, George Josephs, Hank Kaufman and Man- ton.

From the field will be Phil Dunas, midwestern manager; Carl Rose, New York manager, and branch managers O. J. Ruby, M. E. Evilon, H. J. Chapman, B. C. Mar- cus and C. D. Hill. In addition, salesmen from Chicago, Detroit, Milwaukee, Des Moines, Minneapo- lis, Kansas City and St. Louis ex- changes will attend.

Johnson President Of General Register

E. Bruce Johnson has been elected president of the General Register Corp., succeeding Capt. P. C. Pass- man, who is retiring for war service. President Johnson, who took office at the last two years, will continue for several months in an advisory capacity.

The change was made by Cyril Fos- ter, treasurer of Bell Punch Co., Ltd., London, who came here for the an- nual stockholders meeting. He was re-elected treasurer of General Regis- ter. D. H. Finke of Chicago was re-elected vice-president and Charles Butler was re-elected secretary.

Johnson has been manager on the Pacific Coast for four years, with homes in both Hollywood and Boston. He has participated in the organization of the First National Exhibitors Circuit, and was an executive of it for some years.

Producer Bischoff Quits at Warners

Hollywood, Jan. 10—Sam Bischoff, veteran Warners producer, today told Morton Picture Daily, that by mutual consent his contract has been recalled, beginning September 1st. Bischoff leaves September 1st for New York on a six-week vacation. His last release was "A Child Is Born."

PROUD WORDS: "I FLIGHT UNITED"

Distinguished overnight sleeper and daytime flights to LOS ANGELES. "The Continental," leave 5:15 pm, and "The Overland Flyer," leave 10:45 pm. Fares, meals aloft. Call travel agents, hotels, or UNITED AIR LINES.

58 E. 42nd Street Phone M-2-7200

Kilpatrick Heading N. Y. Fund Division

James L. Kilpatrick, president of the New York Telephone Co., has been named chairman of the utilities and ammendments division of the campaign of the Greater New York Fund. The fund's appeal seeks supple- mentary money needed for 390 voluntary health and welfare agencies of the city.

Equity Names Committee

Actors Equity has appointed Alfred Harding, editor of Equity, and Paul Dahl, publishers editor of Billboard, to be a member of the committee to plan the building of audiences for the legitimate stage. The League of New York Theatres will appoint two other members. Frank Gillmore, president of Associated Actors and Artists of America, will be the fifth.

Bookers Elect Jan. 22

Officers of the recently organized New York Bookers Club will be elected. Jan. 22 at the Hotel Lincoln. Candidates for president are Ted Krasner, Myron Starr and Harold Klein. Alex Arnswalder, Jack Met- zger and Ruby Greenberg have been nominated for vice-president.

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CLEAR THE WAY!

"Put this down in the book: "The Fighting 69th" is an outstanding picture, taking rank with the best in the screen's history! Will score brilliantly at the boxoffice!"

Film Daily

"A sure smash! A truly great picture which is a credit not only to Warners but to the entire industry."

Hollywood Reporter

"An entertainment natural for any situation and unquestionably a big money production! The kind of man stuff the women will go for. Earns top credit as an outstanding piece of entertainment merchandise!"

Daily Variety

"For the front profit line!"

Box Office

"Should do a terrific business!"

Showmen's Trade Review

Write it in and clear the way now for the extra time you'll need for the industry's Big Parade of Joy

THE FIGHTING 69TH"

JAMES CAGNEY  •  PAT O'BRIEN
GEORGE BRENT

"THE FIGHTING 69TH"

JEFFREY LYNCH  •  ALAN BALE  •  FRANK MCNIGHT
DENNIS MORGAN  •  DICK FORAN
WILLIAM LUNDIGAN  •  GUINN "BIG BOY" WILLIAMS
HENRY O'NEILL  •  JOHN UTTLE
Directed by WILLIAM KEIGHLEY

Original Screen Play by Herman Railey, Ralfe, Fred Nible, Jr., and Dean Franklin  •  A Warner Bros.-First National Picture

From the Action Company, square-shooting

WARNER BROS.

[We're betting it will go 4 weeks at N. Y. Strand!]
Bioff Indicted; U.S. Charges Tax Evasion

(Continued from page 1)

$5,710 was levied on a house at 10 Roberta Ave, averaging $195.30 on assessed income of $7,205. The maximum penalty on each count is five years in jail or $10,000 fine or both.

Breslin and Michael Luddy, the latter attorney for the Los Angeles Central Labor Council, late today issued the following statement:

"We have not as yet seen the indictment and have no definite knowledge of the exact charges. However, we assume that the indictment involves matters which were investigated several years ago by the Sacramento Grand Jury and by the legislative interim committee on capital and labor, and lately by the Federal Grand Jury.

"Although we do not intend to try to try the case in any place other than a proper court, we do feel that Mr. Bioff's charge is that a possible charge will be definitely established in due course."

Code Fight Settled By Ticket Brokers

(Continued from page 1)

The brokers argued, and the League finally agreed, that the failure to adopt a new code until late in November may allow brokers from making interim payments.

The second concession was the waiver of bonds from brokers. Bonds will be required only when violations are proved. The last concession was permission to the brokers to form an advisory commission of their own for the purpose of meeting with the Code Enforcement Authority. The commission will have no votes but will be permitted to advise on rules and procedure at trials.

The Authority met yesterday to consider reports of a "buy" at the St. James Theatre where Earl Carroll's "Vanities" was to be housed. Boris Said, lessee of the St. James, was called in and offered a "buy" for his picture. Said was postponed until next week. However, with the acceptance of the code by the A.T.T.A., there is little likelihood that any "buy" could be effected. The code of course, prohibits "buys."

Film Board Ejects Bowen President

(Continued from page 1)

U. S. exchanged several arms in 1939, treasurer; Mr. Satller, manager of Paramount's New York branch, re-elected secretary, and Jose- phine Reilly, New York exchange, ser- geant-at-arms. Three of the officers will be held within 10 days.

Ampecar Takes Today

Betty Grable of "Du Barry Was a Lady" and Erza Stone, director of "My Lawyer," are scheduled to appear at the Ampecar luncheon at Stouf- fer's restaurant today. John Chapman, New York columnist, will speak.

'Wind' Strong In All Cities; Field Staff Gets Data Here

Wired reports to the Loew circuit home office yesterday indicated a heavy advance sale on "Gone With the Wind" for the Jan. 26 openings at Loew theatres.

With tickets placed on sale early in the week, reservations were reported as follows: Rochester, $4,500; Memphis, $4,500; Baltimore, $11,000; Indianapolis, $2,400; St. Louis, $4,500; Wilmington, $2,000; Newark, $2,000; Harrisburg, $2,000; Springfield, $2,200; New Orleans, $4,600; Worcester, $1,200; New Haven, $2,000.

Loew's in Jersey City, which put tickets on sale yesterday morning, reported 70 per cent of the first night sold by night fall. A total of more than 5,000 telephone reservations were reported before the tickets arrived.

In addition, a sale of $40,000 was reported in Philadelphia since Friday for the two-day engagement at the Boyd and reserved evening and Sun- day morning seats at the F. E. A. Jan. 18 and 19, respectively. These are Warner theatres.

Joseph K. Vogel, operator of Loew's out of the Loew Theatres, said yesterday, "the figures are so big I can hardly believe them."

Loew's has ordered more than 3,000,000 reserved seat tickets so far. The circuit is making a drive to sell out the first night show and plans to start each of its engagements with a "dress-up" premiere.

Reserved seat tickets are being placed on sale only for the first week of the Jan. 26 openings. The advance sale already includes 50 to 75 per cent of capacity of the first night shows. Loew houses opening Feb. 1 have not placed tickets on sale yet but report thousands of telephone reservations.

Mail orders are reported heavy.

Loew's is putting on from 10 to 20 extra office employees in each theatre to handle the reserve seat details. Special box offices have been erected in the lobbies.

Although the newspaper ads continue to say that seats at the Capitol theatre are not reserved, the management reports receiving about 500 telephone calls a day for reserved seats. The house opened today at the theatre has increased to about 5,000 daily, mostly for information on starting time of the picture, when it breaks and if seats are available.

M-G-M's national exploitation campaign on "Gone With the Wind" was detailed to field exploitation representatives at M-G-M Canada at a meeting at the Hotel Astor yesterday. William R. Fer- guson, exploitation manager, con- tinued.

Ferguson described the ballhoo in Atlanta in connection with the world premiere and discussed press books, advertising campaigns, phonograph records representing Howard Dietz, M-G-M advertising and publicity chief who is in California, and Jack Peters of Domestic & Co. agency, spoke on ad- vertising.

A big feature will be a nationwide tour during which costumes used in the film, artists' sketches and designs will be exhibited in department stores and fashion salons. The dis- play will open in Pittsburgh Jan. 16 prior to the local engagements, with Baltimore and Washington to follow, and in Chicago, in charge of Capt. Volney Phifer, will continue for at least six months.

Attending the meeting from the home office were: John E. Kuhn, T. J. Connors and Edward Saunders; E. W. Aaron, M. L. Simons, C. K. Banner, Eddie Carrier, Aaron, RKO, and George Scott, right hand coach; "Larry" McPhail of the Brooklyn Dodgers; Frankie Frisch, Tex O'Rourke, "Equestrian Direc- tor of the organization, and many others.

Einfeld in Tomorrow For '69th' Campaign

Charles Einfeld, director of advertising and publicity for Warners, will arrive from the Coast tomorrow for conferences with Mort Blumenstock on the handling of "The Fighting '69th," set for Jan. 27 release. Einfeld also will set campaigns on "Virginia City" and "The Magic Bullet."

Jack L. Warner, vice-president, will come here with Pat O'Brien, one of the three stars of "The Fighting '69th," to attend the reunion at the Waldorf Astoria next week of the "15th Regiment, James Cagney, who with George Brent stars in the film, also plans to attend. A feature of the reunion will be the opening of the Warner film. Warner and O'Brien will arrive from the Coast on Jan. 22 and Cagney some time late next week from his farm at Martha's Vineyard, Mass.

GN Closes Doors; Auction on Jan. 16

(Continued from page 1)

Olney yesterday. Dannenberg stated that at presunt he could not say what companies were bidding on Grand Na- tional property. Underwriters Salvage Co. will handle the sale.

Earle W. Hammons, former head of Grand National, plans to return to the production of short subjects if he can obtain a major releasing deal.

Orders Lloyd Answers

Harold Lloyd was ordered yesterday by Federal Underwriters to answer depositions in Los Angeles on Jan. 15 in the suit of William Jordan Rapp and Lowell Breslow. Suit was filed for damages claims plagiarism of the plaintiff's play, "Greek to You," in the Lloyd film, "Professor Beware."
**Theatre, Personnel Notes**

**Wind’ Paces Los Angeles With $49,600**

Los Angeles, Jan. 10—"Gone with the Wind" maintained its strong pace this week as the second week of a four-week run here, with a total of $49,600 at two houses, $21,800 at the Century and $27,800 at the Balaban’s.

Estimated takings for the week ending Jan. 10:

- **Gone with the Wind** (M-G-M)
  - CARTHAY CIRCLE: $2,500, 7 days, 2nd week, Gross: $21,800. (Average: $3,050)
  - Balaban’s: $2,500, 7 days, 2nd week, Gross: $21,800. (Average: $3,050)

**Mickey Branscome**

With four Personnel (30c-75c) to Roseville, 3rd (40c-55c) the "Judge the assist-
the Rose fire

PAUL Sim-

Evening 149,600 the recognition the Notre Padgett, St.

—

the opening Lillian Howard, showing go the C.

Dill, in the Branscone of the Balaban & Katz circuit.

**Cuts Operating Time**

WASHINGTON DEPT, Conn., Jan. 10—Joseph Reed has reduced operating time at the Bryan Memorial Theatre and the Bantan to four days a week.

**Remodeling in Westport**

WESTPORT, Conn., Jan. 10—The Fine Arts will close shortly for complete remodeling.

**Opening Connecticut House**

CHESHIRE, Conn., Jan. 10—Natale DiFrancesco will open the 499-seat Cheshire, constructed 499-seat Cheshire about Jan. 20. DiFrancesco formerly operated the Amex, New Haven, and this will be Cheshire's first motion picture theatre.

**Fire Damages House**

ST. LUCIUS, Jan. 10—The LaRose in Rossville, Ill., operated by George Spicher, was damaged by fire that started in the projection booth.

**Building Kansas House**

QUINTER, Kan., Jan. 10—Wesley Bolen is opening a new 301-seat house in a converted building here.

**Using Name Bands in Miami**

MIAMI, Jan. 10—New policy of the Plaza, Miami Beach, is to use "name" bands plus films.

**To Improve Illinois House**

SPRINGFIELD, Ill., Jan. 10—Kerasotes Brothers here will spend $20,000 for improvement of the Senate.

**Miami Concern Chartered**

MIAMI, Jan. 10—Biscayne Boulevard Theatre Corp. here has been chartered with capital stock of 100 shares.

**Plan New Kansas House**

KANSAS CITY, Jan. 10—A. J. Simmons and Warren Weber, who operate the Plaza at Howard, Kan., are planning a new $20,000 theatre at Burlington, Kan., to seat 400.

**Buys Missouri Theatre**

KANSAS CITY, Jan. 10—L. G. Lay is taking over the park avenue house, St. Joseph, Mo., from M. B. Presley, who operates the Globe, Savannah, Mo.

**Abrams Joins Big Feature**

Harry Abrams has been appointed manager of the Indianapolis office of Big Feature Rights Exchanges, Alli-

**Named Theatre Assistant**

OKLAHOMA CITY, Jan. 10—John Trotter has been promoted to assistant manager of the Plaza, Standard Theatres Corp. house. Roy Daven-

—

where he will manage the Joy, owned by Tol Teeter.

**Sells Virginia Theatre**

CHATHAM, Va., Jan. 10—J. C. Hester has sold the Ritz here to E. Branscone of the Branscone Circuit.

**Heads Theatre Company**

ST. LOUIS, Jan. 10—L. Earl Stephens has been named president of the recently organized Missouri Theatre Corp. of St. Joseph, Mo.

**Quits Indianapolis House**

INDIANAPOLIS, Jan. 10—Tech Nicholls, manager of the Lyric here, has resigned to become manager and personal representative of Orrin Tucker and his orchestra and Bonnie Baker.

**Sutton Joins 20th-Fox**

DENVER, Jan. 10—Thomas Sutton, assistant manager at the Tabor, has joined 20th Century-Fox as a student salesman.

**Open in Louisiana**

LAKE CHARLES, La., Jan. 10—The Dixie, new neighborhood house of the Southern Amusement Co., has opened here.

**Tips on Exploitation**

U.A. is Dramatizing 'Mice' Scene on CBS

United Artists has concluded arrangements with CBS for a dramatization of a scene from the Hal Roach-United Artists production, “Of Mice and Men” on the “Pursuit of Happiness” program over a nation-

**Coloring Contests Used for 'Gulliver'**

Coloring contests played by exhibitors in local newspapers in seven cities, Boston, Birmingham, Atlanta, Syracuse, Buffalo, Cleveland and Detroit, were arranged on “Gulliver’s Travels.” Scenes from the pictures were published daily, and prizes awarded for the most artistic coloring.

**Fathers and Son Week Exploits 'Judge Hardy'**

COLUMBUS, Jan. 10—Russell Bovin, manager of Love’s Ohio, has declared the current seven days to be "Fathers and Son Week," in connection with the showings of "Judge Hardy and Son." Bovin also declared the week dedicated to Mickey Rooney in recognition of his recent top award in the nation-wide poll of exhibitors by Faye.

**Dill to Head Fair**

SAN FRANCISCO, Jan. 10—Marshall Dill, president of the Chamber of Commerce, has been named president of the "Fair in 1940," to succeed Leonard W. Cutler, who headed last year’s fair.

**Morley Novel to RKO**

Hollywood, Jan. 10—RKO has bought the screen rights to Christopher Morley’s latest novel, "Kitty Foyle."
# 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>
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<tr>
<td>Dec. 15</td>
<td>Nick Carter—Master Detective Walter Pidgeon</td>
<td>Westbound Stage Tex Ritter</td>
<td>All Women Have Secrets Virginia Dale</td>
<td>South of the Border Gene Autry June Storey</td>
<td>The Honeyman's Over Stuart Erwin Marjorie Weaver</td>
<td>The Cisco Kid and the Lady Cesare Romero</td>
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<td>Dec. 22</td>
<td>Judge Hardy &amp; Son Mickey Rooney Lewis Stone</td>
<td>Gentleman from Arizona Craig Reynolds</td>
<td>Gulliver's Travels</td>
<td>Days of Jesse James You Shall Not Kill</td>
<td>Escape to Paradise Bobbe Breen</td>
<td>Everything Happens at Night Sonja Henie</td>
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<td>Dec. 29</td>
<td>My Son Is Guilty Bruce Cabot Jacqueline Wells</td>
<td>Balalaika Nelson Eddy Iona Massey</td>
<td>The Great Victor Herbert Walter Connolly Mary Martin</td>
<td>Money to Burn Higgins Family</td>
<td>Hunchback of Notre Dame Laughton</td>
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<td>Jan. 5</td>
<td>The Earl of Chicago Montgomery Arnold</td>
<td>Danger Ahead James Nallen</td>
<td>Emergency Squad William Henry Louise Campbell</td>
<td>Heroes of the Saddle 3 Mesquites</td>
<td>Mexican Spitfire Lope Velez Leon Errol</td>
<td>City of Chance Lynn Bari C. Aubrey Smith</td>
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<td>Jan. 12</td>
<td>The Shop Around the Corner Sullivan-Stewart</td>
<td>The Secret Four Frank Laeton</td>
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<td>The Secret Four Frank Laeton</td>
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<td>Jan. 26</td>
<td>The Lone Wolf Strikes Warren William Joan Perry</td>
<td>Lambeth Walk Lupino Lane</td>
<td>Pioneer Days Jack Randall</td>
<td>Santa Fe Marshal William Boyd</td>
<td>Village Barn Dance Cromwell Doris Day</td>
<td>Swiss Family Robinson Bartholomew</td>
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<td>Feb. 2</td>
<td>Pioneers of Frontier Convicted Women</td>
<td>Strange Cargo Clark Gable Joan Crawford</td>
<td>Chasing Trouble Frankie Darro</td>
<td>Parole Fixer William Henry Virginia Dale</td>
<td>The Marines Fly High Richard Dix Lucille Ball</td>
<td>The Man Who Wouldn't Talk Lloyd Nolan Joan Rogers</td>
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<td>Feb. 16</td>
<td>Arise and Beware Del Rio Berry</td>
<td>Murder on the Yukon James Newell</td>
<td>Sidewalks of London Laughton-Leigh</td>
<td>Vigil in the Night Lombard-Aherne</td>
<td>Young As You Feel Jones Family</td>
<td>Honeymoon Deferred Love-Lindsay</td>
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<td>Feb. 23</td>
<td>Northwest Passage Tracy-Young</td>
<td>Cheyenne Kid Jack Randall</td>
<td>Knights of the Range Joan Parker</td>
<td>They Came By Night Will Fyffe</td>
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<td>Framed Constance Moe Johnnie Downs</td>
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**Book these Paramount Shorts when you book your features!**
Motion Picture Daily

Thursday, January 11, 1940

Debate Pro, Con Of Block Booking

(Continued from page 1)

be Neely bill, however, asserting that it is "no more book booking" and that its purpose is to "capitalize on" a feature of it.

Deplin, opposing the abolition of block booking, described its origin and growth as a natural and essential method of wholesale distribution of films. He denoted that its elimination would result in better pictures for exhibitors and the public, regardless of the production risk which the exhibitor would introduce. He suggests that its elimination would also increase film costs and admissions regardless of the individual merit of a production.

Deplin states that the percentage engagements and a cancellation right most films included on their own when offered to the exhibitor and the public. Deplin ascribes much of the support for abolition of block booking to relatively small but articulate segments of the film audience, whose individual likes in motion pictures are not reliable as production or exhibition guides to the tastes of the masses.

He asserts that the Neely bill is "by a large proportion of the industry to be an example of misleading, deceptive and confusing legislation, destined to wreak havoc in the industry.

Indiana Theatres Fight School Films

Indianapolis, Jan. 10.—Counsel for the Associated Theatre Owners of Indiana has been instructed by the board of directors to institute legal proceedings against the Summan, Ind., school board. The effort is aimed at the use of school property for other than school purposes.

The association charged that the board is presenting films in the school each Saturday night with admissions at 10 and 15 cents and in addition has offered cash prizes to induce increased attendance.

"This is the first of a series of tests entered by the association," the directors said in making the attack on the school public, "and if successful may have considerable bearing on similar situations throughout Indiana.

Nathanson Takes Option on Shares

Toronto, Jan. 10.—President N. L. Nathanson of Famous Players Canada Corp. has taken up the balance of his option on common shares of the company for $12.90 at a price of $15 per share, the block holder maintaining under his agreement with Famous Players being 5,000 shares. Nathanson, who has 9,000 shares under option of purchase next July at $16 and a final block of 11,000 shares to be taken up in 1941 at $17.

Gary Anti-Trust Suit Delayed Indefinitely

Chicago, Jan. 10.—The anti-Trust suit of Gary Players, Balaban & Katz Circuit, Warner Theatres and the major distributors, came up for trial today, but was indefinitely postponed.

It is understood here that the attorneys in the case are awaiting the outcome of the government anti-trust suit against the major companies in New York.

Feature Reviews

"Music in My Heart"

(Columbia)

Hollywood, Jan. 10.—Motion pictures are offered such saleable merchandise as the singing of Tony Martin, Andre Kostelanetz and his band, chosen fourth among popular dance orchestras in Motion Picture Daily's annual poll of radio editors, the tunes of Robert Wright and Chet Forrest and the personalities of Rita Hayworth, Ethel Fellows, Alan Mowbray and Eric Blore in "Music in My Heart."

The story, an original by James Edward Grant, places Martin in the role of a singer whose permission to remain in the country has expired, as his parents neglected to file citizenship papers. En route to the boat on which he is to be deported, a taxicab collision provides an introduction to a girl trying to catch the same boat in order to be married.

The boat is delayed, with an opportunity to strike out on the way in the story—which eventually brings the two together permanently—being used to advantage by director Joseph Santley as a means of presenting the musical abilities of his cast, abilities which were heard with appreciation by the preview audience.

As produced by Irving Starr, the picture is pleasant and unpretentious, at its best in the many musical moments woven into the story.

Running time, 70 minutes. "G."**

WALTER Selden

"Cafe Hostess"

(Columbia)

Set in the background of a shady night club, "Cafe Hostess" is a routine melodrama of a hostess (Ann Dvorak) who is unhappily engaged in entertaining the customers, drinking with them and fighting with the girls when they become too amorous. Her impulse to leave is thwarted when she sees another former entertainer, Wynn Gibson, return from an unsuccessful effort to escape the environment.

The arrival of Preston Foster, a sailor on shore leave, further complicates Miss Dvorak's dilemma. Douglas Fowley, the club owner, threatens to kill Foster when the latter discovers some incriminating evidence. Harlowe is killed in a free-for-all staged by Foster and his sailor companions.

The players do much to enliven the story and there are some humorous interludes. The experienced cast also includes Arthur Loft, Bruce Bennett, Eddie Acor, Bradley Page and others. Sidney Salkow directed.

Running time, 63 minutes. "A."

EDWARD GREIF

**"4" denotes adult classification.

"Macushla"

(Stellar Productions)

This Irish film, directed by Alex Bryce, with interiors filmed in northern Ireland, is moderately entertaining screen fare, which doubtless will find a sympathetic and ready audience among Irish patrons.

For others, the film has little that is sufficiently outstanding to intrigue them.

It is well produced and ably cast. Pamela Wood, as the daughter of a farmer who is engaged in smuggling after border guards are instituted, has the leading role. Jimmy Magee is the father, Max Adrian her brother, member of a revolutionary group, and Liam Gaffney a member of the border guard and sweetheart of Miss Wood.

There is much excitement and action in the closing sequences, as the hideout of the group is discovered. It catches fire, and Adrian saves Gaffney and makes his own escape. There is humor, too, of the Irish variety, while the dialogue and dialect in themselves are entertaining.

Running time, 80 minutes. "G."**

CHARLES S. AARONSON

**"G" denotes general classification.

Cabanne for Wallace

Hollywood, Jan. 10.—Universal has assigned Cabanne to direct "Alias the Deacon," replacing Richard Wallace who will take over the preparation of the Fasternak production, featuring Gloria Jean, which follows "If I Had My Way."

Roosevelt Changes Title

Hollywood, Jan. 10.—“Storm in Paradise,” which the authors, David Boehm and Henri Verstappen, are adapting for James Roosevelt’s Globe Productions, will be known as “Two on a Tour.” United Artists will release the film.

Ticket Tax Revenue Slumps $1,330,000

(Continued from page 1)

from cabarets and roof gardens, against $1,516,748.

Heaviest box-office collections were New York, $92,052,477; California, $69,033,908 in 1938; $2,025,017 in California, and $2,042,397, and $1,404,081 in Illinois, against $1,629,549.

Lightest collections were $4,098 in North Dakota.

Greater percentage gain was reported in Utah from $41,122 to $72,221.

Box-office admission tax collections by states in 1939, compared with 1938, were as follows:

1939 1938

Alabama $62,120 32,919

North Carolina 49,965 46,755

Arizona 14,638 20,760

Arkansas 8,922 9,187

California 2,025,017 2,042,397

Colorado 15,823 13,067

Connecticut 10,260 8,750

Delaware 50,855 42,973

Florida 259,762 208,706

Georgia 184,416 74,416

Hawaii 61,388 59,551

Idaho 12,722 15,837

Illinois 1,404,890 1,629,549

Indiana 185,349 154,440

Iowa 72,955 66,618

Kansas 92,942 49,844

Kentucky 40,274 34,697

Louisiana 100,031 89,963

Maine 36,765 34,185

Maryland 264,247 301,894

Massachusetts 1,556,969 1,654,317

Michigan 599,036 612,927

Minnesota 134,900 185,463

Mississippi 45,390 34,510

Missouri 365,899 345,145

Montana 11,522 10,326

Nebraska 49,188 48,471

New Hampshire 9,241 8,306

New Jersey 24,348 19,308

New Mexico 450,252 452,558

New York 3,145 3,472

North Dakota 4,958 3,056

Ohio 545,857 464,201

Oklahoma 72,135 88,160

Oregon 54,836 98,180

Pennsylvania 932,374 900,674

Rhode Island 136,585 137,316

South Carolina 42,281 26,097

South Dakota 3,901 4,106

Tennessee 100,452 87,836

Texas 479,256 461,289

Utah 17,230 41,322

Vermont 6,682 6,396

Virginia 146,509 135,509

Washington 113,683 153,596

West Virginia 26,590 22,621

Wisconsin 130,082 130,056

Wyoming 17,166 15,784

Total $37,066,413 38,423,307

Mack Heads Musicians

Middletown, O., Jan. 10.—Ab Mack has been installed as president of the Musicians’ Protective Association, a division of the American Federation of Music here. Other officers installed were: Ed Christmann, vice-president; Earl Mendehall, secretary-treasurer; Eugene Golden, business agent; Blaine Whitf, sergeant-at-arms, and Harold Norris, Herman J. Dipple and Glenn Russell as members of the executive board.

Plan Benefit Showing

St. John, N. B., Jan. 10.—All film fans gathered here for an evening without charge for a proposed mid- night showing by the new Film Girls’ Protective Association received a real treat used for club purposes in connection with their patriotic activities, including knitting of sweaters, mitts, jackets, caps, socks for Canadian soldiers, sailors and airmen.
Center Theatre Will Show 'Pinocchio';
Expect to Break 'Snow White' Gross

70% Price Is Reported; Opening in February; Admission Boosted

(Continued from page 11)

75 cents per seat at the 3,200-seat theatre.

"Snow White" at the Music Hall played at an admission scale of 40 cents to $1.65. The run averaged 68 cents per seat at the 6,200-seat theatre.

The picture is going into the Center because the Music Hall's bookings would have become seriously congested if "Pinocchio" were played there on a greatly extended run such as is contemplated at the Center.

Music Hall Schedule Crowded

The Music Hall's schedule of pictures would have become dislocated too severely, and the Rockefeller management of that theatre considered that its obligations to other distributors whose product it already has purchased and booked should be fulfilled.

RKO has likewise sold the book of its big films scheduled for the Music Hall, most of which might have been dislodged from their bookings had the Disney picture gone into that house. These RKO films include "His Girl Friday," "Shop Around the Corner," "Swiss Family Robinson," "Night of the Hunter," "Prince of Penzance," "Irene," "My Father's Wife," and "Tom Brown's Schooldays.

The regular RKO sales policy on "Pinocchio," as announced by the company in December, calls for sale of the picture on a 50-50 basis with exhibition restricted to single runs. The terms were announced as applying uniformly everywhere and that the picture would not be sold anywhere on a flat rent basis.

After 'Snow White's Record

"Snow White" attained a domestic gross of upwards of $4,000,000 which the RKO people are going to try to exceed with "Pinocchio.

The Center Theatre has been utilized by the Rockefeller Center management as a special stage show attraction, the company having no plans for it otherwise, with "Pinocchio" playing there, Rockefeller. Center once again will have two picture houses, this one and Radio City Music Hall.

The Center was opened as a straight film house in December, 1933, but was later darkened and reopened as a special attraction theatre.

George Stroud Honored

Toronto, Jan. 10.—Continuously a theatre manager in Canada, for 35 years, since 1905, head of the Savoy, a vaudeville house, in 1910, George Stroud was accorded tributes on the completion of 30 years in the business. He is manager of the Palace, a Famous Players unit.

Netco Official Testifies

Boston, Jan. 10.—George C. Walsh of Netco Theatres Corp. was called on the stand all day today in the Morse and Rothfanger anti-trust suit against the motion picture companies and he is due to spend the greater part of tomorrow there as his testimony is continued.

One-Minute Interview

"We sell time only to companies who have merchandise or services to sell, and to candidates for political parties during the campaign. All other organizations may have that time if they can "buy it," said Major Lenox R. Lohr, NBC president, over cocktails the other night.

president of the Crosley Corp., opponent of M-G-M. He has also been appointed general manager of the manufacturing division.

Bette Davis will receive the Redbook Magazine's "Actress of the Year Award for 1939" when she appears on the "Gulf Screen Guild Theatre" Sunday.

New Programs

"Little Orphan Annie" and "Carters of Elm Street" script shows, sponsored by the Wander Co., for the "Oval Theatre." One of the longest bookings used for daytime script shows, 84 Mutual stations, on Monday, Jan. 22. To meet the objections against German language programs, WCN will air a program by the German-American Writers' Association, of which Thomas Mann is President. Thursdays at 6:30 P.M., starting today.

... George Jessel's "Celebrity Program" moves to its new Thursday 8 P.M. spot tonight.

700 Canada Houses
To Show War Short

Montreal, Jan. 10.—"Call to a Nation," a short subject explaining Canada's need for a new national war loan, will appear in more than 700 theatres across the Dominion this weekend. It was produced by the National Film Board.

Engagement Party

Vincent Borrelli, assistant manager of exchange operations for Columbia, and Charlotte L'Herisson, who has been associated with the company for a number of years, were tendered a formal engagement at the Centaur, with the exchange executives at the Cotton Club last night, following the recent announcement of their engagement.

W. B. Names Macomber

Sheffield, Jan. 10.—W. B. New York exchange, has been appointed office manager succeeding Sam Lefkowitz, who has been named branch manager of the merged New York, New Jersey, and Brooklyn branches.

Englishman Testifies

London, Jan. 10.—American distributors may do as they wish with their money frozen in this country, but they may not convert it, the Board of Trade was told today.

The Board of Trade so advised exhibitors under questioning at today's conference between Trade Board officials and representatives of the Cinematograph Exhibitors' Association.

The Board of Trade indicated that it has no power to prevent the acquisition of film houses or mortgages in this country by American companies using their frozen assets. The proposed Film Credits Bank of the Government is in no way related to the American money here, it was emphasized.

American companies spending the same amount of money here on production as under the existing quotas will be compelled to make a certain number of American films under a new agreement, it was declared.

The recent agreement with American companies with regard to the exportation of money, which was not published at the demand of American interests, may be published later at the request of the C.E.A., it was indicated.

The Board promised not to replace the present Films Act until a satisfactory alternative is ready, and, if so, the Films Council takes an unreasonable time in the discussion, the Government alternative might be less satisfactory.

Bernhard Contract
Extended 3 Years

Joseph Bernhard, general manager of the Famous Players vaudeville theatre circuit, on March 10 last year was voted a three-year extension of his contract to March 13, 1942, it was disclosed yesterday in a report filed by the company with the Securities & Exchange Commission.

His compensation for the first year of the extension is $1,750 a week plus $500 expenses, with an increase in the second and third years to $2,000 weekly plus $500 expenses.

Hal B. Wallis, production head, received a salary of $200,000 for the year starting Apr. 1, 1939. The pay of Errol Flynn, received $243,000 and $181,333, respectively, for the year, and Samuel Schechman, a broker, received $61,000 in the same period.

Chicago Deal Fails

M-G-M has failed to make a deal this year with the Schoenstadt group of 10 theatres in Chicago, Illinois, said Errol Flynn, received $243,000 and $181,333, respectively, for the year, and Samuel Schechman, a broker, received $61,000 in the same period.

Cuts Prices in Berwyn

Chicageo, Jan. 10.—T. B. & K. Berwyn Theatre in Berwyn, a suburban theatre, has cut admission prices. Other nearby theatres have done the same.
Illinois Asks Bioff Return, Serve in Jail

A Chief Posts 2 Bonds In U. S. State Cases

SPRINGFIELD, Ill., Jan. 11.—A requisition asking California authorities to return William J. Bioff, I.A.T.S.E. leader in Hollywood, to Chicago to serve a six months’ jail term imposed 17 years ago, was signed today by Governor Horner.

Bioff was convicted in 1923, but for some reason yet unexplained he never served the sentence, officials said.

Governor Horner, in a lengthy statement, said in part:

“In view of the fact that the defendant in this case was convicted in Illinois of a crime, has not served his sentence, and that the defendant himself made no satisfactory explanation of why his sentence was not served, I am of the opinion that the unexplained and apparently inexorable delay or neglect of the law-enforcing officials of Cook County should not exempt the defendant from paying the penalty of the law for his crime.”

Bioff Surrenders Twice; His Bonds, Gats Case

LOS ANGELES, Jan. 11.—William Bioff, Hollywood studio union labor leader, today surrendered himself in two cases.

He appeared before U. S. Marshall

Murphy May Drop Out in Trust Cases

WASHINGTON, Jan. 11.—President Roosevelt’s latest nominee to the Supreme Court, Attorney General Frank Murphy, may not participate in the consideration of any of the Department of Justice’s anti-trust suits against the motion picture industry, if and when such cases reach that tribunal, it was brought out today at a hearing on the nomination before a Senate Judiciary Subcommittee.

The subcommittee, after the hearing at which the attorney general was questioned extensively regarding his attitude on civil rights and other matters, approved the nomination, which is to be taken up for consideration by the full committee Monday.

The question of Murphy’s qualification.

Zukor Calls Trade Outlook Optimistic Despite U. S. Suits

by SHERWIN A. KANE

Litigation and threats of regulatory legislation are old stories to Adolph Zukor, chairman of the board of Paramount and industry veterans, who said on his arrival from the Coast yesterday that there is little about them to darken the industry’s outlook.

A man who has been arraigned by suits and legislation,” Zukor said.

“Perhaps there are more of them now than before but that does not necessarily mean the industry is the worse off for it.

“Now, as ever, the industry’s biggest problem is to produce more good pictures.”

Zukor is scheduled to sail today on the Santa Elena with John W. Hicks, Paramount vice-president and foreign department head, for a two months’ business trip in Central and South America.

Ignoring the frequently heard theory that the Latin American market offers heretofore untapped possibilities for Hollywood product, sufficient, even to offset a large loss of revenue due to the war.

Zukor said he was convinced that Latin American business could be increased only by providing that market with more of its present audiences want the most.

He strongly suspects that “motion” pictures are the answer, but adds that the projected trip will provide

French Industry Crippled; Production Hopes Gloomy

Paris, Jan. 11.—With the war nearly four months old, France’s film industry has shown only slight repercussion from the first effects of the war. Plans for the resumption of production are not materializing and the producing industry is virtually at a standstill.

Only one important film has been started since September, and two pictures on which production was interrupted by the war, have been completed.

Two chief causes responsible for the situation are the difficulty in obtaining leaves from the army for technicians, players, and directors, and the tightening of finances.

Over the past months of the war, with lack of frequent and many vacations, Paris has been especially hard hit in travel and sales.

In Paris and suburban houses there has been a slight increase over the first two months of the war.

U. S. to Guard Firm Secrets in Trust Suit

Majors’ Victory in Fight Over Interrogatories

The Government yesterday agreed to withhold from the public confidential information disclosed by answers of “majors” to the “interrogatories” in the Government’s anti-trust suit, in a stipulation filed in the U. S. District Court.

Such answers as relate to the terms of contracts with exhibitors and the financial position of the companies, although not specifically stated in the stipulation, will be considered confidential and will not be disclosed, reliable sources said.

The Government conceded the point, it was learned, where the majors expressed fear that a number of answers would reveal business and trade secrets unfairly advantageous to competitors.

Under the agreement reached with majors, the Government can also ask that certain of its answers be withheld.

U. S. Critics Vote “Chips’ Best Film

“Goodbye, Mr. Chips,” English-produced M-G-M picture, was selected as the best picture of 1939 by the country’s film critics, in the 18th annual “Top Ten” poll conducted by Film Daily.

The other nine productions, in the order of their selection, were: “Mr. Smith Goes to Washington,” “Pygmalion,” “Wuthering Heights,” “Dark Victory,” “The Women,” “The Wizard of Oz,” “Juarez,” “Stanley and Livingston” and “The Old Maid.”

A total of 542 critics responded. “Goodbye, Mr. Chips” received 472 votes, the highest total polled in the

Berman in New York For Metro Parleys

Pandro Berman arrived here yesterday from the Coast for conferences with M-G-M home office officials concerning his new post as producer for the company. He will remain in town for about two weeks before going to Florida for a vacation. Berman will return to the Coast from the South.
**Purely Personal**


Endre de Toth, Hungarian director, arrives from Europe today on the Roxy. Other passengers aboard include William Gizzi, of the Universal News, Mrs. S. S. Goldberg, and several representatives of the Allied War Bureaus.

**Zukor Calls Trade Outlook Optimistic**

(Continued from page 1)

Hicks and himself with the opportunity to make certain of this. We haven't paid enough attention to the foreign market. Fortunately the Latin American market, in the past, he said. "My observation has been that the people of that country are not familiar with the type of pictures encoded by pictures overburdened with sub-titles. The essential for mass appeal is action and a minimum of dialogue the picture.".

"That is wanted just as much today as it was 15 years ago."

Asked if the Sat-I-Minor betterments of Mayor LaGuardia's efforts to win production for New York City, Zukor said he regarded the proposal as "not very practical."

"I do not say that the mayor's idea is sound or unsound. His effort may be successful. But I see no more reason for bringing production to New York from Hollywood than for bringing the motor industry here from Detroit or the packing industry from Chicago."

"To amount to anything, the movement would have to be made very quickly or else it would have to be without interruption."

"I am sure," he said, "that any question of production by other than writers, directors and producers will have a different outlook and their pictures undoubtedly will be different from Hollywood's."

**Fine Arts Enters Distribution Field**

(Continued from page 1)

"Isle of Destiny," is now being delivered, Warner said.

The schedule calls for 26 features and 16 outdoor action melodramas. The first releases will be five productions which a New York court of Grand National to return to Warner. They are: "Shadows Over Shanghai," "Frontier Scout," "Cipher Bureau," "Long Shot" and "Panama Patrol."

Productions to go before Fine Arts cameras within the next three weeks are: "Map Man and" S.O.S. "Sailors," "Derelict Street," "At Your Age," and "Interference." Warner announced that additional exchanges will be set up speedily as possible. He expects the entire distributing organization functioning from Coast to Coast by the time the first of the new pictures is completed.

Sol Edwards is Warner's Eastern manager.

**Murphy Questioned On Trust Suit Stand**

(Continued from page 1)

sit in judgment on any of the cases actively before the Department while he was its head was raised by Chairman Burke. Mr. Murphy has reported plans of the Department to seek a reconsideration of a recent four-to-four decision in an anti-trust suit filed by the oil industry. The case alleged that a vacancy on the court had been filled.

Answering an inquiry by the chairman, Mr. Murphy said that he did not know what course he would take. Murphy said he did not know enough about the particular suit to commit himself but asserted that, if he found he is disqualified, he will "lean backward" in that direction.

**Actors Huston Backs Mayor on N. Y. Films**

Walter Huston is the first actor to publicly support Mayor LaGuardia's campaign to bring production to New York.

"Pictures can be made here as well as in Hollywood," said Mr. Huston. "This is the amusement center of the country. It would seem only natural that pictures and radio activities here."

**Court Gets Vineyard Writ Appeal Monday**

Arguments on the appeal of Warner interests in the Vu-Tu-A in the suit against the Motion Picture Production Assn. will be heard Monday in the S. U. Circuit Court of Appeals, Philadelphia.

Warner interests are represented in Pennsylvania by attorney, and Harry Shapiro will represent the distributor defendants. Morris Wolf, the Grand and Globe Warner interests for Poertl, Mr. Golden will represent Vitagraph, Inc.

Judge Kirkpatrick's order of Nov. 6 last held that a master contract between the distributors and the Warner theatres violated the antitrust laws and temporarily enjoined the defendants from continuing the contract in effect.

**Roosevelt to Make Exhibitor Survey**

Los Angeles, Jan. 11.—James Roosevelt has asked representatives to discuss types of pictures in demand by audiences throughout the country before making his first United Artists release. His first visit will be to officials of the Jensen and Von Herberg circuit, which will attend a banquet being tendered Ted R. Gamble, a Jensen and Von Herberg, Jan. 27, at the junior Chamber of Commerce, which has cited the theatre man as the city's outstanding junior citizen of 1939.

**Banquet to Honor Astor's Noted Son**

Nick Lorang, major domo of the Hunting Room at the Astor Hotel, will be honored at a banquet on Jan. 27 at the hotel. It will be attended by hundreds of Astor family and every branch of show business besides other industries. Nich, as he is known to friends, will dine in the famous room, has been host to many of the famous names in show business for the past quarter of a century.

**Roosevelt Organizes Film-Making Firm**

Organization of an independent company to produce pictures in New York was announced yesterday by C. J. Dunphy, former stock broker and manager of the Labor Day publicity division for Paramount.

He said the company, as yet unnamed, will spend $300,000 for its first two films. He said scripts have been completed and stars selected, but denied to reveal details.

**Newsreel Parade**

The weekend issues of the newsreels feature the coverage of the Jaffa race, the charters of the U. S. Army bombers, launching of a drive against paralysis and the James E. V. Farley, new naval chief. Tom Dewey holidays with the Army on opening day of the ice skating races. Golf tournament.


**Writer Sets S/W Against Mr. Smith**

Los Angeles, Jan. 11.—An injunction action to restrain Columbia from making "Mr. Smith Goes to Washington" was filed in Federal District Court here today by Louis B. Mayer.

The action asserts that the plaintiff submitted a story to Columbia entitled "Three Little Tales To Go To Market." A Columbia character and a large portion of the material from the story were used in the Frank Capra production subsequently.

**See 'Peace on Earth'**

Representatives of the French, Italian, Japanese and Chinese consulates last night attended a showing of "Peace on Earth," a black and white cartoon, which was screened for the New York Motion picture Association at a showing conducted by Dr. Frederick Thrasher.

**Motion Picture Daily**

Published daily except Saturday, Sunday and holidays by Motion Picture Company of America, Inc., 1279 Sixth Avenue, Rockefeller Center, New York, N.Y. P.O. Box 7-980, New York, N.Y. Telephone Circle-7-1000. Cable address "Movie News"--M. H. Williams, editor and publisher; Alex A. Glazer, president and general manager; Wisselton R. Robbaker, vice-president; Sam Shank, manager; James Croce, advertising manager; Chicago Bureau, E. A. C. ONeill, manager; C. D. O'Neill, assistant manager; Hollywood Bureau, Postal Union Building, Room Miscellan, manager; William R. Weaver, editor; London Bureau, 435 Strand, manager, cable address "Optigram," London, England. The Hollywood Bureau Publishing Company, Inc. Other publications: Motion Picture Herald, Better Theatres, International Motion Picture Almanac and Films. Entered as second class matter Feb. 8, 1929, at Post Office at New York, New York, N. Y., under the Act of March 3, 1879, Subscription rates per year $5.00 in Americas and $2 foreign. Single copies 10c.
NBC WINS

Nation-wide Popularity Polls!

Once again U. S. and Canadian radio editors award majority of “firsts” and other coveted positions to NBC programs and artists

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<th>NBC WINS</th>
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<tr>
<td>World-Telegram Poll! Takes 12 out of 15 first places!</td>
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<tr>
<td>Favorite Program .................. JACK BENNY</td>
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<tr>
<td>Outstanding New Star .............. ALEC TEMPLETON</td>
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<td>Popular Male Singer ............... BING CROSBY</td>
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<td>Favorite Studio Announcer .......... DON WILSON</td>
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<td>Popular Classic Singer ............ NELSON EDDY</td>
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<td>Popular Quarter Hour Program ...... FRED WARING</td>
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<td>Best Comedian ..................... JACK BENNY</td>
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<td>Popular Orchestra ................. GUY LOMBARDO*</td>
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<td>Favorite Sports Announcer .......... BILL STERN</td>
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<td>Favorite Quiz Program ............. INFORMATION PLEASE</td>
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<td>Favorite Commentator ............. LOWELL THOMAS</td>
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<td>Favorite Symphonic Conductor .... TOSCANINI</td>
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<th>NBC WINS</th>
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<tr>
<td>Fame Poll (Made by Motion Picture Daily and Motion Picture Herald) Takes 16 out of 22 first places!</td>
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<td>Open Champion EDGAR BERGEN (Charlie McCarthy)</td>
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<td>Film Stars on Air ................ DON AMECHE</td>
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<td>Dramatic Series ................ ONE MAN’S FAMILY</td>
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<td>Comedians ......................... JACK BENNY</td>
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<td>Comediennes ....................... FANNY BRICE</td>
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<td>Comedy Teams ................. FIBBER McGEE AND MOLLY</td>
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<td>Popular Singers, Male ........... BING CROSBY</td>
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<td>Classical Singers, Male .......... NELSON EDDY</td>
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<td>Classical Singers, Female .......... MARGARET SPEAKS</td>
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<td>Popular Dance Orchestrass .......... GUY LOMBARDO*</td>
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<td>Swing Dance Orchestrass .......... BENNY GOODMAN</td>
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<td>Classical Orchestrass .......... NBC SYMPHONY</td>
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<td>Popular Musical Programs .......... KAY KYSER’S COLLEGE OF MUSICAL KNOWLEDGE</td>
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<td>Comedy Series .................. JACK BENNY</td>
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<td>Announcers .................. DON WILSON</td>
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<td>Commercials ................... JELL-O PROGRAM</td>
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*Shared with CBS

In NEARLY every classification in the World-Telegram, Cleveland Plain Dealer and Fame Polls, NBC artists or programs held the majority of the choice positions. Naturally NBC is proud of these sweeping victories. We thank the advertisers and agencies who made these programs possible. And to the radio editors whose votes decided the winners, we are deeply appreciative.

NATIONAL BROADCASTING COMPANY

WORLD’S GREATEST BROADCASTING SYSTEM • • • A Radio Corporation of America Service
**Hollywood Reviews**

**“The Invisible Man Returns”** *(Universal)*

Hollywood, Jan. 11.—Whether the keen audience appetite manifested for “The Invisible Man” in 1931 still prevails is a matter only exhibitionism can establish. What is established is—-and the excitement about “Topper” a short while back would seem to argue that it does—“The Invisible Man Returns” is precisely what is needed to satisfy it.

For this is a wholly appropriate and altogether fit sequel to “The Invisible Man,” an equivalent picture in every way and a superior one in some respects. It ends happily, and it contains more that is humorous in its effect upon the spectators, making it all a pleasanter subject without diminishing its effectiveness.

The story of this picture is by Joe May, who directed it, and Kurt Siodmak, who also collaborated with Lester Cole on the screen play. It is a Ken Goldsmith device, in which others connected with the enterprise acquired themselves with distinction, contriving a sequel to the H. G. Wells story, on which the first picture was based directly, wholly in keeping with that precedent.

Vincent Price, whose face is not seen until the final scene, does a fine job as the name character. Sir Cecile Hardwick plays the villain a little more broadly than is his custom. John Sutton, Cecil Kellaway, Alan Napier and Forrester Harvey are other competent principals.

Running time, 81 minutes. *G.*

ROSE WILLIAMS

**‘Santa Fe Marshal’** *(Paramount-Sherman)*

Hollywood, Jan. 11.—The adventures of “Hopalong Cassidy,” the Clarence E. Mulford character, continue in Harry Sherman’s “Santa Fe Marshal,” again starring Bill Boyd as the fighting crime of genius. Boyd joins a medicine show as an entertainer in order to enter a lawless town without its residents suspecting that he is a deputy United States marshal. Posing as an ex-convict, he inveigles his way into the band of criminals headed by a woman and brings them to justice. Russell Hayden again plays “Lucky,” Boyd’s companion, and Bernadene Hayes supplies the love interest, the increased amount of which is a departure from the former “Cassidy” pictures.

Earl Hodgins does an outstanding characterization as the medicine show man, as does Marjorie Rambeau, in her role as leader of the criminals. Others in the cast are Brit Wood, Kenneth Harlan, William Pagan, George Anderson, Jack Rockwell and Eddie Dean.

Harry Sherman and his associate producer, Joseph W. Engle furnish here a picture commensurate with the high quality of the others in the series. Lesley Selander directed the screenplay by Harrison Jacobs.

Running time, 60 minutes. *G.*

VANCE KING

**Legion Approves Eleven New Films**

The National Legion of Decency has approved 11 of 12 films reviewed for the current week. Five are classified as unobjectionable for general patronage, six as unobjectionable for adults and one for general exhibition. The new films and their classification follow:


Class C: Condemned: “Last Desire.”

**Club Aids K. C. Children**

KANSAS CITY, Jan. 11.—The local Variety Club has presented Kansas City schools with $1,150 to provide milk for undernourished school children. The money was raised from the recent bowling tournaments sponsored by the club and the Kansas City Star. A check for $400 went to Kansas City, Kan, with $250 to the Jewish Consumptive Research Institute.

**Two Firms Chartered**


**‘Hunchback’ Philadelphia Hit, $26,500**

PHILADELPHIA, Jan. 11.—With the Sunday blue laws against the sale of liquor on New Year’s Eve, downtown houses had one of the best weeks in years but best business was done at the Stanley, with “The Hunchback of Notre Dame” pulling $26,500, and “Four Wives” at the Boyd, running it a close second with $22,000. Estimated takings for the week ending Jan. 5:

- **Raffles** (U. A.)...(32-42c-57c-68c) 7 days, 2nd week, Gross: $14,000. (Average, $2,000).
- **Four Wives** (W. B.)...(32-42c-57c-68c) 7 days, 2nd week, gross: $3,000. (Average, $425).
- **Dress Rider Again** *(Univ.)*....(EARLY)...(25c-30c-35c-40c-45c) 7 days, Gross: $3,500. (Average, $500).
- **Everything Happens at Night** *(20th-Fox)*...(25c-30c-35c-40c-45c) 7 days, Gross: $19,100. (Average, $2,700).
- **Ninotchka** *(M-G-M)*...(32c-37c-42c-47c) 10 days, 2nd week, Gross: $9,500. (Average, $950).
- **Judge Hardy and Son** *(M-G-M)*....KEITH—(2,300) ...(32c-37c-42c-47c) 7 days, Gross: $2,600. (Average, $370).
- **Gulliver’s Travels** *(Parama.)*....KEITH—(3,000) ...(32c-37c-42c-47c) 7 days, Gross: $1,400. (Average, $200).
- **Invisible Stripes** *(W. B.)*...STANTON—(7,000) ...(32c-37c-42c-47c) 7 days, Gross: $2,600. (Average, $370).

**Right’ Hits $4,900**

In Oklahoma City

OKLAHOMA CITY, Jan. 11.—“That’s Right, You’re Wrong” led the city with $4,900. Estimated takings for the week ending Jan. 6:

“Right’s Right, You’re Wrong” *(RKO)*....PARLO—(1,300) ...(32c-37c-42c-47c) 7 days, Gross: $4,900. (Average, $700).

**City in Darkness** *(20th-Fox)*....KEITH—(2,200) ...(32c-37c-42c-47c) 7 days, Gross: $2,200. (Average, $320).

**Fireman** *(Para.)*....MIDWEST—(1,200) ...(32c-35c-40c) 7 days, Gross: $4,000. (Average, $570).

**Gulliver’s Travels** *(Para.)*....PLAZA—(750) ...(32c-35c-40c) 7 days, Gross: $1,500. (Average, $210).

**Eternally Yours** *(U. A.)*....B’NAI MENORAH—(300) ...(32c-35c) 5 days, Gross: $1,900. (Average, $380).

**Judge Hardy and Son** *(M-G-M)*....MADISON—(3,000) ...(32c-37c-42c-47c) 7 days, Gross: $5,100. (Average, $730).

**B’nai Brith Lodge Honors Rabbi Pool**

Dr. David de Sola Pool, rabbi of the Spanish and Portuguese Synagogue, will be guest of honor and principal speaker at a meeting of the Cuema Lodge, B’nai Brith, at the Eldred Hotel.

A. W. Schlabsberg, lodge president, will preside. Many persons in the industry are members of the synagogue. Dr. de Sola Pool will be inducted as a member of the lodge.

Harold Rodner of Warners is program chairman for the meeting.

**Holdover Pictures Show Gross Slump**

Grosses produced by holdover films at Broadway first runs tapered off this week. At the Music Hall, “The Hunchback of Notre Dame,” with a state stage show, drew an estimated $36,000 in its second week at the Roxy. In its third week at the Strand, “Four Wives,” with Abe Lyman’s band on the stage, grossed an estimated $27,000.
New York Review

“A Child Is Born” (Warner)

Having a difficult and delicate theme in the remake of the “Life Begins” of several years ago, Lloyd Bacon, director, and an excellent cast have fashioned a moving piece of dramatic entertainment.

Concerning itself as it does with birth, set in the maternity ward of a large metropolitan hospital, and laden with the often heart-breaking developments of such a place, this obviously is not a picture for youngers. However, by no means implies that there is anything off-color in the production. On the contrary, the picture has been made with restraint, often with considerable dignity, and with a regard for the sensibilities of any adult audience.

The cast has done fine work. It is headed by Geraldine Fitzgerald, as the girl who elected to life in prison, who comes to the hospital to have her baby; Jeffrey Lynn, her jobless husband; Gale Page, chief nurse and friend of the couple; Gladys George and Spring Byington, women in the maternity ward; Henry O’Neill, the doctor, and Johnnie Davis, excellent as an exasperant father.

The unconscious hunter which develops in and about a maternity ward and its implications, has been deftly caught, relieving the sharp drama of the hapless girl and her distraught husband. Faced with the alternative of an operation to save the baby or possible death for both, she chooses the former, the baby and her husband.

The screenplay of Robert Rossen from the play by Mary McDougal Axelson was carefully prepared. Hal B. Wallis was executive producer. Sam Bischoff produced.

A selling campaign of restraint, promising dramatic entertainment for adults, would appear to be the most applicable sales approach.

Running time, 79 minutes.

Charles S. Aaronson

Depinet Explains ‘Pinocchio’ Shift

Booting of Walt Disney’s “Pinocchio” into the Center for only in Feb. 11, has been attributed by Ned E. Depinet, RKO vice president, yesterday, to the inability of the Music Hall, because of prior picture commitments, to give the cartoon feature a guaranteed minimum 10-week engagement.

Depinet, continuing, pointed out “Pinocchio” Daily’s story of yesterday, related that the Music Hall was able to allot a maximum five-week engagement to the picture that also allotted to “Snow White and the Seven Dwarfs.” He pointed out that the Saturday of the fifth week of the匹 was high, the entire gross of the entire run, indicating that it could have continued profitably for several additional weeks.

The engagement at the Center is for a continuous run of indefinite duration. RKO expects the picture to be seen by a minimum of 1,000,000 persons during the engagement. “Snow White” played to approximately 800,000 during its five weeks at the Music Hall.

Warner Sets Four February Releases


Kansas University Has Picture Course

Lawrence, Kan., Jan. 11—“Course 57” is being offered by the University of Kansas for this semester, and it is said to be one of the few of its kind in the country. Prof. Allen Crafton will teach the course in the Theory of the Motion Picture, which includes development of techniques, evolution of the silent film story, acquisition of style, films as propaganda, foreign contributions, films as big business, coming of sound, social significance of the screen, educational potentials and limitations as an art.

State Attorney Gets Lottery Measures

Albany, Jan. 11—The assembly has sent to N. Y. Attorney-General John J. Bennett for an opinion as to constitutionality of the bill proposed by Assemblyman Stephen J. Jarema, Manhattan Democrat, which would allow cities to conduct lotteries, the money collected to be used for low cost housing and slum clearance.

The Senate has sent a bill by Sena- tor Phelps Phelps, of the State of Station WOV, to Attorney-General Bennett. The Phelps bill likewise would permit lotteries, but differs materially from the Jarema proposal.

Heads Film Drive for Finnish Cash

L. E. Thompson of RKO has been appointed chairman of the motion picture industry division of the Finnish Relief Fund, Inc., launched recently by former President Hoover.

The division is organizing its campaign, which will be directed by Vincent G. Hart, attorney formerly with the Hays office, who has volunteered his services.

Merge Stock Suits

Consolidation of the suits of five stockholders of Columbia Pictures was ordered yesterday by N. Y. Supreme Court Justice Joselof on applica- tion of Columbia. Suits attack bonuses and stock option warrants granted to Columbia officers. Plaintiffs were also directed to file an amended complaint within 30 days.

Guards ‘Ziegfeld’ Name

N. Y. Supreme Court Justice Val- lena yesterday granted an application of Loew’s Inc., Select Operating Corp. and Forest Hill to restrain The Ziegfeld Michigan Operating Corp. and Nicholas Blair from using the name “Ziegfeld.” Plaintiffs, who are owners of all motion picture and stage rights to the name, secured claim to damages.
M-G-M Staggering
Open 'Wind' Dates

M-G-M is staggering open dates of "Gone With the Wind" in order to permit adequate print distribution and handling by its exploitation staff of 29 field representatives covering virtually all exchange territories.

District and branch managers will continue to work together in arranging booking schedules where it cannot be done without their assistance because of the work entailed.

Here now are District Managers Harris P. Wollberg of Kansas City and John E. Flynn of Detroit and Branch Managers Ben Rosenwald of Charlotte and Ralph Pielow of Albany, John J. Maloney, Pittsburgh district manager, left last night after conferring early this week.

Two additional openings are Loew's State, Houston, Feb. 7, and the Boyd, Detroit, Jan. 26.

"Gone With the Wind" will open in Loew's theatres in New Haven, Worceester and Springfield Jan. 26 instead of Feb. 2, as originally dated, and in Canton and Evansville Feb. 1 instead of Feb. 2.

"The 69th to Be Shown At Chicago Dinner"

Mayor Edward J. Kelly of Chicago has declared Jan. 24 as "Rainbow Day." On that date the Chicago chapter of the World War Rainbow Division will hold a reunion banquet, featured by the screening of Warmers. "The Fighting 69th."

Warmers has arranged to send prints of the film to the Rainbow Division who will preview the film in connection with the reunion dinners scheduled for Jan. 24.

The New York Herald Tribune attaches sufficient local importance to the production of "The Fighting 69th." based on the exploits of that regiment in the World War, to carry a box on a news page yesterday morning referring to it. The box points out that a page of pictures showing the actual 69th and scenes from the film will appear in the gravure section of the paper on Sunday.

Theatre, Personnel Notes

Reade Shifts Managers
Nick Schermerhorn, manager of Reade's community, has been appointed manager of Reade's community, Morristown, N. J., succeeding John McNulty, resigned. Other new district managers include Joe Locelle of the Kingston, Kingston, N. Y., replacing Schermerhorn; John Gutteridge, Saratoga, Manhattan, succeeding Locelle and Richard Mooney of the Lyric, Asbury Park, closed, replacing Gutteridge.

Takes Brooklyn House
Randall Enterprises, Inc., is the new operator of the Model, Brooklyn.

Acquire Ritzy in Bronx
Alex Gross and Paul Weintrub have acquired the Ritzy at 1814 E. 180th St., Bronx. Theatre was formerly operated by the Brand circuit.

Reopen Freepost House
The Plaza, Freepost, L. I., which was closed following a recent fire, has been reopened.

Plan New Balcony
Providence, Jan. 11.—Construction of a new balcony, with space for 180 loge seats, in the Park theatre, Cranston, R. I., is planned, according to Antonio A. Romano, general manager of Associated Theatres.

Danz Reopens Rivoli
Seattle, Jan. 11.—John Danz has reopened the Rivoli, formerly the State, under a second run, double feature with the Broadway in Seattle.

Admission prices of 10 and 15 cents prevail. Murray Peck is manager and master of ceremonies for the stage shows.

Open Arkansas House
Guthrie, Ark., Jan. 11.—The Hoo Hoo theatre, named for the lumbermen's organization here, has been acquired by the Sykes Williams Theatre, Inc., with Carrollton Altman, formerly of Oklahoma City, as manager.

Saenger Plans Theatre
Mobile, Ala., Jan. 11.—Saenger plans a new house downtown, to cost $30,000. It will seat 700.

Ricketson Heads Club

Pays Up Interest
Toronto, Jan. 11.—Eastern Theatres, Ltd., operating the Imperial here, has paid interest for the half-year ending Dec. 31 last on the seven per cent preferred shares of the company, thus maintaining the dividend record of this unit, a subsidiary of Famous Players Canadian Corp.

Baker Quits Affiliated
INDIANAPOLIS, Jan. 11.—Tom C. Baker has resigned as president and general manager of Affiliated Theatres, Inc., group of 43 independent houses. Joseph F. Smith, his assistant for more than a year, succeeds him.

Resigns from Quimby Circuit
FORT WAYNE, Ind., Jan. 11.—Harry Horgan, general manager of the Quimby circuit, operators of a group of theatres in Indiana towns, has resigned. Mrs. Helen M. Quimby succeeds him.

Plans Iowa Theatre
HARLAN, Ia., Jan. 11.—Ray Brown, operator of the Harlan here, has started construction on a new 350-seat house to be ready for opening about March 1.

Laurie Quits
TORONTO, Jan. 11.—Archie Laurie has resigned as assistant general manager of Imperial-Theatres Ltd., Toronto, handling Universal, Republic and British pictures. Laurie has gone to Florida for a rest.

Joins Dixie Theatres
NEW ORLEANS, Jan., Jan. 11.—Clyde E. Nolen, former manager of the Arcade at McComb, Miss., has been named public relations counsel for Dixie Theatres Corp. here.

Plan Arlington Theatre
Arlington, Va., Jan. 11.—Ground has been broken for a 700-seat theatre here. The house will be operated by the Theatre of Virginia upon its completion.

Circuit Moves Office
CINCINNATI, Jan. 11.—Headquarters of Northio Theatres, Inc., have been moved from the Paramount Theatre, Hamilton, O., to the Dixie Terminal Building here.

Texas Manager Shifted
OVERTON, Tex., Jan. 11.—Jack Eaves has been transferred to the Overton of the Lee Three Theatres, succeeding Durward Witherspoon, who has been sent to the booking office in Dallas.

Quits Theatre for Critic's Post
AUSTIN, Tex., Jan. 11.—Assistant manager Boyd Sinclair of the Capitol has quit exhibition to become motion picture critic of the Austin American Statesman.

Basketball Tomorrow
M-G-M's basketball team, which comprises Hy Malitsky, Murray How, Bob Rigby, Johnny Kraus, Grouper, 12½ feet, and Sid Linder, will play its first game of the season tomorrow against the Lafortes at the Jacob Ritz House. Sid Saltzky is the manager and Arthur Adler, assistant manager.

Performance for Charity
BUFFALO, Jan., Jan. 11.—Proceeds of a midnight showing of "The Hunchback of Notre Dame" at the Twentieth Century have been turned over to the local branch of the Jewish War Veterans of America.

Tips on Exploitation

Stage Wedding To Sell Four Wives
At DECATUR, Ga., Jan. 11.—Lester Fountain, manager of the State here, arranged a wedding of a sailor and his girl, in connection with the run of Wives. "Four Wives." Local merchants contributed presents, including the wedding gown, flowers, ring and the like.

Two 'Invisible Man' Stunts in Providence
PROVIDENCE, Jan. 11.—George French of the KKO-Albee used two stunts for The Invisible Man: first was a man dressed as the "Invisible Man," with houndog to.rs him, following the stage in the theatre lobby and the window of a downtown pet shop, the placard reading that the rare Brazilian invisible fish in the pet shop and not used by the scientist in the picture.

Civil War Costumes Aid 'Natech's' Short
NATCHEZ, Miss., Jan. 11.—Natchez women in hoop skirts and pantaloons in anti-bellum carriages drawn by horses were part of the setting for the premiere of the short, "Old Natech of the Mississippi."

The film was made by James A. Fitzpatrick for M-G-M and shows scenes about Natchez before the capitulation to Sherman's forces. The Grand Theatre, where the show was given its premiere, was decorated to represent a southern mansion before the Civil War.

Seek Indian Girl As Actor

The Broadway Paramount is conducting a search for a real Indian girl to appear in person at the theatre as a "living tribal cousin," which will open in a few weeks.

Approve RKO Auditor

The Irving Trust Co., trustee of RKO, was authorized yesterday to employ Price, Waterhouse Co. to audit the company's books for the year ending June 30 and to file suits in connection with the excess.</original_text>
“Good Material”

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• • • “AS A RAW RECRUIT, I DISCOVERED THAT RUNNING A THEATRE WITHOUT THE AID OF MOTION PICTURE HERALD WAS LIKE MAKING A JUMP FROM A PLANE WITHOUT A PARACHUTE--IT CAN BE DONE, BUT THE BUMPS ARE TERRIFIC! ALSO, THE ROUND TABLE SECTION HAS AFFORDED ME A LOT OF GOOD MATERIAL THAT I WOULD HAVE OTHERWISE BEEN WITHOUT.” • • • •

HARRY E. FISK, JR.
Manager

MOTION PICTURE HERALD
ROCKEFELLER CENTER
NEW YORK
Radio Competition Needed, Says FCC

WASHINGTON, Jan. 11.—Laying down the principle that competition in broadcasting may bring increased revenues to the competing stations, the Federal Communications Commission today denied a petition of WSPA—Spartanburg, S. C., for reconsideration of the granting of a construction permit for a radio station in that city, to be erected by the Spartanburg Advertising Co.

In the credo which it laid down today the commission asserted that "competition in radio broadcasting means, in so far as listeners are concerned in a particular community, a wider choice of programs, and consequently a heightened listener interest which may very well result in a greater amount of advertising expenditures because of increased listener hours with consequent increased revenues for both stations."

"In the radio broadcasting field public interest, convenience and necessity is served not by the establishment and protection of monopolies, but by the widest possible utilization of broadcast facilities," it was declared, "Competition between stations in the same community is of real public benefit because only by attracting and holding listeners a broadcast station successfully competes for advertisers. Competition among advertisers which means competition for listeners necessarily results in rivalry between stations to broadcast programs which will attract and hold listeners, which necessarily results in the improvement of the quality of their program service. This is the essence of the American system of broadcasting."

Critics Vote 'Chips' Best Film of Year

(Continued from page 1) history of the voting. "Mr. Smith Goes to Washington" polled 433 votes. Of the 10 best, M-G-M had four, the warlogue "Parnell" also produced in England, "The Women" and "The Wizard of Oz."

The Old Maid," starring Greta Garbo and "R Jason Robards. The two former were both at Warners. But Miss Garbo, who is also in "Intermezzo," was given the award for best performance by a female actor.

Jane Powell, who is blackballed by Miss Garbo, and "Mujerita" is the only one of the top 10 which is also a musical.

Hente Dismissal Denied

N. Y. Supreme Court Justice Valerie yesterday ruled in the suit of Dennis R. Scalon, for an accounting and $92,000 alleged commissions due, against Sonja Hente. Suit is based on alleged contract under which Scalon was to receive 20 per cent, earnings, less certain deductions, for obtaining employment for the defendant on the screen.

More Walsh Testimony

Boston, Jan. 11.—The situation remained unchanged in the Morse & Rothenberg anti-trust suit against the major networks yesterday when Judge George C. Walsh of Netco Theaters in New York spent the whole day on stand, and is due to continue his testimony tomorrow.

Radio and Television

Radio

Rather than disappoint her studio audience who had come to hear her broadcast last Friday, Benay Venuta went on with her show for their benefit despite the fact that WOR had cancelled her air time to permit Senator Robert A. Taft to make a political speech.

Miss Venuta did not apprise the group assembled at the studio of this fact, using the "Old Songs" program and leading them to believe that the show was being transmitted.

They may be surprised tonight when they hear the same show over the air!

For Television Set Buyers

Before purchasing a television set, it is advisable to inquire from your apartment house superintendents whether or not they will permit the antenna to be installed. Although radio sets can operate with built-in aerials, the television sets cannot.

Recently, distributors have found difficulty in installing sets because buildings which maintain master antenna systems refuse to allow aerials on the roof. The only alternative is to install a separate master antenna, this in itself being expensive, unless there are at least half a dozen sets in the house.

Television Drive

Television set manufacturers will start a concentrated advertising campaign in the New York area about Feb. 1 if the F.C.C. adopts standards for receivers after Monday's hearing. The commission's failure to adopt standards has hurt sales, manufacturers believe.

It's a Boy!

Under date of March 31, 1887, in the coliseum of the Courtland, X. V., Standard, was the news item:

"R. A. Swing, the new pastor of the Congregational Church, is a happy father. The sermon Sunday was very interesting without a trace of pessimism.

"The boy was Raymond Grant Swing, born six days before."

Police Honor Singer

Jerry Baker, who sings over WJZ, has been made a member of the Honor Legion of New York City's Police Department because of his assistance at police benefits.

A Salute to the South!

With Alabama's governor, Frank M. Dixon, as master of ceremonies, CBS will salute the South in a coast-to-coast hookup on Sunday, Jan. 20. The broadcast is part of a $50,000 annual advertising program of the State.

Music will be furnished by the Birmingham Civic Symphony Orchestra, glee clubs of Alabama Polytechnic Institute, University of Alabama College and Manufacturers and other amateur and professional episodios will be presented by the Birmingham Little Theatre.

Sound Effects

"What Makes the Movies Tick" will be the subject of Saturday's broadcast of the "What's On The Me" series over CBS. Sound effects will be described by Theodore Lawrence, former technical superintendent, engineer and recording engineer for United Artists.

Neutrals Like Thrillers

States in neutral European nations are returning to entertainment programs, with mysteries, thrillers and other programs most in demand, according to Herbert Rosen, head of Heresxious. The Script Library has had orders from Switzerland, Holland and Palestine recently. News broadcasts, says Rosen, are being limited. The entrance of German programs are preferred particularly in neighboring belligerent countries, he adds.

Personalities in the News

Victor von der Linde and Ralph Rossetter have joined the WNEW sales staff. Herman Salmon, manager, announces. ... The recently-appointed U. S. Supreme Court Justice Frank Murphy won't appear again on the sets of the "Woman's Hour." He has been removed from that program.

Phil Cook's annual drive over WABC for books for shut-ins produced $3,000 volumes for . . . . . . Joe Penning is bringing his "Tip Ton Show" over NBC-Blue to the East on Jan. 25. The show will continue here for about four weeks.

Frank Parker, tenor on the Burns & Allen show, is planning a concert tour. ... Ted Steele replaces Bob Howard on the "Gliding Swing" show over WWA on Jan. 19. The show moves to a new time, Fridays at 7:45 P. M.

Program Notes

Barney George has just signed a 136-week contract with WNEW for an extensive schedule. This includes each week 45 spot announcements, six hour-long programs and two 15-minute each, "Battle of Swing," one-half hour, and three quarter hours of recorded music.

Hearn's "Children's Theatre of the Air" heard over WHN will originate from the studio of the auditorium in the show, starting Saturday.

Portable Camera Trouble

The new portable television cameras developed by RCA engineers report. The opening demonstration, which was to be a two-way telecast between an airplane and the ground, has been postponed for three or four weeks. It was originally scheduled for early January.

Film Commentator Returns

A familiar screen commentator, Sam Taylor, returns to the air Monday, when "Hollywood Sound Stage" returns to WHN. His program will be heard daily except Friday at 5:15 P. M.

TBS To Know Fate Within Four Days

Transcontinental Broadcasting System, proposed as the fourth major network, will know its fate within four days.

This assurance was given yesterday by John T. Adams, chairman of the board, to the New York Post, and the board is to meet this morning to consider the fate of the system.

At the same time, Adams revealed that neither he nor William Porter, chief counsel, own any stock. He pointed out that both Porter and himself have worked entirely without pay, receiving expense money only.

Advertising Manager Charles Hummert, advertising agency, whose failure caused the network to postpone its original Jan. 1 opening date, has been replaced by Adams.

TBS did not reveal how many stations have ratified their contracts since notice of postponement went out. WMCA, official declaimer that the station still remains the New York outlet for the new web.

CBC Interference

By Mexican Cleared

MONTREAL, Jan. 11.—Interference from the powerful Mexican station, XERA, at Vila Acuna, which had been objectionable from CBL, Canadian Broadcasting Corp. key station in Ontario, has been eliminated.

Mexican authorities have moved interfering stations to other channels where the interference will not extend into Canada.

Interference from Mexico has been a serious problem for the past six years. The shifting of the Mexican stations follows the recent ratification by the Mexican Congress after a long delay of the agreement allowing radio communications from the United States to the Americas to avoid interference.

CBC Extends Time For Station Reports

WASHINGTON, Jan. 11.—The Federal Communications Commission today gave broadcasters additional time in which to file their reports, postponing from March 1 to April 15 the date on which such returns are due.

The commission explained its move was in compliance with requests from broadcasters who pointed out that reports are being delayed by tax returns and that a hardship would be involved if they were required to file them in advance of their tax statements.

GTS FM-AM Permit

W2XWF has obtained F.C.C. permission to operate on both frequency modulation and amplitude modulation. W. H. Flinn, disc jockey.

On an assigned frequency of 42.18 megacycles, with 1,000-watt power, the station will transmit both AM and FM-like programs on the single channel.

World Acquires 'Floss'

Upstate New York distribution rights of "Mill on the Floss" have been acquired by World Pictures.
First Week of 1940 Shows Gross Boom
Marvin Dies at 77; Ex-Biograph Head and Film Inventor

Marvin, former president of the Biograph Co., died Friday at his winter home in Sarasota, Fla., at the age of 77.

Funeral services will be held today at Rye, N.Y., for Harry Norton Marvin, Rye, by appointment of a test issued an early figure in the motion picture industry. He died Friday at his winter home in Sarasota, Fla., at the age of 77.

Marvin was formerly president of the Biograph Co. He was associated with Thomas Edison in some of the first motion picture inventions. Such acts as Mary Pickford, D. W. Griffith and Lillian and Dorothy Dwyer began their careers in pictures produced by Biograph.

The Biograph and Edison interests were merged as the Motion Picture Patents Co., an organization which controlled the most important patents in the business. Marvin retired in 1912.

With E. B. Cooperman he perfected the sereoscope, and from that device evolved the biograph, a cumbersome type of projector.

Besides inventing the Marvin electric roller drill, the forerunner of the modern pneumatic drill, Marvin perfected the automatic tuning arrangement.

A son, Robert S. Marvin of Mamaroneck, and a daughter, Mrs. Marguerite Smith of Rye, survive.

Drive to Bolster Box Offices Launched by Legit Houses

A mailing campaign to 14,000 telephone subscribers within several weeks to bolster box office revenues of New York legitimate theatres.

A joint committee of Actors Equity and the League of New York Theatres will test the idea first in three Westchester cities, White Plains, Bronxville and Scarsdale. The committee believes suburban patronage needs to be stimulated the most.

A bulletin will be mailed to the 14,000 telephone subscribers in the three cities, listing the current shows and indicating when tickets will be available at each house. In effect, the various box offices will be placed in competition with each other because shows which have tickets for the near future will have an obvious advantage over houses where seats are not available for some time.

A plan for mail reservations, or reservations by payment of a deposit, is being prepared. A meeting will be called at a convenient place in Westchester. If the response to the call for the meeting and the bulletins are sufficient, the bulletins will be published at regular intervals and the plan will be extended to other suburban areas in Long Island and New Jersey.

Although New York City will not be covered, city residents may obtain the bulletins upon request. Discounts at the box offices and overcharges by brokers will be discussed and complaints solicited.
Betty Goldsmith, Secretary to James Mulvey, eastern representative for Samuel Goldwyn, observed her 10th year with that company Friday.

Emanuel Coffers, for many years on the staff of the Regal Films, St. John’s, N. B., exchange, as a shipper, is a member of the Canadian Army Medical Corps.

E. B. Rancuff, theatre editor of the Cincinnati Enquirer, will address the Jan. 22 meeting of the local Motion Picture Council on “How to Review Motion Pictures.”

Mrs. Maria Gable, former wife of the screen star, is visiting with friends in Columbus, O.

E. H. Mayer, southern Ohio correspondent of Quigley Publications, will address a conference of Presbyterian ministers Jan. 16, on “The Moral Side of Motion Pictures.”

W. C. Gehring, 20th Century-Fox Central division manager, left last night to visit Midwest offices.

Cliff Reid, associate producer at RKO, left Friday for Hollywood after vacationing here.

David Niven has enlisted in the emergency reserve of the British army and is in London awaiting call to his regiment, the Scottish Highland Light Infantry.

Ray Branch, president of Michigan Allied, is due tomorrow from Detroit en route to the Allied board meeting in Washington.

Teddy Arnow, Loew’s publicity man in Westchester, was married Saturday night to Dorothy Orlofsky. His fellow workers gave him a party Friday.

Maury White, Cincinnati theatre man, has been visiting here.

Van Schmus Going On California Trip

W. G. Van Schmus, president of the Radio City Music Hall Corp., and managing director of the Music Hall, leaves tomorrow for California on a month’s journey. He will spend some time at La Jinta and Del Monte besides Beverly Hills and Hollywood.

Fourth Day in Stand

Boston, Jan. 14.—George C. Walsh of Netco Theatres spent his fourth consecutive day Friday on the stand testifying in the Morse and Rothenberg anti-trust suit. At the close of the day his testimony was continued until Monday morning.

New Talks Tomorrow

On True Sit Reply

Difficulties on the part of attorneys for the major defendants in the Government’s anti-trust suit and the Government to agree upon answers by the three defendants to the major’s interrogatories will require a new conference tomorrow, it was learned on Friday.

A major part of the defendant’s questions have been completed and it was stated by attorneys for the defendants, but certain phases of the interrogatories require the services of the Assistant Attorney General Paul Williams, who is expected from Washington today, will represent the Government.

The Government, in the meantime, has secured an extension until Wednesday of the time to answer objections to the major’s questions. Originally the Government’s time was to expire today.

Revised ‘Angels’ Coming to Rialto

Revised version of “Hell’s Angels,” produced 10 years ago by Howard Hughes, has been dated for the Rialto on Broadway in about two weeks.

S. B. Pancoast, President of Pancoast & Marco, is handling national sales of the film, which is being released by Astor Pictures.

New scenes have been added, including a two-minute prologue with narrations describing the progress of aviation “from the Wright Bros. to tomorrow,” and a color sequence of a battle between a Zeppelin and a plane. The running time has been cut from 15 reels to 100 minutes.

Grierson Will Leave Jan. 31 for Australia

Montreal, Jan. 14.—John Grierson, Canadian Government Film Commission official, will leave Jan. 22 for Australia on the invitation of the Australian New Zealand Governments to examine the film industry.

The task will be much the same as he did for Canada two years ago, resulting in the establishment of the National Film Board, and as the appointed Film Commissioner. The board coordinates all Government film work. He will sail from San Franciso Jan. 31 on the Mirpison.

Bess Lebowski Weds

Bess Lebowski, secretary to Philip Alhams ofWARNERS home office press department for the past six years, married Albert Kaplan yesterday.

Richey’s Son Honored

David Richey, 16, son of H. M. Richey of RKO, has been presented a medal and an honorary membership by the New Rochelle Humane Society for rescuing his dog from the ice through the ice in Huguenot Lake.

Orders Warner Trial

N. Y. Supreme Court Justice McLaughlin Friday ordered the trial of Frederick William of William La Varre against WARNERS for $50,000. A previous dismisal of La Varre’s action in 1938 was set aside by the N. Y. Court of Appeals. Plaintiff claims that he was unpaid for two stories which he wrote under the names “The Bedside Manner” and “The Fated Woman.”

Milk Cocktails Tomorrow

Milk cocktails for Hollywood’s Jan. 14—Milk will be the drink de resistance at a “cocktail” party which Eka Maxwell will give tomorrow in honor of Peter H. Good, juvenile star of “Brother Rat and the Baby.” Young couple will have their first dinner at the sorelle at the Hollywood Hotel. The picture will be screened.

N. Y. Allied Slates Regional Meetings

Regional meetings of Allied Theatre Owners of New York have been set for Wednesday in New York, Thursday in Syracuse and next Monday at the Hotel Ten Eyck in Albany.

Officers of the regional units will be elected and grievance committees appointed at the meetings. Edmund Soutanni, counsel, will attend out-of-town sessions.

The next meeting will be at Allied’s in the New Amsterdam Theatre Building.

Wobber Schedules Managers’ Drives

Herbert Wobber, 20th Century-Fox general sales manager, has designated his areas as: March, st. and Ayman, head of managers’ months; during which branches will conduct a sales and service campaign.

The drive will be held in W. J. Kupper’s Western Division Feb. 4 to March 2; in W. C. Gehring’s Central Division March 2 and William Sussman’s Eastern Division March 31 to April 27.

Joan Bennett Wed To Walter Wanger

Hollywood, Jan. 14.—Joan Bennett and Walter Wanger were married on Friday in an unexpected ceremony in Phoenix, Ariz., performed by Justice of the Peace Harry Westfall.

Miss Bennett, who is 29, has been married twice. Her second marriage was in 1945, once. Miss Bennett’s most recent film was “The House Across the Street,” produced for United Artists release.

12 Loew Directors Set for Reelection

Reelection of 12 directors is scheduled at a special meeting of Loew’s, held in New York in the annual meeting, to be held at 11 A. M. tomorrow at the home office.

Award Scroll to Paris

The New York Film Critics’ scroll for the best foreign picture of 1939 has been sent to Marcel Pagnol, producer of the prize winning picture “Harvest.” For Paris.

It was presented by the Cinema Center, Inc., distributor, mailed the award to the producer at his Paris office.

1. Goldsmith Arrives

I. Goldsmith, British producer, arrived Friday night on the R with a print of “The Stars Look Down” for which he plans to negotiate an American release. The film is based on a novel by A. J. Cronin, who is now in Hollywood.

WARNERS STARTS 5 BIG PICTURES FEB. 1

(Continued from page 1)

Others are “The Sea Hawk” with Brenda Marshall and Errol Flynn, “City for Conquest,” James Cagney, “Brother Orchid,” Edward G. Robinson, and “Torrid Zone,” Ann Blyth. It is being lent for a short while by Paul Muni, who currently is appearing in “Key Largo,” Broadway stage play.

WARNERS has reiterated previous announcements that Warners will release on the promised schedule it completed in 1938 featuring “Casablanca.” Twenty have already been released as of Saturday.

This season’s program includes: E. A. and 12 in-between films. Einfeld said that in line with the decision to eliminate “in-betweenos” from next season’s production, there will be no pictures budgeted at $200,000 or less. Preparation of next year’s pictures will start in February.

Other coming releases include “The Fighting 69th,” Jan. 27; “Castle of恐怖” April 4; “Twelve P.M.,” May 12; “Virginia,” June 9; “The Cuckoo,” July 5 and “The Irish,” July 12. For “The Irish,” said Einfeld, the studio plans to promote it with star ranks for next season. Morgan was on a visit in “Three Cheers for the Irish.”

Continue Burlesque Ban in Providence

Providence, Jan. 14.—The Board of Police and Fire on Friday denied to Antonio A. Romano a permit to conduct a burlesque at the Playhouse. The society’s sponsor, George W. Cowan and Samuel Gee, secretary, had reported that they had been no improvement in burlesque since the bureau originally banned it.

MOTION PICTURE DAILY

(MOTION PICTURE DAILY

(Distributed U. S. Patent Office)

Short Subject Reviews

"Judo Experts" (Paramount)

This Granitl Rice Spotlight light on the mystery of Japanese jujitsu and its less painful off-shoot, judo. Canadian and American-Japanese-American experts demonstrate their skill at both sports for the camera. These demonstrations, interspersed with humorous in-jokes in the script, are given an engaging turn in the reel by illustrations of their practical worth when fighting on street corners against the harry and mashers. Running time, 0 mins.

"Popular Science" (Paramount)

This latest addition to the Popular Science series features a pictorial record of aircraft photography and the intricate methods of producing relief maps of vast areas from the photographs of little known terrain. Other subjects pictured are enlarging cameras for the bathroom, methods for the preservation of blood and blood specimens and the latest, nominial inventions of "Prof. Oakes" fabulous "wizard" of the series. Running time, 10 mins.

"Touchdown Review" (Paramount)

Bill Slater reviews, with the help of the camera, some of the outstanding scoring plays of the last football season for this addition to the Paramount Paraphrenic series. The subject is well edited and narrated and he plays included in the reel should capture the fancy of football fans everywhere and should be of wide interest to theatre patrons outside that classification. Running time, 10 mins.

"That Inferior Feeling" (M-G-M)

Those who may have thought that Robert Benchley was slipping will be reassured after seeing his latest. "That Inferior Feeling," one of his best. Benchley undertakes to study the reasons for the embarrassment of the ordinary man in the presence of officialdom. At a bank, a marriage ceremony, a tailor shop or a hotel, Benchley's confusion mounts. Running time, 9 mins.

"Miracle at Lourdes" (M-G-M)

An M-G-M "Miniature," "Miracle at Lourdes" does not accept or deny the theory of miracles at the world famous shrine. Instead, it tells a tale of a wife who was cured there when all seemed hopeless. Out of paralysis by a narrow escape of her husband. Produced in a reverent manner, this short subject should have wide exploitation value. Running time, 11 mins.

"Land of Alaska Nellie" (FitzPatrick-M-G-M)

The colorful exploits of Nellie Noel-Lawing, Alaska's woman photographer, are described in this FitzPatrick "Travel Talk." Starting with a view of Alaska's inland watery

Critics' Quotes...

"His Girl Friday"

A group of Hollywood's fastest talking actors rip-snorl and bellow their way to making "His Girl Friday" the funniest, certainly the zippiest comedy riot of many a movie season.—Los Angeles Herald-Express.

"The Front Page" roared again. . . . Even faster and lustier than the original version . . . Whirlwind entertainment with the speediest action, dialogue and story movement, you've seen on the screen since its first debut as a movie.—L. A. Examiner.

The new version screen of the lusty Hecht-MacArthur newspaper farce has been revved up with admirable skill. It remains an antic and exciting romanticization of that calling sometimes known as journalism.—New York Herald Tribune.

Under Howard Hawks' direction, the cast has acknowledged the efforts of the hard-working editors. "It is highly entertaining show . . . It remains an antic and exciting romanticization of that calling sometimes known as journalism."—New York Herald Tribune.

The Front Page" always was the best newspaper play now and with its new name and the gender of Hildey Johnson changed to Hildigarde, it is.—N. Y. Daily News.

"Ninotchka"

The Lubitsch touch is with us again, . . . When a movie is touched by Lubitsch, you've got something as in "Ninotchka," our current delight,—Dallas News.

The incomparable Garbo's new film, "Ninotchka," is first a comic tour de force, then a romantic comedy. The Lubitsch pictures present perfect, sophisticated comedy, perfect for comedy.—Here is entertainment that meets the requirements of the thinker and escapist, the romanticist and realist.—Dallas Journal.

"The Shop Around the Corner"

The art and artfulness of Ernst Lubitsch are again disclosed in "The Shop Around the Corner." There is more of the art this time . . ."—N. Y. Times.

"Music in My Heart"

From a vocal standpoint, there is a lot in this film's favor. "Music in My Heart" is very much on the mild side.—L. A. Herald Express.

Tony Martin's singing voice is the main adjunct of "Music in My Heart." . . . The film fails at times to keep interest at a high pitch. . . . Persuasive melodiousness.—L. A. Times.

A childish story holds back the whole cast and what might have been an entertaining comedy winds up as pretty mild fare. . . . The music is tuneful.—L. A. Examiner.

"Of Mice and Men"

Loyal in all its larger outlines to a strong and dramatic novel and stage play by John Steinbeck, "Of Mice and Men" excellently adapted to the screen, adds still another event of moment to a brilliant cinema season.—L. A. Times.

"Of Men and Men" demonstrates that the Steinbeck milieu is centered in the American middle class, with the results of a rich field for camera exploration. . . . This is neither child's fare nor adult escapism; it is a powerful and moving film.—Newsweek.

In a succession of swift, sharp, terse scenes Lewis Milestone succeeds in making Steinbeck's sub-human characters human. . . . More tender than the tough stage version, the impact of the picture is tough and raw enough.—Time.

"Slightly Honorable"

A curious mixture of murder and comedy. It begins with such prosaic and uninspired things as pawning contracts and winds up like a dime-novel thriller.—L. A. Times.

"Main in the Right" (Harmon-M-G-M)

The emotions of a symphony orchestra conductor are barreled in this film. The story is one of three rookies who are learning what their duties will be, the training period is described in detail. Just when the

Chicago's New Dealean 'Wind'; 18 More Dates

Eighteen "Gone With the Wind" dates have been set by M-G-M, bringing the number of openings to 86. The deal that was pending for the Woods Theatre in Down Tobacco is Friday to open the picture Jan. 25 day-and-date with the Oriental. Next, the deal that was pending negotiations with Harry and Elmer Babban for the Esquire, which will fell through. The Woods will play the picture two-day reserved and the Oriental three-day.

In Miami Beach the film will go into the Colony Jan. 25 following a week's run at the Sheridan, and on Feb. 5 it will move from the Colony to the Continental for an indefinite run, continuing two-day.

In Canada the picture is expected to open early engagements at Locen's, London, Ont., Loew's, Montreal, and the Capitol, Ottawa. The Canadian premiere will be Jan. 26 at Locen's Yonge Street.


Southern Premiere

Fixed for 'Lincoln'

RKO's "Abie in Illinois" will be given its Southern premiere in connection with the 50th anniversary celebration of the State University of North Carolina at Jan. 27 at Harrogate, Tenn.

Governor Rivers of Georgia will be among the notables attending, Governor Cooper of Tennessee, Governor Johnson of Kentucky and Governor Price of Virginia also are expected.

A pre-release showing will begin Jan. 25 at the Sheridan, Miami Beach, following the world premiere at the RKO Keith in Washington on Jan. 22. The Miami Beach engagement will be on a two-day, reserved seat basis, with prices at 75 cents and $1.10.

He Got It Back

St. John, B. C., Jan. 14.—Mitchell Franklin, manager of the Green Lake Golf Course here, received a silver cup for the winner of a golfing tourney in the Young Men's Hebrew Association. Recently at a Y. M. H. A. reunion, the trophy was formally turned over to him. He had won first place in the competition.
“LET’S STICK TO ‘HIS GIRL FRIDAY’, CARY. WE CAN’T RAVE LIKE THESE CRITICS!”

At Radio City Music Hall—

N.Y. POST: "The fastest, funniest picture in town!"

N.Y. DAILY MIRROR: "A great picture!"

N.Y. DAILY NEWS: "Furiously-paced comedy... A blessed relief from the solemn sad stories that have been occupying New York screens."

N.Y. JOURNAL-AMERICAN: "Fast and funny... hilarious situations... slick performances... sparkling dialogue."

N.Y. HERALD TRIBUNE: "Staged at terrific clip... stars at their top form."

N.Y. TIMES: "The maddest newspaper comedy of our times."

N.Y. WORLD-TELEGRAM: "Breakneck speed... The gags sparkle and crackle."

N.Y. SUN: "Fresh and merry... impudent... brisk, hard-boiled, crackling entertainment."
ASSOCIATED PRESS:
“Very fast and very funny. Ranks as superlative entertainment!”

PHILA. PUBLIC LEDGER:
“Columbia clicks again. A breath-taking comedy that reminds one of the funniest moments in THE AWFUL TRUTH and YOU CAN’T TAKE IT WITH YOU!”

LOS ANGELES HERALD & EXPRESS:
“Zippiest comedy riot of many a movie season!”

LOS ANGELES EXAMINER:
“Whirlwind entertainment with the speediest action, dialogue and story movement you’ve seen on the screen!”

BOSTON GLOBE:
“Fast-moving, deliciously funny and altogether perfect!”

FILM DAILY:
“Top flight comedy should be a heavy box-office click!”

WOMAN’S HOME COMPANION:
“Rosalind Russell may well claim the title of screen’s leading comedienne!”

HOLLYWOOD CITIZEN-NEWS:
“A humdinger and a crack-erjack!”

SCREEN & RADIO WEEKLY:
“Funniest picture I’ve seen in a long, long time!”

JAY EMANUEL PUBLICATIONS:
“Topline comedy. Excellent performances!”

COLUMBUS DISPATCH:
“Riotously swell comedy! Speed and zest that nearly blows one off his seat!”

CARY GRANT
ROSA Lind RUSSELL
in HOWARD HAWKS’
His Girl Friday

with RALPH BELLAMY
G E N E L O C K H A R T - Helen Mack
Based on the play by BEN HENRY and CHARLES McARPHERSON
Screen play by CHARLES LUBBER - Directed by HOWARD HAWKS - A COLUMBIA PICTURE
HERMAN ROBBINS, PRESIDENT
NATIONAL SCREEN SERVICE CORPORATION
630 NINTH AVENUE, NEW YORK

I HAVE JUST LEARNED OF THE WRITING OF A CONTRACT BETWEEN NATIONAL SCREEN SERVICE AND PARAMOUNT PICTURES INC. WHEREBY YOU WILL CONTINUE TO RELEASE TRAILERS FOR PARAMOUNT AND IN ADDITION WILL TAKE OVER PARAMOUNT'S ACCESSORIES BUSINESS. PERSONALLY AND IN BEHALF OF THE ALLIED DIRECTORS I CONGRATULATE YOU ON THIS HAPPY OUTCOME OF YOUR NEGOTIATIONS. IN ADDITION I CONGRATULATE THE RESPONSIBLE OFFICERS OF PARAMOUNT ON THEIR VISION IN CONTINUING RELATIONS WITH A COMPANY THAT HAS SERVED THE EXHIBITORS AND THE INDUSTRY SO WELL. ALLIED HAS OFTEN EXPRESSED CONCERN AT THE ENTRANCE OF DISTRIBUTORS INTO THE TRAILER BUSINESS AND THE COUPLING OF TRAILER WITH NECESSARY SUPPLIES OF FEATURE PICTURES. WE HAVE FELT THAT THE TRAILER BUSINESS HAVING TO DO WITH ADVERTISING WAS A DISTINCT ENTERPRISE AND SHOULD BE KEPT SEPARATE FROM THE DISTRIBUTION OF PICTURES. WE ARE HAPPY THAT PARAMOUNT HAS DECIDED TO MAINTAIN THIS DISTINCTION AND TO CONFINE ITS TRAILER BUSINESS TO THE OLD ESTABLISHED AND RELIABLE NATIONAL SCREEN SERVICE. WE HOPE THAT OTHER DISTRIBUTORS NOW IN THE TRAILER BUSINESS WILL SEE THE WISDOM OF FOLLOWING A LIKE COURSE. YOUR ENTRANCE INTO THE ACCESSORIES FIELD DOUBTLESS WILL GIVE RISE TO SOME PROBLEMS AT FIRST BUT BASED ON EXPERIENCE WE ARE CONFIDENT THESE WILL BE ADJUSTED TO THE SATISFACTION OF THE EXHIBITORS. THIS IS AN AUSPICIOUS BEGINNING FOR 1940 AND WE HOPE YOUR SUCCESS WILL CONTINUE THROUGH THE YEAR.

ABRAM F. MYERS, CHAIRMAN OF THE BOARD, ALLIED STATES ASSOCIATION OF MOTION PICTURE EXHIBITORS

MR. GEORGE DEMBOW
NATIONAL SCREEN SERVICE
NEW YORK CITY

I AM SURE I EXPRESS THE SENTIMENTS OF EXHIBITORS EVERYWHERE, WHEN I CONGRATULATE NATIONAL SCREEN SERVICE, THROUGH YOU, BECAUSE OF THE RECENT SIGNING FOR THE HANDLING OF SCREEN TRAILERS FOR PARAMOUNT PICTURES.

MOST EXHIBITORS THAT I HAVE CONTACTED, AND THAT INCLUDES MANY, ARE OF THE OPINION THAT CENTRALIZED HANDLING OF COMING ATTRACTION TRAILERS WOULD BE MUCH MORE BENEFICIAL TO THEM, THAN TO BE FORCED TO BUY TRAILERS FROM VARIOUS SOURCES.

AND I FEEL THAT THEY ARE OF THE SAME OPINION AS TO ADVERTISING GENERALLY, I MEAN BY THAT, A HIGHLY SPECIALIZED ORGANIZATION TO SUPPLY ALL ADVERTISING MATTER ON ALL PRODUCTS, COULD NOT HELP BUT BE BENEFICIAL TO EXHIBITORS, TO REPLACE THE HAPHAZARD METHODS OF SECURING MATERIAL FROM MANY DIFFERENT SOURCES.

ED KUYKENDALL
OUTSTANDING EXHIBITOR LEADERS
AGREE THAT HERE IS ONE PLAN
WHICH BENEFITS ALL!

HERMAN ROBBINS, PRESIDENT
NATIONAL SCREEN SERVICE
630 NINTH AVENUE, NEW YORK

I HAVE JUST BEEN RELIABLY INFORMED THAT YOU
HAVE CLOSED A DEAL WITH PARAMOUNT PICTURES
WHEREBY YOU ARE AGAIN GOING TO DISTRIBUTION THEIR TRAILERS AND IN ADDITION THE
PARAMOUNT STANDARD ACCESSORIES. ALLOW ME
TO CONGRATULATE YOU ON THE COMPLETION OF
THIS DEAL. PARAMOUNT IS ALSO TO BE CONGRATULATED. THERE IS NO QUESTION BUT THIS DEAL
WILL WORK OUT ADVANTAGEOUSLY TO THE THEATRE OWNERS OF THE COUNTRY INASMUCH AS
NATIONAL SCREEN HAS ALWAYS BEEN VERY NATIONAL SCREEN SERVICE HAS ALWAYS BEEN VERY
FAIR IN THEIR DEALING WITH EXHIBITORS. I AM
POSITIVE WHEN THE ANNOUNCEMENT IS MADE IT
WILL MEET WITH SPONTANEOUS APPROVAL BY
EVERY THEATRE OWNER IN THE COUNTRY. EXTEND
TO YOU THE SEASON'S GREETINGS AND A
HEALTHY PAT ON THE BACK TO BOTH YOU AND
PARAMOUNT I AM SINCERELY

W. AL STEFFES

HERMAN ROBBINS
NATIONAL SCREEN SERVICE
630 NINTH AVENUE, NEW YORK CITY

HAVE JUST LEARNED OF PARAMOUNT NATIONAL
SCREEN TRAILER ACCESSORY ARRANGEMENT, THINK
WISEST MOST SENSIBLE BUSINESS DEAL IN
MANY A MOON FROM BOTH EXHIBITOR AND PRODUCER STANDPOINT HENCE MY CONGRATULATIONS TO PARAMOUNT AND NATIONAL SCREEN.
CANNOT SEE HOW ANY EXHIBITOR NO MATTER
WHAT CLASS OR LOCATION CAN HELP BUT BENEFIT FROM NATIONAL SCREEN HANDLING INDUSTRY'S DISTRIBUTION. NATIONAL SCREEN HAS ALWAYS
SCREEN ADVERTISING AT REASONABLY LOW RATES,
INCLUSION OF ACCESSORIES UNDER SAME PRINCIPLE USED IN TRAILER DISTRIBUTION SHOULD MEAN FOR A WIDER RANGE OF LOBBY ACCESSORY
SERVICE CONCENTRATED IN ONE SOURCE WHICH
CANNOT DO OTHER THAN PROVE BOOM TO INDUSTRY ENTHUSIASTIC ABOUT ANY INNOVATION
HELPFUL TO INDUSTRY. SO CONGRATULATIONS
AGAIN.

HARRY BRANDT, INDEPENDENT THEATRE
OWNERS ASSN., INC.
**New York Reviews**

**"Heroes of the Saddle"**
*(Republic)*

The Three Mesquiteers, Bob Livingston, Raymond Hatton and Duncan Ronaldo are on a novel assignment in "Heroes of the Saddle." Entrusted with the care of young Patsy Lee Parsons, they are reluctantly compelled to surrender her to the care of an orphanage.

However, they suddenly discover that the institution is run by two unscrupulous commissioners and the Mesquiteers undertake to correct the condition. It is a tough battle, but one that involves, among other things, the kidnaping of every one of the orphans.

The Mesquiteers perform in their engaging carefree and reckless fashion. Patsy sings one song, as does Loretta Weaver, who is cast in the role of a nurse. Harry Grey produced and William Witney directed.

Running time, 56 minutes. *G.*

EDWARD GREIF

**"Son of Ingagi"**
*(Sack Amusement)*

An all-Negro film, this probably will provide a measure of entertainment to the simpler tastes of the people for whom it obviously was made, but its range is hardly beyond that of it.

The story, by Spencer Williams, Jr., and Richard C. Kahn, which the latter also directed, is implausible but should be found occasionally exciting by its particular audience.

It concerns a feminine doctor of peculiar habits, who lives alone in an old house with a huge, brutish man who responds to her bidding from his hiding place in a secret cellar. The brute does away with several people, including the doctor's incumbent arranged on the orders of the two other members of the cast. Eventually, the man is trapped as flames destroy the house and the young couple who are beneficiaries of the doctors will come into their inheritance without fear of danger.

Running time, 66 minutes. *G.*

CHARLES S. ARNISON

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**Club Aids Finnish Cause**

**Oklahoma City, Jan. 14—The local Variety Club donated $300, the biggest single contribution to the Finnish Relief Fund received by the Daily Oklahoman and Oklahoma City Times.**

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**Assets Ruling In RKO Case Set Thursday**

(Continued from page 1)

Effect within five days of its approval, the Irving Trust Co. will be discharged from its supervision of the proceedings and court jurisdiction will be limited to matters which directly concern the execution of the plan of reorganization, payment of claims and allowances and the granting of a final order of discharge.

Releases are to be delivered to the new company by the Chemical Bank & Trust Company, the Central Hanover Bank & Trust Company, the City Bank, Farmers, Trust Co., concerns which acted as trustees for various indenture issues of RKO.

The new company is to release the Irving Trust and to agree to hold it harmless from any subsequent suits brought against it as trustees.

The Irving Trust will pay in full all claims previously allowed in addition to the interest on all obligations, and will have a prior lien on all company assets for these payments and the right of access to its books and records.

A 1934 injunction restraining transfer of RKO assets is to be vacated. All unsecured creditors and stockholders will still be permitted to prosecute suits against the company or to levy on its assets.

Within 40 days, all applications for allowances must be filed with the court, the order provides.

A total of $8,000,000 common shares and 130,000 preferred are to be issued by the new company. The Bankers Trust Co. is to act as agent in the transaction.

Atlas Corp. is scheduled to pick up, today or tomorrow, the 249,272 shares of new RKO common stock not subscribed for by secured creditors when the new $500,000-share issue was offered. Less its underwriting commission of $25 per share on the unsubscribed portion of the issue, Atlas will pay $645,816 for this stock.

With slightly more than 250,000 shares subscribed for by unsecured creditors, RKO will realize approximately $1,400,000 on the 500,000-share issue. Out of this final reorganization costs will be paid and the balance will be applied to working capital.

Subscriptions to the new stock, plus conversion of RKO stock and securities under the reorganization plan, will leave Atlas, R.C.A. and Rockefeller Center holding comparable control of the reorganized company's common stock.

Atlas Corp. will hold a total of approximately 62,000, shares, including those held by its subsidiary, the American Co., and those held by it in association with Lehman Bros., and will hold 67,500 shares and Rockefeller Center about 66,500 shares.

In addition, Atlas will hold 5,000 shares of new RKO common, which is convertible into common, and R.C.A. will hold 44,855 shares of the new convertible preferred.

Atlas also may elect to receive its compensation, as proponent of the reorganization plan and for its other reorganization services in additional stock in amount to be approved by the court.

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**Hunchback**

**Seattle Lead With $6,400**

Seattle, Jan. 14—Holdovers tended to cut down gross figures here, in addition to very cold weather, "The Hunchback of Notre Dame" in its second week at the Fifth Avenue took $6,400.

Estimated takings for the week ending Jan. 12:

"Gulliver's Travels" (Para.)
BLUE MOUSE—(25c) 25c-45c 56 days 7 days, 3rd week. Gross: $2,100. Average, $4,000.
"Hunchback of Notre Dame" (RKO)
FIFTH AVENUE—(25c) 25c-45c 56 days 2nd week. Gross: $6,400. Average, $5,400.
"The Amazing Mr. Williams" (Col.)
"Blondie Brings Up Baby" (Col.)
LIBERTY—(1,000) 25c-45c 56 days 3rd week. Gross: $4,000. Average: $5,000.
"Judge Hardy and Son" (M-G-M)
"The Witness Vanishes" (M-G-M)
MUSIC BOX—(950) 25c-45c 56 days 3rd week. Gross: $3,000. Average, $4,000.
"Geronimo" (Para.)
"Rope" (RKO)
"Ophir"—(2,450) 25c-45c 7 days. Chief Thunder Cloud in person. Gross: $4,000. Average, $6,000.
"The Man from Montreal" (Univ.)
"Main Street Lawyer" (Rep.)
PALOMAR—(1,500) 25c-45c 7 days. Vanished headlined by Siamese Twins. Gross: $5,500. Average, $5,000.
"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
"Parramore"—(4,000) 25c-45c 7 days. 2nd week. Gross: $5,000. Average, $6,000.

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**'Herbert' $8,000 Providence Lead**

**Providence, Jan. 14—In an average week, "The Great Victor Herbert," dined with "All Women Have Secrets," at the Strand $8,000.**

Estimated takings for the week ending Jan. 9-11:

"The Hunchback of Notre Dame" (RKO)
RKO-ALBEE—(2,750) 25c-45c-56c 7 days. Gross: $8,000. Average, $11,000.
"Everything Happens at Night" (20th-Fox)
BARRICLE—(1,400) 25c-45c-56c 7 days. Gross: $11,000. Average, $16,000.
"Housekeeper's Daughter" (U. A.)
"Scandal Sheet" (Col.)
LOCUS—(1,250) 25c-45c-56c 7 days. Gross: $10,000. Average, $11,000.
"Strap to 20th-Fox"
MARTIN—(2,500) 25c-45c-56c 7 days. Gross: $7,000. Average, $7,000.
"The Great Victor Herbert" (Para.)
WARDS—(2,000) 25c-45c-56c 7 days. Gross: $8,000. Average, $8,000.
"The Cisco Kid and the Lady" (20th-Fox)
"Balalaika" (M-G-M)
"Nick Carter, Master Detective" (M-G-M)
WILLIAMS—(1,500) 25c-45c-56c 7 days. 2nd week. Gross: $11,000. Average, $15,000.
"Ninotchka" (M-G-M) (3 days)
"Here I Am a Stranger" (20th-Fox) (2 days)
"The Peretzman Lives" (M-G-M) (4 days)
"Empire" (2,000) 30c-45c 2nd run. Gross: $4,500. Average, $5,200.

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**On War Committee**

**Toronto, Jan. 14—N. L. Nathan-**

son, president of Famous Players Ca-

nadian Corp., has been appointed a

member of the National War Loan

Committee which will sponsor the

Dominion’s first war loan of the pres-

ent conflict, according to J. L. Raf-

ston, Federal Minister of Finance.
RESPONSIBLE LEADERSHIP

EASTMAN’S negative films—Plus-X, Super-XX, Background-X—have special features that more than meet every contingency. This ability is backed up by unmatched photographic quality and unvarying uniformity, the vital factors in Eastman leadership for over fifty years. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
Venice Prizes to Best Films; Korda Picked

(Continued from page 1) particular artistic or technical merit were awarded to the following: "The Mikado," British, entered by General Film Distributors; "Margartia, Amurando y su Hija," Italian; "Tulak Macon," Bohemia; "Jeunes Filles en Detresse," France; "Veetig Jaren," Holland; "Bors Istvan," Hungary; "Golden Harvest of the Witwaterstrand," South Africa; "Es War Eine Rauschende Ballnacht," Germany.


The awards were made by the presidency of the Exhibition in lieu of a meeting of the international jury which was prevented from assembly because the jury meeting was taken with the approval of the Italian Ministry of Popular Culture and taking in account the votes expressed by the delegates to the Exhibition and by the Italian members of the jury.

American companies did not enter any films in the Exhibition in accordance with an agreement reached with English and French producers; Some of the British and French producers disregarded this agreement, however.

No American pictures have been sent to Italy since January, 1939, except a few films for adjustment of contracts and to settle a lawsuit.

Four Pictures Set By Boris Morros

Hollywood, Jan. 14.—Four pictures for 1940 are planned by Boris Morros, the former Paramount musical director said today. They are: "We, the People," a modernized version of "Lysistrata," a filmization of the French play, "Si je Voulais" ("If I Wish"), and a musical. All will be released through RKO.

Brill Heads Film Board of Review

(Continued from page 1) wanting to become a criminal. In this respect he is really much healthier than the reformer who wants to suppress everything because he doesn’t trust himself.

Mutual Re-Elects Heads

Chicago, Jan. 14.—All officers and directors of the Mutual Broadcasting System were re-elected here yesterday. Louis Reuss, grandson of the Don Lee network, was named vice-president, a newly-created office.

F. Warner Moves

Hollywood, Jan. 14.—Unable to come to terms with managers of the Grand National studio, Franklyn Warner, head of Fine Arts, has moved his headquarters to Selznick International.

Key City Grosses at Year High, Totaling $2,077,200

Following is a tabulation listing the total gross by weeks, and the number of theatres involved, from Jan. 1, 1939:

<table>
<thead>
<tr>
<th>Week</th>
<th>Theaters</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 5-6</td>
<td>151</td>
<td>$1,829,822</td>
</tr>
<tr>
<td>Jan. 12-13</td>
<td>145</td>
<td>1,372,400</td>
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<tr>
<td>Jan. 26-27</td>
<td>151</td>
<td>1,345,715</td>
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<tr>
<td>Feb. 2-3</td>
<td>146</td>
<td>1,490,400</td>
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<tr>
<td>Feb. 10-16</td>
<td>146</td>
<td>1,392,100</td>
</tr>
<tr>
<td>Feb. 23-24</td>
<td>146</td>
<td>1,471,700</td>
</tr>
<tr>
<td>March 2-3</td>
<td>146</td>
<td>1,487,000</td>
</tr>
<tr>
<td>March 13-17</td>
<td>155</td>
<td>1,356,800</td>
</tr>
<tr>
<td>March 23-24</td>
<td>151</td>
<td>1,439,600</td>
</tr>
<tr>
<td>March 31</td>
<td>151</td>
<td>1,283,100</td>
</tr>
</tbody>
</table>

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M. A. Sets Contest To Publicize ‘Son’

A nationwide contest to select the "perfect American son" will be staged by United Artists in connection with the release of Edward Small’s production of "My Son, My Son." Grand prize will be a scholarship in a leading preparatory school or university for the winner’s choice. In brochures now being distributed to exhibitors, United Artists suggests that local merchants be encouraged to enter the contest and to contribute merchandise as prizes for winners of local contests. Such local sponsors must have quality for several final judgments, from among whom the grand prize winner will be selected.

"Louise" to Carnegie

"Louise," Grace Moore vehicle from the opera, will open at the Little Carnegie Playhouse following the current run of "Kalla." Arthur Mayer & Joseph Burstin, Inc., are releasing the French production.

U. A. Sets Contest Will Feature "69th"

Final details have been completed for the series of 40 reunion dinners to be held throughout the country on Jan. 24 by the World War Rainbow Division. Dinners will feature screenings of "The Fighting 69th," Warner film telling the story of the New York Regiment. The key dinner will be at the Waldorf-Astoria in New York, which will be addressed by Gov. Gen. Douglas MacArthur of the Philippines through a special radio hookup. The Waldorf dinner will be broadcast over a nationwide hookup, feedings piped into the other dinners. Jack L. Warner, Edward G. Robinson, Pat O’Brien, Jeffrey Lynn and Frank McHugh will attend.

Our Town” to Star Unknown Actress

"Our Town," which was distributed by United Artists. She is Dorothy Maguire, who has appeared in legitimate plays and has never worked before a motion picture camera.

Allied Will Elect At Board Meeting

WASHINGTON, Jan. 14.—Election of officers for the annual convention and the legislative campaign are on the program for Allied States’ annual board meeting at the Carlton Hotel beginning Thursday.

Support of the Neely bill in Congress will be an important topic, as Harry W. McAd removed, chairman of the board, will preside.

Atlantic City, entered by New Jersey, and Frank McHugh and his co-winners were the leading contenders for the annual convention.

An Eastern regional conference will be held Tuesday, with Frank C. Lydon, regional vice-president, in charge. Lydon recently was elected presi- dent of the company, of New England, succeeding Nathan Yamin of Fall River.

This conference will be attended by representatives from New Jersey, Eastern and Western Pennsylvania, Washington, Maryland, Massachusetts and Connecticut.

Lee Newbury of Belmar, president of the New Jersey unit, and Ralph Williams of Pennsylvania will attend. I. O. of Eastern Penn- sylvania will be represented by Joseph Conway of Bala Cynwyd.

Heads of 20th-Fox Due for Premiers

(Continued from page 1) ground, surgery, Charity Miranda for "South American Way."

Harry Brad, studio publicity chief, is due today, John Gorm of the pamphlet has returned from Detroit and will handle the New York screening of "Blue Bird," Sam Blair will be at Chicago. Sam Blair will be at Detroit, where the opening date at the Adams The- atre has been changed from Jan. 26 to Feb. 1. He will be at Ironing Berlin, Nunnally Johnson, John Carradine and Johnny Russell of "The Blue Bird" cast will attend the local premiers.

Amusement Industry Rallies to Fans’ Aid

Amusement Committee to Aid Fin- land’s efforts was appointed by Helen Hayes as chairman and has pledged former President Herbert Hoover to raise $1,000,000 for the Finnish Relief Fund, which he head.

The money will be raised in a series of benefits in which every stage attraction, play, or night’s entire proceeds to the Fund. The American Federation of Labor has tentatively promised theater labor will waive salaries.

A radio broadcast with many stage personalities participating will be offered to a sponsor who will pay for it direct to the Fund. Concert managers are organizing a Carnegie Hall con- cert benefit.
December 29, 1939

Gentlemen:

My MOTION PICTURE HERALD Vol. 137, No. 12, December 23, 1939 has not arrived. It is now 4 days overdue.

Either dispatch a copy immediately or rush detailed instructions on how to operate a theatre without MOTION PICTURE HERALD.

Anxiously yours,
Stan Stanfill

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

One of the reasons why almost every theatre in the United States and Canada and most of the theatres abroad subscribe to Motion Picture Herald.
England Uses Radio Listening Patrol To Snare Foreign Facts for War Use

Montreal, Jan. 14.—One of England's most effective new weapons in the recent worldwide war is a 24-hour patrol. Twenty-four hours a day, seven days a week, the listening patrol tunes in on and records news and propagandas broadcasts from all parts of the world, gathering information that might be of value to the British Government.

The patrol is conducted, according to the Canadian Broadcasting Corp., by 40 expert linguists, who use powerful receiving sets in secret centers "somewhere in England."

The patrol covers all principal European countries, the United States, China, and as far distant from Britain as Japan and Chile. Languages in which this unique patrol works are Spanish, Italian, Arabic and Ukrainian. Apart from speeches by foreign statesmen, the patrol listens to about 150 non-bulletin broadcasts, representing about 250,000 words every 24 hours.

That is, of course, only the first stage of a work which has been under way for some months, and which has already resulted in the discovery of 400 songs and more, written, composed, and now in circulation, that contain hidden clues to the operation of broadcasting all over the world.

Summary, written by them, are issued twice weekly and run to 30,000 words in length. They are immediately dispatched to approximately twenty-five foreign government agencies and all the departments directly engaged in the prosecution of the war.

This service was organized by the British Information Services in cooperation with the Ministry of Information and is proving of great value to the British Government in revealing enemy activities outside the confines of the actual battlefields.

P. & G. Again Faces NBC's Advertisers

Procter & Gamble, leading advertiser in 1938, continued as the No. 1 NBC account last year with gross expenditures of $6,485,788, more than twice as much as any other account. Sterling Products, fourth in 1938, was second last year with $3,048,077.

There were 507 new accounts in the first 20 accounts. Consumer Products, 23rd in 1938, was 16th in 1939; Lewis Howe, rose from 88th to 19th position; and Pepsi Cola zoomed from 34th to 20th. Campbell Soup dropped from sixth position to 30th; S. G. Johnson & Son, from 4th to 23rd; and Firestone Tire from 17th to 25th.

The leading 15 advertisers, following Procter & Gamble and Sterling Products, were Standard Brands, $2,902,570; General Mills, $2,136,953; General Foods, $2,078,400; American Home Products, $1,724,714; Brown & Williamson Tobacco, $1,707,501; Miles Laboratories, $1,236,254; American Tobacco, $1,219,438; Quaker Oats, $1,192,604; National Dairy Products, $1,160,930; Bristol-Myers, $1,141,548; Liggett & Myers To- bacco, $1,082,026; A. New Jersey Co., $763,940; and Cities Service, $718,282.

The average expenditure of each of the 97 sponsors, excluding political time, was $666,402. Allowing for expenses for evening time rose 7.9 per cent over the preceding year to account for 68.8 per cent of the total gross billings of $45,244,354 over the Red and Blue waves.

Weekday daytime expenditures rose 17.2 per cent, to provide 33 per cent of the total, while Sunday afternoon billings dropped 26.2 per cent to provide 14.3 per cent of the total. Classified by industries, foods and food beverages were first with $14,412,411, or 31.9 per cent of the total, Close behind them in the popularity contest came with $18,827,829, or 30.7 per cent; soaps, $5,751,483; tobacco, $5,555,715; gasoline, $3,141,141; automotive, $3,952,610; confectionary and soft drinks, $649,987.

Television Officials Face FCC Today

Washington, Jan. 14.—A considerable number of representatives of various television interests are expected to be present tomorrow morning when the F. C. C. of the United States adopts proposed new rules governing television.

The commission already has accepted the rules, which were submitted by the Radiation Manufacturers Association as "unnecessarily strait-jacket" the new medium.

New RCA Device Out

RCA Photophone has developed a new automatic electrical device for use in the RCA Electronic Control, which is claimed to have application for theatres for protection against entry, for buzzers and similar uses. It responds to the approach of persons.

Wolff in New Erpi Post

W. A. Wolff, advertising manager since establishment of Western Electric Co., has been appointed information manager of both companies, it was announced by H. W. Forster, public relations director. Wolff is succeeded as advertising manager by H. F. Forster, information manager for the past year.

Preview on Radio

A radio preview of "Little Old New York," 20th Century-Fox film, will be broadcast on the "Good News" program over CBS Jan. 25.

Agency Listing Led By Blackett-Sample

Blackett-Sample-Hummert again was listed by CBS and NBC as the leading agency in 1939 from the standpoint of total business. The agency placed $10,713,088 with both webs.

Young & Rubicam was second with 6,368,344, and J. Walter Thompson was a close third with 6,319,308.

Others in the leading were: Benton & Bowles, $3,576,358; Rautureau & Ryan, $3,571,332; Lord & Thomas, $3,893,308; Compton, $3,811,128; Pedlar & Ryan, $2,902,570; Ward, Wheelock, $2,516,257; J. G. Magee & Sons, $2,480,337; Dartine & Osborne, $2,268,503; Newell Emmett, $1,987,362; William Esty, $1,839,989; H. W. Kaster, $1,719,120; Linten & Mitchell, $1,527,887; Russell M. Seeds, $1,400,433; Stack Gold, $1,204,410; Wade, $1,236,254; Horner, $1,162,251; W. A. Ayer, $1,144,116; Bowker, $1,107,482.

F. C. C. Schedules Week's Hearings

Washington, Jan. 14.—The Federal Communications Commission has set its calendar of broadcasting hearings for the coming week. In the case of New York, Jan. 15, application of Joe W. Engel for a new 1,370-kilocycle, 250-watt station at Chattanooga, Tenn.

Jan. 17, application of WQDM, St. Albans, Vt., for renewal of license.

Jan. 17, application of WQDM, St. Albans, Vt., for renewal of license.

Applications for power, have been filed with the commission for broadcasting stations.

The requests were submitted by WIBA, Madison, Wis., for an increase of power from 100 to 300 watts; KMED, Medford, Ore., for an increase of power from 250 to 1,000 watts; WIBP, Huntsville, Ala., for increase of power from 100 to 250 watts, and KFYO, Lubbock, Tex., and KNEL, Brady, Tex., for increase of power to 100 to 250 watts.

Formal Attire Squeals

Lucius Beebe, columnist, and drama critic for Mutual, has been compelled to abandon stiff shirts while broadcasting. He found that while they shrank, they squeaked, and made too much noise when he breathed during a broadcast.

Privacy For Waring!

If you're thinking of dropping in on Bandleader Fred Waring at his NBC studio dressing room some evening, you need not expect to find a welcome guest. Posted on the door is the sign: "Don't Waring Personal Quiet Don't Smoke Don't Talk Don't Chew Gum Don't Come In"

Jim or Jane?

Joy Jostyn, who plays the title role in "Mr. District Attorney," presented his children with two Waltzes during the holiday season and they were promptly named "Jim and Tim." The Waltzes were composed for his mother as a little bit of banter. The kiddies, says Jostyn, still can't understand why Jim's name was changed to "Jane."

More Courtesy

David Lowe, WNEW stage and screen commentator, has received 600 letters in response to his campaign for more courtesy from box office men at legitimate stage shows.

Long Distance Criticism

Barry Wood, the singing star of "The Hit Parade," is always ready for advice. Fred Saturday night after the broadcast, Barry waits for a telephone call from his brother, Lou, to tell him how they're doing. Lou is the bandleader, who criticizes his program piece by piece. No matter where Lou is traveling with his band, the call comes in regularly each Saturday night.

Television in Canada

Toronto, Jan. 14.—A gathering of 500 sets witnessed the first official demonstration of television in Canada at the Chateau Laurier, Ottawa, under the direction of E. C. Grimley, president of the RCA-Canada Company of Canada.
MOTION PICTURE DAILY

New York, U.S.A., Tuesday, January 16, 1940

Ten Cents

First in Film and Radio News Brief
Accurate and Impartial

15 Exchanges Set Up in U.S. By Fine Arts

Seven Films in Release; Seven More Stated

Exchanges in 15 cities, covering 17 spots, have been set up by Franklin Warner's new Fine Arts Producing and Distributing Corp., Sol Edwards, Eastern representative, said yesterday. In addition, negotiations are under way for exchanges in four other cities.

The new exchanges and the manager of each, include: Boston, Marcel Mekedjian; Cleveland, Mae Vincent (Bookey); Chicago, Cleve Adams; Des Moines, for Des Moines and Omaha, Phil Monsky; Kansas City, Sol Hankin; Minneapolis, Eph Rowe; New York, Dick Perry; Philadelphia, Herbert Given; Buffalo, Max Schulgold; St. Louis, Joseph Hartman; Washington, Ed Kuykendall; Denver, Robert Spence; Detroit, Ralph Peckham; Indianapolis, for Indianapolis and Cincinnati, Had Hull.

Deals are being negotiated in Atlanta, New Orleans, Buffalo and Dallas. The company has already in release seven films, "Shadow Over Shanghai," "Frontier Scout," "Long Shot," "Policier Bureau," "Pawnee Patrol," "Felde Express" and "Children of the Wild." In addition, seven new films will be released between Feb. 15 and the end of August.

Coast Flashes

Hollywood, Jan. 15.—The Academy of Motion Picture Arts and Sciences board of governors meets tomorrow night to elect officers and retire the outgoing president, Frank Capra, who has refused to accept a third term. Ballots for nominations for the annual awards will be sent to members and talent guilds on Feb. 15, with the balloting due by Feb. 26. The banquet is fixed for Feb. 29.

Producers' attorneys met today to make what they hope is the final re-draft of a contract with the Screen Publications Guild. The contract will be submitted for approval to Guild Attorney George Bodle, probably tomarrow.

Samuel Goldwyn returned to the studio today and started preparations on a tentative production schedule as "The Westerner" entered its final shooting days.

Publishers Hit Film Portrayal of Press

Harrisburg, Pa., Jan. 15.—Pennsylvania publishers' organizations aid to Hollywood producers for distorted portrayals of newspapers, at the close of their 15th annual convention in the Penn Harris Hotel Saturday afternoon.

A resolution adopted by the organization, known as the Pennsylvania Newspaper Publishers Association, was directed against Hollywood's portrayal of newspaper publishers, editors and reporters in "roles false to real life." Copies of the resolution will be sent to film leaders.

Neely Is Spite Bill, Says Kuykendall

The Neely bill was characterized as pernicious, without benefit to any one, and the entering wedge for governmental interference and regulation of the industry, by Ed Kuykendall, president of the M.P.T.O.A., in a statement issued yesterday.

"The measure is endorsed and inspired as a spite bill by a pitiful minority," which has lost its following rapidly and whose own membership is far from being in accord with its few leaders, Kuykendall said.

He stressed the importance of carrying the truth about the measure to the general public, women's clubs in particular. The Neely bill, he pointed out, will tend to increase film rentals and add materially to the buying problems of the small exhibitor particularly.

The Neely bill was passed by the Senate at the last session of Congress. All it now needs is House passage to make it a law.

National Allied Preparing Fight on Radio Giveaways

Washington, Jan. 15.—A proposal that Allied States' right to continue in combating the "Pot O' Gold" giveaway over NBC, in which $1,000 is awarded every Tuesday night, will be presented at the organization's national board meeting here Wednesday and Thursday.

Also to be considered at the meeting will be other forms of exhibitor competition, chiefly 16 mm films. A review will be given of the industry's attitude on arbitration, and the legislative situation, including the Neely bill.

Abram F. Myers, chairman of the board, will give his annual report. The directors will also discuss the annexation of new members, and any other business.

A group of Allied leaders are in New York en route to Washington for the board meeting here. Here are Al Steffes, Northwest Allied president; Ray Branch, president of Michigan Allied; Jack Kirsch, Illinois Allied president, and Sonny Berger of Benidji, Minn.

26 FILM MEN FACE TRUST QUIZ BY U.S.

War Cuts British Production to 60%

Says I. Goldsmith

British production this year is expected to be 60 per cent of last year's volume because of the war, according to I. Goldsmith, head of Grafton Films, who arrived late last week from England.

Goldsmith estimated that theatre receipts are off 20 per cent throughout Britain, with a 40 to 50 per cent drop in London due to the blackouts partly compensated by an increase in areas where thousands of evacues are now living.

The strength of the British film production industry lies largely in its American cooperation, said Goldsmith. The American companies not only will make all the big budget pictures in England but, because of restricted European markets, this country is now the only territory left where substantial film revenue may be obtained, he said.

The British Government is facilitating matters for the producers and is anxious to keep production going. (Continued on page 7)

Lion Has Wings' Opening Saturday

"The Lion Has Wings," British war film produced by Alexander Korner, opens Saturday at the Globe on Broadway. New narration has been completed by Lowell Thomas. Release is by United Artists.

Oral Examinations Begin Feb. 5; UA Omitted in Federal Order

The government yesterday moved to examine 26 ranking officials of seven of the major distributors in the government anti-trust suit when it served notice of its intention on attorneys for these defendants.

The notice which affects all majors except United Artists Corp. provides for a series of oral examinations at the New York Anti-Trust Division office running from Feb. 5 to March 5.

Under Federal Rules of Civil Procedure, the government may touch up on any phases of the motion picture industry relevant to the suit in its indication, and sources close to the government see no necessity for a delay in the trial date because of the unexpected move.

Harry Cohn, Jack Cahn and Abe Montague, president, vice-president and general sales manager of Columbia Pictures are requested to appear first on Feb. 5.

Others asked to testify are as follows:

From Universal: Nathan J. Blumberg, president; William A. Scully, vice-president; and Charles R. Rogers, executive vice-president on Feb. 12.

From RKO: George J. Schaefer, president; Ned E. Depinet, vice-president, and Jules Levy, general sales manager, on Feb. 15.

From Paramount: Adolph Zukor, (Continued on page 6)

Broadway Grosses Are Hurt by Rains

Sunday's rains hurt business all along Broadway over the weekend. Saturday's business was above average but the bad weather took its toll on the following day.

"Gone With the Wind" continued to play to capacity at the Astor and Capitol for the fourth week. An estimated $22,000 at the Astor and an estimated $8,000 at the Capitol were grossed.

At the Strand, "Invisible Stripes," with the Dead End Kids and Shemp Fields' hand on the stage, opened big to take an estimated $31,000 for the weekend. "Raffles," with a stage show, drew an estimated $30,000 for the weekend at the Roxy.

"His Girl Friday" with a stage (Continued on page 2)
Negotiating to Sell GN Assets in Bulk

Harry Fromberg, trustee of Grand National, is negotiating with film companies for the sale of assets of the company. Fromberg, who is also lawyer for the trust, stated yesterday, Dannenberg, however, refused to reveal the names of the companies. Earle W. Hammons, president of Grand National, will be examined by creditors of the company at the next meeting on Feb. 9 before Referee Peter O. Olney, Jr., Dannenberg said. Other officers of the company may testify at the same time.

Schine Executives In Meeting Today

A United Artists group including Charles Stern, Eastern district manager; Bert Stearin, Central district head at Cleveland, and Monroe Greenthal, exploitation manager, are attending a meeting of 60 Schine circuit executives, managers and publicity directors at Gloversville today.

Louis and Meyer Schine and George Lynch, the circuit’s film buyer, are presiding at the one-day meeting, “Of Mice and Men.” Hal Roach picture released by United Artists, will be screened this morning, and Greenthal will discuss the advertising, publicity and exploitation campaign on the film, with examples of how it is being sold in various cities.

Edward Weisman Dies

Milwaukee, Jan. 15.—Edward J. Weisman, 38, manager of the Educational Film Exchange here for six years and more recently a film salesman, died here following an illness of several years. He is survived by his wife, his mother and two brothers, all of Milwaukee.

Deny ‘Ecstasy’ Appeal

Albany, Jan. 15.—The Court of Appeals has rejected the motion of Eureka Productions, Inc., which holds American distribution rights to “Ecstasy” for permission to bring an appeal to that court from the Appellate Division ruling upholding the ban on the film in New York State.

Purely Personal

FRANK C. WALKER has been released from Butte, Mont., by the death of his sister.


LOU DIAMOND, Russell Holman, Tony Campbell, Elmer Ratap, Sam Shain, George W. Perry, Harry Buxbaum, Ed Saunders, Ted O’Shea and Tom Connors at Nick’s Hunting Room in the Astor for lunch yesterday.

Al Hoffman, assistant manager of Warner’s Ritz, Albany, has returned from his honeymoon trip to New York. Hoffman married the former Dawn Mitchell New Year’s Day.


HARRIS P. Weinberg, Metro district manager, has returned to Kansas City after conferring with Division Manager E. M. Saunders.

DICK HOGAN, RKO player, has returned to the Coast from his home in Little Rock, Ark., with a bride, the former Ellen Hamer.

Lucille Ball, vacationing here, will be guest of honor at Tom Woman Pays Club luncheon at the Hotel Warwick today.

Lawrence C. Caplan, executive secretary of the Allied Theatres of Connecticut, is the father of an eight-year-old son, Stephen Mark.

Claude Morris, exploitation chief at the M-G-M branch in St. Louis, has returned to his office after a business trip to New York.

John X. Quinn, M-G-M branch manager in St. Louis, brought his four-year-old son home from the hospital last week.

Charlotte Sax, secretary to E. W. Aaron at M-G-M, is vacationing at Coral Gables.

Hank Linet of Universal has returned from a business trip to Cleveland.

Bernie Kranze, manager of RKO’s branch in Albany, is vacationing at Miami.

Ben Smith, Pano-Films salesman in Albany, is confined to his home with a cold.

Corina Wright, Jr., singer and actress, arrived yesterday from the Coast.

Al. Coco, booker at M-G-M’s St. Louis branch, is ill.

Continue Law Practice

The law firm of Garfield and Seligson having been dissolved, Gustave B. Garfield and Maurice V. Seligson will continue the general practice of law at 285 Madison Ave.

Walker to Be Guest At Charities Lunch

Former Mayor James J. Walker will be guest of honor at the annual luncheon of the New York State Federation of Jewish Charities on Friday, Jan. 20, at the Hotel Astor.

David Bernstein, treasurer of the federation, stated that the annual luncheon meeting of the announcement division committee for next Thursday at the Astor at 12:30 o’clock. News articles will be invited to attend, which several hundred persons will be invited. Bernstein stresses that it is impossible for all committee members to be present.

Columbia Meeting In Dallas Tomorrow

The third of Columbia’s divisional sales meetings will be held tomorrow and Thursday at the Baker Hotel, Dallas, with 27 delegates, representing the sales division headed by Sam Moscow, division manager. A. Mongi ette, general sales manager, and the personnel manager, will preside at the session.

The second sales meeting was held Sunday at the Blackstone Hotel in Chicago, where Sam Lubin and Jackert went to Dallas. Branch managers present at the Dallas meeting will be: Sam Moscow, division manager; A. Gibbs, Oklahoma City; H. Duvall, New Orleans; J. J. Rogers, Memphis; R. J. Ingram, Charlotte; J. B. Underwood, Dallas.

Theatres Included in N. Y. Chain Tax Bill

Albany, Jan. 15.—The bill of Assemblyman Louis Bennett to amend the tax law relating to operations, maintenance or establishment of chain stores in the state specifically mentions theatres in the definition of the word “store.”

License fees prescribed for “stores” would be: annual license fee of $50 for each store in excess of two and not more than 10; $100 for each store in excess of 10 and not more than 25; $1,000 for each store in excess of 25.

Lorang Dinner Feb. 27

The banquet in honor of Nick Lorang of the Astor’s Hunting Room will be held Feb. 27, at the hotel, not Jan. 27, as previously reported.

MOTION PICTURE DAILY

GULLIVER'S WOVED 'EM IN 201 CITIES AND 'GULLIVER'S TRAVELS' HAVE JUST BEGUN!
6 MEN WAITING, while death sat off in the distance, like a vulture in a tree—and every man’s thoughts on the woman who had blundered into their hearts!
FAMOUS PRODUCTIONS presents

DOUGLAS FAIRBANKS JR. · JOAN BENNETT

in

REEN HELL

with

JOHN HOWARD · ALAN HALE · GEORGE BANCROFT
VINCENT PRICE and GEORGE SANDERS

Original story and screenplay by FRANCES MARION

Directed by JAMES WHALE
Produced by HARRY EDINGTON

A JAMES B. WHALE PRODUCTION · A NEW UNIVERSAL PICTURE

National Release—Jan. 26th
Motion Picture Daily
Tuesday, January 16, 1940

26 Film Chiefs Called To Give Trust Suit Data

(Continued from page 1)

The motion picture industry’s board of directors, on the recommendation of the trust suit committee, has appointed the following names to the list of executives who will be called to appear at the hearing of the suit in the United States District Court in Chicago: Jack Warner, head of the Warner Bros. studio; Louis B. Mayer, head of the Metro-Goldwyn-Mayer studio; David Selznick, head of Selznick International Pictures; Samuel Goldwyn, head of his own company; Louis B. Loewy, head of the Loewy organization; and Samuel Goldwyn, jr., head of the Goldwyn jr. studio.

Radio Brevities

NBC television hit a new entertainment high last night with the presentation of a live, direct to the studio, broadcast. For the first time, under the F.C.C. standards, the television version of that play was highly satisfactory. Some of those who witnessed television programs regularly called it the best telecast in several months.

The weekly play usually provides the audience with its own, with the offices without any comment. Boxing and wrestling are also, popular regular television presentations.

Schenectady Station Ready

From Schenectady comes word that the new television station, which is to be the first to pick up NBC’s television signals and re-telecast them, is ready. According to reports, the station will be ready at any time.

“Harvest” on Air

The film “Harvest,” whose failure to be nominated as one of the N. Y. critics’ choice as best foreign film caused such a rumpus last week, will get radio trials, at the “Star-Final,” over WMC-B Sunday, will dramatize a scene from the film.

Start Work on New Fleischer Cartoon

Miami, Jan. 15.—Work started today on a new $1,500,000 feature cartoon at the Fleischer Studio, which has been produced by Max Fleischer, directed by Dave Fleischer and with the writing staff headed by William Seward.

As yet unveiled, the cartoon will be based on a Greek myth. The studio plans to release them at seven or eight reels, and will be ready for Paramount release by the Christmas holidays.

FCC Hearns Attack

On Television Rules

Washington, Jan. 15.—Regulations relating to the semi-commercialization of programs were under attack today by as representatives of the television industry, who opposed the rules before the F.C.C. in hearings on the new rules.

The petitions were directed chiefly to contentions that the rules should beflexible to permit further development in the field.

The petitions included Maj. Edwin H. Armstrong, the new Committee on Organization of F.M. Broadcasters; Allen B. Dunham Laboratories, General Electric, General Television Corp., International Business Machines Corp., Don Lee Broadcast Engineering, Inc., Kalamazoo, Michigan; and Philco Radio Pictures, Zenith Radio, CBS, RCA and Catalysis.

In its annual report to Congress, the F.C.C. pointed out that technical development has not reached the stage where it can be standardized in essential details for uniformity.

It appears highly essential that the industry be encouraged to undertake further practical research leading toward the development of methods which will permit more stations to be served, at the same time, and at the same cost, as well as facilitating lower costs in the production of good quality program service to the public,” the report added.

Carbon Price Boost

Defeated in Britain

London, Jan. 15.—The Cinematograph Exhibitors Association has won its brief but vigorous fight against the pool of carbon monoxide which threatened an increase in carbon prices, in conjunction with the rationing of the product.

Today the exhibitors won representation on the carbon manufacturers’ control committee, and it was agreed that the price would be held at $5, at least until February. The exhibitors threatened to appeal for the elimination of carbon imports duties if their request was not granted.

Mutual Boosts Size of Board

Mutual’s board of directors was enlarged over the weekend from seven to nine members to provide representation for additional stockholders whose financial participation in the network was announced several weeks ago. The board was appointed in line with the call of a meeting of the stockholders.

Stockholders ratified the five-year plan for expanding Mutual’s operating capacity to meet the demands of west coast broadcasting.

Shareholders appointed five new directors to the board, and one of the new directors, George W. E. Macfarlane, president; Theodore C. Streib, vice-president; Weiss; and M. C. Weisberger, treasurer and executive secretary.

Board members elected were Arch, V.W.; Willet, Don H.; Colvin, Leonard; Marfaret, WGN; McCosker, WOR; John Shepard III; Colony, WGN; Streib, WOR; and Weisberger.


Nick Faced Trial

On Second Charge

St. Louis, Jan. 15.—John P. Nick, director of sales for Mutual Ltd., pleaded not guilty to the charge of receiving $10,000 from theatre owners in 1936, faces another examination charge. He was indicted before Judge Alyce Weston, who charged the defendant with extorting $25,000 from theatre owners in 1937. The case has been set for Feb. 5, and the state is ready to try either defendant.

The state of Missouri has repeatedly been awaiting the trial of the civil suit brought by Theatre Owners with a return of the $25,000 extorted.

6-Day Law Affects

Illinois Theatres

Springfield, Ill., Jan. 15.—State’s Attorney General John E. Cassidy today ruled that the state’s six-day week law does not apply to radio stations but does affect theatres.

The law, which provides that all employers covered by the act must allow their workers at least 24 consecutive hours of rest in every calendar week, has held that radio stations do not fall into the classifications of employers provided by the law.

Feature Pictures Formed

Dover, Del., Jan. 15.—Feature Pictures, Inc., has been formed here to deal in places of amusement. The incorporators are Arthur M. Kreidem, David E. Newman and M. L. Ciani of New York City.
More Class B Power Looms In SAG Ballot

Hollywood, Jan. 15.—Class A members of the American Council yesterday were asked to vote on a proposed amendment to the constitution which would give Class B or extra members more representation both inside and outside the organization.

Ralph Morgan, president of S.A.G., in a letter to Class B members, added an affirmative vote to obviate arguments of various factions in the group which have used existing by-laws as a focal point for criticism for the last year.

Amendment to S.A.G. by-laws would provide, according to Guild officers: Collective bargaining agreements affecting rights of B membership shall not be made or amended by the Guild except either with approval of B Council or by a poll at any meeting for a vote on a certain date and time, both of which are not affecting Class A members; and right of Class B members to call a by vote of a certain number of members a request of the majority of Class B Council members to board of directors of S.A.G., and not only on a written signed petition of 50 per cent of Class B membership as theretofore provided.

The amendment does not affect the right of the Class B group to withdraw from the Guild by affirmative vote of 51 per cent of the paid-up membership. Ballots must be marked and returned to the Guild by Jan. 22.

‘Blue Bird’ Brings Fox Officials Friday

A 20th Century-Fox group including Joseph M. Scheck, Mr. and Mrs. Darryl F. Zanuck, Gene Markey and his wife, Linfield, and Ray Haarahan, color technician, are also here. They will work with Sidney Lanfield, director, in making sequences with Carmen Miranda for “South American Way.” Lanfield arrives tomorrow.

‘Green Hell’ Opening To Aid Finnish Fund

Pittsburgh, Pa., Jan. 15.—Proceeds from the world premiere of the Warner Bros. version of Alfred Hitchcock’s “Green Hell,” starring Douglas Fairbanks, Jr., and Joan Bennett, at the Alvin Theatre tonight will be turned over to the Finnish Relief Fund. Arrangements were made through Herbert Hoover, Fund president; John H. Harris, head of the Harris Amusement Co., and publishers of the Pittsburgh Post-Gazette.

Advertising - Less Tabloid, 5¢ Copy, Bows Here June 1

New York City is to have a new afternoon tabloid, which will make its appearance on June 1. It will sell for 5¢ and will be the first order of a comment magazine, with only one edition daily.

It will be in color with a considerable proportion of pictorial development.

Roy McAllister Ingersoll heads the new venture in which Henry Luce, publisher of “Time” and “Life” magazines, was among the original sponsors. Luce is not connected with the venture now, having invested his backing in an independent newspaper venture. The newspaper will have a circulation of 200,000 copies. Much of its planned departmental news will be devoted to department store merchandising and announcements, according to report, from a new executive committee.

The election of Ralph Whitehead as head of the vaudeville union, Lou Taylor, a new general manager, is head of the committee.

A nominating committee of nine was elected at the meeting and will meet Fridays to select a slate. The constitutional committee of 11 will meet on Jan. 24. The members asked that the seven vacancies be filled on the board of directors be filled with rank and file members instead of “big names.”

FCC Denies Need Of New Legislation

WASHINGTON, Jan. 15.—No new legislation is needed by the Federal Communications Commission in the near future as a consequence of the present license situation, the commission declared in its annual report to Congress.

The report stressed the "new and exciting burdens" resulting from the war, and the necessity of maintaining such a license situation.

There are about 800 broadcast stations, 55,000 amateur stations and 5,000 commercial stations, according to report. In 1938, gross broadcast revenues were $111,000,000 with a net of $16,000,000. The stations employed 21,000 persons, with a payroll of $45,000,000 in 1938.

Lubitsch in Search For Story Material

Ernst Lubitsch has completed his two-picture contract with M-G-M and is now seeking story properties for the big screen. A U. A. productions, it is understood.

While the U. A. contract calls for three films in two years, Lubitsch says the number has been increased, depending on available stories.

Dr. Lesser, president of Ernst Lubitsch Productions, handles the financial end and Lubitsch, who is vice-president, is in charge of the creative end.

40 Years Old

Iowa Falls, Ia., Jan. 15. — The Metropolitan in Iowa Falls recently celebrated its 40th anniversary under the management of E. O. Elsworth.

The theatre was formally opened in 1899, with Tim Murphy, a popular comedian of that time, appearing in The Carpet Bagger.

SAG Backs AGVA

Declares Thomson

"The Screen Actors Guild is fully behind the American Guild of Variety Artists," Kennedy Thomson, S.A.G. executive secretary, told the AGVA meeting at Pola Garden on Sunday. "We are fully cognizant of the promises given this past Summer and we will carry them out. This will be a union of men and performers."

Thomson arrived from the Coast Sunday to spend about two weeks reviewing the situation at the AGVA office in A. A. U. C. He will then return report back to the S.A.G. board on the desirability of his expanding his staff, which was attended by about 70 members, was picketed by the Variety Actors Betterment Committee, a group alleging that the chairman of the committee of Ralph Whitehead as head of the vaudeville union, Lou Taylor, a new general manager, is head of the committee.

A nominating committee of nine was elected at the meeting and will meet Fridays to select a slate. The constitutional committee of 11 will meet on Jan. 24. The members asked that the seven vacancies be filled on the board of directors be filled with rank and file members instead of "big names."

Appeal in Landis Case Is Up Friday

PHILADELPHIA, Jan. 15.—The appeal scheduled to be argued today before the Third Circuit in the Federal District Court of Appeals on an earlier ruling favoring the Landis Theatre against Warner Brothers is to be heard Friday. A major film company is charged with monopolistic practices, was postponed until Friday because of the illness of Morris Wolf, one of the Warner attorneys. Former Attorney General William A. Schnader, associate counsel with Wolf, asked for the postponement. Judge Husted Shappiro is representing the Landis Theatre.

Lone Ranger Writ Aimed at Republic

The Lone Ranger, Inc., obtained a temporary injunction yesterday from Judge Edward J. Cleary which restrained Republic Productions, Inc., from hampering the sale of film rights to the Lone Ranger radio series to Universal Pictures. Judge Cox also enjoined Republic from allegedly advertising its film, "The Lone Star Ranger," which would tie it up with the radio program.

At the same time the decision declined a request for an injunction which would prevent Republic from releasing a Lone Ranger picture already completed by the defendant.

English Wage Pacts Signed For Theatres

LONDON, Dec. 15 (By Mail).—Wage pacts between the Cinematograph Exhibitors Association and the National Association of Theatrical and Kind Employees, labor union serving the industry, have been arranged in Canada and the West of England. Both agreements provide for substantial wage increases and the improvement of working conditions of projectionists and other employees.

A total of 700 film houses are affected by the pacts. In the case of 500 houses, the new conditions operate as from Jan. 1.

New agreements are now expected in London and the Home Counties, in the Eastern Counties' rural areas, in Grimsby and in Manchester.

Sir Kenneth Clark, director of the National Gallery, Britain's museum of classical paintings, has been appointed director of the Films Section of the Ministry of Information. He succeeds Sir Joseph Ball, resigned.

Metro Arranges 18 More ‘Wind’ Dates

"Gone With The Wind" engagements total now 105 in 95 cities, with 10 openings daily. Seven of the new engagements will be three-a-day as follows:

New York, Jan. 15. — Miss Martini, Galveston; Texas, Jan. 16. — Springfield, Ala.; Jan. 17, Rivas, Knoxville; Ala.; Feb. 1, Hollywood, Fort Worth; State, Austin; Feb. 15, Orange, Waco; State, Amarillo.

Two-a-day reserved seat engagements are scheduled for the following 11 situations: Jan. 29, Riviera, Knoxville; Jan. 30, Toliolo, Chattanooga; Feb. 1, Paramount, Montgomery, Ala.; Jan. 31, Ritz, Birmingham, Ala.; Feb. 18, Fox, Pensacola; Feb. 19, Warner, Montgomery, Ala.; Feb. 20, City, Huntsville; Feb. 20, Western, Wichita Falls, Tex.; Feb. 21, Plaza, El Paso; Feb. 23, Liberty, Tyler, Tex.; Feb. 15, Arcadia, Hardin; Feb. 16, Paramount, Abilene.

War Cuts British Production to 60% (Continued from page 1)

Goldsmith points out that the American companies’ frozen currency in England may be used for production there is an indication of that, he said, as it is also the releasing of petrol rationing and the like.

“Production financing is no problem provided the proposition is sound,” Goldsmith said. “There are sufficient technicians and other workers. But the war regulations have caused personnel shortage and there is certain lumber and other materials.”

Goldsmith came over to negotiate a production which is based on the A. J. Cronin novel. The film features Richard Todd, Margaret Lockwood, Evelyn Williams and others and was directed by Carol Reed.

Goldsmith formerly was Continental manager for John Maxwell’s Associated British Film Distributors and was managing director of Sud Film Co. in Berlin.
MORE LIGHT is the slogan of the day. From newspapers and magazines, the lecture platform and the school, the public is being taught the sight saving value of plenty of light.

Put your theater in step with this upward trend in light intensity. It has popular appeal. People like to enter a theater in which they can see their way to their seats. And they can do just that in the many theaters that are now equipped with high intensity projection.

Think this over if you still have low intensity projection. Those first minutes of blindness result from the low level of general illumination necessitated by lack of light on the screen. Don’t let poor lighting drive your patrons to other theaters. Install Simplified High Intensity projection and attract that growing body of theater-goers who appreciate plenty of light.

Write for a free copy of the booklet, “The Eternal Triangle in Picture Projection.”
Loew's Sees U. S. Revenue Far Above '39

'Wind' to Boost Profits; Schenck Re-Elected

By ALFRED FINESTONE

Loew’s this year is expected to surpass its domestic earnings in 1939 because of “Gone With the Wind.” J. H. Rubinstein, vice-president of the company, told 100 Loew stockholders at the annual meeting yesterday at the Loew home offices.

Loew’s net earnings in the year ended Aug. 31, 1939, inclusive of foreign income, were $9,841,530.

The board of directors, elected Nicholas M. Schenck, president, and all other officers of the company at a meeting following the shareholders’ session. The stockholders also had re-elected the directors. Stock represented by the stockholders at the meeting amounted to 119,698 shares of common and 68,644 preferred.

David Bernstein, vice-president and treasurer, and Leopold Friedman, secretary of the company, and several of the directors were among the officers in attendance. J. Robert Rubin presided in the absence of Nicholas M. Schenck.

Bernstein explained the effect of the

$1,000,000 'Wind' Gross in 7 Cities!

“Gone With the Wind,” in the seven cities it has opened, has grossed more than $1,000,000 at the box-office, and in all cases where tickets have gone on sale the advance sale at each theatre equals twice the gross taken by the run of any picture, according to Howard Dietz, M-G-M advertising and publicity director.

The Warner circuit has reported an advance sale of $80,000 in Philadelphia.

Pascal Signs Up 3-Year UA Deal; Shaw Film First

Gabriel Pascal was signed yesterday to an exclusive three-year producing deal with United Artists by Maurice Silverstone, chief executive of the company.

Pascal’s first production for United Artists release will be made in Hollywood. He will begin preparations immediately for production of George Bernard Shaw’s “Major Barbara,” which will feature Wendy Hiller, who played opposite Leslie Howard in “Pygmalion.”

Pascal’s most recent production, Robert Morley, who played on Broadway in the last season in “Oscar Wilde,” will also be in the cast.

Pascal’s second United Artists production will be selected from three other Shaw works, “The Doctor’s Dilemma,” “The Devil’s Disciple” and “Caesar and Cleopatra.”

Rogers Drive Set Week of April 18

Major L. E. Thompson, chairman of the annual campaign for Will Rogers National Theatre Week, after conferences with Will H. Hays, has designated the week beginning April 18 for the 1940 drive.

Executive heads of the five major circuits are collaborating with Thompson. They include Charles C. Moskowitz, Loew’s; Joseph Bernhard, Warners; Leon Nettler, Paramount; John J. O’Connor, RKO; Spyros Skouras, National Theatres, as well as Ed Kukelyndall, president of the M.P.T.O.A.; Dave Palfreymon, of the M.P.P.D.A.; Max A. Cohen, A.T.O. of New York.

Proceeds of the campaign are used for the maintenance of the Will Rogers Memorial Hospital at Saranac Lake, for kindred aid for the needy of stage and screen, and for the aid of institutions caring for handicapped children.

The following executives are on the

Fight Television Set Standards

Washington, Jan. 16—Opposition to the recommendation of the F.C.C. television committee that the R.M.A. television standards be approved is due to developments in equipment which have made since those standards were adopted, the Federal Communications Commission was told today by television representatives.

W. D. Smith of Philadelphia, Philco engineer, cited the development of the vertical antenna which can be used with a loop in the television receiver, eliminating the necessity for outside aerials and saving set buyers an expenditure of $10 to $50. He declared R.M.A. standards made no provision for such a development.

The picture quality attained with present equipment is pretty good, he testified, but synchronization and sound are bad.

Manufacturers want the standards reconsidered so that they will permit the development of better and cheaper receivers, Smith explained.

GODDARD CHosen TRUST TRIAL JUDGE

Would Set New "96th Regiment Day"

Counsel Go Into Huddle To Settle Disputes on Interrogatories

Federal Judge Henry W. Goddard yesterday was selected by the Federal Government and attorneys for the major defendants in the Government anti-trust suit to preside at the trial of the action.

Another important development in the anti-trust suit occurred during the day when Judge John C. Knox, after hearing argument on interrogatories filed by both parties, advised the litigants that the trial must start on May 1.

Judge Knox urged an immediate conference on this question in an effort to avoid a formal hearing.

As a result of Judge Knox’s suggestion, a conference between attorneys for the majors and the Government started yesterday. Progress towards agreement on interrogatories was being made, it was learned, as the conference continued.

Both Senior Judge Knox, in charge of the assignment of judges to trial

One Vote Keeps Ellis Head of Associates

By the margin of a single vote, Jack Ellis of RKO yesterday was re-elected president for the third term of the Motion Picture Associates at the annual elections yesterday at the Hotel Astor.

The contest was the closest in years. Ellis received 62 votes and his opponent, Morris Sanders of 20th Century-Fox, polled 61. This was the

Warners, Brandt Sign Product Deal

Harry Brandt, president of the New York I. T. O. A., has signed with Warners for the complete 1939-40 feature and shorts lineup for 24 houses of the Brandt Circuit in New York and Brooklyn. The deal was closed by Brandt and Sam Lefkowitz, Warners’ New York-Metropolitan branch manager.

Among the films included in the deal are: “The Fighting 69th,” “The Castles of Columbia,” “The Magic Bullet,” “Three Cheers for the Irish,” “We Shall Meet Again” and “Saturday’s Children.”

Pascal Deal Hailed by Bernard Shaw

Hollywood, Jan. 16.—Following the signing of the United Artists distribution contract with Gabriel Pascal, Charles Chaplin, one of the producers of the company, received this cable from George Bernard Shaw:

“Congratulations to United Artists on having captured Gabriel Pascal, the only man living except yourself who knows much about filming as I do.”

"Pinocchio’ to Open On Feb. 6 at Center

Premiere of Walt Disney’s “Pinocchio” will be held at the Center Theatre, Radio City, at the evening of Feb. 6.

The day following the film will start in extended run of indefinite duration. It is reported the price scale will be 40, 65 and 99 cents. The opening was advanced from Feb. 15, the late originally favored, to give the picture the advantage of the Lincoln’s Birthday holiday.
One Vote Keeps Ellis Head of Associates

(Continued from page 1)

first time in the 20-year history of the organization that it has elected the same president a third time.

Moe Steiner of United Artists was elected vice-president, defeating Jerome Wilson. Nat Beier withdrew his nomination for treasurer and Saul Swimmer of Columbia was reelected.

Other officers elected were: Matthew Cahen, second vice-president; Charles Penzer of Monogram, financial secretary, elected without opposition; Moe Franton, Columbia, recording secretary; Abe Blumstein, 20th Century-Fox, sergeant-at-arms; Jack Hatten, exhibitor, and Joseph J. Lee, 20th Century-Fox, trustees. Charles Berlinger was elected chaplain without opposition.

Officers will be installed at the next meeting in two weeks.

Shearer in “Forever”

Hollywood, Jan. 16. — Norma Shearer will be starred by M-G-M in “Forever,” an original story by Mildred Claman, which Sidney Franklin will produce. It deals with two spirits falling in love after death. They marry different persons in real life and are joined in death.

Opens Canada Exchange

Toronto, Jan. 16.—James Davidson has resigned as salesman of Superior Films, Ltd., here, to open an independent exchange under the name of Regent Film Co. He has been succeeded at Superior by S. Giseler, formerly of Empire-Universal Films, Ltd.

Franklyn Warner, president of Fine Arts, trained out of Hollywood yesterday for New York. He will then tour exchanges which will handle his product.

Howard Dietz, Laurence Bologna and Jack O’S. B., Tony Quinn, Erno Rapee, A. P. Waxman, Russell Holman, Ed Saunders and George Sokonas at Nick’s Hunting Inn in the Astor for lunch yesterday.

William Boyd, Westside star, arrives Thursday morning from Hollywood for a few days’ vacation before going to Washington for the President’s Birthday Ball. He is accompanied by his wife, Grace Bradley, actress.

James Miller of the Universal home office print department is convalescing at his home today after a long hospital stay at Knickerbocker Hospital. He reports complete observation and treatment. He is expected back at work next week.

Harry Goetz, Jack Goetz, Joseph Moskowitz, Harry Brand, Sam Cito, B. C. Johnson, Maurice Silverstone and William Germain at Bob Goldstein’s Tavern for lunch yesterday.

Charles E. McCarthy, Herman Webber, Sam Bischoff, Walter Huston, Sidney Phillips, Austin King and Arthur Krenk luncheon at Sardi’s yesterday.

Morris Allyn, editor of the Universal house organ, will leave for Florida at the end of the week for a two-week vacation.

Halley Raines of Howard Dietz’s staff at M-G-M yesterday was given a birthday luncheon by friends at the Woodstock Hotel.

S. Seidler, M-G-M advertising manager, who has been ill, returns to his desk today.

Frank Philips of Warners is in Philadelphia today.

Allied to Elect, Pick ’40 Convention City

Washington, Jan. 16.—Members of the Allied States board of directors opened their annual meeting here today with a discussion of their legislative program for the current session of Congress, in which emphasis will be placed upon the Neely bill.

The meeting, which will continue Thursday at the Carlton Hotel, also will choose the city for the next Allied National convention and elect 1940 officers.

Honor Selznick Star

A cocktail party will be held Thurs- day at Kirklin Hospital for Club 22nd St. and the East River, in honor of Ingrid Bergman, Selznick star. Mr. and Mrs. Ernst Lubitsch will be present.

Billof in Court Monday

Hollywood, Jan. 16. — William Bowers, who has been indicted on two counts of U.S. income tax evasion, will appear for plea Monday morning before Federal Judge Jemey.
ELECTED AGAIN!

The Annual Polls of the trade papers are in! First in Stars! First in Hits! First in the hearts of the ticket-buyers! Leo thanks the exhibitors and newspaper critics who elected him Champ again! Year in and year out it's the same story! It's reflected not only in a sound product but in friendly dealing with the trade. Already within the first days of 1940 M-G-M has revealed new triumphs. "THE SHOP AROUND THE CORNER" (Margaret Sullavan, James Stewart) has been picked by columnists as certain to be among the Ten Best of the new year. "STRANGE CARGO" (Clark Gable, Joan Crawford) is next to win national acclaim. "BROADWAY MELODY OF 1940" (Fred Astaire, Eleanor Powell) is positively the best of this famed series. "NORTHWEST PASSAGE" in Technicolor (Spencer Tracy) is destined to be one of the year's Biggest. Just a few of the early year, keeping up the electric pace that's the Talk of the Industry. 

THE FRIENDLY COMPANY
Loew’s Visions ’40 Domestic Earnings Far Past ’39 Figure

(Continued from page 1)

war on the company’s income by say- ing that business in the war zone was up 15 per cent in the first half of 1940, and that because of the September-October theatre blackout in Brit- ain, the company’s earnings for the next three months of this fiscal year, beginning in September, will not com- pare favorably with the same period of the previous fiscal year. Reports to the studios in England now, however, is good.

The company’s foreign income ratio as compared to domestic earnings is 72 per cent. The company’s foreign assets were put at $8,700,000.

Both Bernstein and Rubin stated that the early fears caused by the war have disappeared nearly entirely and that films will not be shut out of the war area because “they are as vital as food.”

Television, Rubin told the stockholders, is not yet competition for films. Loew’s investment in Gaumont British was described as very valu- able to the company.

Those who were re-elected are: George N. Armsby, David Bernstein, Leopold Friedman, John R. Hazel, Alexander Lickey, Charles C. Mos- kowitz, William A. Parker, J. Robert Rubin, Nicholas M. Schenck, Joseph R. Vogel, David Warfield and Henry E. Winthrop.

Remuneration paid to officers of the company for the fiscal year ended March 31, 1939, as revealed at the meeting follows:

Nicholas M. Schenck, $272,250; Louis B. Mayer, $658,000; J. Robert Rubin, $318,000; David Bernstein, $191,000; Leopold Friedman, $1,600.

These amounts include special in- come in addition to salaries with the exception of Friedman. Louis B. Mayer’s salary is $2,500, and Bernstein’s salary is $104,000 yearly.

Certain executives share in per- centages of the stock holder com- mon stock dividends of $2 a share.

Kirchhizaum, an attorney, and Raymond Minkowsky were among the stockholders who asked questions from the floor.

British Legislation

Suggestions Ready

LONDON, Jan. 16.—The special com- mittee of the British Films Council is expected to have the final draft of its recommendations for new industry legislation ready by Jan. 26. The memorandum probably will be pres- ented to the full Films Council on Jan. 30.

It is understood in informed quar- ters that progress has been made to- ward the establishment of an Film Credits Bank, supported by British Treasury money. Government officials are reported to be friendly toward the industry’s problem.

Depositions to Fight Florida Ascap Law

Depositions will be taken here Feb. 6 in Ascap’s action to contest the con- stitutionality of Florida’s law to pre- vent Ascap from operating within the state.

Prominent Ascap publisher and authors will be called for their depo- sitions by Schwartz & Franklin, Ascap counsel. Depositions of Florida state officials will be taken as well. The hearings will be turned over to the Federal court by the end of the month.

Win Warner Contest

PITTSBURGH, Jan. 16.—Winners of the Warner Theaters’ Tri-State zone- exploitation contest for “On Borrowed Time” were: Lige Brien of the Prince, Ambridge; Robert Bowman, Strand, Ridgway; Charles Shannon, Boulevard, Brookline, and Henry Sutton, Regent, Pittsburgh.

March of Time, No. 6

(FKO)

Finland, its history and current ef- forts to maintain its independence is the subject of this newest March of Time release.

This release draws upon items such as America’s initial financial aid to the new-born European republic in 1919, Finland’s wake of the Bolshevik current warfare, the popularity of the pop- ular comic strip character Walt Disney and the current efforts of all nations to establish mutual interest.

The history of Finland is narrated briefly, its cities, industries and occupations are pictured and there is a brief resume of events leading up to the Soviet invasion and, finally, the little nation’s army forces at war. It injects a plea for continued material aid for Finland, suggesting that with- out it, Finland cannot hope to over- come its larger adversary.

The subject is interestingly pre- sented, yet in the aggregate adds noth- ing to the average American’s understand- ing, gleaned from the newspaper pinnacles, of Finland’s difficulties. Running time, 18 mins.

Finn Action Shots

In Para. Newsreel

First action pictures of the Finnish- Soviet war in and around the Mannerheim Line fortifications went out to theatres yesterday in the regu- lar issue of Paramount News.

The film was shipped via the American Clipper and arrived in New York early today to start bear- ing the regular release. Pictures include the line itself, Russian prisoners, inter- iors of the Mannerheim underground fortifications, Finnish air action, effects of the severe cold on troops, a 50-car truck supply train de- stroyed by the Finns, and also aerial bombings and resultant fires in Helsinki.

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James Balaban at Mayo Clinic

CHICAGO, Jan. 16.—John Balaban of Balaban & Katz, owner of the Mayo Clinic, Rochester, Minn., whom he has been for the past week under- going a physical check-up.

Theatre Aids Finns

The Cinecitta Theatre will aid the Finnish Relief Fund by giving five per cent of its receipts for the week beginning tomorrow.

Warning Transfer Lohrenz to Chicago

KANSAS CITY, Jan. 16.—Rud Loh- renz, headWarners’ man for Warners here since May, has been transferred back to Chicago, where he will oc- cupy the same post. James Winn, branch manager here since May, be- comes district manager for the “prai- rie district,” which includes Kansas City, Omaha, Topeka, Denver, St. Louis, Minneapolis and O. W. Williamson. J. branch manager at Memphis, comes here as branch manager to success- ful. Herbel, district manager at Chicago, goes to Los Angeles as West Coast district manager, replacing W. E. Nelson, who goes to Los Angeles as branch manager at Los Angeles.

Beaumont C. C. Reelects Clemmons

BEAUMONT, Tex., Jan. 16.—Joseph C. Clemmons of the Jefferson Amuse- ment Co, operating several east Texas theatres, was honored by election for a second term as presi- dent of the Beaumont Chamber of Commerce. His work during the past year cannot be exceeded, it was complimented by press and city officials.

Milwaukee Houses

Seek Pact on Policy

MILWAUKEE, Jan. 16.—A proposed agreement between exhibitors and discontinu- ance of early bird admissions, dine nights, giveaways and the showing of the "A," features on one program in Milwaukee has been discussed upon a circuit, which is reported in- terested in retaining the early bird admission practice for its de luxe neigh- borhood houses.

A number of meetings have been held in an effort to arrange a policy which would prove agreeable to in- dependent and circuit operators, and its final approval is to be dependent upon the early bird phase of the plan.
Theatrical statistics in the New York metropolitan area were virtually unchanged during the past year, according to the annual report of the New Film Board of Trade.

The total seating capacity of metropolitan theatres dropped 515 to 1,343,883 during the past year although the total number of houses remained at 1,197, four ahead of last year, according to the annual directory of the Film Board of Trade. The figures cover parts of New York, New Jersey and New Delhi, which are included in the Metropolitan area.

The slight loss of seating capacity despite the greater number of houses is due to the demolition of old houses and the building of new ones with smaller seating capacity, Film Board officials said.

The number of theatres open and operating is 1,02, five less than the previous year, while the closed number 125, eight more than the previous count. The total number of houses equipped with sound is 1,129, nearly 100 more than last year, while those houses rose from 13 to 18. This is accounted for by the fact that New York is the most frequented by closed houses. All other houses are closed.

The open houses have a total seating capacity of 1,243,399 last year, while the closed houses has 103,579 seats, compared with 90,059. Theatre located in New York State number 869 with 991,349 seats, while there are 328 houses in New Jersey with 352,534 seats.

Circuits control 771 houses, 17 more than last year, with 1,023,016 seats while independents control 426, 13 less than last year, with 320,867 seats. Of the circuit houses, 195 are affiliated, three less than last year, and 576 are unaffiliated, 20 more than last year.

Affiliated circuit houses numbered 129 in New York, with 255,358 seats, and 54 in New Jersey with 110,062 seats, Unaffiliated circuit theatres number 450 in New York with 519,112 seats, and 126 in New Jersey with 122,884 seats. Independents have 250 houses in New York with 209,279 seats and 136 in New Jersey with 111,588 seats.

Bing Is Lottery, High Court Rules

Madison, Wis., Jan. 16—The Wisconsin Supreme Court on Tuesday unanimously sustained Circuit Judge Charles L. Aarons' decision holding Bingi a lottery and subject to a $1.390 fine under the Public Nuisance Act.

The decision is a victory for Charles W. Trampe, head of Bingi, Film Service, Inc., who filed the original action against the attorney of the Bahn Frei Hall here to restrain them from playing Bingi.

Exhibitors anticipate renewed theatre activity as a result of the victory.

Bingi Is Lottery, High Court Rules

Houston, Texas, Jan. 16.—The suit of the Joy Amusement Co. operator of the Jaffa and other houses in the Gulf area, against the major distributors has been settled satisfactorily, according to Seymour Lieberman, attorney for the company.

The suit, filed in Federal court here, was in order forbidding alleged discrimination in the distribution of films. The company alleged it was unable to get first grade pictures and charged violation of the anti-trust laws.

Attorney Withdraws From Monomand Case

Oklahoma City, Jan. 16.—J. B. Dudley has withdrawn as one of the attorneys for the defense in the A. B. Monomand anti-trust suit against Grits Amusement Co., Consolidated Amusements Co. and Consolidated Theatres, Inc. Monomand is asking $4,500,000 in damages, alleging violation of anti-trust laws under the Sherman act.

International Theatre Circle

Top Baker, Calif., Jan. 16.—Top Baker, the top Baker, took a walk and was shot which resulted in his death.

Moviegoer Shoots at Theatre

Morgan Hill, Calif., Jan. 16.—(AP) — A moviegoer killed four people in a theater in Morgan Hill, Calif., and was himself killed by police.

The shooting began when the moviegoer entered the theater and began firing a gun. The police were called and arrived on the scene shortly afterwards. The moviegoer was shot dead by one of the officers.

The victims included three children and a woman. The children were unharmed and the woman was later pronounced dead at the hospital.

The police are still investigating the incident and have not released any further details.

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**Parsons Unit Is Hit in Loop With $40,100**

**Wednesday, Jan. 16.—"Brother Rat and the Baby" aided by Loewella Parsons and Harry Cohn, home on the swing went out to the Chicago into the lead with $40,100. "Private Detective" at the State-Lake with the Dead End Kids in person taking $20,400. "Interrover" (U. A.) 

**Chicago (1-10) (25c-55c-75c) 7 days, 2nd week: Gross $7,400. ($5,000.) 

**Brother Rat and the Baby" (W. B.) 

**Chicago (1-4) (25c-55c-75c) 7 days, Stage: Loella Parsons and her stars, Gross: $6,100. ($5,000.) 

**The Great Victor Herbert" (Para.) 

**GARDEN (1-13) (25c-55c-75c) 7 days, Gross: $6,100. ($5,000.) 

**General Electric** 

**ORIENTAL—$1,400 (25c-55c-90c) 7 days, Stage: Vaudville Revue, Gross: $11,500. ($5,000.) 

**Private Detective" (W. B.) 

**Stage—$2,100 (25c-55c-75c) 7 days, 2nd week, Gross: $9,200. ($5,000.) 

**Albee—$1,750 (25c-55c-75c) 7 days, 2nd week, $9,500. ($4,100.) 

**Albinoni—$3,750 (25c-55c-75c) 7 days. 


**Hollywood Review**

**He Married His Wife** (Twentieth-Century-Fox) 

**Hollywood, Jan. 16.—Here with the 1940 success to the "screwball" comedies so popular in seasons past, and one which makes a strong bid to be box-office and some box-office predecessors.

Like other comedies of a nature dependent upon matrimonial situations for the source of their humor, "He Married His Wife" is adult entertainment. Typical of the gag lines which had its preview night audience in a constant state of laughter is the one which has Spencer Charters, as the Mayor, who is: gazing at the divorced couple, saying: "Do you pronounce you neck and neck," while all listen to the finish of the horse race broadcast.

Divorced because of the husband's inability to concentrate on anything except horses, the couple played by Joel McCrea and Nancy Kelly get married only after a continuous of interludes involving alimony, more horses, a country house party and such masters of the comic technique as Roland Young, Mary Boland and Barnett Parker. Adding to the name value are Cesar Romero, as an impetuous gallant who turns out to have a wife of his own, Lyle Talbot as the bull young man with the heroines, and Mary Elisha Cook, Jr. maintains the performance standard set by the rest of the cast in an excellent interpretation of a youth smitten with the benefits of Yoga, involving eyeball-popping and somewhat sustained breathing effects.

Throughout, Darrell Ware, Lynn Starling and John O'Hara have contributed a screen play with celery-crisp dialogue, working from an original story by Erna Lazrus and Scott Darling. Roy Del Ruth's direction up adds to and the story and dialogue content in a manner which never allows the effect of one situation to drop before another takes its place.

Reynold Griffith provided capable for the picture's dressing, working as associate producer on the Darryl Zanuck side of the studio. Running time, 83 minutes. "A." 

**Walter Selden**

**"A" denotes adult classification**

**Wind** Continuing Pace in Cincinnati

CINCINNATI, Jan. 16.—"With the Wind" took $24,000 in the third week. RKO Capital, "Four Wives" gave the RKO Albee $12,500 and "The Honeymoon Over," plus a stage show, accounted for $13,500 at the RKO Shubert.

Estimated takings for the week ending Jan. 10-13:

**Four Wives" (W. B.) 

**RKO ALBEE—$1,300 (25c-42c) 7 days, Gross: $8,500. ($12,000.) 

**Balaikha" (M-G-M) 

**RKO PALACE—$2,200 (25c-42c) 7 days, Gross: $15,400. ($10,000.) 

**The Honeyoomer's Over" (20th-Fox) 

**RKO THEATER—$1,100 (25c-42c) 7 days, Stage: "A Night at the Moulin Rouge," Gross: $13,100. ($4,000.) 

**Gene With the Wind" (M-G-M) 

**RIVERSIDE—$1,000 (25c-42c) 7 days, 2nd week, Gross: $10,300. (Average at 35c, 42c.) 

**Swenner River" (20th-Fox) 

**RKO LYRIC—$1,400 (25c-42c) 7 days, 2nd week, Gross: $11,000. (Average at 35c, 42c.) 

**The Return of the Frog" (Select) 

**POWELL FAMILY—$1,800 (25c-42c) 4 days, Gross: $1,400. (Average $1,500.) 

**Cafe, Huarique" (RKO) 

**Meet Dr. Christian" (RKO) 

**Riviera—$2,500 (25c-42c) 3 days, Gross: $5,000. (Average $3,300.) 

**The Hunchback of Notre Dame" (RKO) 

**RED MOUNTAIN—$1,000 (25c-42c) 2 days, Week: Gross: $2,050. (Average $1,075.) 

**‘Swannee’ Garners $8,200, Tops Omaha

OMAHA, Jan. 16.—"Swannee River..." dished out the highest gross at 1,700 Marion, grossed $8,200 at the Orpheum.

Estimated takings for the week ending Jan. 10-11:

"The Hunchback of Notre Dame" (RKO) 

BRANDIES—$1,300 (25c-55c-90c) 7 days, 2nd week, Gross: $9,100. ($3,000.) 

"Judge Hardy and Son" (M-G-M) 

HARVARD—$2,500 (25c-55c-90c) 7 days, 2nd week, Gross: $6,000. ($4,000.) 

"He Married His Wife" (Twentieth-Century-Fox) 

OMAHA—$1,300 (25c-55c-90c) 7 days, 2nd week, Gross: $6,000. ($4,000.) 

"Henry Goes Arizona" (M-G-M) 

GARDEN—$1,300 (25c-55c-90c) 7 days, Gross: $8,200. ($7,000.) 

**Four Wives" (Para) 

**Swannee River" (20th-Fox) 

**Towers—$1,750 (25c-55c-75c) 7 days, Gross: $9,500. ($6,000.) 

**Swannee River" (20th-Fox) 

**Harvey—$2,200 (25c-55c) 7 days, Week: Gross: $3,500. ($4,000.) 

**Win ‘Nation’ Decision

STONE FILM LIBRARY, Inc.: Tree Film Exchange of N. Y., Inc.; Mari i· and David S. Solomon have received the contract from the general counsel, Judge Alfred C. Cope to pay $3,500 damages to the Epoch producing Corp. and Thomas Dixon, they were convicted of illegally distributing and exhibiting the film, "Birth of a Nation."
"The Herald is the greatest trade publication in this or any other industry, and should be appreciated by everyone regardless of affiliation or belief for only in the wide-spread circulation that you have can the facts be presented to the rank and file of the exhibitors of this nation who do not belong to any organization and who are unable to attend conventions. I say to you frankly and truthfully that one half of the independents do not belong to any organization whatsoever and have no way of knowing what goes on except thru the reading of the Herald."

M. C. Moore
President

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

Southeastern Theatre Owners Association
Jacksonville, Florida
U.S. Film, Radio Services Face Denial of Budget Aid

House Committee Defeats $1,055,000 Allowance; FCC Fund Pared

WASHINGTON, Jan. 16.—Action of the House Appropriations Committee today in refusing an item of $1,055,000 for the Office of Government Reports, is seen as indicating a possibility that funds will be denied for the Federal film and radio services.

The Office of Government Reports formerly was under the National Emergency Council. The films and radio services were part of the N.E.C., later being transferred to the office of Education. At the present time these agencies are operating from funds allocated from relief funds.

During the last fiscal year before liquidation of the N.E.C., the Office of Government Reports produced 32 15-minute electrotranscriptions of the President, members of the Cabinet and the heads of a number of Federal agencies, which were broadcast by approximately 175 broadcasting stations in 28 states and Canada during hearings before the committee.

The bill carried a total of $2,116,340 for the Federal Communications Commission, which, while $8,660 less than budget recommendations, was $278,165 more than its current credit. The Communications Commission was given a total of $920,200, $4,900 under budget estimates but $56,200 more than the original request. The additional funds, however, will not permit the agency to purchase the reproduction equipment which is necessary for the protection of the motion picture films which are deposited with it.

Nearly $300,000 is needed for equipment with which to copy the pictures from the short-lived nitrate film on which they are usually received to the more durable acetate film, it was said.

Columbia, Dunphy Talk Distribution

Columbia is negotiating with C. J. Dunphy for distribution of the two pictures which the latter announced last week would be produced in New York.

The two films are “Bricks Without Straw,” to be directed by Marion Gering, and “Song on Your Bugle,” Dunphy said each would be budgeted at $300,000.

“Bricks Without Straw” was announced for independent production here last year, with Sidney Sidney in the leading role, but the production did not materialize.

With Canadian Forces

TORONTO, Jan. 16.—Herbert I. Sweatman, manager of the Community, Kapuskasing, Ont., has left for England to take over wartime duties as manager of the Beaver Club in London, England, for the Canadian Active Service Force.

Ira Weingrun Dies

NEW ORLEANS, Jan. 16.—Ira Weingrun, 60, for six years operator of the Laurel here, died at his home after an illness of several years. His widow, a son, Morris Weingrun, and a daughter survive.

Goddard Selected

Trust Trial Judge: Queries Unsettled

(Continued from page 1)

Poor Richard Club

Drives Film Names

PHILADELPHIA, Jan. 16.—Many picture names will see the entertainment people tomorrow night at the Poor Richard Club banquet at the Bellevue-Stratford Hotel, annual gathering of the local advertising agency.

Among those scheduled to appear are Eddie Cantor, Helen Morgan, Phil Baker, Lowell Thomas, Edwin C. Hill, Ted Husing, Chay Lloyd, Ben Penn, Claire, Irene Ford, Fum Cunnit, Frank Parker, Rubino, Gracie Fields, Lew Lehr, Margaret Carlyle, Phil Regan and others.

The club’s 1940 Gold Medal Achievement Award will be presented to Dr. Leo S. Rowe, director general of the Pan-American government and recipient of the award included the award included Will Rogers, M. H. Aylesworth, Walter Dixon, Will H. Hayes and David Sarnoff.

Brooklyn Eagle Sold

The Brooklyn Daily Eagle has been sold for $483,000 to the F. D. S. Corporation, Morristown, N. J., in-bankruptcy, revealed. Frank D. Schroth, present publisher, is president of the purchasing corporation.

TBS Obtains Cash Ready to Go on Air

Transcontinental Broadcasting System officials said yesterday that the necessary financing for the new network, which has been under way, that regular programs would be ready to go on the air Feb. 1, as scheduled. An official announcement is expected today.

Jack Warner East

Friday for Reunion

Jack L. Warner, vice-president in charge of Warner production, will leave the Coast on Friday to be guest of honor at the 89th Regiment reunion at the Waldorf-Astoria on Jan. 24, when Warner’s “I’m Fighting 99th” will be presented. Producer Jack and George Brent will accompany him.

Several of the film’s cast will attend a similar reunion dinner, one of 60 throughout the country, to be held at the Biltmore in Los Angeles. They will include Jeffrey Lynn, Alan Hale, Franklin Pangborn, DeWolf Hopper, Sammy Cohen, Tom Dugan and Harve Cagrney.

The New York dinner will be broadcast, the program being picked up at the other affairs. B. G. Sheppard, president of the Missouri and Kansas Chapter of the Rainbow Division, Veterans, has urged all members to listen in and to see the film at the Kansas City Orpheum.

Writers Will Debate Stand on Neely Bill

HOLLYWOOD, Jan. 16.—Screen Writers, members of the Writers Guild, will meet tonight at the Los Angeles hotel for a forum to give the writers an opportunity to discuss the proposition.

The forum followed several hours of discussion of the bill and principally concerning the clause requiring that exhibitors be furnished with actual prints of pictures. A committee consisting of Wolie Kaufman, John Howard Lawson, Dore Schary, Ralph Block and Sidney Buchanan was appointed to arrange the meeting of all S.W.G. members. Copies of the bill will be sent to the complete guild roster to acquaint them with the proposed measure.

Radio Shows to Star Warner, Fox Films

Two films will receive Coast-to-Coast publicity via radio next week. James Cagney, as lead in “The Fighting 99th” on the Kate Smith show over CBS and NBC, 26, while Frank McHugh, also in the film, will be interviewed tomorrow by Bing Crosby over CBS. Twentieth-Fox will provide a radio preview of “Little Old New York” on “Good News of 1940” on Jan. 25. Alice Faye, Red Skelton and Brenda Joyce will be heard.

Marriage vs. Career

Benay Venuta will be married tomorrow at Sherry’s on Park Avenue to Armand Deutsch, advertising agency executive, but she will be on the air, as usual, on the following evening with her Mutual show.

Incidently, the program has been moved forward to 5:30 P. M., Friday to make way for a special feature.

Personalities in the News

Gene Krupa’s band will be heard as a new feature of the WABC program over CBS and Mutual times week, starting Saturday. Everett Sloane will conduct his regular daily opera at the Waldorf-Astoria, will do the music for the U.A. film, “My Son, My Son.”

“Good News” Cut to Half Hour

Following the trend toward elimination of full-hour variety shows, “Good News of 1940” will be cut to half an hour, beginning Feb. 7. Mimi Wilson and Fannie Brice are definitely set to remain with the show, the agency says, but nothing has been decided about the rest of the talent, with a decision due late this week.

Vallee Returning to Air

Rudy Vallee, who found himself a sponsor for the first time in many months when Standard Brands cancelled, was signed last Monday by National Network of Seattle.

Program details are not complete, but it will be an informal variety show, and will go over 30 P. M. slot left vacant by “Good News.”

Mutual Adds Two

Mutual will add two new stations, in addition to WTAL, Atlanta, which has been previously announced, to its list of affiliated stations on Sunday. WMPS, Memphis, operated by Scripps-Howard Prex-Siminar, and WJTS, Jackson, Tenn., operated by WJRT, are the new stations. Mutual will add the station for the dropping of its 11 Texas stations, Mutual now has 117 affiliates.

Green Renewed on Three Shows

Philip Morris cigarettes have renewed Johnny Green on all three programs. Green is heard Tuesdays in “Johnny Presents” over NBC-Red, in “Breezing Along” Wednesdays on NBC-Blue, and “Johnny Presents” Fridays on CBS.
Allied Fights
To Stop Foes
Of Neely Bill

Attacks Terms for Four Films as ‘Excessive’

WASHINGTON, Jan. 17—Determined to force the block booking issue to a final decision, the Allied States’ directors, meeting in General session, today agreed to bend every effort to the organization of national support for the Neely bill and to assure its passage by a full representation of independent exhibitors at any hearings called by the House Interstate Commerce Committee, in charge of the measure.

The Neely bill and the Government suit were the outstanding subjects of discussion at all-day meetings which also touched upon the industry’s labor problems, “Got With the Wind” percentages and the radio situation.

Petitions Besiege Congress

Myers disclosed that members of Congress are receiving large numbers of letters and petitions in opposition to the Neely bill and that work against the measure is being done among newspapers and the welfare, religious and other national groups supporting it. He urged that Allied exhibitors watch for and, if possible, “correct” such publicity.

“It may be that the use of these methods will react against those employing them,” he said. “In the mean-

(Continued on page 8)

Ready to Negotiate
Television Wages

An immediate start of negotiations for television wage scales and working conditions looked yesterday after a meeting of a joint committee composed of representatives from Actors Equity, American Federation of Radio Artists and Screen Actors Guild.

The meeting was called principally to iron out differences between Equity and A.F.R.A. on a starting date. Equity has been pressing for immediate negotiations while A.F.R.A. has favored a temporary delay. Radio union officials believe that better terms can be obtained if negotiations are delayed until television is better established.

A compromise was said to have been effected yesterday. Negotiations will be started now, while Equity, which has always claimed exclusive jurisdiction over the field, will permit

(Continued on page 5)

250 at Federation Drive
Lunch to Honor Walker

John Golden will be chairman and George Jessel, and Ben Bernie toastmasters of the luncheon Jan. 26 at the hotel Astor under auspices of the Amusement Division of the New York and Brooklyn Federations of Jewish Philanthropies. James R. Walker, former Mayor of New York, will be guest of honor.

David Bernstein and Major Albert Warner are co-chairmen of the Amusement Division. More than 250 are expected to attend the luncheon, which is designed as a tribute to Walker’s long association with the entertainment world. B. S. Moss is luncheon treasurer.

Bernardin and Warner, in their statement on the luncheon, declared: “This is a special event to celebrate the career of a very special person. And lest we overlook an enduring side of Jimmy’s activities, this luncheon also will pay tribute to his years of effort on behalf of hospitals, child-care institutions and homes for the aged.”

Barney Balaban, Nate J. Blumberg, Jack Cohen, Will Hays, David Sarnoff, George P. Schaefer, Joseph L. Schenck, Nicholas M. Schenck and Maurice Silverstone are serving as the co-chairmen of the luncheon committee.


Tommies in France
See Films Weekly

London, Dec. 28 (By Mail).

—Every British soldier in France who is on active duty sees a motion picture every week. The official British Government body in charge of supplying screen entertainment for the troops in France has a staff of 65 operators-drivers covering the Western Front with film shows for the army. Feature, cartoon and newsreel compose each show.

Agreement Near On
British Withdrawals

An agreement on the manner and extent to which individual companies will participate in withdrawals from the agreement will be reached here within the next few days.

Head of major companies are signing at M.P.P.D.A. headquarters for some time past on the development of an equitable method of apportioning withdrawals shares among the seven participating companies with all except minor details having been agreed upon.

Basis for the withdrawals will be the allocation to individual companies on a percentage of the total exportable amount equivalent to each company’s

(Continued on page 5)

SCHINE WINS OVER
U.S. IN WRIT FIGHT

Wanger Selected
Head of Academy;
Capra is Praised

Hollywood, Jan. 17.—Walter Wanger today was elected president of the Independent Artists Academy of Arts and Sciences, succeeding Frank Capra, who declined to seek the office for the three-consecutive term. Wanger was drafted, however, as first vice-president.

Other officers named were Edward Arnold, second vice-president; Robert Riskin, secretary; John Aalberg, treasurer, and Donald Giddall, re-elected executive secretary. The officers were elected by the Academy’s board of governors.

Wanger, upon his election, said:

“With 8,900 creative artists in Hollywood and an 85-million-weekly theatre attendance. Both have more in common than mere entertainment. The screen is the greatest social influence, expanding as well as interpreting the American way of living to the whole world. There should be a closer understanding between the creators and their audience.”

“The Academy is the only institution in which actor, director, writer

(Continued on page 8)

Judge Denies Injunction
To Stop Acquisition of
More Theatres

BUFFALO, Jan. 17.—Schine Chain Theatres, Inc., its affiliates and eight major distributor defendants in the Government’s anti-trust suit here won an important point today when U. S. District Judge John Knight filed an 18-page decision refusing to grant a preliminary injunction restraining Schine from acquiring more theatres while the action here is pending.

Has No Effect on Suit

The injunction was asked by the Government following arguments presented last September.

“The court has not had an opportunity to hear or see the parties involved,” Judge Knight stated in his opinion. “It is in no position to pre-judge a result in this suit. No reason is shown why a trial cannot soon be held.”

“It does not seem to the court,” the opinion continued, “that the acquisition of a few additional theatres would further delay or seriously embarrass the Government in the trial of this

(Continued on page 5)

SEC to Study All
RKO Allowances

The Securities & Exchange Commission will study and make recommendations on all applications for final allowances in the RKO reorganization proceedings, it was stated yesterday by Martin Gale, attorney for the S.E.C., at a hearing before Federal Judge Bodney.

Gale urged Judge Bodney to postpone applications by the Chemical Bank & Trust Co. for a final allowance of $38,125, plus $4,966 expenses, and for its attorneys, Wright, Gordon.

(Continued on page 2)

20 Coast Writers
Flying to See ‘69th’

Twenty Hollywood correspondents will fly here as guests of the 69th Regiment at its reunion dinner at the Waldorf-Astoria next Wednesday featured by a screening of Warners’ “The Fighting 69th.” The writers will leave the Coast Tuesday morning in a chartered plane, arriving Wednesday morning.

Among the writers who will come

(Continued on page 8)
SEC to Study All RKO Allowances

(Continued from page 1)

Zachary & Parlin for $25,000. The S.E.C. was desirous of studying all applications at one time, he stated. Judge Bondy estimated that he would follow Gale's suggestion. As assurance to the bank that it would not surrender any of its rights by turning over securities to the new RKO company, the court stated that it would direct the trustee to reserve the amount of the application until further order of the court.

George W. Alger, special master, also applied for an allowance. Alger, who has received interim allowances of $34,500 asked for an amount to be fixed by the court. No delay on his application was sought by the S.E.C.

Price, Waterhouse Co., has been allowed $4,800 as compensation for an audit of RKO books for 1938, under an order signed by Judge Bondy.

A hearing will be held today on a proposed order of the Irving Trust Co., trustee, which calls for a transfer of all assets to the new company and for the winding up of various phases of proceedings.

20th-Fox Will Ask Lenroose Dismissal

Twentieth Century-Fox Film Corp., filed notice yesterday in the U. S. District Court that it will ask Judge Bondy on Jan. 26 to dismiss the antitrust suit of Lenroose Amusement Corp. against it, all other major and M. P. D. A., on the ground that no action is stated. Lenroose, as owner of an independent Newark house, claims $150,000 damages for alleged conspiracy to deprive it of product.

Proud Words:

"I Fly United"

Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. "The Conti- nental" leaves 5:15 pm. and "The Overland Flyer," leaves 10:45 pm. Finest meals afloat. Call travel agents, hotels, or

United Air Lines

58 E. 42nd Street
New York, N. Y.

Friday, Wednesday, and Thursday Premieres by Fox

Two premiers and three previews are scheduled in the city in the next eight days. Twentieth Century-Fox opens "The Blue Bird" at the Hollywood marquee Wednesday morning and "The Grapes of Wrath" Wednesday at the Rivoli.

The previews include:

Tuesday, "The Grapes of Wrath" at the Normandie; Wednesday, "Warner's "The Fighting 69th" at the Waldorf Astoria; Friday, Republic's "Village Barn Dance" at the Village Barn in Green-

wich Village.

Four UA Salesmen Set Perfect Records

Four United Artists salesmen, having sold every one of their accounts for the new season, are now lending a hand to other salesmen in their respective exchanges who have accounts still unsecured, according to word received at the home office yesterday from Jack Goldhaber, Midwestern division manager, and Ben Fish, Far Western division manager.

The salesmen with the perfect season’s records are Edward Askens and Ray Mykle of the St. Louis exchange in Goldhaber's territory, and Joseph Solomon, Salt Lake City, and Al Hoffman, Denver, in Fish's territory.

Skouras on Fund Council

Skouras, Skouras, operating head of National Theatres, has accepted an appointment to serve on the Greater New York Federation of Colored Clubs by the Census Bureau of Franklin K. O'Brien, Vice-President and General Manager; Walter I. Fader, Vice President; James A. Oton, Advertising Manager; Chicago Bureau, 425 S. Michigan Ave., C. 19, Chicago; O'Brien, General Manager; Wm. S. Reaves, Editor; Chicago Bureau, 425 S. Michigan Ave., C. 19, Chicago.

H. M. Riches of RKO is spending today and tomorrow in Washington.

Norma Shearer leaves for the coast after a few days’ visit.

Columbia and Lloyd Sign One-Film Deal

Hollywood, Jan. 17.—Columbia and Frank Lloyd Productions today signed an agreement under which the producer-director will make "Tree of Liberty," for Columbia release.

Jack Skirball, formerly of Grand National and head of Arcadia Productions, will be associated with Lloyd, according to an agreement that has been heretofore kept under wraps. The deal on the film has been in negotiation for several months since Columbia's decision not to make the picture on its own.

Lloyd has left for Williamsburg, Va., to gather background material for the film, which will be a big-budget picture.

Columbia and Skirball are awaiting the signing of a contract by Universal calling for the delivery of six pictures during the next two years. Negotiations are for Autry's completion, but the contract has not yet been signed.

Autry Is Due East For 5 Appearances

Gene Autry, Republic Western star, will fly East tomorrow, probably for a series of personal appearances here at the invitation of Mrs. Franklin D. Roosevelt.

Autry will appear with Mrs. Roosevelt at the Ft. Myers, Va., Horse Show on Jan. 24 and at the President's birthday Ball in Washington Jan. 30. He will attend the opening of Republic's "South of the Border" at Wilmer & Vincent's Em- bers, 1733, Madison Rd. This will be the first Republic film to play the house. The following day he will be at the world premiere of Republic's "Village Barn Dance" at the Village Barn night club here.

On Sunday, Jan. 28, at 6:30 P. M., Autry will broadcast from Washing- ton on his CBS program which originates in Hollywood. Mrs. Roosevelt will be a guest on the program.

19 Weeks for 'Harvest' "Harvest," French film chosen as the best foreign picture of 1939 by the New York Film Critics, will have at least a 19-week run on its initial Tisch Tac. It is now in its 16th week. "The Baker's Wife" ("La Femme du Boulanger") is tentatively scheduled for an additional run at the Minkus's Birth- day, Feb. 12, but may be postponed.
AD FOR BUSY FILM BUYERS...

Reading Time of Excerpts—13 seconds
Reading Time of Complete Reviews—6 minutes, 11 seconds

Motion Picture Daily

Hollywood Reviews

"Slightly Honorable" (United Artists-Wangler)

"Slightly Honorable" is a comedy as was ever made in Hollywood. Walter Wangler's "Slightly Honorable," produced and directed by Tay Garnett, becomes more so by virtue of its rather grim undercurrent of violent death. From the flash of its opening little to the final fadeout, it is hilariously funny, despite the finding of a corpse now and then.

Pat Garnett, fast talking attorney intent on covering a crooked ring, obtains some dramatic results from the state, it is for two murders by Edward Arnold, a politician, and his brother. The attorney, whose manages to divert suspicion from himself time after time, exposes the politician. At the climax, he reveals the murderer, Terry, young night club singer-actor who冒名为 a murderer and exposes the love interest. Brookridge, whose facts with his idea as associate of the attorney, O'Brien, James Doolittle, Phyllis Brooks, Claire Dodd, Janet Beecher, Douglas Dumbrille, Bernard Nedell, John Shreeve, Willie Best are among the outstanding supporting players. Ken England turned out a most smoothly flowing script from the adaptation of John Hunter and Robert Tallman, of the novel, "Send Another Coffin," by F. L. Tatlock. As popular as the music, the film story tremendously, the feeling of the novel, Garnett, gave it a sense of tense and levity, in a combination which has seldom been equalled. Running time, 85 minutes.

"A" reviews denote adult classification.

Vance King

When the critics are UNANIMOUS... you can bet it's BOX-OFFICE!

WALTER WANGER PRODUCTION WITH

PAT O'BRIEN - EDWARD ARNOLD
BRODERICK CRAWFORD - RUTH TERRY


Motion Picture Herald

Slightly Honorable (United Artists-Wangler)

Colin Comedy

Walter Wangler’s "Slightly Honorable".. a comedy as ever made in Hollywood, is despite the fact that the fact of the film’s fast pace and the underlying plot could have been several murders and an attempt to crooked politicians. "It’s a funny, innocent person, and the dialogue is ungritted, many of the situations in the popular novel, "Send Another Coffin," by F. L. Tatlock, which forms the basis for "Slightly Honorable," as the young attorney whose first name is not a likely girl. He meets in "Are you over Edward Arnold as the politician, controlling road-paving graft?" Ruth Terry, night club singer who plays indifferently concerning lack of appeal, and Broderick Crawford, as the attorney’s associate, are the characters.

Ken England, wrote the swiftly moving, punchy, fast-talking dialogue, John Hunter Lay and Robert Tallman adapted the novel.

Tay Garnett, who produced and directed the film, took advantage of the opportunity to create and suspense in contrast proportions. Supporting the facts, is Alan Dinehart, Phyllis Brooks, Claire Dodd, Janet Beecher, Douglas Dumbrille, Bernard Nedell, John Shreeve, Willie Best and a host of supporting players. Ken England emerged as a man able to set up scenes from himself, leaving the audience to find the killers. After a series of skits, he discovers the criminals. Running time, 85 minutes.

"Slightly Honorable" is a comedy as ever made in Hollywood. Walter Wangler’s "Slightly Honorable," produced and directed by Tay Garnett, becomes more so by virtue of its rather grim undercurrent of violent death. From the flash of its opening little to the final fadeout, it is hilariously funny, despite the finding of a corpse now and then.

Hollywood Reporter

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Hollywood Reporter
‘Hunchback’ Big Groser In Twin Cities

MINNEAPOLIS, Jan. 17.—Best business was done by the combination of ‘‘The Hunchback’’ of Dr. Kildare and ‘‘Tommy Dorsey at the Orpheum where the take was $16,500. ‘‘The Hunchback of Notre Dame’’ drew $10,000 at the State.

In St. Paul ‘‘The Hunchback of Notre Dame’’ was top groser, getting $6,000 at the Paramount.

Estimated grosses for the week ending Jan. 11:

Minneapolis:
‘‘Charlie Chan in City of Darkness’’—(M-G-M) 7 days, Gross: $1,600. (Average: $230)
‘‘Mom from Montreal’’—(Univ.) A: 7 days, Gross: $2,400. (Average: $340)
‘‘Astronauts’’—(M-G-M) CENTURY—8,000) 7 days, Gross: $1,000. (Average: $145)
‘‘Rasputin’’—(French) ELIAD—2,500) 7 days, Gross: $1,000. (Average: $145)
‘‘Night of Nights’’—(Para.) GROSSE POINTE—900) 6 days, Gross: $1,000. (Average: $167)
‘‘Man from Arizona’’—(M-G-M) MINNESOTA—4,000) 7 days, Bold: $1,500. (Average: $207)
‘‘Secret of Dr. Kildare’’—(M-G-M) ORPHEUM—5,000) 7 days, Gross: $1,400. (Average: $200)
‘‘The Abraham Lincoln’’—(M-G-M) (Average without stage show, $4,400)
‘‘Hunchback of Notre Dame’’—(RKO) STARR–1,500) 7 days, Gross: $1,500. (Average: $214)
‘‘Oblivion’’—(M-G-M) (Average: $200)
‘‘Intermezzo’’—(U. A.) WORLD—500) 6 days. Gross: $9,000. (Average: $1,500)
‘‘Fugitive’’—(M-G-M) WORLD—2,500) 7 days. Gross: $1,000. (Average: $143)
‘‘Everything Happens at Night’’—(M-G-M) WORLD—1,500) 6 days. Gross: $1,000. (Average: $167)
‘‘Jane Withers’’—(M-G-M) WORLD—1,000) 6 days. Gross: $1,000. (Average: $167)
‘‘Hunchback of Notre Dame’’—(RKO) STARR–1,500) 7 days, Gross: $1,500. (Average: $214)
‘‘Music in My Heart’’—(Col.) LOX—2,500) 7 days. Gross: $1,500. (Average: $214)
‘‘City of Chance’’—(Fox) LOX—2,000) 7 days. Stage: $2,000. Gross: $1,500. (Average: $214)
‘‘Balalaika’’—(RKO) LOX—2,500) 7 days. Gross: $1,000. (Average: $167)
‘‘Destry Rides Again’’—(Univ.) (Average: $200)
‘‘Gulliver’s Travels’’—(Para.) LOEWE—1,000) 5 days. Gross: $7,500. (Average: $1,500)
‘‘Judge Hardy and Son’’—(M-G-M) LOEWE—1,000) 8 days. Gross: $1,500. (Average: $187)
‘‘Mohawk End King Kaa Deep Parade’’—(W. B.) LIBERTY—1,000) 5 days. Gross: $7,500. (Average: $1,500)
‘‘Balalaika’’—(M-G-M) ten days. Gross: $7,500. (Average: $1,500)
‘‘Mohawk End King Kaa Deep Parade’’—(W. B.) LIBERTY—1,000) 5 days. Gross: $7,500. (Average: $1,500)
‘‘Balalaika’’—(M-G-M) ten days. Gross: $7,500. (Average: $1,500)

Omaha Union Elects Jackson as Agent

OMAHA, Jan. 17.—Howard Jackson has been elected business agent for Local 434 of the Operators’ Union, succeeding Carl Krumel. R. S. McIntyre is president for 1940, succeeding Adolph Fells.

Other officers for 1940 are: Baird Loomis, treasurer; Boots Kostian, first vice-president; Shop Owens, second vice-president; E. J. Johnson, financial secretary; Clyde Cooley, recording secretary.

Building Restriction Is Sought in Frisco

SAN FRANCISCO, Jan. 17.—After wrangling for three hours with the city officials and representatives, the supervisors referred to committee a proposed ordinance prohibiting small frame building battles. Opposing the move was Alfred Graziani of Bridge Theatres, Inc., for the small house operators, with L. S. Hamm, attorney for large theatre interests, favoring the bill.

5 Southern Houses Destroyed by Fire

NEW ORLEANS, Jan. 17.—Numerous fires hit theatres of this territory during the first half of January. During the ten days, however, these fires were not particularly also were hard hit when frigid temperatures brought snow and ice to the theater district.

At Huntsville, Ark., fire destroyed the Dixie, causing a loss of approximately $20,000. A few days earlier the Plaza, Harrison, was completely burned with a loss estimated at $20,000. D. E. Finton, manager of the Plaza, said the Plaza will be rebuilt at once.

At Star City, Ark., fire destroyed the Star with an estimated loss of $15,000. Allen’s Alligator was razed with damage fixed at $20,000 by C. H. McRoscy, operator and manager. The Paramount at Andalusia, Ala., was completely destroyed at a loss of $40,000 to $50,000. The theatre was operated by the Martin-Starklet Enterprises, with Marion D. Adams as manager.

Indianapolis Gives ‘Everything’ $9,000

INDIANAPOLIS, Jan. 17.—Jane Withers in person headlining a stage production of ‘‘Everything Happens at Night’’ brought a high-powered $9,000 to the Circle. The weather was cold. Estimated takings for the week ending Jan. 11:

‘‘Swanne River’’—(20th-Fox) APOLO—1,000) 6 days. Gross: $5,000. (Average: $833)
‘‘Everything Happens at Night’’—(20th-Fox) CHICAGO—1,000) 6 days. Gross: $5,000. (Average: $833)
‘‘Jane Withers’’—(20th-Fox) CHICAGO—1,000) 6 days. Gross: $5,000. (Average: $833)
‘‘Hunchback of Notre Dame’’—(RKO) INDIA—1,000) 7 days. Gross: $7,200. (Average: $1,029)
‘‘Music in My Heart’’—(Col.) LOX—1,500) 6 days. Gross: $7,200. (Average: $1,200)
‘‘City of Chance’’—(Fox) LOX—1,000) 6 days. Stage: $2,000. Gross: $1,500. (Average: $250)

‘‘Balalaika’’—(M-G-M) LOEWE—1,000) 5 days. Gross: $5,000. (Average: $1,000)
‘‘Destry Rides Again’’—(Univ.) (Average: $200)
‘‘Gulliver’s Travels’’—(Para.) LOEWE—1,000) 5 days. Gross: $7,500. (Average: $1,500)
‘‘Judge Hardy and Son’’—(M-G-M) LOEWE—1,000) 8 days. Gross: $1,500. (Average: $187)
‘‘Mohawk End King Kaa Deep Parade’’—(W. B.) LIBERTY—1,000) 5 days. Gross: $7,500. (Average: $1,500)
‘‘Balalaika’’—(M-G-M) ten days. Gross: $7,500. (Average: $1,500)

Tips on Exploitation

Nurse Beauty Contest

WILMINGTON, Del., Jan. 17.—A beauty contest for nurses of Wilmington will be sponsored by Dr. Almon A. Normand. Manager Richard V. Kirsch’s promotion for the opening of ‘‘A Clock Is Born’’ at the Warner Aldine, which the contestants were guests of the theatre at the opening performance.

Warner’s Issue

Pressbook on ’69th’

The Warner advertising and publicity department has issued its annual pressbook on ‘‘The Fighting 69th.’’ Large and comprehensive, the book contains numerous stories, essays, and accessories. Twenty-six newspaper ads are included, as well as five pages of publicity material.

Lobby Easel Plugs

‘Great Victor Herbert’

MILWAUKEE, Jan. 17.—Fox’s Palace thugged the picture of Victor Herbert with a large lobby easel in the form of an open book captioned, “Pages from a manager’s scrap book.” Repro- ductions were pictorial reviews from the film.

Boy Scout Councils
Ad ‘Geronimo’ Run

ALBANY, Jan. 17.—Robert Rosen- nial, manager of Warner’s Ritz, utilized the Boy Scout councils for ‘‘Geroni- mo.”’ Those attending the movie through the boy scout participation every boy of school age was apprised of the picture.

Smile Stunt Used
To Sell ‘Ninotchka’

JANESVILLE, Wis., Jan. 17.—Theatre patrons attending Fox’s Myxers here for the showing of ‘‘Ninotchka’’ were invited to try catching employees who failed to greet them with a smile during the showing of the film. The Myxers paid each patron a free ad- mission to the theatre.

Free Tickets Stunt
Is Used on ‘Gulliver’

SUPERIOR, Wis., Jan. 17.—Harvey Buchanian, manager of the Palace here, promoted a box in a newspaper ad- vertisement of Rothel’s, local depart- ment store, plugging ‘‘Gulliver’s Travels,” in exchange for 50 free tickets. A total of five tickets were distributed, and the numbers were scattered throughout the six-column, page length ad and indi- viduals who presented them were invited to come to the store and receive two tickets.

Girl in Wedding Dress
Used for ‘Four Wives’

PITTSBURGH, Jan. 17.—To stimulate interest in ‘‘Four Wives,” Joseph Feld- ling, manager of the Orpheum has fixed up a quiet little bit with the Marlene Shop, bridal gown store, whereby a girl in wed- ding dress and tiara of Lourds’ Penn and the Warner, handing out formally-printed invitations to “the marriage of the Four Daughters.” The girl’s wedding dressing was called the worlds’ biggest wedding dress and the bottom of the invita-
Schine Victor
As U.S. Loses
Plea for Wit
(Continued from page 1)

suit. Indeed, a greater loss threatens the defendant if more theatres are acquired and the Government pre-
sents a prima facie case against the director, as it did in the past few months in the case of the A.F.R.A., de- fendant in the Washington, D.C., theatre case, in which the Government has alleged that the defendant is in violation of a specific anti-trust division order.

The Knight also allowed 22 de- mands in an application by the Schine and distributor holding company to sell the Schine theatres in New York City. The demand was not opposed by the Government.

In the New York anti-trust suit, attorneys for defendant companies having theatre affiliates entered into a voluntary agreement with the Gov- ernment under which advance notice of contemplated theatre acquisitions is to be given to the Department of Jus- tice by the companies.

As a result of the agreement, the Government refrained from asking a preliminary injunction to prevent theatre acquisitions pending trial of the suit.

New Parker Today
On Trust Questions
Attorneys for major defendants in the Government's anti-trust suit will continue conferences today with William P. Farnsworth, assistant attorney general in the anti-trust division office, with a view to agreeing on interrogatories to be answered by the Government.

Special Assistant to the Attorney General Paul Williams returned to Washing- ton after a long conference Tuesday with major's attorneys. Both sides claim that progress on the question of interrogatories has been made. The Government's time to object to the question of the majors has been ex- tended to Jan. 22.

Film Alliance Sets Two
Film Alliance of the U. S. has set release on two new films, "Face Behind the Door" on Jan. 25 and "Suicide Squad," Feb. 5. Deals have been closed with Fox West Coast for three current releases, "Bombs Over London," "The Challenged" and "Tor- pedoes," according to Norman Elson, sales manager.

Harry Putnam Dies
ST. JOHN, N. B., Jan. 17-Harry Putnam, 62, in a advertising phase of exhibition for the past two years and prior to that in exhibition for many years, died in Halifax after a brief illness. Surviving are a wife, a daughter and a brother.

New York Review

"The Secret Four" (ARFD-Monogram)

Based on the Edgar Wallace popular novel, "Four Just Men," this thriller melodrama, replete with spies, counter-ploys, mystery killings and adventurous English patriots, makes lively entertainment. Michael Bal- con, who produced it in England, has provided a well-balanced cast.

The story holds interest throughout and builds to a number of tense situations, although failure to take fuller advantage of climaxes lessens the dramatic effect somewhat. Thus no effort is made to show how one of the "Four Just Men" makes his escape from the House of Commons after impersonating an M. P. there.

The four, Frank Jones, Hugh Sinclair and Francis L. Sullivan, are engaged in uncovering an espionage plot through which a foreign power is obtaining vital information from the wife of a cabinet official, Anna Lee, a newspaper reporter, accidentally stumbles on their trail, but is persuaded not to reveal their identity.

A gigantic plot to sever the British Empire is discovered. When Alan Napier, as the treacherous member of Parliament, refuses to disassociate himself from the conspiracy, he is killed and Mansfield impersonates him in the House in time to warn the nation.

Angie MacPhail, Sergei Nollandov and Roland Fertwee wrote the screenplay. Walter Forde directed.

Running time, 79 minutes. "G."**

Edward Greif

* "G" denotes general classification.

** "G" denotes general classification.

Distribution Chiefs
Shifted by Warners

Promotions and shifts in the War- ner distribution staff in the field have been completed by Gradwell L. Sears, manager; Ken Flagg, manager. They become effective Monday.

Sears announced changes as fol- lows: Henry Herbel, Midwest manager, Chicago, to West Coast district manager at Los Angeles; Rud Lohrene, Prairie District head at Kansas City, replacing Herbel in Chi- cago; James Winn, Kansas City branch manager, to Prairie District manager; W. E. Winn, Minneapolis head, to Kansas City branch manager; Homer Hisey, San Francisco salesman, succeeding Will- iamson.

W. E. Callaway, West Coast dis- trict manager, becomes Los Angeles branch manager, replacing Jack Brow- ner, resigned.

Information Please
Title Fight in Court

Daniel and Ann Golomb, trading as Dan Golomb and Associates, owners of the "Information, Please" radio program, have filed suit in N. Y. Su- preme Court for an injunction against Information Publishing Corp., Walter Rosetti, Shelley Braverman, Peter B. Payne, and Stanley S. Boressoff.

Plaintiffs seek to restrain the defen- dants from publishing a monthly magazine, Information, Please, on the ground that it unfairly competes with the radio program.

Bailey on Boston Stand

Boston, Jan. 17.—Today, the 171st day of the masters hearing of the Morse and Rothenberg anti-trust suit in Federal Court, Thomas H. Bailey, district manager for Fox, was recalled to the stand.

Frank Ross, RKO salesman, and Ross C. Cropper, RKO branch manager, also testified.

Publicists Meeting

Screen Publicists and Advertisers Association, newly-formed union, will meet tonight at the Piccadilly Hotel. The board meets today to consider negotiation proposals.

Next Tuesday, Emily Holt, A.F. R.A. executive secretary, and Kenneth Thomson, S.A.G. executive secretary, will appear before the Equity council, and an effort will be made at that time to make final settlement of the issue.

Radio Man Injured

Hollywood, Jan. 17.—Joseph Don- hue of William Esty & Co., agency producer of "Blonde" and the "Babes in Arms" serials, was slightly injured today when he was struck by an automobile as he left the CBS building.

Glenman to New York


Sohumi to Syracuse

Following a meeting yesterday of New York City members of Allied Theatre Owners of New York, Ed-ward Southard, manager for Syra- cuse to attend a session of the regional unit there today. A regional meeting will be held Monday in Albany.
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FIRST in news

FIRST in service

to the showmen of the world...
Beware Rules Making Television Sets Obsolete, Broadcasters Tell F.C.C. Hearing; Cite Dangers

WASHINGTON, D. C., Jan. 17.—Current uncertainty over television standards is imperiling the television broadcasting industry, Paul W. Kester, vice-president of Columbia Broadcasting System, told the Federal Communications Commission today.

The first witness to present the views of broadcasters, as contrasted with those of technicians and manufacturers, is three days of hearings before the F.C.C., Kester said, his group is apprehensive that a change in standards would produce a “complete obsolescence” of sets in the hands of the public and would arouse a resentment which would be directed at the manufacturers, but at the F.C.C. itself.

The CBS officer said that when his company begins picture broadcasting in New York, the mere fact that two stations are providing programs will be an important factor in creating a national audience, and 10,000 to 15,000 sets would be sold in the first year and from 30,000 to 40,000 within two years.

Any change in standards which will render these sets obsolete or necessitate expensive conversions, he declared, would threaten a public investment of millions of dollars.

The resulting resentment would be directed at broadcasters, and where stations were engaged in both regular radio and television transmission, the effect might be very serious, Kester said.

Taking the position that recommendations of the F.C.C. television committee offered an inconsistency because broadcasters are urged to take steps that will create an immediate heavy demand for sets while at the same time initiation of regular program service is encouraged, Kester suggested three possible means of dealing with the situation.

His suggestions were (1) That the Commission fix present standards for a specified period of years and allow broadcasters to proceed with their present efforts; (2) Delay both the “freezing” of standards and the launching of new programs until standards can be developed which will not render sets obsolete; or (3) Proceed immediately with scheduled programs and with trying to fix new standards, until standards can be guaranteed for a definite period of years.

Heard were recessed until Friday, when the commission will attempt to bring them to a close.

Allied Fights To Stop Foes Of Neely Bill

(Continued from page 1)

time, it would be folly to underestimate the effect of these methods on the uninformed and undiscriminating person.

The legal rights of exhibitors and the measures which they might take to protect themselves against a general strike precipitated by a purely local labor controversy at some distant point were discussed by the board during its consideration of the recent trend of industry labor to concentrate in one big union reaching from the studio to the theatre.

With predictions of production curtailments and the “extraordinary terms” asked for “Willy Lincoln in Illinois,” “Pinocchio” and “Guilliver,” the board agreed that the outlook for Cochett is none too satisfactory and that there is definite necessity for watching allocation averages in the event that predicted curtailments are made effective. At the same time, the terms for the four big pictures were criticized as “excessive.”

The board also attacked broadcasting by film stars and “Pot O’ Gold” programs, and discussed the competition of 16 mm. films and the parking problem.

The meetings will close tomorrow with the choice of the annual convention city, election of the officers and adoption of formal resolutions on the subjects discussed.

Honor LeBaron Today

Hollywood, Jan. 17.—More than 300 Hollywood personalities will gather tomorrow night to honor William Lc Baron at a dinner to be tendered by the Masquers Club. William Collier, Sr., will be toastmaster.

Ed Grainger Signed

Hollywood, Jan. 17.—Warners today gave Edmund Grainger a term contract as associate producer under Hal B. Wallis.

Bioff’s Extravagant Pleas to Governor

Sacramento, Calif., Jan. 17.—Governor Olson today heard pleas for the extradition of William Bioff, I.A.T.S.E. leader, to Los Angeles to serve a 12 months sentence imposed 17 years ago at Chicago. Bioff’s attorneys asked that the extradition case be delayed pending settlement of the U. S. income tax evasion case against him. Governor did not indicate when he would make his decision.

20 Coast Writers Flying to See “69th”

(Continued from page 1)

california are Fred Othman, United Press; Hub Keavy, Associated Press; Harold Heffernan, North American; Paul McNamara, Chicago; Neney Slodsky, Hollywood columnist for the New York Post; James Starr, of the Los Angeles Herald-Express; Harold Thomas, Los Angeles; Robert Synge, Los Angeles Daily News; Ed Sullivan, Hollywood columnist for the New York Daily News; Harry Crocker, King Features Syndicate, the Bob Jor-
dan, International News; Sheila Grahan, North American Newspaper Alliance; E. V. Durang, Hearst Syndi-
cate, and Dick Pollard, Life Magazine.

Highlights of the dinner will be carried on a nationwide NBC Blue network, originating at WJZ here, from 9 to 9:30 P. M. Participating in the broadcast will be Gov. Herbert H. Lehman of New York, James Cap-

Mrs. Williams Rites

Osaka, Jan. 17.—Funeral services for her today for Mrs. Charles Williams, wife of the veteran local exhibitor and M. P. T. O. A. national board member, who died here yesterday following a brief illness.

Wangler Gets Capra’s Post at Academy

(Continued from page 1)

technician and producer members function in their own fields and whether their economic or studio affiliations, and it should and will attempt to present to the world their ideas and ideals through pressures of authority.

The Academy board issued the following tribute to Capra:

The Academy, through its board of governors, wishes to express its appreciation and profound regard for Frank Capra. During the past four years, the Academy has gone through the most trying period of its history and largely because of the untiring and unselfish efforts of Mr. Capra it has been able to survive. He has had always a deep conviction of the value and the need for a cultural body such as the Academy, and has worked ceaselessly to keep its aims ever in the minds of those whose interests lie in the welfare of Hollywood.

That the Academy has emerged from its troubled waters, that it has inspired renewed and enthusiastic interest in the part of many who herebefore were apathetic, that it is now, as it always should have been, definitely divorced from all economic matters and devoted exclusively to cultural development of motion pictures is a credit to the brilliant leadership of Frank Capra.

Radio Musicians’ Strike Is Averted

Though the controversy between CBS and NBC networks and the American Federation of Musicians has been fraught with strike possibilities, there will be no strike for the present, officially was yesterday.

Both networks have refused to re-
new their musicians’ contract, signed December, 1937. Many stations, how-
ever, have agreed to maintain the ex-
isting employment level. Every local musicians’ union will negotiate its own contract.

Radio Brevities

For the first time since the war, British Defense is providing the alternat-
ive programs. After six each evening, light entertainment, intended mainly for the Services in France and at some, will be broadcast from 342 me-
ters, while the usual B.B.C. news, talks, plays, symphony concerts and special events, will go on the wavelengths, 391 and 449 meters.

The new programs will feature light music, dance bands, vaudeville and programs scheduled for March. Newscasts, talks, organ recitals and recorded programs will be broadcast from the U.K. London, drama and features originate from Manchester, and variety shows and symphony concerts come from Bristol.

Kyser Guest of First Lady

May Guest of First Lady

Kay Kyser will lead his band at the First Lady’s Birthday Ball in the Mayflower Hotel, Washington, on Jan. 30. Mrs. Roosevelt has invited Kyser to join her personal party and the Birthday Ball was held in Washington on that evening. Earlier in the day he will be a guest at a White House luncheon.

Personalities in the News

Beauty Venuta will become the fea-
tured vocalist on George Jessel’s “Celebrity Programme” on Thursday, Jan. 25. She will replace the Merry Macs... Jack Johnstone, director of CBS Programs, announced a new series of 13 half-hour transmissions of “Buck Rogers programs... George Dunham, sales promotion manager of WEEL, is in town for a week.

Home Television

“The possibility for a home television set, employing the projection principle, and reasonably priced, is not very promising for this country,” Dr. H. B. Grinnell, president of the Electronics Department of Harvard University, said today. “There have been experiments in this country in the last year here’s, says I. C. Carr, in charge of receivers for General Electric, all that we have been experimenting with a screen 18 inches by 24 inches, but has thus far found the light inade-
quate, and the physical system and power supply very expensive.

Recorded Serial With Music

A daytime recorded serial with music instead of script dramas has been set with 15 stations by McCann-Erickson for the National Biscuit Co. Martin Block, who uses recorded music on his “Make Believe Ball-
room,” has made 16-inch discs with his cue sheets to tell stations when to start the music records which accompany the “chatter.” The half-hour programs will be aired six times weekly for 13 weeks starting Feb. 12.

New Mystery Program

Daniel C. Stude, vice-president and treasurer of Star Radio Programs, discloses that he has a new mystery program called “The Adams Cau-
tures of Dexter Randolph.” The series was written by Burke Goyce, formerly of NBC’s continuity department, and author of “K-7 Spy” series. The pro-
gram was tested on CFRB, Toronto, where it drew a favorable reaction.
Bondy Orders End Of Court's Control Over RKO Affairs

Termination of court control of the operations of RKO and transfer of all assets from the Irving Trust Co., trustee of RKO, to the reorganized company was ordered yesterday at a hearing before Federal Judge William Bondy.

Filing of the order will take place tomorrow, it was stated, and will become effective five business days thereafter. Attorneys for the new company will meet with officials of the Irving Trust Co. on Friday, Jan. 15, to transfer the securities and other documents of the company.

A last-minute amendment was added to the order which authorizes the trustee to withhold $4,625 in addition to $20,000 provided in the original order. This sum will be available to the Chemical Bank & Trust Co. and its attorneys for allowances to be given them.

Hamilton C. Rickaby, attorney for Atlas Corp., stated that no other important step remained except the granting of final allowances. In response, Judge Bondy requested attorneys to make their applications "modest" in amount.

Marvin Gale, attorney for the S.E.C., obtained a direction from the court that copies of applications for allowances be served upon the S.E.C. to permit it to study and report on them.

(Continued on page 8)

Los Angeles Seeks Law on Bad Shows

LOS ANGELES, Jan. 18.—By a vote of 10 to 4, the City Council today ordered preparation of an ordinance vesting the Police Commission with authority to close by law any motion picture theatres in which "immoral and indecent performances" are given.

After considerable argument from opponents of the proposal, the city attorney was authorized to submit the draft of the bill for councilmanic action. Opposition to the plan was led by Councilman Earl C. Gay, who said:

"This bill is a direct slap at the motion picture industry and if we who govern the city which is the home of such an industry pass such an ordinance, we will find it moving away. New York and San Francisco would welcome such an industry move."

Col. Cooper Named Canada's Film Chief

Toronto, Jan. 18.—Close linking of films, radio and the press for Canada's war effort is provided in the appointment of Col. John A. Cooper, president of the Motion Picture Distributors Association, to succeed John Grierson as National Film Commissioner, and of Leonard Brockington, former chairman of the Canadian Broadcasting Corporation, as advisor to the National Film Board in addition to his duties as the Dominion's official war reporter.

Blue Bird' Tonight Draws Celebrities

World premiere of "The Blue Bird," 20th Century-Fox film, will be held at 8:30 o'clock tonight at the Hollywood Theatre on Broadway, with many leaders of the film industry and the city's commercial and civic life attending.

Regular public performances will start tomorrow afternoon on a reserved seat two-a-day basis, with prices scaled 55 cents to $1.65.

Among those attending the premiere will be Darryl F. Zanuck, 20th Century-Fox production chief, who produced the picture, and Joseph M. Schenck, chairman of the board, who

(Continued on page 8)

Major Chiefs To Fight U.S. On Trust Quiz

Interrogatories Meeting Ends; Agreement Seen

Attorneys for several major company defendants in the Government's anti-trust suit will close the next session of the U. S. Attorney General's office to examine ranking officers of the defendant companies before trial.

First of the objections to vacate the Government's notice of intention to examine the officials will be filed in Federal District court here early next week.

The Government's notice of intention was served on defense attorneys last Monday. It disclosed that between Feb. 5 and March 25 the Government plans to examine the president, general sales manager, ranking production executive, ranking executive and other high officers of seven of the major company defendants.

United Artists officials were examined by the Government last summer and will not be questioned further.

William P. Farnsworth, head of the New York office of the anti-trust division, and attorneys for major defendants will report to their superiors on

(Continued on page 2)

Warners Pays Off Loans Before Due

WARNERS, Jan. 18.—Warner Bros. paid off $2,000,000 in bank loans in the last three months of 1939, reducing such loans made during the year to $4,000,000, but increasing the amount to $9,000,000 by an additional financing of $5,000,000 last December.

The financing was explained as part of the company's refunding operations, and the new money has also considerably improved Warner's cash position.

The $5,000,000 borrowing was made

(Continued on page 2)

Delegation of 69th To Greet Film Stars

A delegation from the 69th Regiment will greet James Cagney, Pat O'Brien, stars of the Warner film, "The Fighting 69th," at Grand Central Station Monday morning, when they arrive from the Coast with Jack L. Warner. They will be guests

(Continued on page 8)
**Purely Personal**

NATE J. BLUMBERG, Universal president; W. A. SCULLY, general sales manager, and J. H. SEIDELMAN, foreign manager, are expected back Monday from product conferences at the studio. J. CHEEVER COWDEN, board chairman, is expected by plane on Sunday.

EDWARD G. ROBINSON and his family arrive from the East Sunday on a twenty-year return. Robinson will remain in the East until the premiere of his latest picture early in March.

STANTON GRIFFIS, AUSTIN KROOGLI, SIRNITY PHILLIPS, JOHN D. HERTZ, JOHN MORTSPRING, WALTER HUSTON, JESSE LASKY and JOHN GOLDEN lunching at Sardi’s yesterday.

CHARLES E. MACARTHY, GEORGE WILTEYN, SAM LYNON, ED SAUNDERS and TED O’SHEA among those at Nick’s Hunting Room in the Astor for lunch yesterday.

HOWARD LEISER, United Artists production manager, is the father of an eight-month-old, born Wednesday to Mrs. LILYAN LEISER. This is their second child.

EDWARD SMALL will arrive in New York from the Coast today and will proceed immediately to Savannah, Ga., to visit his mother who is ill.

DON DELLAROCIO of the Strand, Bridgeport, Conn., is the father of a daughter, born this week to Mrs. DON DELLAROCIO at a local hospital.

S. SEAMAN, M.G.M advertising manager, left yesterday for a vacation in Sarasota, Fla., forgoing his usual Winter trek to the West.

JOHN MAYER is the new president of the M-G-M Club in Philadelphia. SHONTY STOCKTON has been elected head of the Albany Club.

J. BONOMO, former Universal se- rial star, heads a newly-founded publishing company in the physical culture and health field.

Hilda LESSER RICKES, secretary to division manager M. E. MANNERS at M-G-M, is vacationing in the South.

GEORGE J. SCHEFFER and NED E. DEPENIT will leave today for product conferences at the RKO studio.

LON CHANEY, Jr., left for the Coast last night. It was the actor’s first visit to New York.

**Metro Gets Olivier**

Hollywood, Jan. 18.—Laurence Olivier was today signed to co-star with Greta Garbo in Metro’s “Prize” and “Prejudice,” originally intended as a Norma Shearer vehicle. Hunt Stromberg will produce.

**New Booky Film Title**

“The Man from Dakota” supplants “Arouse and Beware” as the final title for Wallace Beery’s new Metro film.

**Hear Siren in Film, Race for Shelters**

LONDON, Jan. 5 (By Mail)—A director’s reconstruction at a Hollywood film sent the audience scurrying to air raid shelters. In a sequence representing an air raid, Attendants at the door heard the siren and thought it was a raid warning. A report was made to the management and the audience told they might stay on or leave as they thought fit.

**80 Schine Houses Will Show ‘Wind’**

GLOVERSVILLE, N. Y., Jan. 18.—More than 80 Schine Circuit first run houses in five states will give a minimum of one week’s playing time to “Gone With the Wind.” District and zone managers of the circuit were called at their meeting here today. The theatre will play four weeks at Lexington, Ky., which will be the local opening, comprise its first two engagements in the Schine theatres.

The circuit managers’ meeting was called principally to discuss special policies required for the “Wind.” It was announced that there would be a general meeting which was followed by district meetings.

**Neely Stands Delayed By Screen Directors**

Hollywood, Jan. 18.—The Screen Directors’ Guild’s plans for a standard contract and control over productions is held up. At the Strand, “Invisible Stripes,” with Shep Fields band, a show that has been estimated at $45,000 is also released.

“Raftles” at the Roxy, with a stage show grossed an estimated $37,000. In its fourth week at the Rivoli, which ends tonight, “The Light That Failed” should draw an estimated $9,000. It held the stage Wednesday and Thursday. “Grapes of Wrath” has its premiere.

**Warners Pay Off Loans Before Due**

(Continued from page 1)

last Dec. 15 at 4½ per cent interest from the Connecticut Mutual Life Insurance Co. of Hartford. As collateral the company pledged the Fairbanks and Sunset studios on the Coast, a California ranch, 15 theatres, two commercial properties and an inter-company note of $200,000. Although first payments on earlier loans made for debenture refunding were not due until April of this year, Warner’s paid off $25,000 this month and $150,000 in December. Payments are next due in October.

**Major Chief’s Fight Trust Quiz by U. S.**

(Continued from page 1)

the results of a two-day conference on interrogatories, it was learned yester- day.

The conference, which ended yesterday, gave indications of an ultimate agreement between the parties. Final wording of the suggested modifications will be exchanged within the next few days, reliable sources said.

A stipulation, filed yesterday, provides for an adjournment of a hearing on objections of Columbia, scheduled for today, until Feb. 9.

**Studio Union Files N. L. R. B. Complaint**

LOS ANGELES, Jan. 18.—One of the unions for which William Bioff, as chairman of the committee of A.F. of Studio unions, negotiated a 10 per cent wage increase for most of the workmen in the film industry, has filed charges of unfair labor practice against the producers at the National Labor Relations Board office here.

The complainant, the Building Service Employees International Union, charged producers failed to grant an increasing salary, which Bioff negotiated obtained their raises. Named as respondents were the Association of Motion Picture Employes, Hollywood, Los Angeles, Silverberg, Walter Wagner, E. J. Mannix and Y. Frank Freeman.

**Ryder Re-Elected To S.M.P.E. Post**

Hollywood, Jan. 18.—Loren J. Ryder, head of Paramount’s sound department, today was announced as having been re-elected chairman of the Pacific Coast section of the Society of Motion Picture Engineers. Alan Gundershager continues as secretary-

**Monogram in Tieup On ’Uncle Don’ Show**

Monogram is cooperating with “Uncle Don” on the latter’s annual child talent quest over the Mutual Network. The show will have a prominent role in a forthcoming Monogram production. The contest runs from January to June and Monogram players and hosts will be mentioned on the program.

**Newsreel Parade**

Newsreels again focus attention on the wars in Europe. Activities on both the Manxen and Maginot Lines are the subject of the special visit of Pope Pius to King Victor Emmanuel, Reets and their contents fol-

**MOVIE NEWS, No. 38—Finns against Russian aggression, counter attack. Swed-

**Motion Picture Daily**

(Registered U. S. Patent Office) Published daily except Saturday and Sunday by William Gaughran, editor, 1207 Sixth Avenue, Rockefeller Center, New York. Entered as second-class matter at the post office at New York, N. Y., under the Act of March 3, 1879. Subscription rates per year $8 in the United States and $12 foreign. Single copies 10c.
Virginia M.P.T.O.
Opposes Neely Bill

RICHMOND, Va., Jan. 18—Harry Brandt, president of the New York I.T.O., addressed the M.P.T.O. of Virginia, in annual convention here today, on opposition to the Neely bill and the appearance of stars on the radio.

President William F. Crockett of the Virginia organization appointed Motion G. Thalheimer and William S. Wilder to the committee being organized to fight the radio appearances. Members were urged to wire their Congressmen and urge them to oppose the Neely bill.

New members of the board of directors are Daniel Weinberg, Jeff Hofheinzer, John Caldwell, Denver Aleshire and H. M. Moody. James R. Grainger, president of Republic, spoke briefly, and the convention concluded with a banquet tonight.

Roach Buys 'Turnabout'
Hal Roach has purchased the screen rights to the famous Thorne Smith novel, "Turnabout." Production is set to begin on Feb. 12. To date, Jules Hubbard and Victor Mature, both of whom scored in "The Housekeeper's Daughter," have been signed.

Scientific Awards Due
Hollywood, Jan. 18—Nominations for the Academy award for scientific or technical achievement will close on Monday. The Research Council will meet then to consider all submitted nominations.

"Abe Lincoln in Illinois"
(RKO)

(Continued from page 1)

is composed. The film is permeated with that earthy feeling of the common man, Lincoln, whose life was a fight with himself, with his ideals and with that perpetually goading drive which, personified by Mary Todd Lincoln, forced him to go forward against the natural indolence which always beset him. That natural indolence, more properly, was basically an all-pervading love of peace.

Pages might well be written on Massey's portrayal, as in a hundred instances, he brings to pulsating life the Lincoln that the nation has known in song and story, the growth in Illinois, the tragic romance with Ann Rutledge, the state legislature and so on. It must suffice to say that Massey has made a living Lincoln as it has never been done before.

Max Gordon and Harry Goetz produced and John Cromwell directed from the screenplay by Sherwood and the adaptation of Grover Jones. Gene Lockhart plays Stephen Douglas; Ruth Gordon, brilliant stage actress, Mary Todd Lincoln; Mary Howard, Ann Rutledge; Alan Baxter, Billy Herndon, and Harvey Stephens, Minor Watson, Aldrich Bowker are in lesser roles. All of these individuals contribute in small or large measure to the achievement which is the finished product.

Standing out sharply are several memorable sequences: The humorous upsetting of the boatload of pigs as Lincoln first comes to New Salem, III.; the fight with the local bully; the break with Mary Todd and the capture of John Brown at Harper's Ferry.

The rebuttal in the Lincoln-Douglas debate at Springfield, which, with its ringing avowal of the American principle of freedom and liberty, will strike to the heart of every American, is the apex of the film. The moving farewell speech to his friends as the train is about to depart for Washington, and with which the films ends, is a gripping forecast of dark days and tragedy ahead.

Running time, 110 minutes. "G."*  

Charles S. Aaronson

*"G" denotes general classification.

Stars Will Attend 'Lincoln' Opening

WASHINGTON, Jan. 18—Raymond Massey, star, John Cromwell, director, and Mary Howard, one of the players, will be among the Hollywood guests at the world premiere of RKO's "Abe Lincoln in Illinois" at the RKO Keith here on Monday.

Cromwell, Ruth Gordon, one of the leading players, and Harry Goetz, co-producer with Max Gordon, will arrive here Friday, and Massey and Miss Howard on Sunday. The premiere is being sponsored by the Newspaper Women's Club of Washington as a charity benefit.

Pre-release engagements of the film include: Paramount, Palm Beach, Jan. 25; Capitol, St. Petersburg, Fla., Jan. 30; Florida, Jacksonville, and Tampa Theatre, Tampa, Fla., Feb. 1, and Daytona, Feb. 8. In all cases, matinees will be continuous, at 75 cents admission, and evening performances on a reserved seat basis at $1.10.

Endicott Protests Labor Board Ruling

Endicott Circuit filed objections yesterday with the State Labor Relations Board against the board's ruling that the entire circuit was to be grouped as a single collective bargaining agency, instead of by individual houses. The motion picture division of the Theatrical Managers, Agents and Treasurers Union was defeated in the election but has challenged the votes.

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"THE MAGIC BULLET"

It turns to Gold!
Warner Showmanship does it!
'Destry' Hits Big $13,500, Frisco Lead

SAN FRANCISCO, Jan. 18—"Destry Rides Again" and "The Amazing Mr. Williams" scored a strong $13,500 at the Orpheum in the second week. The Hunchback of Notre Dame, in its second week at the Golden Gate, drew $17,500. Estimated takings for the week ending Jan. 12.


San Francisco, Jan. 18—"Destry Rides Again," also the "Amazing Mr. Williams," scored a strong $13,500 at the Orpheum in the second week. The Hunchback of Notre Dame, in its second week at the Golden Gate, drew $17,500. Estimated takings for the week ending Jan. 12.


S. U. to Aid Coast Fair

SAN FRANCISCO, Jan. 18—President Roosevelt has approved Federal participation in the 1940 exposition on Treasure Island to the extent of $200,000, according to word received by George Creel, United States Commissioner to the fair. An additional $250,000 was approved by the Government to induce Pan-American activities at the fair.


W. B. in Mexico Deal

MEXICO CITY, Jan. 18.—Oscar and San Grant, operators of the Coloso and Colonial here, have signed for the entire Warner lineup of features and shorts for the 1939-40 season.


Los Angeles, Jan. 18.—"Destry Rides Again" and "Blondie Up in the Hillstreet" will gross $52,000, in the third week at the Carthay Circle and United Artists, bettering their first, week's takings of $52,000, taking $22,500 a former and $30,000 at the latter. "Destry Rides Again" and "Blondie Up in the Hillstreet" will gross $52,000, in the third week at the Carthay Circle and United Artists, bettering their first, week's takings of $52,000, taking $22,500 a former and $30,000 at the latter.

Estimated takings for the week ending Jan. 17.


Motion Picture Daily

'Wind' Paces Los Angeles With $52,000

LOS ANGELES, Jan. 18—"'With the Wind,'" in the third week at the Carthay Circle and United Artists, bettered its first, week's takings of $52,000, taking $22,500 a former and $30,000 at the latter. "Destry Rides Again" and "Blondie Up in the Hillstreet" will gross $52,000, in the third week at the Carthay Circle and United Artists, bettering their first, week's takings of $52,000, taking $22,500 a former and $30,000 at the latter.

Estimated takings for the week ending Jan. 17.


C. I. O. Operators Lose Houston Plea

HOUSTON, Texas, Jan. 18—Provisionalists affiliated with the C. I. O. lost their plea for a temporary injunction restraining the A. F. of L. affiliates and Negro operators to the River Oaks Theatre here. A hearing "on the merits" of the case, seeking a permanent injunction, will be held before a State court during the week of Feb. 5. District Judge Kenneth McCalla said in handing down the temporary ruling.


'Balalaika' Scores $6,000 in Cleveland

CLEVELAND, Jan. 18—Best for the week was "Balalaika," which grossed $6,000 for its second week at the Loew's. "The Hunchback of Notre Dame" drew $13,500 in its second week at the Hippodrome. Estimated takings for the week ending Jan. 11.


'Terre Haute, Ind., Theatres Organize

TERRE HAUTE, Ind., Jan. 18—Owners and managers of local theatres have formed a group known as the Terre Haute Theatres Association, an organization formed to promote ways in which they can better serve the public.

Those present at the initial meeting were: Nat Blanck, manager of the Orpheum, Maurice Retailleau, manager of the Idaho and the Swan; J. B. Stein, proprietor of the Garfield; Boye V. Nelson, manager of the Parnassus; Ben Van Borsum and Jack Van Borsum, proprietors of the Savoy and the West; A. M. Kaufman, proprietor of the Embassy; John Wycoff, manager of the American and Liberty; and Gus Simpson, the general and manager of the Fourth Avenue Amusement Co.

Officers elected at the meeting to serve the group during the ensuing year are: A. H. Kaufman, president; S. P. Katzenbach, vice-president, and Maurice Reinking, secretary.


Legion Approves 11 Of 12 New Pictures

National Legion of Decency has approved 11 of the 12 films reviewed for the current week. Six are classified as unobjectionable for general patronage, five as unobjectionable for adults and one objectionable in part. Films and their classification follow:


"THE SHOP AROUND THE CORNER' is the first picture of the new year that is sure to be on every critics' list as one of the best pictures of the year. A 'must' for everyone who goes to the movies."

—Sidney Skolsky in Nationally Syndicated Column.

SIDNEY SKOLSKY PREDICTS!

"Imagine, Leo, and it's only January!"

"And wait till he sees 'I TAKE THIS WOMAN' and 'STRANGE CARGO' and 'BROADWAY MELODY OF 1940' and 'NORTHWEST PASSAGE' and the others."
‘Angels’Exploitation Winner Gets $1,000

Hollywood Review

“Green Hell” (Universal)

Hollywood, Jan. 18.—This film is notable, tradewisely, as the first of several which Harry Edington was to produce for Universal release, now the last in a recent appointment to the capabilities of RKO production. It is notable, externally, as making available for exhibitors’ exploitation use the names of Douglas Fairbanks, Jr., Joan Bennett, George Sanders, Alan Hale, John Howard and Vincent Price, a potent grouping of personalities not commonly assembled under a single picture. The male as director and that of Frances Marion as writer of screen play and story also have attraction value.

The story Miss Marion wrote is essentially “movie” in character, specifically “movie” in substance and manner of telling. It is about six men and a woman beset by nature and native danger far up the Amazon, intent on locating Inca temple ruins and obtaining both gold and historical data therefrom. The setting and the situations are of the sort used many times in serials and occasionally in feature pictures. Incidents include a torrential storm, an attack by savages and a rescue by other savages. The preview audience reacted to the film much as juveniles react to serials on Saturday afternoon.

Running time, 87 minutes. “G.”

ROSCOE WILLIAMS

Brokers Accused

Of Code Violations

Seven brokers and one theatre manager were arrested in Columbus yesterday before the Code Enforcement Authority of the new ticket code in the franchise area of the municipaliy. No action was taken yesterday and details of the charges were not made public.

After the hearing, Gustave A. Gerber, who appeared as attorney for several of the agencies, explained that several violations may have occurred during the fight against the code and before the smaller brokers accepted it. Gerber, who was a vigorous opponent of the code, was asked whether it was explained that he regarded the action as a healthy sign. “If we are to have a code it should be rigidly enforced,” he declared.

Boston Officials Testify

Boston, Jan. 18.—Six Boston theatre officials testified today in the Morse and Rothenberg anti-trust suit against the major film companies. They were: Maurice Goldstein, city salesman for Loew’s; John G. Moore, sales manager for Paramount; Albert M. Kane, Paramount branch manager; William H. Erbb, Paramount district manager for Massachusetts. Most of this week are John Peer Miles, publicity director, Mabel Hill, Oliver Hoppes and Jerry Dale.

K-A-O Votes Dividend

The board of directors of Keith-Albee-Orpheum Corp. declared a dividend, out of operating surplus, of $1.75 per share on the 7 per cent cumulative convertible preferred stock for the quarter ended Sept. 30, 1937, payable April 1, 1940, to the holders of record of said stock at the close of business on March 15, 1940.

Columbus Meet Feb. 28

COLUMBUS, Jan. 18—Tentative dates for the annual I. T. O. convention have been set for Feb. 28 and March 1, 1940. The convention will be held at the regular meeting date in November.

All Operators Working

CHICAGO, Jan. 18.—John Smith, head of the Chicago operators’ union, reports that all members are employed. Of some 20 theatres that closed last summer eight failed to open in the Fall.

Academy Gets Art Direction Choices


Under the rules the arts direction award committee must view all of the nominations before voting to choose the production which receive the award.

Skouras Managers Will Meet on Coast

Spyros and Charles Skouras, who has been conferring here, plan to leave next Wednesday for Los Angeles where the annual National Theatres division managers’ meeting will be held the week of Jan. 29. Others attending will be William Powers, film buyer, and Edward Zabel of the home office, Bud Lotfier, Fox West Coast real estate and tax consultant, and William Loris, F. W. C. theatre supervisor, here with Charles Skouras, will leave with the party.

Harry Cox, National Theatres treasurer, who is in Miami, will go from there to Los Angeles.

“THOU SHALT NOT EAT" (Universal)

"Just because you hear me passing out a line of double-talk across the bar all the time, that doesn’t mean I’m not the marrying kind."

Charles BICKFORD

OWEN DAVIS, JR. · DORIS DAY · PAUL GUILFOYLE
A Republic Picture
"Upset"

"I let the subscription to Motion Picture Herald expire, and we have not received the last two issues of same. It seems to have upset the entire routine of the office force, as well as cost me some rather valuable information regarding a couple of pictures that will be released very soon."

DAVID S. FLEXER

Motion Picture Herald, $5.00 a year Domestic; $10.00 Foreign; 52 issues with which is combined Better Theatres, 13 issues yearly.
Fox Notables Going Tonight To 'Blue Bird'

(Continued from page 1)

will arrive this morning from the Coast.

Accompanying them from Holly-
wood are Gene Markey, associate pro-
ducer, Mrs. Smith, her husband, and a family of six.

They are scheduled to leave for the
Coast Wednesday after attending a previ-
ously announced engagement at the 'Bird' at
the Normandie Tuesday night.

Among the distinguished guests in
tonight's audience will be:

Mr. and Mrs. A. L. Levy, Edward Legge-
lee, Mrs. Johannes Levy, Beth Libinck, Paul Moss,
Mr. and Mrs. Gene Markey, Mr. and Mrs. Gil-
bert Miller, Mr. and Mrs. P. C. Kevoy, Mr.
and Mrs. W. C. Michel, Cor-
nelius J. Coakley, John W. Pal-
ley, Seton Porter, William P. Phillips,
Mr. Helen Herrick, Sir Hugh Moore,
John J. Ryan, Mrs. Dorey Mathis,
Mrs. Martin, Mrs. Bertrand Schechter,
Mrs. Lew, Mrs. Thomas, Mrs. and Mr.
Mrs. Lowenthal, Commission-
er Lewis M. Pincus, Mrs. Leo Wol-
man-Wobber, Miss Nancy Walker, Mr. and Mrs.
Charles E. McCarthy, Harry Brand.

Norton Arwooden, Neil Asner, Harry Arth-
ur, Harry Brandt, Will Brallant, Herman Beck-
er, L. F. Boot, Mr. and Mrs. Brandt.
John Besna, Bruce Brooks, Clas-
ton Bond, Mrs. Mort Blumen-
stein, Barney Halban, Harry Buc-
lley, Harry Brandt, Richard Bron-
ch, Nat Brower, H. B. Buxbaum, Sam Coe-
lick.

Max A. Cohen, Jack Cohn, Dave Chat-
kin, H. I. Cohen, Paul Coyle.

Cliff Clark, Alfred Horin, Harry Cox, Domi-
nic Del Gaudio, Terry Gair, Howard Dietz, Arthur Delvon, D. S. Dobbs,
Harvey Day, Hector Doff, Don Dobsy.
Miss Dye, Mrs. Edward, Mrs. Robert Emelo, Mrs. Norman Elson, Mrs. George Emfield, Mrs. Horace, Mrs. Pat Fleischer, Mrs. Robert Fleischer, Mrs. Monty Fleischer, Mrs. Louis Fleischer, Mrs. Ira Fleischer.

E. C. Grainger, Jack Geller, Sam Good-
am, Mr. and Mrs. Henry Goldberg, Louis Goldberg, Harry Goldstein, Charles Gordon, Robert Gilman, Mr. and Mrs. Edward Golder-
berg, Harry Goetz, William C. Gehring, Harriet Good, G. Bubier, Edward Hinchy, A. A. Hovey, Harry Heely, Walley Hovet, Jack Harris, Harry A. Harris, Homer Hattam, Phoebe Hefler, H. J. Bitstich, Franklin F. Fijm, Mrs. J. J. Kear-
by, Betty Kirshner, Mrs. Harry Kisco, Mrs. Max Kuhn, George, Mrs. Benjamin Kru.

Krepp, Mrs. Moe Krut, Harold Klein, I. Kalb, H. L. Morin, Mr. and Mrs. Polly Katz, Edward P. Klineo, W. J. Neppier and Morris M. Neppier.

Joe Levy, Frank Lynch, Abe Leff, Eu-
gene Leving, Irving Lesher, J. H. Lang, J. L. Linke, Mr. and Mrs. Leonard.

Fred Meyers, Charles Moses, Charles M.
Donald, Mr. and Mrs. William Mor-
win Margules, Lewis Moses, Charles C.
Moskowitz, Mrs. Elvin Moses, Mrs.
Mose, Martin Moskowitz, Harry Mersy,
Eugene Mokhov, Mrs. and Mrs. Howard
Nabors, Mr. and Mrs. Henry, Mr. and Mrs.
Manus, Abe Montague, Carl E. Milliken, S.
Barrett, Mrs. Martin, Mrs. C. Moses, Mrs.
Netter, John O'Connor, Robert Packow, W.
illiam, Mrs. William, Mrs. and Mrs. Pau-
lick, William Powers, Sam Rowe, Al Sei-
der, Joseph Seiter, Jack Shear, Charles Shrier,
Fred Schwartz, William B. Stein, Joseph Silver, Mr. and Mrs. Seiter.

Thelma, Eddie Stern, Ben Sherman, Sid

Metro Reveals 17 More Wind Dates

Gone With the Wind' bookings set for WOR, total 144 in 131 cities, including 17 engagements dis-
closed yesterday.

Three-day showings set for: Feb. 27-
29, Minam, Davenport, Pottsville, Pa., Keene, Elmira, N. Y., Feb. 9, Capitol, Hazleton, Pa.; Capitol, Shenandoah, Pa.; Music Hall, J. F., Pa., Feb. 10, Capitol, Olean, N. Y., Feb. 16, Colonial, Lebanon, Pa.; Strand, Sunbury, Pa.; Youngstown and Shenandoah theatres will be only two shows Sunday, with seats reserved.

New two-day shows set for: Feb. 8 and 9, 2. She, Erie, Pa.; Feb. 8 and 9, Fox, Butte, Pa.; Retlaw, Fond du Lac, Wisc.; Feb. 9, Stage, N. H.; Shea, Bradford, Pa.; Feb. 14, Capitol, Sacramento, Cal.; Feb. 16, Capitol, Chambersburg, Pa. In the latter house, there will be three perfor-
mances Saturday, with only the evening show reserved.

Following a two-week run at the Carolina, Charlotte, the film will move to the Imperial for an unde-
defined engagement at the same two-day policy.

Dismissal Denied

N. Y. Supreme Court Justice Val-
ente yesterday denied a petition of the Motion Picture Producers Co. to dismiss the $500,000 suit of Donald L. Besdine. Plaintiff charges the defendant with attempting to drive him off the air.

MPTO Elects Wilkinson

NEW HAVEN, Jan. 18.—The Con-
necticut M. P. T. O. has elected George
H. Wilkinson of the MPTO, succeeding the late
George H. Wilkinson, operator of the Wilkinson Theatre, Wallingford.

program Notes

Ivory Caesar's "Sing a Song of Safety" show is now a regular fea-
ture on NBC's "Melody Ranch," which is presented by the Screen Act-
ers Guild in its first year with their Saturday night Gulf Oil show.

Actors perform without charge on the show with the proceeds going to the Gulf Oil Relief Fund.

Program Notes

Vets to Get Ford Film Stars

Delegation of 69th
To Greet Film Stars

(Continued from page 1)

on behalf of the American Legion disabilities association, the 40-piece regional band.

More than 1,000 reservations have been received for the dinner. Ad-
nouncement for the broadcast of the event will be announced.

The program will also be broadcast on the WJZ network.

For the first time, the event will be broadcast on the WJZ network.

Women 20-Year Vets

Five women employees of M-G-M have been with the company for 20 years or more, as checkup reveals. They are Marion Ryan, Buffalo office manager; Ethel Miller, Chi-
cago office manager's secre-
tary; May L. Cassidy, Den-
ver cashier; Mary Vaughn, St. Louis chief inspector, and Effa Baxter, Cleveland chief inspector.

Allied Asks Quick
Vote on Neely Bill

(Continued from page 1)

lens which it had, the Board adopted a resolution renewing Allied's protest against the air appear-
ces of film stars, pointing out that
"the theatres cannot continue to pay the high film rentals now being de-
manded," which, it is contended, "is engaged in giving free shows in com-
petition" and asserting that it is a practice which only the major com-
mpanies can afford to adopt.

Under another resolution, distrib-
utors supplying films to theatres were called upon to stop licensing 16 mm. showings of advanced films and showings of both features and shorts, for public exhib-
tion, and to cancel all outstanding li-
censes which could prevent the unauthorized exhibition of narrow films.

The board reaffirmed the Associa-
tion's position that disputes involving clearance, zoning, overbuying and other issues should be settled locally by "fair arbitration." In a final resolution, the board called upon the regional associations having offices in metropolitan areas to cooperate with the Bureau of Street Traffic Research of Yale University in its survey of parking conditions.

Following the meeting, the board issued a formal statement, in anticipa-
tion of possible labor difficulties in Holly-
wood when the present tempo-
rary restrictions are lifted, which might spread throughout the in-
dustry, declaring that the Association does not intend to take any steps to en-
sure its members to keep the in-
nocent victims of any general strike growing out of a dispute to which they are not parties.

Delegation of 69th
To Greet Film Stars

(Continued from page 1)

of honor at the Regiment's reunion dinner at the Waldorf-Astoria on Wed-
nesday, when the film will be
screened.


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Zanuck Hails Longer Film Playing Time

**Fox to Have More Road Shows This Season**

By AL FINESTONE

Darryl F. Zanuck, production chief of 20th Century-Fox, arrived from the Coast yesterday with Joseph M. Schenck, board chairman. In a press interview Zanuck discussed the advisability of stipulating longer playing time in film contracts when possible if the domestic market is to compensate for the loss of revenue from abroad and mounting production costs.

This, he said, is the opinion of producers on the Coast.

Zanuck said that pictures can be made anywhere, but "good films can be made only in Hollywood." This was in reply to reporters' questions about production in New York.

The company's production program for next season probably will be set before Zanuck leaves Wednesday for the Coast.

More roadshows will come from 20th Century-Fox this season and next, and the studio is gearing its operations in that direction, said Zanuck. In this category he mentioned "Lillian Russell," "Brigham Young," and "Down to the Sea in Ships."

"Lillian Russell" will be first of the forthcoming roadshows. It will run three hours and 15 minutes and will be given special sales handling at higher than usual percentages. It is budgeted at more than $2,000,000, the

(Continued on page 2)

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**‘Blue Bird’ Lures Industry’s Top Executives to Premiere**

Undaunted by the severity of the weather last night, 1,500 persons jammed the Hollywood Theatre to capacity to see the world premiere of "The Blue Bird," 20th Century-Fox color feature.

When the 80-minute show ended, the audience, with ovations and exclamatory words of approval, acclaimed the cinematic version of Maurice Maeterlinck's famous fantasy.

Included in the audience were practically all of the leading officials of 20th-Fox, besides executives from other motion picture companies. Notable among those present were the following:

Darryl Zanuck, 20th-Fox studio chief; S. K. Kent, president; Joseph M. Schenck, chairman of the board; Will Hays, Jesse Lasky, Ernst Lubitsch, Barney Balaban, Herman Wobber, Spyros Skouras, Charles Skouras, Edwin L. Weid, Gene Markey, associate producer of "The Blue Bird," and scores of other industry officials. Other celebrities noticed among the "First Nighters," most of whom were accompanied by their wives and formally dressed, were William Paley, CBS president; Postmaster General James A. Farley, Comde Nast, Irving Berlin, Jack Cohn, Arnold Kostelanetz, Sidney Lanfield, and many others.

Crowds engulfed early in front of the Hollywood theatre where a light illuminated the front. Autograph seekers and others eager to see celebrities composed a large portion of the throng. When glamorous Hedy Lamarr and her husband, Ricardo Cortez, appeared, a throng followed them to catch a glimpse of her and her husband, Markey.

In the long lobby, photographers took flashbulbs of the arriving executives and stars. A Movietone News crew also filmed the notables. These shots will be included in a trailer which will be used to exploit "The Blue Bird" in other cities. Another Movietone News crew obtained footage of Zanuck and an American set along the street.

"The Blue Bird" today starts its regular two-day run for a limited engagement which will extend for at least six weeks. Other premiers are scheduled at Detroit, opening there on the 9th.4 at St. Louis, on the 12th. Other major cities are next.

(Continued on page 9)

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**Welles Deals to Stay, Declares Schaefer**

Production of "The Heart of Darkness" by Orson Welles' first picture for RKO, will be completed and there has been no change in the status of Welles' contract with the company, George J. Schaefer, RKO president, said yesterday, prior to his departure for the Coast.

Welles, who was in New York for one day during the past week to confer with Schaefer, has returned to Hollywood to continue work on the production.

Schaefer, accompanied by Ned E. Depinet, RKO vice-president and distribution head, left on the 20th Century Limited, will be in the East next week for negotiations with Harry Edington, Joseph Nolan, Lee Marcus and other production officials on RKO's new season production plans.

Depinet stated that no decision has been reached

(Continued on page 2)
Welles Picture Deal Will Stay, Says Schaefer
(continued from page 1)

been made in advance to the number of pictures which the company will project in the RKO theatres. In addition, there are many of matters to be determined during the studio conferences, he said.

Questioning concerning Allied States' efforts to have a new arbitration system for adjudication of clearance and zoning and overbuying complaints, Depinet said: "I am of the opinion that the voluntary participation of all theatre interests and expressed a doubt as to whether or not independent circuits would consent to such questions to arbitration. Without their participation, he indicated, there would be no arbitration to the point.

Depinet, a member of the distributors' trade practice negotiating committee, said that he did not see how distributors who would be only one party to some complaints and might not be involved in all others, could bring about arbitration if exhibitors, and particularly independent circuits, were unwilling to participate.

Also leaving for the Coast on the 20th Century Limited today are James Mulvey, Eastern representative for Samuel Goldwyn; Oscar Serlin, Broadway producer, and Robert Benichky.

Kingsberg in Bigger RKO Theatres Post

Malcolm Kingsberg was elected executive vice-president of Keith-Albee-Orpheum Corp. and B. F. Keith Corp., principal RKO theatre subsidiaries, at meetings of the boards of the two companies yesterday. William J. Merrill, who was elected a vice-president of RKO last week, will be elected treasurer of the company at the next meeting of the board of the Keith-Albee-Orpheum Corp. We have been a financial adviser in RKO for the past four years and was assistant to George J. Schaefer, president, during the period.

Kingsberg has been vice-chairman of the board of K-A-O and B. F. Keith Corp. for the past three years and will continue in those posts in addition to his new executive vice-presidency.
OVATION GREET "THE BLUE BIRD" AT BRILLIANT ROAD-SHOW WORLD PREMIERE IN NEW YORK!

"One of the greatest pictures ever brought to the screen," cheered the nation's outstanding reviewers and leaders of all branches of the industry, including an unusual number of prominent exhibitors, at last night's opening!
SCENES FROM "BLUE AT HOLLYWOOD"

Mr. & Mrs. Darryl F. Zanuck, Hedy Lamarr and Gene Markey
Lily Pons and Andre Kostelanetz
Spyros Skouras
Will H. Hays
Congressman Magnuson of Washington, Joan Castle
and Joseph M. Schenck
BIRD" PREMIERE . . .
THEATRE, N. Y.

Ernst Lubitsch

Mr. & Mrs. Sidney R. Kent

Irving Berlin

Mr. & Mrs. Barney Balaban, Mr. & Mrs. Herman Wobber

Fred S. Meyer, John J. O’Connor, Max Fellerman and party
SMASH NEWSPAPER
SPECTACULAR OPENING OF

Twentieth Century-Fox Film Corporation announces the world premiers of Maurice Maeterlinck's THE BLUE BIRD, which will be shown twice daily with all seats reserved. This production, may be seen from the very beginning—and enjoy to the fullest its mood of rare beauty.

We believe that for years to come you will remember THE BLUE BIRD. Greater than its player, it is one of the most beautiful pictures ever made, a human drama of ages appeal.

Tickets are now on sale at the boxoffice for opening week and subsequent performances. Mail orders are being filled in the order received.

Maurice MAETERLINCKS

THE BLUE BIRD in TECHNICOLOUR

with


Directed by Walter Lang

Adaptation: Andree Froissard

Associate Producer: Sam Goldwyn

A 20th Century-Fox Picture

Darryl F. Zanuck in Charge of Production

WORLD PREMIERE
Friday, January 19th at 8:30 P.M.

HOLLYWOOD Theatre


We believe that for many years to come, you will remember THE BLUE BIRD as the most beautiful picture ever made—the most human story ever told. This you may see it as it should be seen—from the very beginning—and enjoy to the fullest, THE BLUE BIRD will be shown twice daily with all seats reserved.

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CAMPAIGN HERALDS NEW YORK TWO-A-DAY RUN!

WORLD PREMIERE
Tonight at 8:30, New York will see the world premiere of Darryl F. Zanuck's production of Maurice Maeterlinck's THE BLUE BIRD in the Hollywood Theatre. We believe this for many years to come, you will remember THE BLUE BIRD as the most beautiful picture ever made—the most human story ever told. You may see it as it should be seen—from the beginning and enjoy it to the fullest, THE BLUE BIRD will be shown twice daily with all seats reserved.

Tickets are now on sale at the box office for performances. All orders are being filled in the order received.

THURSDAY
1 day before opening
400 lines

FRIDAY
opening day
700 lines

WEDNESDAY
2 days before opening
300 lines

TICKETS:

FRIDAY opening day
700 lines

HOLLYWOOD Theatre

THURSDAY
1 day before opening
400 lines

WEDNESDAY
2 days before opening
300 lines

FRIDAY opening day
700 lines

HOLLYWOOD Theatre
ALL POINTED TO THE GREAT DAY WHEN YOUR THEATRE PLAYS "THE BLUE BIRD"

Road shows in New York, Detroit, San Francisco—strategically covering East, Midwest, Far West—from which radiate, by word-of-mouth and printed page, the prestige and entertainment greatness of "The Blue Bird."


Fan magazine advertising reaching the backbone of your audience through every leading fan publication.

Assist newspaper advertisements. Big-space, strong-selling ads timed and tied-in with your engagement.

20th Century Fox
THE KEystone OF YOUR FUTURE
Big Campaign Gives Impetus To ‘Blue Bird’

The national advertising, publicity and exploitation campaign for the 20th Century-Fox release of the film “Blue Bird” is the largest in the history of the 20th Century-Fox organization, according to Charles E. McCarthy, advertising and publicity director.

Stress has been laid on radio exploitation, with the first important broadcast being the Christmas Eve Screen Actors' Guild program on CBS in which Shirley Temple was featured for the first time on the air, creating nationwide interest in Darryl F. Zanuck's production of the Maurice Maeterlinck fantasy.

Among other things, Johnny Russell, who plays opposite Shirley Temple as Tyler, is brought to New York for a week for series of radio appearances. He was featured on the Coast-to-Coast “We the People” program, and was on the Winston show, and on the Adelaide Haxley’s “The Woman’s Page,” a nationwide broadcast. Last night just before the premiere, Russell was on Uncle Dón’s show on WOR-Mutual.

On Kostelanetz Program

In addition, the Andre Kostelanetz program Feb. 2 will be dedicated to “The Blue Bird” in which music from the film will be featured, with the high spot being Tony Martin’s rendition of “Somewhere I’ll Find My Blue Bird.” A congratulatory telegram from Shirley Temple will be sent the night of this broadcast to be read on the air.

The national magazine campaign includes full color advertisements in Life, Liberty, Ladies Home Journal, and Parents’ Magazine; in addition to the full-color covers of full-page ads were also placed in the March and April issues of all fan magazines, appearing on the newsstands beginning March 10. Arch Reece is in charge of the advertising features of the campaign.

Newspaper, Billboard Campaign

The newspaper campaign in New York opened last Friday, 140 lines on five columns, for the world premiere. Art was used sparingly in the metropolitan newspaper ads. The New York campaign is to be followed exactly for the reserved seat dates in San Francisco and Detroit, among other cities. Lineage on the New York campaign runs on 3,200 lines each metropolitan paper.

The billboard campaign includes 700 sheets. Large displays of the picture, tying up with the book, have been sent to libraries throughout the country.

Window displays have been arranged with Macy’s and other large department stores in New York as well as in Detroit, New York, and Los Angeles for the two-a-day engagements in those cities.

Four special editions of the Materia- l Press are being issued. Large displays of the picture, tying up with the book, have been sent to libraries throughout the country. The national advertising, publicity and exploitation campaign for the 20th Century-Fox release of the film “Blue Bird” is the largest in the history of the 20th Century-Fox organization, according to Charles E. McCarthy, advertising and publicity director. And the national advertising, publicity and exploitation campaign for the 20th Century-Fox release of the film “Blue Bird” is the largest in the history of the 20th Century-Fox organization, according to Charles E. McCarthy, advertising and publicity director.

“The Blue Bird” is a delightful performance. It is Maeterlinck’s “The Blue Bird,” brought to the screen with intricate artistry.

The story must be familiar to all. Shirley is Mytyl, selfish, always unhappy in her lot and always wanting more than her portion. She will renny Russell, dream of a visit from a fairy, who sends them in search of the blue bird, symbol of happiness and contentment. Guided by another fairy, Light, accompanied by the dog and the cat which have been transformed into animal-like human form, they start their dream search. Collins and Misson are the other delightful performances.

In turn they visit the past, finding their dead grandparents in a flower-filled garden; Mr. and Mrs. Luxury in their ornate palace, where there is no happiness. They are lured into the woods by the cat, which seeks to have them destroyed by a forest fire. The latter scene provides the high spot of the picture’s sound and color. Then they are led into the future, there to find the unborn children of tomorrow.

It is only upon their return to their home that they find true happiness, and the little bird in the cage at home is blue in their eyes. Her selfishness gone, Mytyl helps her little friend, and finds her contentment at home.

Running time, 81 minutes. “G.”

G denotes general classification.

Zanuck Urges Contracts With Longer Play Clause

(Continued from page 1)

Wor-Mutual.

The movie will be re-offered on June 1, 1916.”

In reviewing “The Blue Bird,” in which Shirley Temple was featured for the first time on the air, creating nationwide interest in Darryl F. Zanuck’s production of the Maurice Maeterlinck fantasy, it was noted that the film is a delightful performance. It is Maeterlinck’s “The Blue Bird,” brought to the screen with intricate artistry.

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Zanuck Urges Contracts With Longer Play Clause

(Continued from page 1)

Zanuck urged that the film industry is suffering from the lack of a national advertising campaign. He said that the present system of advertising is not sufficient to compete with the major studios. He also said that the film industry should invest more in advertising to increase ticket sales.

Newspaper, Billboard Campaign

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London Reviews

“The Proud Valley”
(Associated British)

LONDON, Jan. 5 (By Mail).—Though its material has a familiar ring—and will recall for many “The Citadel” and “The Stars Look Down”—this dramatic and emotional story of Welsh coal mining has many qualities lacked by its more eminent predecessors.

A story of a pit which was closed because of a disaster and which was opened again by the resoluteness and determination of its miners may lack invention. It does not lack conviction. Here, with Negro Paul Robeson as its central character, a pitman who gives his life to blast his pals to freedom, it has the ring of real life, with comedy and tragedy, the pride of the Welsh and their music and idealism. There is a pit disaster, too, which is not only exact in detail but compelling in its dramatic force.

Feminine appeal is strong, for the film does not gloss over the tragic role of the miner’s wife and mother, or ignore the bitter pangs of unemployment and the struggle of families to live. There is music, too, with Robeson’s magnificent voice unifying the choral passages, romance, realism and above all the understanding and sympathy of the characters are natural.

Robeson is of course the stellar name, but the part played by Edward Chapman as the singing miner who befriends him, and by newcomer Rachel Thomas, as the latter’s wife, add to the personal appeal. Production values are high.

Running time, 77 minutes. “A.”

AUBREY FLANAGAN

“Spy for a Day”
(Two Cities—Paramount)

LONDON, Jan. 5 (By Mail).—Though Yorkshire droll Duggie Wakefield has played films in England, before essaying a brief Hollywood episode, this, produced and directed by Mario Zampi, producer of “French Without Tears,” is the first serious effort to make him a film star. It proves a by no means unsuccessful adventure, for properly handled, Wakefield’s, whose face alone is the essence of fun, proves to be a natural for this kind of role and a sympathetic character as well. Audiences will take to him warmheartedly.

The comedy is a World War extravaganza about a country lad mistaken by enemy soldiers for a German spy, and then threatened with a firing squad by his own military. The fun revolves mainly around these misunderstandings and is often very amusing. At times the narrative wanders astring and might still be improved with a sharp pair of scissors, but Wakefield’s encounters with a German military council, his romantic reminiscing with the German set to shoot him, and his inability to remember the name of a critical town, will raise many a laugh.

Though certain studio passages smack of the studio the film’s production values are satisfactory and the cast—few of them known outside England—up to their tasks.

Running time, 71 minutes. “G.”

AUBREY FLANAGAN

That’s Right! Hits $14,000 in Detroit

DETROIT, Jan. 19.—That’s Right, You’re Wrong and “Allegany Uprising” brought $14,000 to the Fox. Estimated takings for the week ending Jan. 11:

“Swannee River” (20th-Fox) $9,500.
“Scandal Sheet” (Univ.) $6,500.
“Footlight Parade” (Fox) $5,000.
“At Your Leisure” (M-G-M) $4,500.
“Swannee River” (20th-Fox) $3,500.
“Man Can’t Change His Nature” (Cot.) $1,500.
“Rialto—878” (20th-Fox) $3,500.

Club in Columbus Installs Officers

COLUMBUS, O., Jan. 19.—C. Harry Schreiber, RKO city manager, has been installed as chief banker of the local Variety Club. Others were: Virgil Jackson and Lon Holleb, first and second chief bakers, respectively; P. J. Wood, property master, and Jacob Luft, doffy guy. The crew consists of Max Starn, Jack Cunningham, Don Burrows, George Anagnost and M. J. Cullin, in addition to William W. Pullum, retiring chief banker.

Judge Arthur Day of the Ohio Supreme court was in Columbus for the installation dinner and Gov. John W. Bricker, Mayor Floyd Green and former Mayor Byron G. Gessaman were guests of honor. Mayor Green and Don Powers, secretary to Gov. Bricker, were made members.

Illinois Women Law Does Not Hit Radio

SPRINGFIELD, Ill., Jan. 19.—The Attorney General of Illinois today ruled that women employees of radio stations do not come within the scope of the state women’s eight-hour law. The law, enacted in 1937, prohibits women in certain businesses from working more than eight hours during any one day or more than 48 hours in any one week.

In holding the act does not apply to radio stations, the Attorney General said the requirement that it be placed in “telephone establishment” even though it might occasionally be used as substitute for the public, the opinion stated that whatever entertainment or amusement radio stations furnish is incidental to its business purposes.
EASTMAN FILM

BRULATOUR SERVICE

FORT LEE        CHICAGO        HOLLYWOOD
Halt Games On Air, Theatres In Plea to U.S.

Protest to F.C.C. Attacks 'Pot o' Gold' Program

Detroit, Jan. 21.—Co-operative Theatres of Michigan launched a drive yesterday to obtain Federal intervention to eliminate "Pot o' Gold" and other similar prize money stunt from radio programs.

Thomas McGuire, an official of the organization, filed a formal protest with the Federal Communications Commission in Washington attacking the programs and demanding Section 316, the anti-gambling section of the Communications Act.

"The program which does so much harm as this program does to theatre owners is not of public convenience or necessity and should be taken off the air altogether," McGuire said.

The theatre organization is also conducting a drive among exhibitors to protest by letter to F.C.C. and to Congressmen against the prize money programs.

Television Wages Showdown Nears

With an apparent breakdown of peace plans between Actors Equity and American Federation of Radio Artists on television organization plans, a showdown is expected tomorrow. At the Equity council meeting, Emily Holt, A.F.R.A. executive secretary, and Kenneth Thomson, Screen Actors Guild, are scheduled to appear to discuss the issue.

Equity officials had believed that a compromise had been effected last Wednesday when A.F.R.A. delegates to a joint council had agreed upon (Continued on page 2)

39 Admission Tax Yield Exceeds '38

Washington, Jan. 21.—December admission tax collections totaled $1,974,534, and, despite the fact that in six months of the year revenues were below the corresponding period of the preceding year, brought the total for 1939 almost $215,000 above that of 1938, it was reported by the Bureau of Internal Revenue.

The December collections were shown by the bureau to have been $143,000 under the $2,117,644 reported for November and nearly $46,000 under the $2,020,376 returned in December (Continued on page 2)

'Lincoln' Premiere Tonight Brings Out Elite of Washington

WASHINGTON, Jan. 21.—World premiere of "The Lincoln in Illinois" at the RKO Lido Theatre tonight is scheduled to give the Capitol a generous taste of Hollywood—and New York—showmanship.

With the two entertainment capitals collaborating and Washington's own celebrities ready and willing to face the searchlights and microphones, sufficient local interest in the picture's opening has been generated to put seats at a premium—even balcony seats.

In the gallery will be such local luminaries as Secretary of Agriculture Henry A. Wallace, Secretary of the Navy Charles Edison, Major General Thomas Holcomb, Donald Richberg, and others.

Of particular note are Reginald Denny, Tom Lanigan, Malcolm, and local society figures.

The event is sponsored by the Newspaper Women's Club of Washington, with Mrs. Eleanor Roosevelt as patroness. Raymond Massey, star of the film; Ruth Gordon, Mary Howard and John Crompton will supply the professional glamour, and Max Gordon and Harry Goetz, the producers, will represent Broadway and Hollywood.

A. W. Smith, RKO sales executive (Continued on page 2)

Philadelphia Film Men in Neely Split

PHILADELPHIA, Jan. 21.—The two local exhibitor organizations are divided on the Neely bill. The United Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware, at a meeting Friday, went on record against the bill and urged that members write their Congressmen to vote against the measure when it comes up for passage.

The Allied Independent Theatre Owners of Eastern Pennsylvania, in line with Allied's national policy, has passed a resolution in favor of the Neely bill.

Writers Vote Jan. 29 On Neely Bill Stand

Hollywood, Jan. 21.—Abraham Myers, general counsel for Allied States, and a representative of the guild have been invited to speak on the Neely bill at a mass meeting of the Screen Writers Guild Jan. 29 at the Hollywood Roosevelt Hotel. The Guild will take a ballot on the Neely bill at this meeting.

Little Foxes' Next Film by Goldwyn

Samuel Goldwyn Saturday purchased film rights to the Broadway stage hit, "The Little Foxes," and will start production in the near future. Lillian Hellman, after the play over the weekend to do the adaptation. William Wyler will direct.

It was described as preferable to Goldwyn's Coast employees, effective Feb. 3, was described as the usual procedure between that the Goldwyn is now finishing "The Westerner."

Three GN Officials To Testify Today

Earle W. Hammons, former president of Grand National Pictures; Harold Saxe, comptroller, and Norman Lamorte, assistant general manager, will testify on the company operations before the socio-economic hearing. The event was sponsored by the Newspaper Women's Club of Washington, with Mrs. Eleanor Roosevelt as patroness. Raymond Massey, star of the film; Ruth Gordon, Mary Howard and John Crompton will supply the professional glamour, and Max Gordon and Harry Goetz, the producers, will represent Broadway and Hollywood.

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Pay Tribute to Duffy At Noon Wednesday

Memory of Father Francis Duffy, chaplain of the old 69th Regiment, will be paid at a ceremony in front of the Duffy statue in Times Square, as part of the regimental reunion. At the Waldorf-Astoria dinner that evening, Warners "The Fighting 69th" will be shown.

Cagney, O'Brien and Jack L. Warner, vice-president, arrive today.

Court Victory Spurs Schine Expansion Aim

BUFFALO, Jan. 21.—Having scored an important Federal Court victory against the government in its anti-trust suits, Robert Schine, plans to proceed with its expansion program despite the displeasure of the Department of Justice.

Federal Judge John Knight, one of the most thorough and exacting U. S. examiners, will not be permitted to assume guilt before it is proven.

Judge Knight rejected the Government's request for an injunction to prevent Allied Pictures, a distributor of the films for a six weeks' trial and will take the stand today before Referee Peter B. Olney, Jr., to testify on the company operations before the socio-economic hearing. The event was sponsored by the Newspaper Women's Club of Washington, with Mrs. Eleanor Roosevelt as patroness. Raymond Massey, star of the film; Ruth Gordon, Mary Howard and John Crompton will supply the professional glamour, and Max Gordon and Harry Goetz, the producers, will represent Broadway and Hollywood.

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Judging of Quigley Awards Set Jan. 30

The seventh annual judging of the Quigley Awards conducted by the publishers of the Motion Picture Herald will be held Jan. 30, at the Hotel Astor. Invitations are to be forwarded to Harris & Vogel, chairman, members of the Judging Committee to participate in the voting for the Silver and Bronze Grand Awards.

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**Critics’ Quotes...**

**JUDGE HARDY AND SON** (M-G-M)

Latest in the deservedly popular Hardy Family series, "Judge Hardy and Son," has the same humorous and down-to-earth appeal as its predecessor, "His Father's Son," and is consistently good. The Hardy pictures continue to be the best of the series films. This is not the best of the Hardy pictures. . . . The Hards draw heavily on the improbably. Therefore, they are still nice people to meet against.(Eileen Creelman, N. Y. Sun)

"Judge Hardy and Son" is produced with the same qualities, good taste, homely humor and naturalness that have prevailed in this series.—E. M. Daily, N. Y. Daily News

It’s a touching family occasion. . . . Everybody, of course, gives a beautiful performance.—N. Y. Times

Although this is not the best of the Hardy series, Mickey Rooney, Leo Myer described the Hardy formula as strictly adhered to. We all add up to make it a good picture.—Lee Mortimer, N. Y. Mirror

The Hards turn serious in "Judge Hardy and Son," and tragedy almost cracks down on the happy family. . . . A little more humor would have helped, but essentially it has the fortitude, homely quality that the average film fan has come to delight in.—Robert W. Dana, N. Y. Herald Tribune

**REMEMBER THE NIGHT** (Paramount)

Slick performances by Barbara Stanwyck and Fred MacMurray and a script that's written and directed with genuine humor and warmth make this an immensely likeable piece.—Rose Peisik, N. Y. Journal and American

"Remember the Night" is fresh, is brightened with good lines and situations, and the performances stand up to the script.—Archer Winston, N. Y. Post

With as unlikely a story as you could ask, "Remember the Night" turns out to be the pleasantest surprise offered for quite a while. . . . A light comedy that gradually develops into believable and moving drama.—Eileen Creelman, N. Y. Sun

It is sticky, syrupy, sentimental stuff, but it is played and directed with such charm that it becomes glowing and heart-warming instead of sickening entertainment.—William Boehnel, N. Y. World-Telegram

"Remember the Night" is the real curtain-raiser of 1940. It is a mellow tale in title and in quality, blessed with an honest script, good direction and sound performances.—Frank Nugent, N. Y. Times

"Remember the Night" is the surprise package of the new film year. . . . Something out of the ordinary run of films. Neither Barbara Stanwyck nor Fred MacMurray has ever given a better performance.—Kate Cameron, N. Y. Daily News

A sure-fire hit.—Barbara Stanwyck at her magnificent best. . . . The action is consistently fast.—Lee Mortimer, N. Y. Mirror

Familiar material has received a fresh and beguiling outline in "Remember the Night." . . . An entertaining compromise between realism and nononsense.—Howard Barnes, N. Y. Herald-Tribune

An excellent cast and Mitchell Leisen's direction make this a moving and quietly humorous drama.—Newsweek

**'Balalaika' Scores $6,600 Omaha Lead**

OMAHA, Jan. 21.—"Balalaika" pulled $6,600 at the Omaha with general theatre business slow.

Estimated takings for the week ending Jan. 17-18:

- **"Flying Dozens" (RKO)**
  - *Meet Dr. Christian* (RKO) BRANDIS(1,100) (25c-30c-40c) 7 days. Gros.$1,200, Aver.$162
- **"Balalaika" (M-G-M)**
  - JOE and ELLIS TURP CALL on the President (M-G-M) ORPHEUM-(3,000) (25c-30c-40c) 7 days. Gros.$7,500, Aver.$1,071

**Favors Lotteries Operated by State**

ALBANY, Jan. 21.—Assemblyman Aaron Goldstein, who introduced the Bingo bill in the N. Y. state legislature, today proposed an amendment to the State Constitution to permit state operation of lotteries for a long range health program.

Senator Thomas Desmond today introduced a new bill for the regulatation of outdoor advertising, and Senator Perry of New York offered a measure intended to stop the unlicensed peddling of radio casts, made without their knowledge.

The bill passed the Senate last year, but was killed in the Assembly.

**Give Boston Testimony**

BOSTON, Jan. 21.—Thomas Donaldson, of the Metro Division in Connecticut, and formerly with the Boston group, John Dervin of United Artists in Boston, and Richard Dobyn of the Maine and New Hampshire Theatres testified Friday in a short session of the master's hearing of the Morse & Rothenberg anti-trust suit against the film companies.

**Scratches**

**On Film Can Be Removed Only by**

AMERICAN RECONC, INC.,

245 W. 55th St., New York, N. Y.

**Negative—Positive—**

Color Film Rejuvenated

**Vallee Will Learn Art of Producing**

Rudy Vallee, who recently joined Republic as associate producer, will spend three months at the studio before going on vacation before getting his first assignment, according to the home office.

Vallee tentatively is scheduled to produce "The Pickwick Papers," with Frances Langford, starting April 15, and he may appear in the film as well. A contract has been signed with Screen Starlet on the name of its new western star, and a cowboy actor to assume the name is being sought. The Bob Hope Pictures will involve four pictures. Three series of westerns of eight films each have already been announced for the coming year.

Vallee will work on "Dark Command," big budget film, is scheduled for resumption Feb. 1, by which time it is expected Claire Trevor, who has the lead with John Wayne, will have recovered from her illness.

"Lady from New Orleans" is set to go in work early in March. Leads are being sought for "The Oompf Girl and the Cowboy."

**39 Admission Tax Yield Exceeds ’38**

(Continued from page 1)

C EMBER, 1938, nevertheless were the second highest for any month in the year, and brought the 1939 total as compared with $19,661,337 for 1938.

There was a wide range in month-to-month figures, a total of $1,384,722 being the highest for any month after January, 1938, while the November total was the highest for any month since 1932.

Figures of collections for 1939, by months, as compared with 1938, are shown in the following:

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<tr>
<th>Month</th>
<th>1939 Total</th>
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<tr>
<td>January</td>
<td>$1,304,249</td>
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**Cameo Fights Censors**

The Cameo Theatre has obtained an injunction restraining the State Board of Censors from interfering with the showing of the Hungarian film, "Life on the Hortobagy," a hearing is scheduled Friday in Supreme Court.

**Scratches**

On Film Can Be Removed Only by AMERICAN RECONC, INC., 245 W. 55th St., New York, N. Y.

**Negative—Positive—** Color Film Rejuvenated
Feature Reviews

"Congo Maise"  
(M-G-M)

HOLLYWOOD, Jan. 21.—Exhibitor comment hailed "Maise," an M-G-M picture, as a "sleepier" hit, so the studio again presents Ann Sothern, who played the title role, in another picture depicting further adventures of an ex-vaudeville performer. This time, the locale, which in the first picture was a Wyoming dude ranch, is on the West Coast of Africa.

Taken from the book, "Congo Landing," by Wilson Colison, the screenplay by Mary C. McCall, Jr., is patterned to give the curvaceous Miss Sothern ample opportunity to display her talents, histrionic and otherwise.

The story is good, if not altogether spotless, fun. "Maise," stranded in a coast town, striving away on a river boat bound for the interior. Having been refused help by the other passengers, a doctor who gave up his profession to raise rubber, she spurns the rough advances of the captain. Following an accident to the ship, "Maise" and the doctor, played by John Carroll, trek to a jungle medical station manned by Shepperd Strudwick. After Carroll frights with Strudwick's wife (Rita Johnson), the climax comes when natives, aroused by a witch doctor, attack the post. "Maise," dressed in a vaudeville costume, routs the natives with tricks of magic and chanting the "St. Louis Blues" while swaying sinusously. Carroll returns to medicine and the understanding is that "Maise" will wed him.

J. Walter Ruben produced the picture and Henry C. Potter directed. Running time, 70 minutes. "A."  

VANCE KING

"The Saint's Double Trouble"  
(RKO)

HOLLYWOOD, Jan. 21.—Continuing the screen adventures of the character created by Leslie Charteris in his "Saint" mystery books, "The Saint's Double Trouble" places George Sanders in the dual role of the detective and a diamond smuggling murderer.

The complexities of the plot are at times detrimental to the action, suspense upon which the success of the series rests, although the screenplay by Ben Holmes provides many moments of audience excitement. As produced by Cliff Reid, with Lee Marcus as executive producer, the picture is adequate for those situations already proved receptive to the characters it portrays.

Jack Hively's direction keeps the two main roles in constant flux as a means of maintaining an even key of audience reaction. Helene Whitney, as the romantic interest, Jonathan Hale, as a detective and admirer of the "Saint," and Bela Lugosi as the partner of the murder, contribute to the picture with understanding performances.

Running time, 65 minutes. "G."  

WALTER SELDEN

"Motel the Operator"  
(Cinema Service)

Based on Yiddish stage play of the same name, "Motel the Operator" should have considerable appeal in neighborhood houses which play to Yiddish-speaking audiences. Although frequently brightened by touches of homely humor, the story is a tragic tale of heartbreak and parental sacrifice.

Chaim Tauber, who wrote the play and its screen adaptation, is cast in the title role of Motel. During a strike against sweatshop conditions before the war, Motel is injured. Upon his return to his home, he finds that his wife has committed suicide and that his son Jackie has been adopted. The supervisor of the orphanage, in a plot to blackmail the foster parents, induces Motel to aid him.

Motel discovers that Jackie is his own son and kills the supervisor. In turn, the son (Seymour Rechtzeit), now a lawyer, successfully defends Motel. The latter promises the foster parents not to reveal the relationship. Highlighting the film is a wedding ceremony sequence conducted by Cantor Leible Friedman, which should prove popular. Running time, 80 minutes. "A."  

EDWARD GREFF

"G" denotes general classification.

"Pound Foolish"  
(M-G-M)

"Pound Foolish" is another striking addition to the timely "Crime Does Not Pay" series. Based on the recent smuggling scandals involving many prominent personalities, this reel describes the methods used to smuggle and sell jewels. An excellent cast, including Neil Hamilton, Lynne Carly, Gertrude Michael and Victor Varconi, carries the story through to a tense finish. Running time, 20 minutes.

"Frankie Masters and Orchestra"  
(Paramount)

Frankie Masters and Orchestra go through the routine smoothly to add another subject to the Paramount Headliner series. Addicts of the popular dance band and bands that cover the dance should find this reel appealing as it covers more or less the same ground as the previous one. Frankie Masters is vocally, rhythmically, in every scene.

"Loew's Action Settled"  
(Hollywood, Jan. 21.—George O'Brien, Richard Dix, and Edna Map, is on a combined Central and South American pleasure and personal appearance tour. He will visit Colombia, Ecuador, Peru, Chile and Argentina. On his return trip O'Brien will make personal appearances in Buenos Aires and Rio de Janeiro.

Short Subject Reviews

"Mighty Hunters"  
(Schlesinger-Vitaphone)

For the first time, oil instead of water color backgrounds, this first of the Schlesinger cartoons based on James Swinnerton's "Canyon Kiddies" has the universal appeal of the blandly satirical. Depicting a day in the life of the "Kiddies," familiar to readers of the comic strip, these characters, as shown here as they take to the hunt, with results primarily amusing. A saucy chimpanz, a bear hungry for a candy stick and a stubborn burro all contribute to the audience entertainment of the hunt, while the musical background is of a piece with the excellence of the animation, with such pieces as Ferde Grofe's "Grand Canyon Suite" used by the Vitaphone, which had beechett the same subject should do much to enhance the already established popularity of the "Merrie Melodies" series. Running time, 8 mins.

"Loew's Action Settled"  
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“THE BLUE BIRD
APPEAL TO AUDIENCES
AND PLACES! A mas-
tion, spectacular, rich

“There is comedy . . . pathos, too. Surprisingly emotional in its effect. Apt to bring out all the handker-
chiefs in an audience. A picture with a charm of its own!” —N. Y. Sun

“Will enchant children and delight mature audiences! Brilliant fantasy . . . superbly projected to the screen.”
—Film Daily
HAS UNQUESTIONABLE
OF ALL AGES, TYPES
terpiece of imagina-
in sentiment!"
—M. P. Daily

"Opulent and eye-filling spectacle... to beguile those of all ages who are lucky enough to see it. A pictorial gem... delightful!"
—N. Y. Daily News

"Colorful and enchanting. Sets are opulent, photography gorgeous. Should prove an enchanting adventure for the youngsters and their elders, too!"
—N. Y. Daily Mirror
**Hollywood Review**

**Adventure in Diamonds**

**Hollywood, Jan. 21.—A melodrama based on the activities of diamond thieves in South Africa, Paramount's "Adventure in Diamonds" presents an engrossing thriller. Scott Crowe helps capture the thieves, with the aid of Ike Miranda, a regenerated criminal. Supporting players include John Loder, Nigel Bruce, Elizabeth Patterson, Ernest Truex and E. E. Clive.

The picture, directed by George Fitzmaurice, has two extremely interesting sequences, one showing the mining of diamonds in Kimberly and the other depicting the first time on the screen a race between ostriches pulling sulkies.

Leonard Lee and Frank Schulz wrote the screenplay based on a story by Frank O'Connor.

The A. C. Botsford production mildly entertained the preview audience, high point of the comedy being the ostrich race. Miss Miranda, falling in love with Brent, agrees after imprisonment to aid in the capture of the criminals and are exposed finally, but help arrives in the nick of time.

Running time, 74 minutes. "G."*

VANCE KING

**Alaskan Exhibitor Must Have 7-Month Film Supply**

**Hollywood, Jan. 21.—There arrived in Hollywood last week an exhibitor who must have 125 features and 300 short subjects stacked in the vaults of his house by Sept. 27 or face the wrath of an irate community.**

He is C. H. Code, who operates the only theatre in Nome, Alaska, and this is his first trip to Hollywood.

Code, an exhibitor since 1912, must have the films there by Sept. 27, date of the arrival of the last boat for the year, for which purpose Code ordered the following seven months by ice.

If the film is not there, delivery is impossible and the theatre will have no product for the seven months except that which is delivered by plane under extremely difficult and expensive conditions.

On the first boat from Nome in the Spring, the films are returned to the Seattle exchange, after unloading new product for the Summer months.

Indications of how Nome residents like their film fare appeared several years ago when his theatre burned to the ground. Promised that a new theatre would be erected in less than two months, some of the residents pitched in to lend a hand in building it.

When it looked as though the promise would not be kept, the rest of the town's inhabitants lent a hand, but the last boat to Nome carried it. He doesn't have to worry about competition; he has the only theatre in the town.

And he can figure out, he said, his grosses for any month in the year ahead of time, for he knows approximately how many persons will be traveling through the community on their way from or to the gold fields or trap lines at any given time.

He plays a single bill policy, with three changes a week.

**New Wilmington Law To Permit Standing**

**WILMINGTON, Del., Jan. 21.—The city Council has passed new fire prevention ordinance revamping permit standing in the rear of theatres, banned in the original bill. Theatre managers' objections delayed passage for months.

The new ordinance orders two square feet of floor space per person. Clearances are required at all assemblages. Obstructions at doors and auto parking in front of theatres are barred. Passageways must be maintained on sidewalks.**

**Canada Extending Film, Air War Use**

**MONTEREY, Jan. 21.—Films, radio and newspapers will be used to a greater extent by the Canadian Government to inform the Canadian people of their war effort, the tasks which lie before them and the need for a lasting peace at the end of this war, according to W. D. Esler, Minister of Trade and Commerce.

Prime Minister Mackenzie King told a Cabinet meeting that work has been done under the auspices of the National Film Board. Contributions to the war cause have been made by the Boer War and those who are fighting the war with the Canadians and those recording the moving of Canadian troops.

The press and radio are being used, and presumably will be used to a greater extent in the future. A sample of propaganda work on the radio is now being devoted to telling of the training of Canada's "warbirds," as they pass through various stages of instruction.**

**AGVA to Organize In Frisco Feb. 20**

**SAN FRANCISCO, Jan 21.—Organization of the local chapter of the American Guild of Variety Artists will be effected Feb. 20, with election of officers and action on applications for membership. Secretary Vic Connors. The guild succeeds the American Federation of Actors, which lost its AFL charter to the new organization.

Members of the nominating committee are Lou Ashe, Don Francisco, and Dr. and Mrs. Harry Connors, Vincent Avery, Buddy Bowen, Joe Johnson, Will Aubrey and Don Santos.**

**Modern Art Elects Museum Trustees**

**Henry Robinson Luce, chairman of the board of Pan American Airways, Mrs. John S. Parkinson, Jr., Alfred H. Barr, Jr., and John E. Abbott have been elected to the board of trustees of the Museum of Modern Art. Abbott was one of the organizers of the Museum's Film Library.**

Douglas L. Baxter, former art director for 20th Century-Fox, has been appointed assistant to the executive vice-president of the Museum, Albert S. Fox, executive director of the British Broadcasting Corp., has been named assistant to the curator of the Film Library.**

**News Competition**

**Chicago, Jan. 21.—All Loop theatres have placed emphasis on their newsreels in ads and that effort continues; the Telenews opened and they are also playing the short subjects featured at the Tele-news, which have been approved for some instances. The Telenews is Chicago's only newsreel house.**
The most amazing adventure ever dreamed of flashes on the screen!
The things we stay-at-homes always dream about doing—THEY DID!...Here is their adventure, actioned to the screen with all the strange allure that made the book what it is!...Here is the one big, new show—different from anything you've ever shown before—that gives the MOVIES back to the moviegoers—and that means MONEY to any man's box office!

GOLDEN TOWNE presents

THOMAS MITCHELL • EDNA BEST • FREDDIE BARTHOLOMEW • TERRY KILBURN • TIM HOLT BABY BOBBY QUILLAN

Directed by EDWARD LUDWIG
Produced by GENE TOWNE and GRAHAM BAKER
Screen Play by Walter Ferris, Gene Towne and Graham Baker
Tips on Exploitation

Seek ‘Scarlet O’Hara’ For Charlotte Party

CHARLOTTE, N. C., Jan. 21.—In cooperation with the Cleburne Theatre, the Charlotte Observer is seeking a local “Scarlet O’Hara” for the “Gone With the Wind” ball to be held Wednesday, Jan. 26 and for the opening of the picture here Jan. 29. The winner will be announced the morning of the ball and the Charlotte “Scarlet O’Hara” must measure up to as nearly as possible the measurements of Vivien Leigh.

Foster Celebration Plugs ‘Swanne River’

CAMERON, N. J., Jan. 21.—For the showing of “Swanne River” at the Savar, the house joined with WCAM here to dedicate the week to the memory of Frank C. Pemberton, marking the 70th anniversary of the death of the composer. Mayor George E. Brummer officially proclaimed the observation, and four weeks the station will present daily a series of programs highlighting Foster’s melodies.

Seek Indian Fighters to Boost ‘Gerominio’

KANSAS CITY, Jan. 21.—In advance of the showing of “Gerominio,” Jerry Zigmund of the Newman here ran a personal advertisement in the Star, asking that any person active in fighting against the famed Indian make himself known. A special showing is planned for them.

Repeated Ad Warning Used on ‘Mr. Williams’

MILWAUKEE, Jan. 21.—Fox’s Palace here used a newspaper ad layout to plug “The Amazing Mr. Williams” and “Blondie Brings Up the Baby,” with the same copy shown on either side of the ad. The ad copy read: “this all-come show... so good we had to tell you about it twice!”

Seeing Film Alone ‘Dr. Jekyll’ Stunt

KENTISH, Wis., Jan. 21.—The Keystone here exploited “Dr. Jekyll and Mr. Hyde” by offering to pay $5 to the first woman to sit in the theatre all alone with all the lights out at 12 midnight to see the picture.

17 Girls to Attend ‘Seventeen’ Preview

Sixteen of the prettiest and most popular 17-year-old girls from 17 cities of the United States will go to Hollywood Feb. 15 to attend a press preview of Paramount’s “Seventeen,” from the Booth Tarkington story. The girls will be guests of Paramount for the trip, with Jacki Coletti and Betty Field of the film’s cast giving eight girls in Hollywood, newspapers and exhibitors in the cities will cooperate in the judging.

Buy Remarkable Novel

“Plotsam,” a novel by Erich Maria Remarque, has been acquired from M-G-M by Dr. Albert Lewis, who will begin preparations for production immediately. The picture will be their first for United Artists release.

Seal Films to Escape Los Angeles Censor

LOS ANGELES, Jan. 21.—City councilmen, who voted 10 to 4 to order preparation of an ordinance giving the Police Commission censorship authority over films and stage plays, over the week-end indicated that all pictures having the production code administration seal would not be included in the bill or the Commission’s powers if the measure is passed.

Norris J. Nelson, councilman from the Hollywood district who introduced the resolution asking for an ordinance which would authorize the Police Commission to close theatres showing “lewd or immoral” film or stage presentations, brought the issue before the Council again Friday.

Nelson withdrew the original plan and said he would substitute this week a resolution along the same lines, but excluding all films having the production code seal.

Lens Film Boosts Screen Brilliancy

Invention of a metallic film, applied to projection lenses and increasing screen brilliancy, was announced yesterday. According to the company, the metallic coating which covers the projection lenses is four-millimeters thick.

Loew’s theatres in Rochester have ordered 25 new lenses to increase the screen brilliancy for “Gone With the Wind” showings, it was announced.

Television Wages Showdown Nears

(Four additional page)

radio

NOT to be outdone by the British Broadcasting Corp., which regularly broadcasts portions of its “Big Ben” as a symbol of Britain’s unity, WNYC will broadcast the chimes of the City Hall clock at noon each day, starting Jan. 15.

The first 30 days of a new service

Testimony at Odds, FCC to See Latest Television Devices

WASHINGTON, Jan. 21.—F.C.C. officials over the week-end arranged for visits to several television laboratories to study demonstrations of experimental developments in transmission and reception as discussed during a week of hearings on new television regulations.

The FCC has requested Friday by Chairman James I. Fly in order that the Commission might estimate the usefulness of the inquiry in evaluating the conflicting claims regarding the adequacy of the Federal Communications Commission’s standards around which most of the testimony and examination revolved.

F.C.C. Distributes 1939 Report Forms

WASHINGTON, Jan. 21.—The Federal Communications Commission has begun the distribution to broadcasters of the forms on which they must make triennial reports for 1939 and which must be filed not later than April 15. It was pointed out by commission officials that the schedules are fewer in number than for 1938 and are accompanied by detailed instructions designed to simplify the task of reporting.

Canada Broadcast Officials Meet Today

MONTREAL, Jan. 21.—Fifty private radio broadcasting stations in Canada will be represented at the annual convention of the Canadian Association of Broadcasters opening here tomorrow. T. A. Evans, secretary, said many matters, including performing right fees, will be discussed.

Sues Over Radio Show

Suit for $100,000 damages against the Knickerbocker Broadcasting Co., Inc., operator of WMCA, has been filed in N. Y. Supreme Court by Broadcast Producers of New York. Plaintiff claims to have created a radio series, “Makers of Man,” and that WMCA prevented it by using another title, “Emergency Shelter, Inc. Defendents are charged with stopping the sale and illegally asserting ownership of the program.

“A Hawk” Role to Brenda

HOLLYWOOD, Jan. 21.—Brenda Marshall has been given the lead opposite Erol Flynn in “The Sea Hawk” at Warners. The role was originally assigned to Olivia de Havilland, who is now under suspension at the studio.

One Minute Interview

“More than one-third of all radio programs are transcribed,” it is estimated. To believe that when television becomes further advanced, whether it is for one or individual stations, a large part of programs will consist of films, which will be to ‘re-echo’ for the radio, says A. E. Hungerford, Jr., in charge of film programs for NBC television.
Little Old New York
ON
GOOD NEWS HOUR
Thurs., Jan. 25, 9-10 p.m. Eastern Time
Over 85 stations of Red Network

These great stars of the picture
on the air:

ALICE  RICHARD  BRENDA
FAYE   GREENE   JOYCE

Plus these regular “Good
News” favorites: FANNY
BRICE as Baby Snooks,
HANLEY STAFFORD
as Daddy, EDWARD
ARNOLD, CONNIE
BOSWELL, MEREDITH
WILSON and his music
....plus GEORGE
HOUSTON, baritone.

Showmanship up-to-the-minute!
SCOOPE AFTER SCOOPE
ON THE RADIO FOR 20th
CENTURY-FOX—AND YOU!
Film Salaries Bared by U.S.; Colbert First

Not Guilty Biff
Income Tax Plea

Los Angeles, Jan. 22—William Biff, I.A.T.E. leader, today offered a not guilty plea to two counts of evading income taxes after his attorneys George Breslin and Michael Luddy, reserved the right to interpose a demurrer to the indictments. Federal Judge Ralph Jenny, before whom Biff appeared, set Feb. 5 as the date on which the trial would be scheduled.

First Lady Heads Washington Elite
As 'Lincoln' Opens

WASHINGTON, Jan. 22.—With Mrs. Franklin D. Roosevelt as honor guest, the world premiere of RKO's "Abe Lincoln in Illinois" was held at the RKO Keith here tonight.

The benefit performance was sponsored by the Newspaper Women's Club of Washington, with Mrs. Nicholas Longworth as honorary chairman and Helene Livingston Kravadze as active chairman.

Celebrities of the screen, political and social worlds of Washington attended the premiere, which was staged with all the trappings of a Hollywood opening. Two batteries of anti-aircraft searchlights, manned by Coast Artillery units, went the customary arc-lights one better.

Attending were the stars of the film.

(Continued on page 6)

Dembow Returns
In Executive Post
At Para. Theatres

Sam Dembow, Jr., will return to Paramount as a member of the home office theatre executive staff when the next few days.

One of the most experienced theatre executives in the industry, Dembow was in charge of Paramount theatre operations following the resignation of Sam Katz, and prior to that was second in command of Publix Theatres Corp., the subsidiary which, prior to the decentralization of Paramount theatre operations, had as many as 1,800 theatres within its fold at one time.

Dembow's theatre experience dates back to 1923, when he became associated with the old Herbert L. Rothchild chain. He occupied numerous sales posts for William Fox companies from 1913 to 1922, and was Pacific Coast district manager for Samuel Goldwyn in 1922 and 1923.

When the Rothchild circuit was acquired by Famous Players-Lasky, the predecessor to Paramount, Dembow was in charge of the booking and buying of all attractions for Famous Players-Lasky theatres. With the organization of Publix Theatres he was made executive vice-president and was an officer and director in many of its subsidiaries.

With the decentralization of Paramount theatre operations he became vice-president of Paramount Theatres Service Corp. in 1933, and resigned late in 1940 to become general manager of National Screen Service. He occupied that post until 1937 when he

'U' Plans 43
Films During New Season

Universal will schedule 43 pictures for product from now on, the same number which the company has scheduled for the current release year, Nate J. Blumberg, president, and William A. Scully, vice-president and distribution head, said yesterday on their return from a two weeks production conference at the studio.

The company's decision not to reduce its production schedule next season because of uncertainties in foreign markets and other considerations was reached at the studio conferences.

Universal's schedule for the current year consists of 40 productions of its own and three which it was to distribute for Harry Edington. The latter, after delivering one, was released from his Universal commitments to take charge of production of the higher budget pictures for RKO. Uni-

Paramount Plans Fewer '40 Films

Production of fewer pictures for the 1940-'41 season will be considered by Paramount and home office conferences this week, Y. Frank Freeman, studio head, said yesterday on his arrival here from the Coast and New Or-leans.

Freeman said that no decision to make fewer pictures next season had been made by Paramount yet, but that the matter had been broached and that a decision would be made here this week.

The Paramount studio head was accompanied from New Orleans by E. (Continued on page 6)

20th-Fox Executives
See 'Wrath' Tonight

Darryl F. Zanuck and Joseph M. Schenck will head a group of notable attending the press preview of 'The Grapes of Wrath' at the Nor- mandie Theatre at 8:30 o'clock tonight.

Also attending will be Umanz Johnson, who wrote the screenplay and was associate producer on the film; Gene Markey and Hedy Lamarr, as well as a large group of home of-

10,000 Theatres to Observe Help Finland Days Feb. 17-18

Feb. 17 and 18 have been designated as 'Help Finland Days' in theatres by the motion picture division of the Finnish Relief Fund, Inc., headed by former President Herbert Hoover. The division's goal is $500,000.

L. E. Thompson of RKO, chairman of the film division, has assured Hoover that 10,000 or more theatres, including the large circuits and independents, will cooperate in the campaign.

Collections among patrons will be taken in lobbies on the two days, wherever possible by girls representing Scandinavian organizations and dressed in Finnish national costumes. After the collection is completed, the manager will send a check for the amount to Raymond Sawtell, treasurer of the Fund.

Hoeover sent wires to the presidents of all exhibitor organizations urging their cooperation, and the response is

Eastern N. Y. Allied
Votes for Neely Bill

ALBANY, Jan. 22—Eastern New York Allied members attending today's regional meeting at the Ten Eyck here went on record in favor of the Neely bill.

Later, a bloc known to favor the bill, resigned from the organization on the grounds that the effectiveness

(Continued on page 7)

Capra in One-Film Deal with Warner

Hollywood, Jan. 22.—A deal is expected to be signed this week whereby Frank Capra and Robert Riskin will produce their first independent picture for Warner release, with Warners to provide the financing.

The deal applies to one picture only, "Life and Death of John Doe," originally by Richard Connell and Robert Presnell, William Holman, formerly Columbia studio manager, will be associated with Capra and Riskin as general manager. Start of the picture, probably to be made on the Warner lot, is scheduled for the middle of April.

'69th' Stars Arrive,
Given Big Welcome

A crowd of more than 5,000 people gave a rousing reception to James Cagney and Pat O'Brien at Grand Central station yesterday morning while the band of the 165th Regiment (the old 69th) belted martial music to which even the red caps marched in step.

O'Brien and Jack L. Warner, accompanied by their wives, arrived from the Coast to attend the 69th
Expect $300,000 From N.Y. Film Tax

ALBANY, Jan. 22—An estimate of $300,000 from the three mills per foot tax on films licensed for state exhibition, was folded in the budget for the next fiscal year, submitted to the New York state legislature tonight by Governor Lehman.

It was predicted according to the Governor, was "predicated on past behavior." The Motion Picture Division in the fiscal year ended June 30, 1939, collected $206,023 and for the previous year $304,073.

Of importance to exhibitors in the Governor's budget of $956,700,000 for the year is the appropriation for unemployment relief of $5,500,000, which may necessitate the imposition of a state sales tax. Such a tax probably would include theatre admissions.

E. C. Grainger Holds Cincinnati Meeting

CINCINNATI, Jan. 22.—E. C. Grainger, general manager of Felber & Sons, and the circuit's managers were in the field held a breakfast-meeting at Netherland-Plaza Hotel here last week.

Present were: Ray C. Hickman, field representative; Frank King, manager of the Midland and Auditorium, New York; John Heilman, manager of the State and Ohio, Cambridge; Edward J. Hiebel, manager of the Weller, Rochester; Duke Prince, manager of the Ohio and Strand, Marietta, Tom Alford, general manager of the Lancaster Amusement Co., Lancaster; Harold or Snyder, manager of the Lyric, Lancaster, and Jack Sheehan, booker, of New York.

Panama's President Greets Para. Chiefs

Adolph Zukor and John W. Hicks, currently on business and goodwill tour of Central and South America for Paramount, were received by Dr. Augusto Boyd, President of Panama, and his South America colleagues according to word received at the home office yesterday.

The Paramount executives also were entertained by William Dawson, American envoy to Panama, and Major General Van Voorthys, commander of the Canal Zone.

Shea Official Testifies

BOSTON, Jan. 22—Alexander Kearney, assistant manager for the Shea circuit with headquarters in New York City, testified today in the Morse and Roberthberg anti-trust suit against the major distributors. Counsel for the Shea circuit, Edward C. Rattley, was also present today.

MORALEY MAY, JR., CO., INC.

INSURANCE

Specializing in requirements of the Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St., Los Angeles

Tuesday, January 23, 1940

Edwin Carwee Dies

In Hollywood at 57

Hollywood, Jan. 22.—Edwin Carwee, 57, veteran producer-director, was found dead today, presumably the victim of a heart ailment, in the home of his daughter, Miss Ann, here. Carwee had been ailing for some time.

His most recent film venture was in organizing a company to make exploitation and religious pictures. He is survived by his widow, Mary Alen Carwee, three children, Sally Ann, Carl Lee and Wade Carwee, by his present marriage, and two daughters, Rita and May Jane by a former marriage.

Contributing to his ill health were four years of litigation with the Government over allegedly due back income taxes. He represented the case recently by payment of approximately $100,000.

Silverstone, Helpin Get Jobs with Pascal

Emmanuel Silverstone and Morris Holpin were named American representatives for Ernest Pascal yesterday.

They will act in the same capacities for the latter's office, a deal for release of his pictures here through United Artists, as they have for Alexander Korda for some time. Frequent partners in the sales operations and Helpin of advertising and publicity.

Hickey Heads New N. S. Department

Duke Hickey, publicity man, has been appointed promotional director and in charge of the special sales department at the Chicago office of National Screen Service, Hickey will advise exhibitors on matters of exploitation.

Hickey formerly was exploitation, publicity and advertising manager at the Universal-Exchange in Chicago and the Big U Exchange, New York.

Ernest Morrison Dies

ATLANTA, Jan. 22.—Ernest W. Morrison, 46, former manager of theatres operated in the South by Paramount, died of a heart attack at the hospital. He had been associated with the company for 25 years, but ill health had kept him inactive for some time. His widow and a daughter survive.

MOTION PICTURE DAILY

(Restricted U. S. Patent Office)

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523 South Michigan Avenue, Chicago, Ill. (Established 1898.)

For Lunch, Dinner or Supper

LaHUFF'S TAVERN

The Industry's MEETING AND EATING PLACE

156 W. 48th St. TeL 546-42

May to Coast Feb. 12

Norman H. Moray, Vitaphone sales manager, and Mrs. Moray leave for Hollywood Feb. 12 for conferences with studio executives over the 1940-41 shorts schedule. A possible increase in the number of historical shorts will be the principal topic of discussion.

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May to Coast Feb. 12

Norman H. Moray, Vitaphone sales manager, and Mrs. Moray leave for Hollywood Feb. 12 for conferences with studio executives over the 1940-41 shorts schedule. A possible increase in the number of historical shorts will be the principal topic of discussion.
DEAR SID, YOU TOLD ME THAT THE "BLUE BIRD" WAS A GREAT PICTURE. THAT WAS A MILD STATEMENT. AFTER SEEING THE PICTURE AND AGAIN REVIEWING THE VARIOUS SCENES I AM CONVINCED THAT THE GREAT BEAUTY AND CHARM OF THIS PRODUCTION WILL CAUSE THE PUBLIC TO LOVE IT. I HOPE EVERY EXHIBITOR ENTHUSISES OVER THE BLUE BIRD AS I AM ENTHUSED AND THAT THEY GIVE IT ALL THE SHOWMANSHIP THAT THE PICTURE DESERVES. REGARDS=

A R BOYD.

1118A
State Labor Relations Board has set tomorrow at 3 P.M. as the time for the negotiations for a new labor agreement in the Endicott Circuit. The Motion Picture Division of the Theatrical Managers, Agents and Theatrical Union, which was defeated in the election, has challenged the vote.

The T.M.A.T., disclosed yesterday that it had obtained a contract from the R., & M., Amusement Corp., covering the Bronx Opera House. Although the contract was for the managers and assistants working under closed shop agreements in the city, the Bronx Opera contract was the first one to be disclosed.

The contract provides for a salary of $40 weekly for the manager and 25 cents per hour, until Labor Day, when the salary is to be increased to $50 and $30 respectively. A closed shop is established for managers, assistants and student managers and publicity and exploitation men.

New employees must be hired through the closed shop. The hours of the manager must be "reasonable" while the hours of the others is limited to 54 weekly hours.

20th-Fox Executives See 'Wraith Tonight' (Continued from page 1)

finance executive, circuit officials, exhibitors and newspapers.

Jane Darwell, who plays "Ma Joad" in the film, arrived yesterday and will be at the Opera tonight, as will Dorothy Lamour, who arrives today.

In the audience of 600 are expected Mr. and Mrs. Sidney R. Kent, Mr. and Mrs. Theodore Roosevelt, Director Sidney Lanfield, Pascal Covici, Mr. and Mrs. Herman Wobber, Harold Goodwin, William Kupper, Mr. and Mrs. W. C. Gehring, Mr. and Mrs. Gilbert Miller, Mr. and Mrs. William Paley, Mr. and Mrs. Irving Berlin, Mr. and Mrs. J. P. McEvoy, Mr. and Mrs. Ernst Lubitsch, Mr. and Mrs. Herbert Bayard Spring, Mr. and Mrs. Henry Lauck, Mr. and Mrs. Donald Campbell, Mr. and Mrs. Jack Warner, Mr. and Mrs. W. A. Harriman, Mr. and Mrs. Jack Gordon, Mr. and Mrs. Buddy De Sylva, Mr. and Mrs. C. V. Whitney.

Margolies Returns, Hails UA Program

Ajar Margolies, United Artists publicity manager, returned to the home office Monday from the Coast during which he conferred with the company's producers. "Margolies is fond of said that the artists will have a greater number of releases next season than it will during the current season. This year's releases will number 8.

Margolies adds that James Roosevelt, Walter Wanger, Hal Roach and David Selznick are in production preparation now. Sol Lesser, Ernst Lubitsch and Edward Small are engaged in planning their next productions which will include a "Production No. 6" near completion.

Major company defendants in the Government's New York anti-trust suit filed yesterday that they will be able to complete their answers to the Government's interrogatories within the allotted time beyond the present Feb. 15 deadline. Attorneys for the defense company reported that the work of preparing answers is progressing smoothly and that a great deal of progress has been made.

A third extension of the time for the filing of objections by the Government to the company defendants' interrogatories was granted yesterday. The Government was given until Jan. 30 to file its objections, which were due yesterday. Although scheduled to reply Feb. 1 to United Artists interrogatories, which were served separately, the Government has requested that the company be permitted its interrogatories to be answered at the same time that the Government answers serves interrogatories of other defendants.

The three extension of time beyond the present deadline were granted by the court with the objection and indications are that the Government's answers will be furnished late next month to seven major company defendants.

Universal does not intend to serve interrogatories on the Government. The five company defendants having theater affiliates yesterday rejected a request for the inspection of their rankings by the Government next month. However, the inspection will be avoided by the Government and or Universal, or both, will oppose the examinations during the next few days still exists.

United Artists officials were examined by the Government last Fall.

A conference of Government and defendants' counsel is scheduled for today in connection with the Government's preparations for answering defendants' interrogatories.

G.N. Officials Tell Of Financial Deals

Financial transactions between Grand National Pictures and Educational Pictures were described at a hearing yesterday by Harold Sax, G.N. comptroller, and Norman C. Robertson, general counsel. Both witnesses also touched upon a deal between GN and Arcadia Pictures in which GN obtained a $15,000 loan.

Educational received 1,100,000 shares of GN's par common stock in return for the transfer of re-issue rights and trade names with a book value of $43,323, it was stated. These rights, however, were actually worth the stock received as "going concern" assets, both witnesses declared.

Joseph Dannenberg, attorney for the trustee, to prove a connection between Arcadia and GN, that Testimony brought out that, although GN directors also served on the Arcadia board.

no time during 1939, Nicholson said, GN was in a position to meet debts as they matured. Examination of Earle Hammons, head of GN, will be held tomorrow before Referee Peter B. Ohney, Jr.

Kentucky Assembly Gets Anti-Ascap Bill

LEXINGTON, Ky., Jan. 22.—A bill to prevent Ascap from operating in Kentucky has been introduced in the state legislature by Rep. Carl Scheben. The measure has been referred to the committee on miscellaneous affairs which will hold hearing on the bill in the near future.

House bill No. 4, the anti-Ascap measure, is said to be a duplicate of the one introduced in the Washington, Montana and Florida laws, the constitutionality of which is now being tested in Federal Court.

King and Queen of Films

Mickey Rooney and Bette Davis were elected King and Queen of the Movies for 1940 in the New York Daily News annual poll conducted by readers.

Film Sons Bared by U.S.; Colbert First

(Continued from page 1) explained by the Treasury, executives of five companies, namely Studios, and RKO were not listed. In Le 1937 returns, Louis B. Mayer, M-G-M production head, led all salaries with $113,163. However, his salary listing may include those companies.

Helen Hayes was the only stage player listed, finishing in last place with a salary of $113,488 from Heron Productions.

Film and radio salaries above $75,000 were reported by the Treasury this month.

Samuel Goldwyn, Inc.—Gary Cooper, $265,000; Fredric March, $200,000; Myron Selznick, $200,000; Joel McCrea, $150,000; Merle Oberon, $100,000; William Wyler, $75,000; Robert Rickson, $100,120.

Paramount Pictures—David O. Selznick, $181,500; Leslie Howard, $141,250; George Cukor, $194,800.


Walter Wanger Pictures, Inc.—Charles Boyer, $250,000; Bette Davis, $305,000.

Walter Wanger Productions—Walter F. Wanger, $102,000; Freddie Marsh, $121,333; Felix A. Kahn, $100,000; A. Morris Cohen—Charles P. Skouras, $78,000.

National Amusement Co., Inc.—S. P. Skouras, $50,500; Charles P. Skouras, $50,500.

Paramount Pictures—John Barrymore, $350,000; Jack Oakie, $150,000; Hedda Hopper, $60,000; Claude Howard Binyon, $100,000; Robert Cummings, $80,000; Carole Landis, $60,000; Ronald Colman, $102,083; Harry L. Crosby, $300,000; Walter Lang, $257,000; George Cukor, $180,000; Claude Fields, $93,160; Robert Florey, $65,500; Harry relativ, $75,000, Howard Hawks, $75,000; John Ford, $180,000; Lucien Hubbard, $121,900; Walker Edumont, $130,000; Thomas J. Jenkins, $96,633; Fritz Lang, $55,581; William Dieterle, $75,000; George Cukor, $100,000; Albert Parsons Lewis, $150,000; Joseph J. Mlang, $84,000; Prell H. Murray, $183,333; Herbert Marshall, $95,750; Cheryl Walker, $84,000; George Cukor, $100,000; Walter Lang, $91,580; Wesley Ruggles, $199,060; Alfred Santell, $122,000; Preston Sturges, $140,000; Henry Hathaway, $140,000; John Ford, $130,000; William A. Wellman, $126,000.

Twentieth Century Fox—S. R. Kent, $140,000; Barbara Stanwyck, $125,000; Tyryl F. Zanuck, $200,000; William Goetz, $125,000; Robert L. Lipton, $90,000; John Paul Eldredger, $80,000; Warner Baxter, $79,000; George Raft, $75,000; Delores Del Rio, $80,000; Walter Brennan, $80,000; Pardiss, $130,000; Irving Cummings, $150,000; William A. Wellman, $150,000; John Ford, $190,791; Mack Gordon, $180,200; Raymond Griffith, $117,375; Jack Haley, $90,000; Sonja Henie, $125,000; Betty Johnson, $19,160; Henry King, $135,000; Sid Grauman, $120,000; Charles Payson, $100,000; Sonya Levien, $76,008; Kenneth MacKellum, $104,330; George MacKay, $85,160; Victor McAllister, $125,211; Annabel, $100,000; George Cukor, $140,338; Gregory Ratoff, $83,333; William A. Seiter, $150,000; George Romero, $100,000; Shirley Temple, $145,488; Sel Stuart, $182,400; Michael Yorken, $60,000; Loretta Young, $189,615.

United Artists—Maurice Silverstone, $89,000.

Columbia Broadcasting System—William S. Paley, $145,250; Edward Harrison, $115,000.

Kastman Koolik Co.—Frank W. Lovejoy, $125,000; Frederick March, $150,000.

Radio Corp. of America—David Sarnoff, $100,000.

American Telephone & Telegraph Co.—W. D. Gifford, $239,330; C. P. Cooper, $102,700.

Repealing Sunday Ban

COOPER, N. Y., Jan. 22.—Fahlin re-opened the Regent Sunday after one Sunday of darkness due to the Common Council ordinance forbidding petition. The council will vote on the ordinance is due to be repealed this week.

Set Alliance Film

A first run of "Dead Men Tell No Tales," Alliance Films picture, has been set for the Mercury, Buffalo.
Twentieth Century-Fox Film Corporation presents the world premiere of Darryl F. Zanuck's production of Maurice Maeterlinck's "THE BLUE BIRD," tomorrow night at the Hollywood Theatre.

Thereafter it will be shown twice daily, with all seats reserved. Thus presented, you may see this picture as it should be seen—from the very beginning—and enjoy the fullest musical and art beauty.

Tickets are now on sale at the boxoffice for tomorrow night and subsequent performances. Stub orders are being filled in the order received.

Maurice Maeterlinck
THE BLUE BIRD
in TECHNICOLOR

with
Shirley Temple • Spring Byington • Nigel Bruce
Gale Sondergaard • Eddie Collins • Syd Janns
Jean Hersholt • Helen Estin • Johnny Russell
Laura Hope Crews • Russell Nickles • Cecilia
Luton • Al Shaka • Joan Reynolds

Directed by Walter Lang
American Founders of Technicolor Picture Films
Produced by Century-Fox
A 20th Century-Fox Production

WORLD PREMIERE
TOMORROW—8:30 P.M.
HOLLYWOOD THEATRE

THE GRAVES OF WRATH
by John Steinbeck

WORLD PREMIERE
Wednesday, January 31st
at 8:30 A.M.

Directed by
JOHN FORD

United Artists
RIVOLI

"Steals the Show!"
First Lady Heads Washington Elite
As 'Lincoln' Opens

Raymond Massey, Ruth Gordon and Mary Howard; John Cromwell, director, Raymond Massey and Mary Howard. Max Conlon and Harry Goeta, producers. A load-speaker system in the theater’s lobby announced the guests at the premiere of "Lincoln," at the Metropolitan Theater in Washington. The play was starred by Massey, who was the first black actor to appear at a Broadway theatre.

A number of dinner and cocktail parties preceded the opening. The performance was followed by a reception by the Women’s Club at the Hotel Carlton, broadcast over a 47-station NBC Blue Book.

RKO executives, who set up headquarters at the Hotel Carlton, included: S. Barrett McCormick, director of advertising and publicity; A. W. Smith, Jr., Eastern and Canadian sales manager; H. M. Riehly, director of exhibitions; Nat Levy, eastern district sales manager; J. J. O’Conor, vice-president and in charge of theatre operations; Fred Meyers, head of the film booking department; Harry Manfied, publicity director; Charles J. Forstman, head of projection and sound division; J. M. Brennan, Washington-Trenton division manager.

Out-of-town guests present were Sidney Bowden and Harry Valentine, Norfolk; Mr. and Mrs. David Kamsky, Neighborhood Theatre, Richmond; L. M. Rapaport, Hippodrome, Baltimore; Robert Sidman, Senate theatre, Harrisburg, Pa.

Premier roadshow engagements will follow the Washington premiere at the Senate, Harrisburg, on Jan. 29; Sheridan, Miami Beach, Jan. 25; Paramount, Purn Beach, Jan. 25; Capitol, St. Petersburg, Jan. 30; Victory, Tampa, Jan. 31; Florida, Jacksonville, Feb. 1 and Auditorium, Daytona Beach, Feb. 8.

In each situation “Abe Lincoln in Illinois” will be shown continuously and will be accompanied by intermissions with matinee seats selling for 75 cents. All evening performances will be accompanied by a seven-piece orchestra, with one showing at night and tickets priced at $1.10.

Paramount Planning Fewer ’40 Features

V. Richards, head of the Samner Circuit, Paramount board. Richards has been asked to sit in at the production conferences, but said that due to pressure of business at his own office, he would be unable to accept the invitations. He may leave for the South today, not remaining even for the Paramount premiere at the Hotel Carlton.

Freeman plans to remain in New York a week. Barney Balaban, Paramount president; Stanhope Griffs, chairman of the executive committee, and Neil Agnew, vice-president and distribution head, and Russell Holman, Eastern sales head, will participate in the production conferences with Free- man and Richards.

Grosses Keep Good Pace on Broadway

With two houses playing on a two-day basis for the first time in a long while, Broadway houses played to good grosses over the weekend. At the boxoffice for the five consecutive week, grossing an estimated $850,000 at the Capitol and $220,000 at the Astor.

"Remember the Night" with Bogie, Bacall, and Bacall’s band on the stage, drew an estimated $300,000 over the weekend and at the Paramount and San Francisco, $350,000 for an estimated $450,000. It will be held over.

Whitehead’s band will be the stage attraction at the Strand when " Territories" opens there on Monday. "Grapes of Wrath" will have its world premiere at the Rivoli tomorrow.

CBS Pushes Plans For Television Net

Philadelphi, Jan. 22—Construction of the first link in a proposed television network for CBS is scheduled to begin here this summer when the network builds a studio on top of a Philadelphia building, with plans for the studio to be in operation be the end of the year. It is expected that RCA equipment will be used for both transmitters and the studios.

KYW, the NBC affiliate here, already has television studios, but has no transmitter or an application for one. At present, the Philco station, which uses films and occasional live talent shows on five programs weekly, is the only week-unobjectionable for general patronage. Three are classified as unobjectionable for adults and one objectionable, in part. New films and their classification follow:

Class A-1, Unobjectionable for General Patronage—Heroes of the Sand—"Bluebird" and "Mother Cabrini," "Openly by Mistake."" Young As You Feel,"


Introduces Repair Bill

Albany, Jan. 22—Senator P. Williamson has introduced a bill permitting villages to repair dangerous or unsafe buildings used for public assembly when the owner refuses to do so. The cost would be assessed against the owner.

Predicates Television in Color!

Washington, Jan. 22—Development of frequencies above 150,000,000, will increase the number of stations that can be located in the same area, and will make possible a television distribution system that will permit pictures in full color and with three-dimensional perspective.

This testimony was given today by E. W. Engstrom, director of research for RCA Victor, to the FCC as the second week of hearings on Frequency Allocation for Television. Considerable further progress in size, brightness, definition and contrast can be made under the proposed standards, he asserted.

The Commission was told that the participating stations permitted four of 19 television station applications now pending, two of them filed by Dumont, one by Television products, and one by Chicago Theatres.

Legion Approves 8 Of 9 New Pictures

National Legion of Decency finds five of the nine films reviewed for the week unobjectionable in general patronage. Three are classified as unobjectionable for adults and one objectionable, in part. New films and their classification follow:

Class A-1, Unobjectionable for General Patronage—Heroes of the Sand—"Bluebird" and "Mother Cabrini," "Openly by Mistake."" Young As You Feel,"


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Radio Briefs

TBS Dismisses Clerical Staff

In the wake of yesterday’s announcement that Transcontinental Broadcast- ing Corporation could not afford to begin its new year, network would not be a new start on Jan. 1, it was learned yesterday that the clerical staff and a number of the members of the first year’s sales force for the new network, John T. Adams, chairman of the board, left for a month’s rest in Florida.

Gerald Lyons, director of publicity for the proposed new web, declared yesterday that a board meeting would be held in New York to determine future policy. Lyons declared that plans for operations in the future had not been abandoned.

CBS Promotes John Fox

John Fox has been appointed assistant to the director of sales promotion at CBS, in a newly-created post. His position as production manager has been left vacant temporarily, but Fox has been transferred to WOR, the network’s New York affiliate, as space buyer. Fox has been with CBS for five years and previously was with the Bonwit Teller store.

Personalties in the News

Bernard Liebman, Jr., of NBC’s stations department, was appointed to the former Miss Cornelia Reddick Dormer Dickman at Richmond, Va., general manager for his own agency, "CBS of the Air," has been named as regional manager in the "What Would You Have Done?" quiz show over NBC-Red on Friday.

Miriam Hopkins will do "The Honeymoon of Dillies" drive over WNEW this afternoon. Gloria Jean will be Bing Crosby’s guest on the "Kraft Music Hall." Thursday. Joe Lopez, WICC, Bridgeport, station supervisor, has the letters WICC for his new license plates.

WDAF Dedication Feb. 4

NBC-Red will air a special dedicatory program for Kansas City, on Feb. 4 at noon, CST, when the new studios are opened. The network’s production operations on Jan. 15, 1922, is one of the oldest on the air. H. Dean Fitter, general manager, will speak from Kansas City, and Major Lenox K. Rohn, NBC president, will speak from New York.

Program News

Don Ameche, who has been off the air since the Chase & Sanborn program to a half-hour last month, returns with a new program for Old Gold cigarettes on April 5 over NBC-Red. It will be heard Friday at 7 p.m. as a part of the variety and dramatic show... Campbell’s Soup Co., on behalf of its re- form clay, started a new program called "Campbell’s Short Story," yesterday over 40 CBS stations. It will be heard at 11 A.M., Mondays, Wednesdays, Fridays, and Saturdays; and the show is a high point, with a special story written by Lenny Ross who wrote to a 2 P.M. spot... Effective March 21, John R. Black, the editor of the "What’s My Name" show to Fridays at 9:30 P.M., will add stations to make a total of 52 over the country... NBC announces a repeat program for the west coast on Feb. 17 over CBS.
Stars of ‘69th’ Arrive, Given Big Welcome

(Continued from page 1)

New York Review

"The Lion Has Wings"

(Korda-United Artists)

Alexander Korda, in this feature, presents England’s viewpoint in the current conflict. Produced very soon after England declared war on Germany, it is part commentary and part the fierce drama of aerial war.

It is an extremely timely, hard-hitting picture.

Its tight, intricate plots are of headline calibre, of course.

Ian Dalrymple was associate producer and Michael Powell, Brian Desmond Hurst and Adrien Brunel shared the direction. Lowell Thomas supplies the running commentary for the American release.

The Royal Air Force fully cooperated with Korda in the production of the film, and its tight, intricate plots are of headline calibre, of course. The Royal Air Force and its supplemental arm, the anti-aircraft defense, function with machine-like precision in guarding against enemy air raids.

Dramatic aspects of the story are in the capable hands of Merle Oberon, Ralph Richardson, June Duprez and Anthony Bushell. Pictorially and via the Thomas commentary, England puts her case for freedom and against Nazi aggression.

Those who see the picture should not forget to see the production stills in the Cast Ageark, which illustrate the manner in which the Royal Air Force and its supplemental arm, the anti-aircraft defense, function with machine-like precision in guarding against enemy air raids.

Running time, 75 minutes. "G."

Charles S. Aaronson

**"G" denotes general classification.

“Gone With Wind”

Set for 162 Cities

M-G-M yesterday set 21 additional engagements on “Gone With the Wind,” bringing the total of bookings to 178 in 162 cities.

New engagements follow:


Feb. 10, Colfax, South Bend, Ind.; Feb. 12, Capitol, Winchester, Va.; Maryland, Hagerstown, Md.; Feb. 15, Elsmere, Salem, Ore.; Feb. 16, Stetson, Hornell, N. Y.; Feb. 19, Tivoli, Frederick, Md.; Paramount, Bristol, Tenn.; Feb. 22, Family, Batavia, N. Y.

Feb. 2, Rex, Wheeling, W. Va.; Keeney, Elmira, N. Y.; Troy, Troy, N. Y.; Feb. 9, Stanley's, Utica, N. Y., moving on Feb. 16 to the Avon, same city.

‘U’ Plans 43 Films During New Season

(Continued from page 1)

versal expects to replace from another source the other two pictures which Edington was to have delivered.

Next season, Universal plans to produce seven Richard Arlen-Andy Devine pictures, seven westerns and four serials, in addition to its feature schedule, and also has contracted with the three independent distributors for sub-

dutions for him on a two-year deal.

On the company’s starring list for the new season will be Bing Crosby, Marlene Dietrich, Deanna Durbin, Loretta Young and Gloria Jean, among others.

J. Cheever Cowdin, Universal board chairman, who participated in the production conferences, returned to New York by plane on Sunday.
In response to the nationwide demand of exhibitors for an immediate release of the "Mayflower" Pommer-Laughton Production of "Sidewalks of London," starring Mr. Charles Laughton and Miss Vivien Leigh, whose name is the most highly publicized of any star name in the history of the industry, Paramount Pictures takes this opportunity to announce the release of this heart-thrilling drama of peace-time London on February 16. Because of the tremendous demand for prints, we urge you to contact your Paramount exchange immediately to arrange bookings!

RELEAS

FEB.16

CHARLES LAUGHTON

SIDEWALKS OF LONDON

VIVIEN LEIGH

REX HARRISON • Produced by ERICH POMMER

Directed by Tim Whelan • Screen Play by Clement Keen
A MAYFLOWER PRODUCTION • Paramount Pictures
Federal Quiz
Of Columbia’s Chiefs Fought

Four Objections Raised
To Trust Examination

Columbia Pictures yesterday moved to vacate the government’s notice of
oral examination of Harry Cohn, Jack
Colin and Abe Montague, president,
vice-president and general sales man-
ger respectively, on four grounds.
The application will be heard by Fed-
eral Judge Willard Bowlly on Jan. 30.
The four grounds were (1) that
Harry Cohn is a resident of California
and not of New York; (2) that the
government has not “particularized
the general allegations of the com-
plaint” either by bill of particulars or
answers to Columbia interrogatories;
(3) that the government has already
served written interrogatories on
Columbia; and (4) that there is no
necessity for the examination at this
time.

Harry Cohn’s continuous presence in
California is required by his duties as
production chief of Columbia, an
affidavit of Louis D. Frohlich of
Schwartz & Frohlich, counsel for
Columbia, points out. If Cohn were to
(Continued on page 7)

Doubt Italy Report
On Film Imports

News dispatches from Rome that the
importation of American films
would be facilitated by the creation of
a new Italian Government organiza-
tion to control film imports were dis-
counted yesterday by home, office,
foreign departments and M.P.P.D.A.
The industry officials said they had
not been advised of any change in the
basic control regulations which
would eliminate either the Govern-
ment film monopoly or the absolute
restrictions on withdrawals of cur-
cency from the country, the primary
factors leading to the withdrawal of
American companies from the Italian
market a year ago.

Without such changes, it was said,
there would be no renewal of film
ships to Italy.

Record Atlanta Snow
Makes Cinemas Bare

Atlanta, Jan. 23.—Film houses
played to almost empty auditoriums
yesterday as snowbound Atlantans huddled
about their family fires. Nine
and one-half inches of snow, heaviest
in the city’s history, fell during the
day.

(Continued on page 7)

SAG Attacks Neely
Bill, Cites Dangers;
Cole Sees Passage

Hollywood, Jan. 23.—The Screen
Actors Guild, in its official monthly
publication issued today to all mem-
bers, declares that the Neely bill
“would cut motion picture production
in half and would disastrously affect
industry employment.”

The official statement said in part:

“The Screen Actors Guild believes
that enactment of the Neely bill,
which would destroy methods by
which theatres in this country are pro-
vided regularly with films necessary
to their existence, would inevitably cause
the closing of many theatres, curtail-
ment of production and consequent un-
employment of actors whom we repre-
(Continued on page 7)

Goldwyn Will Start
‘Black Gold’ at Once

Hollywood, Jan. 23.—Samuel Gold-
wyn today announced his intention of
beginning production of “Black Gold”
immediately.

Goldwyn and Vera Zorina will play
the leading roles. A second male star for the picture remains to be
determined. Borden Chase, author of the Golden Age series of
“Black Gold” stories, is here to do the adaptation.

40 Reunions Exploit ‘69’;
1,200 at N.Y. Dinner Today

Important figures in state, civic
and military affairs tonight will gather in
40 cities to attend reunion dinners of
the World War Rainbow Division.

The national celebration will have
its focus at the Waldorf-Astoria here,
where the 69th Regiment reunion af-
fair will be featured by a screening of
Warner’s film, “The Fighting 69th.”
More than 1,200 are expected to
attend.

A program of speeches at the loc-
ic dinner will be broadcast over a na-
tionwide NBC Blue hookup, origin-
ating from WJZ from 9 to 9:30 P.M.

Col. John J. Mangan, commander of
the 69th, will be toastmaster. On
the national hookup will be heard
Gov. Lehman of New York, Gover-
nor-General Douglas MacArthur of
the Philippines, who will be piped in
(Continued on page 7)

Fox Scores Victory
In Sherwood Fight

Twentieth Century-Fox Film Corp.
won a complete victory in the courts
yesterday when N.Y. Supreme Court
Justice Peter Schmack, after trial,
dismissed the unfair competition suit of
Robert E. Sherwood and The
Playwrights’ Producing Co., Inc.

Plaintiffs charged Twentieth
Century-Fox with taking unfair ad-
vantage of the popularity of Sher-
wood’s play, “Abe Lincoln in Illinois,”
in promotion of its film, “Young Mr.
Lincoln.” Justice Schmuck ruled that
both the picture and the play had
taken their material from the public
domain and that no exclusive rights
were obtained by the first to discover
value of the material.

SAG Ballot Awards
Extras More Power

Hollywood, Jan. 23.—Class A
members of the Screen Actors Guild,
by a vote of 420 to 31, passed the
amendment to the Constitution and by-
laws, awarding Class B members (ex-
tras and bit players) a greater mea-
Sure of autonomy inside and outside of
the organization, it was announced
yesterday. The amendment becomes effec-
tive at once.
Motion Picture Daily

Wednesday, January 24, 1940

Critics' Quotes . . .

"GONE WITH THE WIND" (M-G-M)

No puny adjectives fit "Gone With the Wind." It is the lavish, probably the most magnificent, ever to come out of Holly-
wood. Certainly, this film is barely conscious of the passing minutes and hours.—Mildred Martin, Philadelphia Inquirer.

For four hours, they (the audience) sat in rapt and undivided
attention to a handsome, scrupulous movie that gives "colossal"
new meaning . . . has received an almost reverent screen transla-
tion.—Elise Finn, Philadelphia Record.

It came, it was seen, it conquered. Make no mistake about it,
"Gone With the Wind" is the hit of movie history. This longest,
costliest, most publicized of all photoplays is also an entertainment.
Its narrative is continually engrossing.—Philadelphia Public
Ledger.

It is afetching commentary on human conflict . . . Vivien Leigh
plays the role magnificently, most of the time. . . . Well acted
to top bottom. . . . It is a moving and emotion-stirring screen ad-

A remarkable faithful picturization of the novel . . . an absor-
bable, magnificently patterned drama of human adventure . . . This
is not Hollywood's greatest picture.—Laura Lee, Philadelphia
Bulletin.

"THE BLUE BIRD" (20th-Fox)

Shirley Temple is delightful as the naughty little girl. . . . "The
Blue Bird" is a beautiful film. The sets are opulent and the photo-
graphy gorgeous. It should prove an enchanting adventure for
the youngsters. And their elders will have a dandy time, too.—
Robert Coleman, N. Y. Mirror.

The film fantasy is a pictorial gem. . . . The settings are beau-
tifully and artfully designed . . . The adventures in the gay
and the fiery forest are enough to frighten the small members of
its audience, (but they) are few and far between.—Kate Cameron,
N. Y. Daily News.

The original allegory about happiness cut to a bedizened and
frequently embarrassing Hollywood pattern. The film is
narrative literal where it should have been magically suggestive—
Howard Barnes, N. Y. Herald Tribune.

As a children's show we suppose it is quite adequate. . . . Has
become even more earthbound in the manner of its screen transla-
tion.—Frank Nugent, N. Y. Times.

"ABE LINCOLN IN ILLINOIS" (RKO)

Raymond Massey brings to the screen—and makes him live
again—America's greatest statesman. . . . I urge you to see it—
Raymond Massey's portrayal of Lincoln. . . . Don't forget to
remember. . . . Ruth Gordon is marvellous as Mary Todd. . . .
The picture is far too long.—L. A. Examiner.

A reverential interpretation. . . . Oddly narrative in its tech-
nique. A sense of remarkable reality is conveyed.—Edwin Schallert,
L. A. Times.

Newsreel

Parade

News from the warfront in France concurs the record cold rather
than battle. Submarine manoeuvres off the N. W. Coast. . . . Jack
O'Mahony sworn in . . . four U. S. liners jinked, and heroes of the
Squalus being re-

quired are happening important. Reels and their contents for

MOVIETONE NEWS, No. 39—"Squallus"

Two U. S. liners jinked in Maryland. . . . Submarine manoeuvres in
Pa-
cific, new movie. . . . Movie show stored in Paris. Cold curtails air
activities in Florida. . . . French troops in West Africa get artillery
practice.

Blue Bird" opening on Broadway. . . . Laugh to the Tunes of the
Yale University glee club in training. Skiing in Scandinavia.

Broadway problem—Murphy and Jackson sworn in. Senator Borah dies. Hat fashions. Washington University crew training. Skiing in

PARADE NEWS, No. 62—Scrubby mountain boys. . . . Jiffy
found guilty, sentenced. . . . Unity Milford returns to England. . . . Liner sold for scrap. . . . Try new windmill in Florida. . . .
get new headgear for blackcoats. Last rush on boats Home. . . . Square Squalus rescue. . . . Submarine film in defense maneu-

vers. . . . Home town heroes. . . . Both fighters in training. . . . U. of

YMA PATHE NEWS, No. 54—November mountain boys. . . . Crew of spangled Nell liner detailed in California. . . . Unity Milford re-

turns to England. . . . Heroes of Squalus rewarded. . . . Murphy and Jackson take new ship. . . . Washington University crew
training. British mine sweepers in action. . . .

Crowd (cruicers) . . . Drafted Murphy and Jackson new officers. . . . Lin-
craft project. . . . Gals, a score of gals. . . . Poorly swamped at Miami. . . .

Berkson and Mills

Form Screencraft

Screencraft Pictures, Inc, has been organized to distribute nationally through existing theatres. The company is owned by Mr. S. Berkson and B. H. Mills, former Republican franchise holders in Albany, New York.

The company has ready for release "War Angels," with an all-woman cast; a series of six Tim McCoy westerns and a series of six Thrill-O-
Dramas.

Berkson has left on a sales trip to Detroit, Cleveland and Cincinnati.
Gentlemen of the Jury:

Our case rests. The power and ability of a great studio is again revealed in the case of

"I TAKE THIS WOMAN"
We are prepared to state emphatically that "I TAKE THIS WOMAN" is one of the year's outstanding attractions. Screen it for yourself and we know your showmanship sense will agree.

We know that "I TAKE THIS WOMAN" will make you prouder than ever that you have an M-G-M contract. It shows how a great organization can come through. SPENCER TRACY
gives one of the finest performances of his magnificent career.

**HEDY LAMARR** is a dream of beauty and her work will make the public and critics applaud her.

Congratulations W. S. Van Dyke II, for the splendid direction. Also James K. McGuinness for his screen play from Charles McArthur’s story.

We know what we’re talking about when we say that—
YOU’LL BE PROUD OF

SPENCER TRACY and HEDY LAMARR in "I TAKE THIS WOMAN"

(A Metro-Goldwyn-Mayer Picture)
40 Reunions Exploit ‘69th’; 1,200 at N. Y. Dinner Today (Continued from page 1)
from Manhattan; Col. William J. Donovan, World War commander of the regiment; Brig. Gen. Alexander E. Anderson of the N. Y. National Guard, Jack L. Warner, vice-president of Warners, and James Cagney and Pat O’Brien, two stars of the film.

Duffy Statue Ceremony
By action of the New York City Council, today has been proclaimed “69th Day,” the celebration beginning at 10 a.m. at the Times Square statue of Father Francis P. Duffy, late chaplain of the regiment. Bishop John F. O’Hara, former president of Notre Dame, and now supervisor of all Catholic chaplains in the U. S. Army, is expected to join Cagney and O’Brien at the ceremony.

Among those who will be present at the Waldorf tonight, in addition to the foregoing, are:


Hollywood Writers Fly Here

Hollywood correspondents, accompanied by Wayne Morris and Jeffrey Lynn, are expected in New York for the dinner are: Sidney Skolsky of the New York Post; Paul Edwin Selch; Los Angeles Times; Jimmy Starr, Los Angeles Herald-Express; Harry Crocker, King Features Syndicate; Ralph Jordan, International News; Harry Mines, Los Angeles Daily News; Hy Gardner; Harry Friedman; coast cable.

Johnson, Kelly, Woods
To Attend Chicago Dinner
Cicero, Jan. 23.— “The Fighting 69th” will be Friday evening at the grand reunion dinner party at the Sherman Hotel tonight. Among distinguished guests to be present will be the Chicago Assistant Secretary of Commerce; Mayor Kelly, who designated tomorrow Chicago “69th Day,” in Chicago and General Wood. Reunions will be held in many cities in the territory, including Milwaukee, Minneapolis, St. Paul and Springfield.

U. S. Legion Commander and Memorial Rochester Party
Rochester, Jan. 23.— A cock-tail party and screening and a dinner to be held today at the Powers Hotel, the guest of honor will be Raymond J. Kelly, national commander of the American Legion. “The Fighting 69th” will be screened. Among those present will be Frank GAMM, presidential candidate.

Bowron, Fitts, Dawson and Olson
At N. Y. dinner reunion
Los Angeles, Jan. 23.— In addition to a host of prominent guests headed by Gov. Olson of California, others to attend the “69th” dinner are Mayor Bowron, District Attorney Fitts, and Judge Dawson.

High Officials to Address Reunion at Birmingham
BIRMINGHAM, Ala., Jan. 23.— Colonel Henry C. Woods, president of the Alabama State Association and one of the organizers of the Rainbow Division chapter, will head a large group of veterans who will meet tomorrow night. Their program includes speeches by high state officials who will be heard locally over WSGN.

Reunions in Other Cities
Reunions of the “69th” are scheduled in many other cities, among them being Washington, D. C., Kansas City, Baltimore, Orlando, Fla., Cleveland, Youngstown, Detroit, Oklahoma City, San Francisco, Oakland, Los Angeles, St. Paul, Denver, Dallas, St. Louis, Chicago, Montreal, Los Angeles, St. Paul, and Montreal.

Columbia opposes
U.S. Quiz of Officials
(Continued from page 1)
be forced to testify here, Frohlich contends. He also suggests that the court should reverse the entire production program and a “consequent substantial loss.”

Regardless of the outcome, the government can obtain all necessary information by answers to its interrogatories. The government should first be compelled to furnish its answers to Columbia’s interrogatories served upon it before testimony of these officials are taken, Frohlich declares.

Finally, the affidavit contends that the government was seeking an ex- cusal in spite of the fact that it had failed to furnish any concise details of its charges against Columbia. No examination should be granted un- til the company was fully apprised of what violations of law were alleged committed by it, the affidavit concludes.

William P. Farnsworth, head of the N. Y. Anti-Trust Division, reserved all conclusions which, he said, must be drawn. The government’s notice of examination calls for the appearance of Columbia officials on Feb. 5. They will be required to submit a list of ranking company executives when the government proposes to examine them. The court also refuses to allow the other Operating companies to testify of the examination of Columbia officials on Feb. 5. They will be required to submit a list of ranking company executives when the government proposes to examine them. The court also refuses to allow the other Operating companies to testify of the examination of Columbia officials.

Inter-State Commerce
Court refuses to hear proceedings (Continued from page 1)
other Operating companies. Some of the Operating companies who have not been called as witnesses have not been heard.

Union Arbitration
is Near Completion
Arbitration of wage increase demands by Local 306 of the United Steel Workers of America on the major industrial company which has called for a strike have been decided by the State Labor Board in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the complaint.

SAG in Attack
On Neely Bill, Cities Dangers
Dinner-distributor must not depart from some- thing by a penalty of $5,000 fine and imprisonment.

Here is a plan which would stop production temporarily, keep producers from making more but would make good production all but impossible. It would lead to endless litigation over synopses.

House to Pass Neely Bill by 2-to-1 Vote, Says Cole
The Neely bill will be reported on the floor of the House today in the Spring and will be passed by a two-to-one vote, predicts Col. H. A. Cole, president of Allied States, who is in New York. If the Interstate Commerce Committee decides not to hold hearings, Cole sees earlier action.

Cole indicated that Allied will not wage an intensive campaign for passage of the bill inasmuch as it has the support of many public groups.

Abram F. Myers, chairman of the board, recently circulated a “white paper” among exhibitors and newsmen outlining the reasons why the measure should be supported.

“The state rights market will expand tremendously if the bill is passed, and there will also be expansion in production and exhibition,” Col. Cole declares.

“Dissolution of the Motion Picture Patents Co. 25 years ago brought great expansion throughout the industry. When I entered exhibition in Marshall, Texas, in 1920, there were available only 450 features from 11 exchanges. Besides selectivity of product and making films available for exhibitors, the Neely bill will clear the way and open up new fields for producers and distributors.”

Inter-Union Fight
Won by Local 306
An inter-union dispute between Operators Local 306 of the United Steel Workers of America has been decided in favor of 306 by the State Labor Relations Board.

Under the terms of the 1937 settle- ment between 306 and the I.L.O.A., the Arbitration Committee in Middle Village, L. I., was required to dismiss Empire projectionists and hire 306 men. Last week, Empire filed a complaint with the N. L. R. B., charging that its men were discharged because of union affiliation. The board ruled that the 306 agreements were in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the complaint.

Union Arbitration
is Near Completion
Arbitration of wage increase demands by Local 306 of the United Steel Workers of America on the major industrial company which has called for a strike have been decided by the State Labor Board in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the complaint.

Union Arbitration
is Near Completion
Arbitration of wage increase demands by Local 306 of the United Steel Workers of America on the major industrial company which has called for a strike have been decided by the State Labor Board in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the complaint.

Union Arbitration
is Near Completion
Arbitration of wage increase demands by Local 306 of the United Steel Workers of America on the major industrial company which has called for a strike have been decided by the State Labor Board in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the complaint.

Union Arbitration
is Near Completion
Arbitration of wage increase demands by Local 306 of the United Steel Workers of America on the major industrial company which has called for a strike have been decided by the State Labor Board in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the complaint.

Union Arbitration
is Near Completion
Arbitration of wage increase demands by Local 306 of the United Steel Workers of America on the major industrial company which has called for a strike have been decided by the State Labor Board in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the complaint.

Union Arbitration
is Near Completion
Arbitration of wage increase demands by Local 306 of the United Steel Workers of America on the major industrial company which has called for a strike have been decided by the State Labor Board in good faith and that the contract was signed before the State Labor Act went into effect and dismissed the contract.
Motion Picture Daily

Wednesday, January 24, 1940

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**‘Wind’ Continues At Record Pace**

“Gone With the Wind” continues to set box-office records for grosses and advance sales. MGM reports that 20 additional engagements have been set, bringing the total of bookings to 207 in 190 cities.

In Detroit, where the film opens Thursday at two theatres, the advance sale is reported to be $47,000, and in Baltimore, advance tickets sales and $43,000 with all seats sold for the first week and 85 per cent for the second.

In Dayton a record House advance of $14,000 is reported for the week of Nov 30- Dec 6; Rochester, $33,000; Washington, $34,600, and St. Louis, $42,000. Indianapolis reports $35,000, representing a 100 per cent sellout for the first week, 95 per cent for the second. Cleveland is said to be 95 per cent sold, for the first week, 85 per cent for the second, with total advance receipts of $31,000.

The picture again grossed more than $50,000 last week in Los Angeles, including $23,200 reported for the Carthay Circle and $29,000 for the United Artists.

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**Dembow to Share Duties with Netter**

Sam Dembow, Jr., will share with Barney Balaban, paramount home office executive, and theatre operations duties presently handled by the latter when Dembow takes over his new post as a paramount home office theatre executive, Jan. 29.

Barney Balaban, paramount president, outlined duties to be assumed by Dembow, said that the work of Leonard Goldenson and M. F. Gowthorpe, home office theatre executives, would not be changed.

Corporate and general problems of theatre policy, as well as real estate matters, will continue under Goldenson's and Gowthorpe's direction, and continue in charge of financial problems relating to theatres and current phases of real estate and corporate matters.

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**Regulation of Bingo Proposed in Albany**

ALBANY, Jan. 23—Assemblyman Max Tursen of Brooklyn today introduced in the New York State legislature a resolution for the regulation of Bingo under the control of the Department of State. The game would be restricted to bona fide charitable, civic and similar organizations, established at least five years before application for a license to use Bingo.

Dembow will preside over the House of the Buffalo theatre, and D. F. Correll, of Batavia, for the next four hours in any one day, playing after midnight or on Sunday.

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**Disease Hearing Thursday**

CHICAGO, Jan. 23—The petition of Walt Disney Enterprises, Ltd., charging violation of an injunction issued in 1936 restraining United Biscuit Co., from making cookies of Disney cartoon characters, will be heard by Federal Judge Holly Thrusday.

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**Canada Amusement Tax Plan Dropped**

TORONTO, Jan. 23—The Dominion cabinet has decided against the inauguration of a Federal amusement tax as a war time measure to be applied to all forms of entertainment throughout Canada, it is understood.

The new levy was slated for consideration at the session of Parliament which opens at Ottawa Jan. 25 but the idea was killed because it would duplicate the amusement taxes imposed by Provincial Governments.

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**Skouros and Chiefs Off for Coast Today**

Spyros Skouros, head of National Theatres, and a group of circuit executives, are to leave today for the terminals where they will attend the annual conference of division managers, beginning today.

In the group will be Charles Skouros, head of Fox West Coast, and Bud Lozier and William Leri of that circuit, who will have been visiting William Powers, current film supplier, Ed Zabel, film buyer, and John Healy, assistant to Spyros Skouros. The meeting will concern itself chiefly with presentation and policies Skouros plans to go about for two weeks.

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**RCA Competitors Get Television Licenses**

WASHINGTON, Jan. 23—Otto Schaefer, vice-president of RCA, told the P.C.C. today with respect to television patents that the company has offered licenses to competitors who are able to pay the royalty.

About 30 receiver manufacturers are licensed for television and face similar apparatus, and 11 for tubes, he said.

E. W. Engstrom, RCA research director, expressed confidence that a flexible television receiver could be built to avoid obsenessence and loss to the public if future developments result in different standards from those now in use.

**Stations in Canada Fear ‘Drowning Out’**

MONTREAL, Jan. 23—Fears that private Canadian radio stations will be drowned out by stronger American stations, as a result of the Havana treaty, were expressed at the annual convention of the Canadian Association of Broadcasters here.

Permission will be sought to allow amateurs to use power up to 50 watts in maximum amount of power permissible on the respective channels.

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**Century Executives Off for Lake Placid**

Fred Schwartz, Joseph Springer, Century Circuit executives, leave today for a "long weekend" at Schwartz's Camp Timber Ridge, N. Y.


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**Toronto Trade Unit Headed by Taylor**

TORONTO, Jan. 23—Circuit and independent theatre officials and film buyers joined at a cocktail fete in the Toronto Board of Trade, Film Section for 1940, Nat Taylor, manager of National's 20th Century Theatres, and vice-president of the Independent Theatres Association, is the chairman of the section and Louis Konopka, general manager of Famous Picturaes of Canada, Ltd., is vice-chairman.

Members of the executive board are: J. D. Cowherd, general manager of 20th Century-Fox Corp., Ltd.; B. Goldsasser, Famous Players Canadian Circuit; and Harry Alexander, president of the Independent Theatres Association and manager of the Lansdowne Theatre, Toronto, with F. D. Tolchard as secretary.

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**Albany Allied Intact Despite Resignations**

Resignation of six members does not disrupt the organization of the Allied unit of the Allied Theatre Owners of New York, according to Edmund Souhaimi, organized the unit.

Souhaimi attended the meeting in Albany Monday at which the resignations were submitted after the unit was formed to present a united front contrary to the majority vote at a recent state meeting in Syracuse.

A meeting will be held shortly at which it will be decided whether Councilman Mitch Conley, regional vice-president, who was one of those resigning.

Souhaimi said that the organization was authorized to continue to represent the state. In addition to Albany, units are maintained in New York City-Syracuse and Buffalo areas.

Allied States will not take advantage of the present situation as an opening to renew efforts to organize an affiliated organization in New York State, said Ed H. Cole, president, yesterday in New York.

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**British Withdrawal Pact Looms Today**

Formula for apportioning among seven major companies individual shares of the exportable $17,000,000 of their British revenue may be agreed upon today by company heads.

A formula which apportions a withdrawal share for each company regressed to its percentage of the total business done by the seven companies in Britain during the past two years was approved by company heads.

By the time of the meeting minor details of the agreement have been revised and new ones added, delaying its closing.

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**Radio Brevities**

**Capital Gets Radio Columns**

GEATER cooperation between newspapers and radio seems to be indicated in Washington where, until recently, the columns were not a part of the daily press. Recently, WJSV, the CBS outlet there, has been asked to give the Washington Post the column that was being published by Bill Slocum of the WJSV staff. Subsequently, WOL, the NBC outlet, has agreed to publish the Times-Herald, with WOL's Walter Compton doing a daily stint.

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Free Radio for Schools

San Francisco schoolrooms will receive free radio as a result of Philco's advertising campaign. Under a deal worked out by KSFQ and KRC, the "second-hand" trade-ins will be reconditioned by Philco service men and turned over to the public schools.

**Program News**

General Mills will sponsor "Beat the Shy Goose Show," over NBC-Red beginning Sunday at 6:30 P. M., The show will feature Ted Weens' band as the experts who are required to play a song in answer to a question submitted by the audience. "Dinner at Home," a new series of jokes on food and dining habits, will be started over WOR by Gaynor Maddox on Monday, Feb. 12, at 9:15 P. M. Raymond Gram, founder of "Brevities" will drop his Tuesday and Thursday broadcasts beginning Feb. 12.

**Short Wave Auto Sets**

An automobile radio to receive short wave broadcasts for motorists while traveling out of the range of the usual medium wave stations has been announced by Philco. The sets will be sealed to prevent retransmission of police broadcasts because of the various State laws which forbid such reception.

**Personalities in the News**

Charles Stark, CBS commentator, has been engaged by the Feagin School of Business and as director of the radio department. . . . Herbert Marshall, Ingrid Bergman and Gary Cooper are filming "Farina" on the "Lux Radio Theatre" next Monday at 9 P. M. . . . Bob Edger, CBS expert on hunting and fishing, has reported a road trip to the American Anglers Association on Jan. 31. . . . Roscoe B. Stocket, production manager of RCA, will resign Feb. 1, after 11 years of service. John B. Lyman will succeed him.

Daniel C. Stulman has been elected president of Star Radio Production Inc. . . . Paul Gervais, comedian, is reported slated for a commercial show over NBC in the Same-balke Collaterial as sponsor.
Para. Will Cut '40 Product; 34 on Own Lot
10 or 12 Outside Pictures To Augment Releases

A total of 34 to 36 features will be produced on the Paramount lot next season, Y. Frank Freeman, vice-president and studio head, said yesterday at the conclusion of several days of production conferences at the home office.

The company's release schedule for 1940-41 will be augmented, however, by 10 or 12 additional pictures, including Harry Sherman's "Hapalong Cassidy." These pictures are not made on the Paramount lot and several productions will be made in Paramount's British studios.

This represents a reduction of 13 to 17 pictures, compared with the current season's schedule of 61, including westerns and British-made pictures.

The exact number of British productions which will find a place on the Paramount release schedule here has not been determined yet, but it is known that they will not number more than three or four, thus allowing the total new season releases to a maximum of 44 to 48.

Freeman ascribed the reduction to the disturbed market conditions (Continued on page 16)

British Newsreels
Escape Censorship

London, Jan. 24—Despite pleading in the House of Lords today, Lord Denman's motion demanding Government censorship of British newsreels was withdrawn.

The Government delegated the reply to a junior spokesman, the Marquis of Dufferin, who stressed the need for safeguarding liberties. He asked that neither the press nor the screen be penalized for individual lapses.

The Government speaker scored the Paramount newsreel, whose editor had returned to England from Munich as the cause of the threatened censorship. He declared, "As an example of sadistic brutality, it would be hard to beat."

However, he said, though disapprovable, it was no worse than the press treatment generally.

He promised to study the practicability of prohibiting further circulation of the offending newsreel item.

Radio Giveaways Cited to Congress

Washington, Jan. 24—Giveaways have been hailed to the attention of Congress with the insertion in the Congressional Record by Representative Tenerowicz of letters from Michigan exhibitors complaining of the "Pot of Gold" program.

Tenerowicz said: "These letters assert that invaluables losses in revenue are being suffered by this legitimate group of taxpayers every Tuesday night when this particular program takes to the air. To me it is a palpably unethical intrusion and a matter that deserves immediate 'policing' by the commission."

Tenerowicz stated that Cooperative Theatres of Michigan has filed a complaint against the program of the F. C. C., but added that "it is my understanding that because of legal loop-
(Continued on page 16)

U.S. DRAFTS IDEAS TO BANISH ABUSES
35 Loew Theatres Open 'Wind'—First Big-Sized Booking

Today and tomorrow the trade will get its first general booking impact of "Gone With the Wind," when the picture begins engagements in 35 Loew theatres, besides numerous other spots around the country. Until now the picture has played in only eight or 10 selected cities.

In these latter locations, the picture was the excuse for a civic celebration, and thus far there is no letup in that enthusiasm, according to home office reports as late as last night when the final Loew booking checkup was made.

Company officials report that in one city where the picture hasn't even been advertised or even booked, there has been a spontaneous advance ticket demand amounting to more than $50,000.

The advance sale at the Brooklyn Metropolitan up to last night was reported at $39,000. Many "Gone With the Wind" dinner parties have been arranged following the premiere. Brooklyn debb will be hostesses at the theatre. A National Guard regiment paraded in dress of honor for Mrs. Munson who appears in the picture.

Governor Moore of New Jersey will headline celebrities at the Jersey City premiere. The theatre is com-
(Continued on page 7)

69th Reunion Hails Film, Heroes of War

By A.L. FINSTONE

Climaxing a whirlwind advance exploitation and publicity campaign for Warners' "The Fighting 69th," a banquet last night at the Waldorf-Astoria developed into an impressive tribute to the famous World war regiment and to producers of the picture.

More than 1,300 persons, many of whom medal-bedecked, uniformed military leaders, attended the banquet—the key reunion of 40 similar assemblages of Rainbow division members throughout the country. At each of them "The Fighting 69th" was screened and acclaimed.

A 40-piece band, accompanied by a color guard, played military airs, among them being the regiment's song and popular war-tune tunes.

(Continued on page 16)
**Purely Personal**

BARNEY BALABAN, Paramount president, will leave for Florida on Sunday for a vacation of several weeks.


Budd Rogers, vice-president and general manager of Alliance Films, and Mrs. Rogers celebrated their 20th wedding anniversary Saturday simul- taneously with the graduation of their son, Richard, from Junior High School.

Gloria Jean, Universal player, will arrive in New York Friday to attend the President's Birthday Ball and a White House party in Washington Tuesday. She will return to the Coast on Wednes- day.

Leo Abrams, Universal short subject sales manager, and P. T. Buna, district manager, were in Des Moines yesterday conferring with J. J. Sandburg, exchange manager.

MRS. A. R. HAMMERSLAG, wife of A. R. Hammerslag, who operates the Face Press, became the mother of a girl Tuesday at Woman's Hospital.

Charles Stern, United Artists Eastern district manager, left Monday for a brief vacation at Camp Tim- ber Doodle, Lake Placid, N. Y.

Zeb Epstein, managing director of the N. Y. Strand, is convalescing after an emergency appendectomy at the Polytechnic Hospital.

Emil Franke, manager of the RKO Orpheum in Des Moines, has returned to his office after a siege of influenza.

Maurice Goldstein, M-G-M sales- man in Boston, is the father of a girl born to Mrs. Goldstein in that city.

Lee Goldberg, of the Big Features Rights Exchange, Cincinnati, left for his office last night after a visit here.

Jack L. Warner, vice-president of Warners, leaves for the Coast tomorrow with Mrs. Warner.

Jack Kirsch, president of Illinois Allied, has returned to Chicago after a visit here.

Harry Brandt is in Miami. Will- iam Brandt leaves for Florida next week.

Will H. Hayes addressed the New Rochelle Men's Club Tuesday night. 

JOHN D. Hertz, Jr., left yesterday by plane for Miami Beach.

**"Grapes of Wrath"**

An Editorial Viewpoint

THE motion picture version of "Grapes of Wrath," anxiously looked forward to by advocates of the Left and timorously awaited by others who view with concern the adaptation of material of this sort to the screen, has just opened at the Rivoli theatre, New York City.

Both groups will find in the Darryl Zanuck production grounds for their alternately anticipated anxieties and apprehensions. The picture is a new and emphatic item of evidence in support of the frequently re- peated assertion in these columns that the entertainment motion picture is no place for social, political and economic argument. It is a stark and dra- bl scene of a group of victims in human misery, told against a chaotic jumble of philosophic and sociological suggestion and argument.

The suggestion and argument are the creation of John Steinbeck, author of the story. The producer is simply the translator of what, or some of what, he found in the story. That Mr. Zanuck and his collabor- ors did very well indeed with what they set out to handle is graphically demonstrated throughout the production. The screen narration by Norman Johnson is a creditable effort. The directorial genius which John Ford has stamped upon a considerable number of American pro- ductions is here again conspicuous. The mistake is not in the execution for screen purposes of the Steinbeck story. It is in its selection in the first place as material suitable for the screen.

The audience import of the picture—inevitably because of the subject matter upon which it was based—becomes a demagogic preachment. If the conditions which the picture tends to present as typical are propor- tionately true, then the Revolution has been too long delayed. If, on the other hand, the picture depicts an extraordinary, isolated and non- typical condition and tends to persuade an audience that it is typical, then no small libel against the good name of the republic has been committed. One contemplates with little pleasure, indeed, the impression of these United States and our government, of, for and by, which this subject may create in other countries. This dilemma is in no sense an unique creation of this picture. It is the inevitable result of attempting theatrically to deal with problems which the necessities and limitations of the medium render impossible of factual, analytical and faithful treatment. It is this very shortcoming of the medium which makes it so attractive to those who wish to stampede the public emotionally rather than lead it ration- ally. It is because of this that the propagandists seek so ardently to make the screen their soapbox.

It may well be said that the producer of this subject exerted himself shrewdly in the selection of incidents from the original story and in the treatment of them. Much of the coarseness, vulgarity and all of the filth and obscenity have been chopped away. But it may be wondered why in the first place such a unpromising field of material was prospected. The answer perhaps is a situation of reaction rather than initiative. Pressure has been heavy and unrelenting. Mr. Zanuck, while issuing a series of fine popular entertainments, probably had the term "escapist" hissed so often in his ear that he finally—and we hope reluctantly—decided to give them that which they like loosely to label as "significant." This he has done and well done.

There remain, however, to be measured the consequences to the screen and the consequences to reasoned judgment on those problems—political, social, economic and religious—which the screen play, guided by the heavy and designing hand of John Steinbeck, treats with.

M. Q.

**25 New Films Now Shooting In Hollywood**

Hollywood, Jan. 24.—Twenty-five pictures were before the cameras this week. Twelve were not started, two were seven finished. Twenty-two are being prepared and 65 are being edited.

The tally by studios:

GOLDENACE—Finished: "Blonde on a Budget."

INCeM—In Work: "Many Husbands," "Men Without Souls."

STARTED: "The Doctor Takes a Wife."

G-M—In Work: "20 Little Macherse," "Hooyah, I'm Alive."


IN Work: "My Favorite Wife."

ERROR SMALL—Finished: "My Son, My Son."

20TH CENTURY-Fox—Finished: "Dance with the Devil," "White Feather," "Sons of the North." 


UNIVERSAL—In Work: "It's a Date," "Black Friday," "The Home of Seven Gables," "They Hated Anything." 


**Associates to Study Ellis’ 1-Vote Victory**

Motion Picture Associates directors will hold an emergency meeting to review the recent election in which Jack Ellis was reelected president over Morris Sanders by a vote of 62 to 62.

Should the board find that the election was improperly conducted, it may order a new vote. The question hinges on whether the election was valid be- cause one member whose ballot was destroyed failed to cast another. A small association of members who claim that the election should have been declared a tie.

Sanders, as chairman of the board, called the directors meeting on Ellis' instructions. Although both are ex-officio board members, neither will attend the meeting. Members of the board are Harry L. Kohn, William Stein, Seymour Schussel, Jack Hattem and David Levy.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

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*Note: The text appears to be a collection of various articles and editorials, possibly from a movie industry publication, discussing a range of topics including movie industry news, personal updates, and political commentary.*
YEE-OW!
Here They Are!

-IN THE BIGGEST MONEY-MAKER OF ALL SHOW TIME!
MAE WEST

YIPPEE!

IN UNIVERSAL'S ROOTIN',
HOLDOVER TOOTIN’, SAGA-
DAGA OF THE WEST!

“MY LITTLE
CHICKADEE”

With Joseph Calleia · Dick Foran · Donald Meek · Fuzzy Knight
Margaret Hamilton · Ruth Donnelly

DIRECTED BY EDWARD CLINE
PRODUCED BY LESTER COWAN

YEE-OW! RIDE THAT SHOWMANNISH
OUT WEST—where Mae has room for her "hip-notic" ways!

WAY OUT WEST—where the mighty Bill Fields can dodge with the best!

WAY, WAY OUT WEST—where the funniest twain in hic-history meets and shakes every tepee to its baggy foundation.

SADDLE WITH UNIVERSAL, PARDNER!
IT'S A TRAIL OF GOLDEN DATES.

Starting FEBRUARY 9th

NATIONAL RELEASE!

So Hop on Your Pinto, and Reserve a Print-o... at Your Universal Exchange, NOW!
35 Loew Theatres
Open ‘Wind’—First Big-Sized Booking

(Continued from page 1)

pletely sold out for the opening which will be the city’s brightest and one of the most momentous events of the Winter.

In Newark, another glittering premiere will take place with the ad-

Theatre bringing again with its million dollar extravaganza, a full house, to the hallowed halls of the theatre, a full house of the pleasure seeking public. The picture has been described in many places as the picture of the year, and for the reason that it is a picture that is sure to please the public.

New Orleans is getting as excited about "Gone With The Wind" as it is for its annual Mardi Gras. The Hotel Roosevelt is staging a "Gone With

10,000 Circle Block
For Seats to ‘Wind’

It’s Regent’s examination week in the city’s schools, and when the youngsters had no examinations they are free.

That’s one reason why 10,000 persons tried to get to see “Gone With The Wind” at the Capitol yesterday. Composing a six-deep line encircling the block, they clogged traffic and provided police reinforcements with a real problem.

U. S. Drafts Ideas
To End Trade Evils

(Continued from page 1)

ice, however, said that the report has no bearing on the New York anti-

trust suit which is scheduled to come to trial on May 15 before U.S. Judge Goddard. The suit is definitely going to trial, the Department of Justice emphasizes.

The suit can be ended without a trial if and when the motion picture industry presents the Government its assurance that the proposals which satisfy the federal objectives in the case, it was declared. The Government also would demand that these proposals be incor-

porated in a consent decree approved by the U.S. court.

Washington officials expressed, as an unconfirmed, but objective, the demand that production and distribution com-
p

panies must divest themselves of all their theatre ownership and opera-

tion.

Thus far, the industry has not sub-
mitted any definite proposals to the Government for the cancellation of the New York suit, although close to 100 conferences of one kind or another have been held on matters pertaining to the litigation.

Hollywood Review

"The Grapes of Wrath"

(20th Century-Fox)

Hollywood, Jan. 24.—The adaptation of John Steinbeck’s best-selling book comes to the screen with little change. The film is, as the book was, a picture of the time and the people, a picture of the common man and the world he knows. It gives a true picture of Oklahoma and there are

some remarkable likenesses presented in this picture.

The picture, directed by John Ford from a screenplay by Ward Johnson, which virtually rewrites the book, is strictly in the newsworthy vein, is a beautiful blend of the best in modern story telling and photography. It is a device sometimes profitable with respect to story points, sometimes costly.

Zanuck’s fidelity to the Steinbeck text, within such limitations as he saw fit to impose in the interests of decency, is complete as far as it goes. The story stops, however, with the disintegrating Joad family on its way to the dust bowl and the further and final disasters which, in the book, awaited them there.

As is rather well known, the Joad family of the Steinbeck book were farmers “pushed off” the lands of their ancestors by the hands whose wages they took the profits of working the land became too meager to support share croppers. The film lays blame for this state of affairs on the farmers and the

Frigid Wave, Holdovers Hit Loop Gross


"Intermezzo" (U. A.)
APOLLO (1-400) (25c-55c-75c) 7 days, gross week $5,000, (Average, $750)
"Swanee River" (20th-Fox)
CHICAGO (4-400) (35c-55c-75c) 7 days, gross week $4,800, (Average, $671)
"The Great Victor Herbert" (Para.)
GARRICK (300) (25c-50c-65c) 7 days, 2d week, gross $4,000, (Average $571)
"Hunchback of Notre Dame" (RKO)
PALACE (1-340) (35c-55c-75c) 7 days, 3rd week, gross $8,000, (Average, $1,143)
"Gone With The Wind" (20th-Fox)
ROOSEVELT—(1-300) (35c-55c-75c) 7 days, 3d week, gross $6,000, (Average, $857)
"The Return of Dr. X" (W. B.)
STATE—(1-230) (25c-50c-65c) 7 days, Stage: $500, average, $71
"Raffles" (U. A.)
UNITED ARTISTS—(1-200) (35c-55c-75c) 7 days, Gross: $12,000, (Average, $1,699)

First Trust Hearing
Feb. 2 at Nashville

Initial hearing in the Government’s anti-trust suit against Crescent Amuse-

ment Co., Nashville, and major pro-
ducers and distributors is scheduled for Feb. 2 in U. S. District court at Nashville.

Defendants will enter motions for a bill of particulars from the govern-

ment, for a motion for summary judgment and for a 40-day extension of the time for defendants to answer the Federal complaint.

To line with the government’s re-
quest that defendants in the Federal anti-trust suit in New York agree to accept uniform replies to the seven sets of interrogatories served on the Government by the defendants, a consolidated list of interrogatories has been prepared by defense counsel which combines the essential features of the original seven sets.

If all defendants approve the con-
solidated list the government’s task of answering defendants’ interrogatories will be greatly facilitated as it will be necessary for the government to serve a single copy of a consolidated list of seven separate lists of interrogatories, each numbering approximately 55 to 70 queries.

‘Hunchback’ Draws
$9,500, New Haven

New Haven, Jan. 24.—Hunchback
of Notre Dame" took $9,500 at the
Loew-Poli. "Destry Rides Again" and
"Main Street Lawyer" took $6,500 in
nine days at the Paramount.

Running time, 128 minutes. "A.""7" by "A." denotes adult classification.

‘Four Wives’ Gets
$4,800 in St. Louis

St. Louis, Jan. 24.—Zero weather
again cooled St. Louis business—the third week that has been affected by
bad weather. "Four Wives" and "Pri-

date Detective" took $4,800 at the
Missouri.

Estimated takings for the week end-
ing Jan. 19:

"Swanne River" (20th-Fox)
"Joe and Ethel Turp Call on the President"
COLLEGE—(1-699) (35c-50c) 7 days, 2d week, gross $2,500, (Average, $357)
"Hunchback of Notre Dame" (RKO)
LOEW-POLI—(1-300) (35c-50c) 7 days, gross $6,500, (Average, $936)
"Destry Rides Again" (Univ.)
"Main Street Lawyer" (Repub.
FARMAVEAT—(2-549) (35c-50c) 9 days, gross $6,500, (Average, $400)
"A Child Is Born" (W. B.)
"Oh, Johnny, How You Can Love!" (Univ.)
ROGER SKERIS—(2-200) (35c-50c) 7 days, gross $4,500, (Average, $643)

‘Four Wives’ (W. B.)
MISSOURI—(2-200) (35c-50c) 7 days, gross $4,800, (Average, $686)

Davidson Ad Head
For Film Alliance

Sidney C. Davidson has been ap-

pointed assistant and publicity di-

rector for Film Alliance of the U. S.
by Nat Wachserger, vice-president. It

is feared that exploitation for Warners and worked at the World’s Fair.

Norman Olson, sales manager, has left for a business trip westward which will take him to Hollywood.
All-time opening record of New York's Rivoli smashed by biggest business in entire 22-year history of theatre!
THE GRAPEs OF WRATH
• Theatre and Personnel Changes •

Shift Warner Managers
Philadelphia, Jan. 24.—Sam Tie- telman, manager of the Ritz, has been transferred to a similar post at the Commodore. John Satheroff, Commodore manager, moves to Tie- telman's place at the Columbia. Raymond Burke, chief of service at the Uptown Theatre, has been promoted to assistant manager at the Bromley. All are Warner houses.

Opening Emporia Theatre
Kansas City, Jan. 24.—Jack John- son, who formerly operated the Ritz, at McPherson, Kan., is opening a new house at Emporia, Kan., this spring. Work is expected to start on the remodeling of a building in downtown Emporia this month. The house, costing $30,000, will seat over 450.

New Theatre for Baton Rouge
Baton Rouge, La., Jan. 24.—A. J. Higginsbotham announces early construc- tion here of a new theatre to seat 2,200. The house, to be named the Hart, will cost approximately $275,000 and will be operated by Par- amount motion picture division of the Saen- ger Theatres Corp.

Reopens Remodeled Theatre
Denver, Jan. 24.—Having spent $10,000 in remodeling the Bideawee, J. J. Goodstein has reopened it as the Lincoln. This name was picked because of its nearness to a proposed federal housing project to be known as Lincoln park.

Leases House in Arkansas
Stamps, Ark., Jan. 24.—The State has leased to Cecil Kelley, theatre operator of Plain Dealing, La., New equipment is to be installed and the theatre will open shortly. The State formerly was operated by E. R. Mc- Leonard of Atlanta.

20th-Fox Promotes Walter
Oklahoma City, Jan. 24.—Donald Walter, formerly assistant ad sales manager at the 20th-Century-Fox exchange here, has been promoted to ad sales manager in Memphis. Ross Hoffer, who has been named assistant here.

Closing Kansas House
Kansas City, Jan. 24.—Page Hus- ton, Wichita, Kan., exhibitor, is clos- ing the Crawford there on Jan. 27. The house is going dark temporarily due to poor business induced by bad weather and snow.

Reopening K. C. Theatre
Kansas City, Jan. 24.—W. H. Johnson is reopening the Prosperity. This neighborhood house here, which has been dark for a year or so, the theatre is set for redecorating for opening about Feb. 1.

Remodeling in Arkansas
Kansas City, Jan. 24.—Ernest Conrad is rebuilding and remodelling the Dixie at Huntsville, Ark., which burned recently.

Moseley Remodels House
Picayune, Miss., Jan. 24.—W. L. Moseley, manager of the Ritz, plans to remodel the house, including new seating.

Interstate Circuit Changes
Austin, Texas, Jan. 24.—Recent personnel changes in Interstate Cir- cuit follow: Manager Jesse Melinger is transferred from the Texas to a similar position at the Varsity, while Gerald Kaines, assistant exhibitor of the State, is moved as head of the Texas.

Charles Root has been shifted from the Varsity to the Queen as manager and Ralph Park, Austin football star, has been affiliated with the Paramount service staff.

Former chief of service at the Queen, J. T. Woods, becomes assistant at the Capitol, with Jell Wolf, replacing Woods.

Opens in Connecticut
Chester, Conn., Jan. 24.—Natalie DiFrancesco has renamed Chester's first theatre, the 499-seat Cheshire. DiFrancesco formerly operated the Annex, New Haven, which is now operated by Al Fickus as the Fair- mont.

Michell Joins N. S. S.
Seattle, Jan. 24.—George Mitchell, formerly of Los Angeles, has arrived here to join National Screen Service as sales manager covering western Wash- ington, northern Idaho and Montana. He succeeds A. J. Sullivan, resigned.

Loew Renovating in Hartford
Hartford, Conn., Jan. 24.—Loew's, Inc., will complete installation of new sound, new electric fixtures, furniture and redecoration of the Palace here on Feb. 2, when the house reopens.

Boren Gets Two More Houses
Memphis, Texas, Jan. 24.—Holli Boren, operator of two houses here, has added theatres at Tulia, Dimmit, and Jacksboro, to his properties.

Plans Bridgeport House
Bridgeport, Conn., Jan. 24.—A. M. Schuman, operator of the Black Rock, plans a new theatre in the Black Rock section of Bridgeport, to be started next spring.

Recarpeting Theatre
Colchester, Conn., Jan. 24.—Na- than Lanoop will recarpet and renove- the ceiling and front of his 350- seat Colchester Theatre here.

Named Student Assistant
Bridgeport, Conn., Jan. 24.—Harry F. Shaw, Locust-Poli division manager, has appointed Vernon Burns new student assistant at the Majestic.

Closes in Westport, Conn.
Westport, Conn., Jan. 24.—George Condon has closed the Fine Arts Theatre here, and the theatre will be put in abeyance and will reopen next month.

Installing New Sound Equipment
Leavenworth, Iowa, Jan. 24.—F. E. Michael, operator of the Strand, is installing new RCA sound equipment in his theatre.

Remodels Iowa House
Manly, Iowa, Jan. 24.—H. S. Twedt, owner of the Hotel, has com- pletely remodeled the interior of his theatre.

To Close Spartanburg House
Spartanburg, S. C., Jan. 24.—The Criterion will be closed the last of this month, and a new theatre will be erected to take its place, it was announced by R. B. Talbert, city mana- ger for the Willy-Kinney Theatres, which operate the Carolina, State, Strand and Criterion in Spartanburg.

Seed in Albany Post
Albany, Jan. 24.—George Seed, formerly manager of the Colonial, a Morris Amusement house in Utica, has been named Harmon's Bleeker Hall manager by Louis Golding, Fab- bian district manager here. Seeds suc-ceeds C. H. Light, who is now manager of the Utica, D. R. C. and 11th Street theatres.

Takes 3 Houg Houses
Spokane, Wash., Jan. 24.—Simon Amusement Co. of Missoula, Mont., has taken over the three Houg houses at Coeur d' Alene, Idaho. E. K. Taylor is general manager and new manager for the new organisation, which operates theatres in Wall- lace and Kellogg, Idaho, and in a number of Montana towns.

Buys in North Carolina
Scotland Neck, N. C., Jan. 24.—The Pemberton Theatre Corp. of Statesville has purchased the Sunny Side here. The deal included both the theatre and the building and theatre equipment which was sold by Mrs. R. J. Madry.

Reopen House Near Project
Piney, Cal., Jan. 24.—With the community booming, a second move has been made in the Central Valley project here. The theatre has been renamed the Ritz and the building has been remodeled. All are Evergreen houses.

Form Theatre Company
New Haven, Jan. 24.—A new corpo- ration, the New Haven Amusement Corp., has been formed with $50,000 capital, and with Elsie Gurian, Samuel R. Hadelman, and Ida Echter as incorporators.

Alter F. & M. Theatre
St. Louis, Jan. 24.—The theatre and State have unveiled new seats. The latter also has installed a new marquee and banners. The Fox, it is reported, has altered its marquee lettering. All are Evergreen houses.

Remodel Iowa House
Chester, Ia., Jan. 24.—The Amer- ican theatre 750, is being completely remodelled by Dale R. Goldie, owner. Final touches to have the work completed by March 1.

Buy Bridgeport House
Bridgeport, Conn., Jan. 24.—Samuel Hadelman, operator of the Capitol, has purchased the 499-seat Strand from Lon Anger, who operates the Barnum, Bridgeport, Alecza, Naugatuck, and Astor, East Hartford.

Buys House in N. C.
Winston City, N. C., Jan. 24.—J. E. Massie of Waynesville, who owns and operates the Park and Pisgah in Waynesville and the Lyric in Sylva, has purchased the Byron here.

Remodel Iowa House
Chester, Ia., Jan. 24.—The Amer- ican theatre 750, is being completely remodelled by Dale R. Goldie, owner. Final touches to have the work completed by March 1.

Open North Carolina House
Rockingham, N. C., Jan. 24.—A new theatre, which is being built here under the name of the Little, built by Henry C. Wall at a cost of $25,000. It seats 465.

Open South Dakota Theatre
Martin, S. D., Jan. 24.—The In- land, a new 300-seat house, has been opened here by C. E. Bradshaw. The theatre cost more than $25,000.

Opening Theatre Feb. 12
Monroe, N. C., Jan. 24.—The new Centre, which is being built here by Monroe Theatre, Inc., will open about Feb. 12.

Rebuild Connecticut House
New Haven, Jan. 24.—Walters will soon finish the renaming of the 20th-Fox Theatre, Bristol, Conn., which was burned recently.

Open Bridgeport House
Bridgeport, Conn., Jan. 24.—The 998-seat Strand Amusement Co. Hippodrome here has reopened.

Circuit Renewes Altec Contract
Comerford Theatres and affiliated companies have renewed service con- tracts with Altec for their 80 theatres in Pennsylvania. The former has enlarged their repair and replacement contracts to include complete projection room equipment, Altec announces.
‘Wind’ Holds Los Angeles Pace, $50,300

Los Angeles, Jan. 24.—“Gone With The Wind” held its strong pace yesterday, grossing a total of $50,300, with $1,000 at the Carthy Circle and $2,300 at the United Artists.

Estimated takings for the week ending Jan. 24:

“Gone With The Wind” (M-G-M) CARTHAY CIRCLE—(519) $2,740.43, 7 days; Gross: $2,600. (Average, $364.28).

“Barricade” (26th-Fox) “Barricade” (26th-Fox) CHINESE—(2,909) 32c, 7 days; Gross: $4,500. (Average, $635.71).

“Of Men and Mice” (U. A.) STARK—a 700 week, Gross: $2,300. (Average, $328.57).

“Destry Rides Again” (Univ.) “Blessings Bring Up Baby” (Col.) HILL STREET—(2,200) (30c-65c) 7 days, 2nd week, Gross: $9,500. (Average, $6,857).

“Barricade” (26th-Fox) “Barricade” (26th-Fox) HOMESTEAD—(2,900) 32c, 7 days, gross: $4,000. (Average, $571.43).

“The Great Victor Herbert” (Para.) “The Great Victor Herbert” (Para.) PANTAGES—(2,700) 32c-60c, 7 days, gross: $7,000. (Average, $1,269.81).

“Gone With The Wind” (M-G-M) “Gone With The Wind” (M-G-M) UNITED ARTISTS—(2,700) $2,150.30, 7 days, 4th week, Gross: $2,000. (Average, $285.71).

“Brother Rat and a Baby” (W. B.) “Brother Rat and a Baby” (W. B.) WARNER BROS. (Hollywood)—(3,000) (30c-65c), 6 days, Gross: $14,000. (Average, $2,333.33).

“British Intelligence” (W. B.) “British Intelligence” (W. B.) WARNER BROS. (Burbank)—(3,000) (30c-65c), 6 days, Gross: $1,100. (Average, $183.33).

Labor Board Hears TMAT Vote Protest

Charging that the election held by the State Labor Relations Board for the employes of the Motion Picture Division of the theatrical managers, agents and producers was held under an illegal vote, the board yesterday decided the election be set aside and a new one ordered.

Set Edison’ Opening In Port Huron Feb. 11

Plans are near completion for the elaborate world premiere of M-G-M’s “Young Tom Edison,” starring Mickey Rooney, at Port Huron, Mich., on Feb. 11. The “Edison” is a product of the M-G-M “train bunches.”

Rooney will be on board the train, which carries a distinguished group of public officials and members of the Edison family to the opening. The mid-19th Century atmosphere of the film’s story will be recreated by the citizens of Port Huron.

Blizzard Injures Montreal Grosses

Montreal, Jan. 24.—“The Hunchback of Notre Dame” held up to $6,800 for its third week at the Palace, while “Balalaika” accounted for $5,800 at Loews in the second week. A blizzard and extreme cold hurt business.

Estimated takings for the week ending Jan. 19:

“Charlie McCarthy, Detective” (Univ.) “The Stage-Venuses” (M-G-M) CAPITOL—(2,340) $6,300, 7 days, Gross: $6,200. (Average, $886).

“The Royal Visit” (Official) “The Royal Visit” (Official) HISS NATION—(2,500) $5,200, 7 days, Gross: $2,000. (Average, $285.71).

“Balalaika” (M-G-M) “Balalaika” (M-G-M) LOEWS—(2,800) 30c-50c-60c, 7 days, 2nd week, Gross: $14,000. (Average, $2,000).

“Raffles” (U. A.) “Raffles” (U. A.) ESCAPE TO PARADISE—(3,000) $5,100, 7 days, gross: $1,400. (Average, $200).

Canada’s Theatre Building Falls 24%

Toronto, Jan. 24.—The number of new theatre construction contracts for the whole of Canada in 1939 showed a decline of 24 per cent as compared with the previous year, the reduction being attributed to the European tension during the first eight months of the year and the actual declaration of war in September. The 1939 total was 52 theatres, having a valuation of $1,415,500 as compared with 103 new theatres in 1938, with a value of $1,967,100, the reduction in money involved being 25 per cent.

ITO Votes Support For Finnish Relief

Support of the Finnish Relief Fund, headed by former President Hoover, was voted at a meeting of the I.T.O.A. yesterday at the Astor. On “Help Finland Days,” Feb. 17 and 18, Finnish cinema will be stationed in lobby for collections among patrons.

Harry Brand Goes Back West Today

Harry Brand, 20th Century-Fox studio publicity chief, leaves for the Coast today with Mrs. Brand. He arrived here last week to prepare for the arrival of Darryl F. Zanuck, Joseph M. Schenck and General MacArthur in connection with the openings of two of the companies’ big pictures, “The Blue Bird” and “The Grapes of Wrath.”

Mr. and Mrs. Zanuck, Schenck, Brand and Hedy Lamarr are expected to return to the Coast in a day or two.

George Weeks, Wife To Vacation in South

George W. Weeks, general sales manager of Monogram, leaves tomorrow with Mrs. Weeks for a two-week vacation in the South, following which he will make a tour of exchanges in the South and Midwest.

Mr. and Mrs. H. F. Lyon will terminate his duties at the home office March 1 and his wife, thereafter will start production of a program of pictures on the Coast.

Philadelphia Gives $16,800 To ‘Herbert’

Philadelphia, Jan. 24.—“The Great Victor Herbert” led the field at the Stanley with a strong $16,800. “Of Mice and Men” gave the Aldine a nice $10,300.

Estimated takings for the week ending Jan. 19:

“Of Mice and Men” (U. A.) ALDINE—(1,700) (32c-50c-65c) 7 days, Gross: $10,300. (Average, $1,471).

“Brother Rat and a Baby” (W. B.) BOYD—(3,000) (32c-42c-57c) 3rd run, 2nd week, 5 days; Gross: $3,100. (Average, $620).

“Balalaika” (M-G-M) “Balalaika” (M-G-M) THE SHIP AROUND THE CORNER—(3,000) (30c-50c) 7 days, gross: $8,000. (Average, $2,857).
NBC Cutting Use of Films On Television

NBC again has reduced the time devoted to feature films on its television station, W2XBS, and now is transmitting only two hours of film programs weekly. These consist of four of varied short subjects and one feature.

Principal reason for the reduction, according to E. F. Tietjen, in charge of buying films for the station, is the lack of satisfactory product. Major film companies have maintained their refusal to make their films available. As a result, the station has been using independent and foreign product which has not proved popular with televisioners.

Exchange Trailers for Shorts

Hungerford is now working on several "package" deals under which he plans to show trailers over the air in return for the use of film trailers. It is pointed out that this was done successfully in the case of "Mr. Smith Goes to Washington" and is hopeful that the experiment can be repeated on a more regular basis.

Foreign language films are not being purchased for broadcast because they cannot be seen on the small television screen. British independent product is appropriate, says Hungerford, but he is reluctant to make confusion over television rights. British producers, who became accustomed to the wider use of British television, are inclined to seek higher prices than an American station can put at present.

Prices paid for features average between $75 and $100, Hungerford discloses, while shorts command an average of $15. Hungerford believes that NBC might be willing to pay more for good product from major companies, but says television's limited advertising base makes such purchases going much higher.

Denies Conflicting Interests

While NBC was in the strictly experimental stage, RKO-Pathé News provided reels which were two weeks old, but this was discontinued when television started regular programs. "The March of Time" is still used over the air several months after it has been released to theaters. NBC has frequently considered starting a newsreel of its own, as it would be a relative simple matter to mount a camera on a mobile unit, or to send out a lone cameraman. However, the station has refrained to avoid conflict with film studios going much bigger.

"We are in the business of broadcasting, not producing motion pictures," Sooner or later, Hollywood will decide to cooperate with us," Hungerford says. "In the meantime, we will keep trying to convince film companies that our products are worth their while."

Based on present requirements of two hours weekly, NBC has product burned down sufficiently for the next 25 weeks, Hungerford says.

License Suspended

License Commissioner Paul Moss has permanently suspended the license of the Theatre, 4601 New Utrecht Ave., Brooklyn, The theatre has been closed.

Hollywood Depending Less On Air Talent and Material

By EDWARD GRIEF

Sales of radio talent to the film has slowed down considerably during the past year, although efforts to obtain employment for radio actors in Hollywood have never been more active. Since the advent of television, NBC, ABC and Mutual have made liberal use of radio talent. Two reasons are given by Engles for the lesser number of contracts. In the first place, he says, radio is becoming more selective. Only the stars are available. Secondly, the current cycle of radio has emphasized min shows with the result that few names are available for film work. Also, radio talent are no longer willing to work on a lower salary. Engles believes that the film companies have not made an effort to approach radio talent. He admits that radio talent has been overpriced in recent years. NBC, ABC and Mutual, in accordance with the current trend. Films undoubtedly help a radio artist by giving him national exploitation. Engles believes that NBC, ABC, Mutual and other major companies could prove unprofitable to both Hollywood and the artist. Engles points out that radio talent is more selective.

Grooms Talent for Television

Radio is grooming its talent with an eye to its photogenic appeal because radio has no method of presenting material over the air. Engles says that the idea of a major film studio which produced shorts specially for television could operate on a profit basis as soon as a number of stations start operating around the country. However, NBC is grooming a stock company to work on television stations. Engles believes that such companies will serve the country.

Exhibitors Fighting British Carbon Pool

LONDON, Jan. 24—Exeuctive Council of the Cinematograph Exhibitors Association today determined to ask the pool of carbon manufacturers again to receive a deputation, which will ask for greater representation and power in the pool.

Exhibitor opposition to the plan for higher carbon prices and rationing is widespread and vigorous, with a demand now general to refuse exhibitor cooperation under the present conditions.

MORIN IS CHAIRMAN OF CBC DIRECTORATE

MONTREAL, Jan. 24—Rene Morin has been elected chairman of the board of directors of the Canadian Broadcasting Corp., according to an announcement by Transport Minister C. D. Howe.

Hungerford has been acting chairman since the resignation of Leonard W. Brockington last Fall. Brig. Gen. Victor Odgell of Vancouver has been appointed vice-chairman.

COLE TALKS TUESDAY AT CONNECTICUT ALLIED

NEW HAVEN, Jan. 24.—At a special luncheon meeting of Connecticut Allied at the Hotel Garde next Tuesday, Col. H. A. Cole, national Allied presiding officer, will make a talk on general conditions. Arthur Howard, E. Thornton Kelly and Sidney Samelson will speak on questions of a specialized nature. A special feature of this meeting will be the election of officers for the new Allied corporation.

Radio Brevities

Educators to Get Radio Idea

COMMISSIONERS of education from 48 states and the 48 permanent secretaries of state teachers' associations will hear Sterling Fisher, CBS director of education, on Feb. 21 to consider proposals that the "School of the Air" be adopted as part of the state curriculum in each state. Eleven states have already taken such action.

CBS Earnings Jump 25%

Net income of CBS should run about 25 per cent ahead of last year for the first quarter. Wall Street sources declare. Net income should equal 80 cents per share as compared with 67 cents for the first quarter last year.

Personalities in the News

Alfred J. McCosh, president of WOR and chairman of the board at McCosh leaves tomorrow with Mrs. McCosh for a trip to Hollywood. He will be guest of Rudy Vallee while on the Coast and will inspect Don Newcomb picture studio there. . . . Rush Hughes becomes master of ceremonies on "Johune Presents," beginning Feb. 13. . . . General Morin on "Hollywood Whispers," in town. . . . Hy Gardner, the former Brook- lyn Eagle column who is now doing promotion for Hedda Hopper's Hollywood program, is in town and will be guest on Sam Taylor's show over WJZ.

Ben Bernie, recuperating at the Doctors Hospital from an appendectomy, will return to the microphone Sunday and go back to the hospital for another week's rest. . . . Harry Kramer, WINS announcer, is the father of the Socci family, whose heard over NBC from the Lincoln Blue Room, has been chosen the guest staring band for the 10th Birthday Ball at the Waldorf. . . .

Program News

"Society Girl," premiering Mondays through Fridays on 46 CBS stations at 3:15 P.M., will be moved to 3:00 P.M. Monday, when "Joyce Johnson, the Girl Intern" shifts to a 2:15 P.M. spot. . . . Standard Oil of New Jersey has renewed "The Edge Reporters" for another addition weeks over WJZ. There are four five-minute news periods daily and two on Sundays. . . . A new discussion series by prominent Catholics, "Eternal Heros as They Walk in the 20th Century," will be heard on 79 stations. "Call to Youth" programs starting Saturday, Feb. 3, at 12:30 P.M.

This and That

Celebrating the decision of Heart interests to retain WINS, the station is tendering a dinner to Major E. M. Storer of the Army at the Warwick Hotel. Major Storer and Carl Camman, general manager, will be the guests of honor. Local radio editors left yesterday as guests of NBC on a trip to Pittsburgh to attend the premiere tonight of the new Westinghouse program, "Musical America."
Everybody's so nice to us!
The World-Telegram, the Cleveland Plain Dealer and the Fame 1940 Popularity Polls awarded the Great Majority of First Places to NBC...

—and now Radio Daily heaps more honors on NBC

In this poll, NBC again scores a sweeping victory, winning 12 out of 16 first places. In “favorite program” classification, first six favorites—and eight out of first ten—are NBC shows!

We wouldn't be human and not feel a strong sense of pride over all these stunning “poll” victories. Our sincere thanks goes not only to the men and women who cast the votes, but to the advertisers and agencies who made these programs possible.

These polls prove one thing very clearly—NBC is successfully maintaining its policy of providing the very finest in entertainment for its millions of Red and Blue Network listeners.

NBC programs and artists—plus the many NBC services “in the public interest”—are the reasons why radio owners from coast to coast agree that NBC is “The World's Greatest Broadcasting System.”

THESE ARE THE NBC PROGRAMS AND ARTISTS VOTED TOPS IN RADIO DAILY POLL!

Favorite Program . . . . . . . . . . . . . Jell-O
Favorite Entertainer . . . . . . . . . . . Jack Benny
Most Popular Dance Band . . . . . . Guy Lombardo*
Favorite Serial . . . . . . . . . . . . . . . One Man's Family
Favorite Educational Program . . . America's Town Meeting
Favorite Female Vocalist (popular) . . . Connie Boswell
Favorite Male Vocalist (classical) . . . Nelson Eddy
Favorite Male Vocalist (popular) . . . Bing Crosby
Favorite Female Vocalist (classical) . . Margaret Speaks
Favorite Comedian . . . . . . . . . . . . . . . Jack Benny
Favorite Quiz Program . . . . . . . “Information, Please”
Favorite Sports Commentator . . . . . Bill Stern

* Shared with CBS

NATIONAL
BROADCASTING
COMPANY

THE WORLD'S GREATEST BROADCASTING SYSTEM
A Radio Corporation of America Service
English Film Union Claims
10,000 New Members in '39

London, Jan. 3 (By Mail).—More than 10,000 new members are claimed for 1939 by the National Association of Theatrical and Kine Employees, which has had a slow start this year but is now on its way. It is estimated that three-fifths of the country is now covered by wage and hour agreements concluded by the N.A.T. E. It is believed that substantially by agreements between the N. A. T. E. and the Cinematograph Exhibitors Association, which took effect New Year’s Day.

A new executive council has been appointed by the British Film Association, organization of the association, which is in charge of the work of the new council. It is charged with the responsibility of carrying out the agenda, which includes the waning of the “Great Days” of the past.
Universal Net Profit in Year Is $1,153,321

First 12-Month Profit in More Than Decade

With net profit of $1,153,321 for the fiscal year ended Oct. 28, 1939, Universal yesterday reported its first full year of profitable operations in more than a decade.

Results for the year compare with a net loss of $911,178 for the fiscal year ended Oct. 29, 1938, and a net loss of $1,884,998 for the year ended Oct. 30, 1937.

For the final quarter of the 1939 fiscal year, which included two months of war time operations, Universal showed consolidated net earnings, before Federal income taxes, of $862,325, compared with a profit of $161,929 for the corresponding peace time quarter of the preceding fiscal year. In the current quarter, the first of the new fiscal year, Universal’s earnings up to last Dec. 23 showed an increase of $88,000 over the same period of 1938, despite less favorable prevailing rates of foreign exchange at this time, as compared with the preceding year.

The company’s gross income increased $572,992, or 31.5 per cent, during the last three years. Gross income for the 1937 fiscal year was $18,100,876; for 1938 it was $20,100,117, and for last year, $23,878,968.

Joe Chemer, chairman of the Universal board, in a letter to stockholders:

(Continued on page 1)

Steinbeck’s Second Film Delayed Here

Hal Roach’s “Of Mice and Men,” originally scheduled to open at the Roxy today, has been set back and is now scheduled to follow both “Brother Rat and a Baby,” the Warner picture opening today, and “Little Old New York,” which follows it.

20th Century-Fox did not favor the simultaneous showing on Broadway of two pictures from novels by John Steinbeck, which would have been the case had “Of Mice and Men” opened today, two days after the opening at the Rivoli of “Grapes of Wrath.”

The Hal Roach production now is slated to open at the Roxy either Feb. 16 or 23, depending on a holdover for either of the two pictures which will precede it.

‘Wrath’ Provocative, Say N. Y. and L. A. Critics

New York and coast newspaper critics, after viewing “Grapes of Wrath,” lauded the picture, but called it daring and provocative. Coast critics stressed the controversial nature of the film. Excerpts from New York and Los Angeles reviews follow:

It is the most daring picture that has ever come out of Hollywood, and it is one of the most important. It is a great social and human document, more powerful in its visual appeal than the John Steinbeck novel.

Darryl Zanuck, Unnally Johnson, John Ford, have done magnificent work.—Kate Cameron, New York Daily News.

In the vast library where the celluloid literature of the screen is stored there is one small, uncrowded shelf devoted to the cinema’s masterworks. To that shelf of screen classics 20th Century-Fox has added its 41st, John Steinbeck’s “The Grapes of Wrath.” —Frank Nugent, N. Y. Times.

A great film has come out of Hollywood called “The Grapes of Wrath.”... It is an honest, eloquent and challenging screen masterpiece. Great artistry has gone into its making and greater courage.—Howard Barnes, N. Y. Herald-Tribune.

Darryl Zanuck has taken John Steinbeck’s controversial hot-

(Continued on page 2)

500 Will Attend Federation Lunch

For Walker Today

Record attendance of 500 is expected at the fourth annual luncheon of the Amusement Division of the New York and Brooklyn Federation of Jewish Charities today in the Astor’s North Ballroom.

Ex-Mayor James J. Walker will be guest of honor. George Jessel and Ben Bernie are toastmasters and John Golden chairman. David Bernstein and Major Albert Warner are co-chairmen of the Amusement Division. B. S. Moss is treasurer.


Others in attendance will include Charles Moskowitz, Nate Spingold, Calvin Brown, Louis Zider, David Weinstock, Sam Shain, Bud Rogers, Hal Horne, William Morris, Jr., Samuel Resler, Jack Mills, Harry Busbaum, Joe Sanders, Herman Bernstein, Max Rudnick, Bertram Leblanc, Harry Mayer, Donald Flemming, Sam Lyons, John Shubert, Marcus Heiman, Marvin Scheck, Herbert Rosenthal, Belle Baker, Olsen and Johnson and Abbott and Costello.

RKO Gets Rid Of 77-B Today After 7 Years

Court Control Is Ended; Executive Staff Set

With its new executive setup completed, RKO will emerge from reorganization today and will begin operations un supervised by the Federal court and a reorganization trustee for the first time in seven years.

The company’s voluntary petition for the appointment of a trustee was filed Jan. 27, 1933. Today, Irving Frost Co., RKO trustee throughout that period, will return to the company all of the assets to which it has had title, leaving the company free and clear, to begin its new corporate existence.

With George J. Schaefer, as president, heading the new management, all executive posts in the reorganized company have been filled by a number of them in the past few weeks.

UA Asks Goldwyn Dismissal Today

United Artists today will move for dismissal of Samuel Goldwyn’s action to compel payment by the company of six per cent interest on his $54,559 bonus for premium grosses on 12 individual pictures, which the company pays to its producers.

The motion will contend that Goldwyn has assigned his bonus payment to the Bank of America and, in consequence, is no longer a party in interest in the bonus action.

‘Lincoln’ Premiere

In South Tomorrow

HARROGATE, Tenn., Jan. 25.—Lincoln Memorial University here will celebrate its 50th anniversary with the Southern premiere on Saturday of RKO’s “ Abe Lincoln in Illinois.”

At the premiere here and a ball in Middleboro, Ky., tomorrow night, there will be many notables, including Governors Johnson of Kentucky, Rivers of Georgia and Cooper of Tennessee.
**Purely Personal**

M AURICE SILVERSTONE, United Artists' chief executive and LYNN FARNOL, advertising and publicity director, will leave for the Coast the end of next week.

SABU, young Indian boy, is due on the Cote de Savoia from England on Feb. 1. He will be accompanied by Mr. and Mrs. ZOELEN KORDZ and their son. SABU will remain in town a few days before going to the Coast to appear in American films. Mr. and Mrs. KORDZ will go to Hollywood for a vacation.

ROBERT L. GRIFFITH, new assistant to A. L. PRATCHEE, Paramount general manager for Cuba, Mexico and Central America, arrives at his headquarters in Mexico City on Feb. 5. He will be accompanied by his wife.

JOHN A. O'TERHOLM, head of Paramount's British technical staff, who has been away since Christmas, returns to England via Italy on the S.S. Manhattan Saturday.

JOHN B. NATHAN, Paramount's managing director for Argentina, Uruguay and Paraguay, and Mrs. NATHAN are the parents of a son, their second, born in Buenos Aires.

SAM COOLICK of OSCAR A. DOOB'S staff at LOEWS is the father of a girl, MARYLIN ANN, born to Mrs. COOLICK in Bushwick Hospital.

CARL CZOLBA, manager of the Model in Pittsburgh, is the father of a girl, weighing seven pounds, born to Mrs. CZOLBA this week.

WILLIAM SUESSMAN, 20th Century-Fox Eastern division manager, and Mrs. SUESSMAN return over the weekend from Miami.

HENRY NEEDELS, Warner Theatres district manager in New Haven, is on a cruise to Havana and Cristobal.

HARRY BRAND, 20th Century-Fox studio publicity director, left yesterday for the Coast with Mrs. BRAND.

WILLIAM F. RODGERS, general sales manager of M-G-M, yesterday returned from a Florida vacation.

THOMAS F. GRADY, M-G-M auditor, was married to Mina MANASSA recently in Gainesville, Fla.

Y. FRANK FREEMAN, Paramount studio head, will leave for the Coast Monday night.

BRENDA JOYCE, actress, will make her first trip to New York next week.

SIR CEDRIC HARDWICK leaves today for the Coast.

SALLY ELLERS is in town from the Coast.

BARNEY BALABAN, AUSTIN KEOUGH, LEON GOLDENSON, LEON NETTLE, JOHN GOLDEN, IRVING HOFFMAN, ARTHUR KRIM, SIDNEY MARKELL, and others are in town from the Coast.

**Wrath’ Provocative, Say N.Y. and L. A. Critics**

(Continued from page 1)

potato, “The Grapes of Wrath,” in his stride. The result, while more Zannuck than Steinbeck, is as brave a picture as has yet come out of Hollywood.—Lee Mortimer, N. Y. Daily Mirror.

Dramatically effective... An able cast... Henry Fonda provides an outstanding characterization. Grim and gray in its settings... It’s not a pretty picture.—ROSE PELS, N. Y. Journal and American.

Necessarily cleansing up the language and omitting a few inquisitive factors in the original, the adaptation is apt with its essence truly rendered... A sincerely unbeautiful picture... It is not an evenly entertaining piece. It is much bigger than that.—Archie Winsten, Daily Mirror.

Breaking sharply with all tradition, 20th Century-Fox presents a magnificently directed picture that has no trace of entertainment value... A document of human misery... You may be sorry that you saw it, but you will never forget it.—EILEEN CREELMAN, N. Y. Sun.

A great film, one of the greatest ever produced... Grim and bitter, deeply, compassionately and memorably... It has something to say of vital importance to all of us.—William Bochenu, N. Y. World-Telegram.

Stinging like a dramatic lash across the face, John Steinbeck’s shir at California, “The Grapes of Wrath,” comes to the screen as Hollywood’s most controversial motion picture, and certainly rates to New York strong, poignant drama.—JIMMY STARR, Los Angeles Herald-Express.

You must admire Darryl Zanuck for the daring with which he handled the difficult Steinbeck novel... There are phases that might have been eliminated, but, nevertheless, he has made a magnificent picture.—LOUCELLA O. PARSONS, L. A. Examiner.

The most provocative and realistic motion picture produced in several years at least, “Grapes of Wrath” is nothing to bring abundance of joy to filigrees... Will prove highly controversial.—EDWIN SCHALLERT, L. A. Times.


**Columbia Division Meeting at ’Frisco**

The last of four divisional sales meetings scheduled this month, the Columbia division meeting will be held at the St. Francis Hotel, San Francisco, tomorrow and Tuesday.

Abbe Montague, general sales manager, and Rube Jackter, his assistant, will conduct the meeting. About 30 branch managers and salesmen, under Jerome Saiton, western division manager, will attend. Among them will be the following branch managers: W. G. Selle, Salt Lake City; R. C. Hill, Denver; W. C. Bell, Los Angeles; L. E. Tillman, San Francisco; J. B. Beale, Portland, and Neal Walton, Seattle.

Montague and Jackter are due back in New York on Feb. 1.

**Franklin May Make ‘Drunkard’ for RKO**

Hollywood, Jan. 25—Harold B. FRANKLIN, former head of RKO theatres, will produce the “Drunkard” independently for distribution by RKO, if negotiations now under way with the company are consummated.

Franklin is seeking ANNA LOUISE and JOHN CARADINE for two of the roles in the old-time temperance drama.

**Loew Metropolitan Houses Book ‘Lion’**

Harry Gold, vice-president and Eastern general sales manager of United Artists, has closed a deal with C. C. MOSKOWITZ of the Loew Circuit for “The Lion Has Wings” in the Loew Metropolitan Theatres.

**Wrath’ Provocative, Say N.Y. and L. A. Critics**

The record cold wave faxes the latest scrapaels, reels and their concert.


**PARAMOUNT NEWS, No. 42—Bombers menace. S. troops in Bosnia. Mrs. Davis arrives in New York. Dies investigation extended. Cold spell grips Atlanta, Minneapolis, Wausa, Miami. Snow dispute in Big Falls.**


**NEWSREEL PARADE, No. 44—Severe cold in Buffalo, Cleveland, Phila. Air races. French Film School in Paris. Troops move by air to Italian border. Fashions. Dog races. Horse and buggy races. Auto race on ice.**

**Board of Review**

**Parley Thursday**

National Board of Review of Motion Pictures will hold its 16th annual conference at the Hotel Pennsylvania here Thursday, Friday and Saturday.

“Fifty Years of Films” will be principal topic of discussion at the luncheon on Friday. Until that meeting, the Board will release its findings for the year. The critics, representing leading papers, will be held Saturday. Dr. A. A. BRILL, newly-elected chairman of the National Board, will open the conference Thursday morning.

**Schafer, Myers In Needy Bill Talks**

Hollywood, Jan. 25—George E. Schafer, RKO president, will address an open meeting of the Screen Writers Guild Monday night at the Hotel Ambassador. William Schaefer, general counsel of Allied States, is scheduled as the other principal speaker. The Guild will vote on the measure.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

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"The Fighting 69th" Hits Today!

What a Team! Garfield and Sheridan
And O'Brien in "Castle on the Hudson" Burress Meredith

And Then!

"Brother Rat and a Baby"
Starts Today at Roxy, N.Y.
First Warner show in 3 years to play Bwad's home office

And Then!

Priscilla Lane
Thomas Mitchell
Dennis (now T. Morgan)
"Three Cheers for the Irish"

And Then!

Oberon
Brent O'Brien
Fitzgerald
"We shall meet again"

And Then!

Sheridan Lynne
"It all came true"
By Louis Brounfeld (RKO Pictures)

And Then!

Davis Boyer
All This and Heaven Too
(From the best seller)

And Then!

Garfield and Shirley
Ann "Saturday's Children"
Claude Rains

And Then!

Edward G. Robinson
"The Magic Bullet"
(it turns to gold when it hits the boxoffice!)

And Then!

Clear the Tracks for the Virginia City Special
Easter Send-Off for Flynn-Hopkins
Randolph Scott, Bogart
"Virginia City"

And Then!

Flynn-the Sea Hawk"
And 1,000 others

And Then!

Cagney
Sheridan
O'Brien
"Torrid Zone"
And More Galore!

And Then!

CK L. Warner in Charge of Production
“Destined to be recalled whenever great motion pictures are mentioned. Added to the small uncrowded shelf devoted to the cinema’s masterworks. Flawless. Almost incredible rightness of film’s casting. A great American motion picture. Its greatness lies in many things. What we’ve been trying to say is that ‘The Grapes of Wrath’ is just about as good as any picture has a right to be; if it was any better, we just wouldn’t believe our eyes.”

—Frank S. Nugent, N. Y. Times

“Honest, eloquent, challenging screen masterpiece. A great film. A heart-shaking and engrossing motion picture. Speaks straight and passionately of things close to the hearts of the people. A triumph of artistry and showmanship. An exciting and enriching emotional experience. Makes one proud to have even a small share in the affairs of the cinema.”

—Howard Barnes, N. Y. Herald Tribune

“The most daring picture that has ever come out of Hollywood and one of the most important. Magnificent... great film documentary. An absorbing spectacle.”

—Kate Cameron, N. Y. Daily News

“Darryl Zanuck’s greatest production achievement. A work of great importance and significance. Always it is intensely fascinating and stirring. Has outstanding factors for boxoffice success. Well-nigh flawless.”

—Hollywood Reporter

“Profoundly stirring narrative takes possession of the screen and you. Much bigger than entertaining... unusually powerful.”

—Archer Winsten, N. Y. Post

“Dynamic entertainment pointed towards top grosses. Takes its place with industry’s milestones. Grippingly and effectively enacted. The emotional impact is tremendous and the picture seems to eclipse the book itself.”

—Film Daily

Second day tops Rivoli’s
"Limitless superlatives of praise are its just due. Will hold audiences enthralled through flawless production, direction, acting and the pathos of its theme. Casting was inspired."

—Boxoffice

"A gripping picture. One you will remember for a long time."

—Jimmie Fidler

"Merits a badge of honor for the U.S. movie industry."

—Life magazine

"One of the greatest pictures in the history of the screen. Of such power and tremendous impact as to leave you stunned with wonder. Even surpasses the novel in its surging force. The adjectives 'overpowering' and 'magnificent' are all too inadequate in the face of an achievement like this. Nothing like it has ever been turned out by the movies before. It stands as a masterpiece."

—Leo Mishkin, N. Y. Morning Telegraph

"Better than the book."

—Walter Winchell

"A magnificent picture. An absorbing story filled with human interest and tension. A picture 20th Century-Fox can boast about and Darryl Zanuck can feel is a real feather in his hat."

—Louella O. Parsons

"A great film, one of the greatest ever produced. Memorable. Belongs to everyone. An epic of courage. Unexcelled directing and acting. John Ford has proved once and for all that he is Hollywood's master story teller with the camera. Theme is powerful enough to grip you and thrill you."

—William Boehnel, N. Y. World-Telegram

record-breaking opening!

OF WRATH
### Paramount Shorts

**January 19**
- *Popeye the Sailor* (Shakespearean Spinach)
- *Shane Color Unusual Occupations* (O.C.)

**January 26**
- *Grandstand Rice Spotlight Bowling Skill* (Jimmie Dorsey and His Orchestra)

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**Universal Warners**
- Invisible Stripes (RKO Radio)
- A Child Is Born (A-D)
- Blinky Bill and a Baby (G-C)
- British Millionaire (G-D)
- Fighting 69 (3-D)
- Lion-His Wings (G-D)
- Green Hell (G-D)
- Danger on Wheels (G-D)
- House Across the Stream (G-D)
- Chump at Oxford (G-D)
- Swiss Family Robinson (G-D)
- Pinocchio (G-D)
- Little Orvie (G-D)
- Earthbound (G-D)

**Universal Republic**
- Hawk of the Saddle (A-D)
- High School Trouble (G-D)
- The Marines Fly High (G-D)
- The Man Who Wouldn't Talk (G-D)
- The Man Who Talked Too Much (G-D)
- Little Old New York (A-D)
- They Came from the Desert (G-D)
- Madonna of the Mines (G-D)

**Universal RKO Radio**
- The Cisco Kid and the Lady (D-A)
- The Invisible Man (D-A)
- She Wore Three Rings (D-A)
- H. Marion Marlowe (D-A)
- The Cuckoo (D-A)
- The Man in the Tower (D-A)
- The Big Man (D-A)
- The Vagabondia (D-A)
- The Great Briton (D-A)
- The River (D-A)

**Republic**
- Money to Burn (Higgins Family)
- The Great Herbert Hoover (V.C.)
- Archie's Stay (W.C.)
- The Great Herbert Hoover (C.B.)
- The Great Herbert Hoover (W.C.)
- The Great Herbert Hoover (C.B.)
- The Great Herbert Hoover (W.C.)
- The Great Herbert Hoover (C.B.)
- The Great Herbert Hoover (W.C.)
- The Great Herbert Hoover (C.B.)

**Paramount**
- *The Man From Heaven* (D-A)
- *Mississippi* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)

**Monogram**
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
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- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)
- *The Man From Heaven* (D-A)

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**Motion Picture Daily's Booking Chart**

**December 19**
- McSon And Son (B-C)
- Two-Fisted Rangers (B-C)
- Music In My Heart (G-M)
- His Girl Friday (C.G.)
- The Lone Wolf Conquers (W.W.)
- Five Little Peppers (H.L.)
- Roadside on a Buffalo Lake (A.D.)

**January 19**
- The Bad And Beautiful (B.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)

**February 19**
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)
- The Bankers' Girl (J.C.)

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**Close-Up**

- *Shakespearean Spinach* (RKO Radio)
- *Shakespearean Spinach* (RKO Radio)
- *Shakespearean Spinach* (RKO Radio)
- *Shakespearean Spinach* (RKO Radio)
- *Shakespearean Spinach* (RKO Radio)
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- *Shakespearean Spinach* (RKO Radio)
Universal Weights
Recapitalizing Plan

Recapitalization of Universal, in conjunction with a plan for simplification of the company's corporate setup, may be proposed this year. J. Cheever Cowdin, chairman of the board, has advised stockholders. A balance sheet recapitalization plan has not been formulated yet.

The corporate simplification would provide for the consolidation of Universal Corp., the parent company, and Universal Pictures, Inc., the operating subsidiary. Universal Corp. was formed to purchase the Universal Pictures from the late Carl Laemmle, Sr., and to provide working capital for the operating company following the purchase.

Universal Net
Profit in Year
Is $1,153,321

(Continued from page 1)

From a conservative viewpoint, the company's fiscal 1937-38 net profit, which was $1,153,321, was considerably more than the $214,739 net profit of the previous fiscal year. The year's net profit was 6.89 per cent of the potential audience. Operating costs are $10,000 weekly on an "out-of-pocket" basis, but they reach $15,000 if overhead, depreciation and amortization are included. The cost per hour of programming fell during November, to 45.5 per cent of the hour cost in May when operations began. WXBS transmitted 20,480 hours during May but rose to 28,723 in December. The eight-month total was 361.87 hours for the home viewer, a decrease of 23.7 per cent from the average of purely experimental telecasts.

In a unique poll of set owners, NBC asked that programs be rated "3" for excellent, "2" for good, "1" for fair, and "0" for poor. The average for all programs was 1.96, just a shade under good. Studio features led with 2.63, special events were next with 2.11, film features were third with 1.96, film shorts, 1.75. The best show was "Jane Eyre," a dramatic presentation, the worst was the Chinese National Independence Show from the World's Fair, the poll reported. Live talent shows comprised 38.2 per cent of the total hours, films were second with 31.9 per cent and special events filled 29.0 per cent of the time.

Honor Cummings
At Birthday Party

Alan F. Cummings, manager of M-G-M exchange operations, was given a surprise luncheon party at the Hotel Lincoln yesterday in celebration of his birthday.

In addition, Cummings were Raymond Davis, general manager; Charles Wilson, division manager; and W. H. Williams, assistant manager.

Honor Cummings
At Birthday Party

An audience viewing television on a screen 4'/2 feet by 6 feet cannot tell whether they are looking at a film or television, according to the late Elmer Bezalel, research director, a witness at the F.C.C. hearings now in progress.

"People viewing it for the first time, after a moment or two, are quite unconscious of the method of projection," said Engstrom. "They are not sure whether they are looking at television or whether they are looking at an enlarged projection. It is so very good."

RCA officials who had indicated earlier this month that a demonstration would be ready by Jan. 15 say that the demonstration may be expected "within the next week or two."

Engstrom explained that the 4'/2 by 6 foot screen does not employ a projection principle. The light is Fair, M. L. Simmons, director of advertising for Universal, says Engstrom, "It is a very fine screen." Dr. F. M. Levine, M. L. Simmons, director of advertising for Universal, says Engstrom, "It is a very fine screen." Dr. F. M. Levine, M. L. Simmons, director of advertising for Universal, says Engstrom, "It is a very fine screen."

Martin Block will celebrate the fifth anniversary of "Make Believe" at the Three's a Charm, WNEW, Saturday, Feb. 3 with a cocktail party at the Gold Room in the Ambassador Hotel.

Program News

Phil Cook's "Morning Almanac," heard Mondays, Wednesdays and Fridays at 7:30 A. M. over WABC, has been added to 13 weeks by Liggett Drug Co., NBC-Blue will add another quiz show on Saturday, Feb. 10. R.C.A. has added "This Amazing America," a daily program, and "Direct from New York" on Saturday, Feb. 3.

"Wind" Gets Record
Windy City Opening

CHICAGO, Jan. 26 — With thousands storming the Loop seeking tickets and the advance sales nearly selling out the $800 mark to break all records, "Wind With the Wind" tonight had simultaneous premieres at the Oriental and Woods theatres.
This is a grand occasion for us. We feel warm, happy and grateful and we want to thank you . . . Exhibitor Leaders, Exhibitors, Producers, Trade Paper Publishers and Editors . . . the whole industry . . . for the hundreds of congratulatory messages you sent on the creation of our new child . . . ADVERTISING ACCESSORIES, INC.

- In this new addition to the NATIONAL SCREEN family we assume a tremendous obligation to our customers, to the distributors whose product we handle and to the industry. Our aim is satisfied customers . . . good, showmanship theatre advertising that will help you sell your show . . . and increased service . . . NATIONAL SCREEN Service! . . . and fair dealing to all.

- We have nothing to sell but advertising. Trailers on the screen through NATIONAL SCREEN SERVICE. Lobby displays through NATIONAL SCREEN ACCESSORIES, INC., and now the complete line of distributor accessories for all companies serviced through the new baby . . . ADVERTISING ACCESSORIES, INC. Our aim has been and always will be to give you the best theatre advertising it is possible to produce at the fairest prices.

- Accessories for all companies serviced through the new ADVERTISING ACCESSORIES, INC., will be available to you on a rental basis with current rental prices prevailing.

THERE WILL BE NO INCREASE IN PRICES!

- That means immediate savings to those exhibitors who now buy their accessories outright. And, peering into the future, we feel certain that as our organization develops and our business increases we will be able to make substantial reductions in the price of accessories, as we did with trailers. Our record speaks for itself.

- We have been in business twenty-one years and as our business has grown we have shared the benefits with our customers in reduced prices and superior service. We will continue to share, for we have learned during the years that fair dealing pays dividends.

- We are optimistic about our future and the future of motion pictures. The whole NATIONAL SCREEN SERVICE ORGANIZATION has been built around men with the ability to accept and foresee new trends . . . to inject new creative inspiration into theatre advertising.

- We will continue to build that way, with the new baby too, ADVERTISING ACCESSORIES, INC., devising new ways and means of bringing more people into your theatres through these great mediums of theatre advertising . . . TRAILERS . . . LOBBY DISPLAYS . . . ACCESSORIES.

- We repeat—ADVERTISING ACCESSORIES, INC., entails many heavy obligations. A tremendous financial obligation to our COMPANY . . . a serious obligation to DISTRIBUTORS whose productions we handle . . . an important obligation to EXHIBITORS whom we service. We will try to meet them in the same manner that we have always met our obligations.

- For it has been a rule of our business life to let performance be our best advertisement. We will continue to live by that rule.

NATIONAL SCREEN SERVICE • NATIONAL SCREEN ACCESSORIES
ADVERTISING ACCESSORIES, INC.
RKO and Col. Balk Academy Over Shorts

Refuse Entries, Condemn "Unfair" Competition

HOLLYWOOD, Jan. 28—Because of what they believe is unfair competition in the two-reel short subject awards division, both Columbia and RKO have refused to enter any short features in this section in the annual awards by the Academy of Motion Picture Arts and Sciences. Julio White, Columbia, and Bert Gilroy, short subjects producer of RKO, unsuccessfully petitioned the Academy award committee to make separate classifications for comedies in this event, and their decision came as a result of their refusal to permit their two reel black and white comedies to compete with historical shorts in color and other much higher budgeted productions.

The Academy has three short divisions for awards—one reel, two reel and comedies. White for years has been attempting to have Academy leaders make a greater range of shorts awards. He said: "I make pictures for theatres, not for projection rooms."

Warner 1st Quarter Profit Up $539,000

Net profit of $642,129, after all charges, is reported by Warner Bros. for the 13 weeks ended Nov. 25, 1939. This compares with a net of $103,804 for the same period the previous year.

Before amortization and depreciation charges and Federal taxes, the net profit from operations was $2,343,657.

Gross income for the November quarter, after eliminating intercompany transactions, was $2,741,166, compared with $2,541,166 in the same quarter of 1938. During the period $71,735 was credited to earnings. The earnings are equivalent to $6.27 a share on 102,277 shares of preferred stock and 14 cents a share on the 3,700,000 shares of common stock outstanding Nov. 25. Preferred stock dividends in arrears as of Dec. 1, 1939, amounted to $29,84 a share.

WARNERS report cash assets of $6,909,383 on Nov. 25, and an unrealized foreign exchange credit of $860,702.

British Film Chiefs
Fix Trade's War Status Tomorrow

LONDON, Jan. 28—British film industry Tuesday expects action of significance when the Films Council meets to consider the memorandum setting the industry's course during the war.

Backbone of the legislative proposals, formulated by a council committee, is the Film Credit Bank, under which the British Treasury will arrange a guarantee of British production. Informal sources indicate that approval of the plan by the British Board of Trade is almost certain.

Meanwhile, the Cinematograph Exhibitors Association is watching the situation closely. It will meet British producers and American distributors separately Wednesday at a study in the light of new quota plans. The Board of Trade is expected to present a quota proposal based on expenditure rather than footstage.

Industry groups probably will be heard by the Board of Trade after it has studied the various offers proposed. The C.E.A. and the Film Industry Employees Council already have been promised a hearing.

Interstate Circuit Closes 'Wind' Deal

Interstate Circuit has closed with M-G-M for "Gone With the Wind" and the picture will open in 13 key cities of the large southwestern circuit on Feb. 7, R. J. O'Donnell of Interstate, said prior to his departure from New York for Dallas on Saturday.

Hughes to Produce
Two, Signs Hawks

Hollywood, Jan. 28—Howard Hughes, millionaire oil man, is returning to production within 90 days. He has signed a two-picture agreement with Howard Hawks, who will film one story by Ernest Hemingway and another by Ben Hecht. The films will be made at General Service studios and probably will be released through Warners.

Judging of Entries
In Quigley Awards
Starts Tomorrow

Judging of entries in the sixth annual Quigley Grand Awards contest will start tomorrow morning at the Hotel Astor.

A record number of acceptances from home office and out-of-town industry executives to serve as judges have been received and it is expected that most of them will be on hand when judging starts at 11:30 A. M. Martin Quigley will be toastmaster at the luncheon afterward.

The entries to be considered for the annual Silver and Bronze Grand Awards are those which have earned the highest ratings during the four quarters of the 1939 Competitions, conducted by Managers' Round Table of Motion Picture Herald.

Presentation of the year's highest honors will take place in Hollywood where a program of entertainment by (Continued on page 2)

$85,000 Is Contributed
At Federation Luncheon

"I know no greater charitable agency than the New York and Brooklyn Federations of Jewish charities," former Mayor James J. Walker told more than 500 men and women who crowded the North Ballroom of the Hotel Astor at a luncheon Friday, held under auspices of the amusement division of the Federation.

A total of $85,000 in cash and pledges was taken in at the luncheon. David Bernstein and Major Albert Warner are co-chairmen of the division.

George Jessel was toastmaster and John Golden presided. The former mayor was the guest of honor.

Dais guests were: David Bernstein, Edwin S. Friendly, former N. Y. Supreme Court Justice Joseph Proskauer, Barney Balaban, Will H. Hays, Maurice Silverstone, Jack Cohn, Herman Robbins, B. S. Moss, Molly Picon, New York Postmaster Albert Goldman, Charles Silvers, Irving Berlin, Max Cohen and Commissioner of Licenses Paul Moss.

Outlining the needs of the "largest network of humanitarian agencies in the world," former Supreme Court Justice Benjamin Cardozo praised the activities of the Amusement Division on behalf of "the orphan, the sick and the underprivileged among our neighbors here at home."

In the complex life of a huge city (Continued on page 2)

Fear Japan's
Film Market
Lost to U. S.

Trade Bonds Ruptured; See Tokyo Monopoly

Complete loss of the Japanese market to American films is seen by industry foreign trade authorities as a possible aftermath of the ending on Friday of the U. S.-Japanese trade treaty.

Industry observers believe a situation not unlike that in Italy may arise if anti-American sentiment, already widespread in Japanese official circles, increases as a result of the lapse of the trade treaty and if no new trade accord is adopted.

Establishment of a film importing and distributing monopoly in Japan is regarded by some as a certain development in such a case.

A complete "force-out" of the American companies by Japan is not unlikely, according to this source.

"There is virtually no probability of the situation getting better for American distributors," one trade official said, "and there appears to be every likelihood that it will get worse."

Meanwhile, the situation eliminates (Continued on page 2)

RKO Starts New;
$8,000,000 Capital

RKO started operations Friday free from the supervision of the U. S. District Court or trustee with a working capital of over $8,000,000 in cash. This capital is approximately double the current liabilities. In addition, the company has no outstanding indebtedness, its capital stock now consisting only of preferred and common stock.

All assets in the hands of the Irving Trust Co., trustee of RKO, with the exception of the cash reserve of some $80,000, for expenses, were (Continued on page 4)

Hitler, Aides Satirized
By Stooges Comedy

Hollywood, Jan. 28—The first comedy from Hollywood to have as its entire theme the satirizing of the Hitler-Goering-Goebels rule over Germany will be a two-reel short subject, "You Nazty Spy," being released by Columbia next week, it was revealed today.

Starring the three Stooges, the film, which studio kept under cover during (Continued on page 4)
Fred Schwartz, Arthur Baker, Monroe Greenoth, Emanuel Silverstone, Arthur Silverstone, J. J. Melstein, Charles Stein and Harry Gouinier return today from Lake Placid, where they spent the weekend.

Beatrice Greens, secretary to Joseph Hummel, Warners general foreign manager, has resigned after 16 years with the company’s foreign department. Miss Greens, who was Monroe Levy, started at First National as secretary to Bruce Johnson.

Sir Cedric Hardwicke left for the Coast Friday via TWA. On the same plane were Al Melnick of Louis Shunt’s agency office, going to Hollywood, and E. Pearlman of National Screen Service, the latter headed for Kansas City.

William Devaney, Cincinnati office manager for M-G-M, observed his birthday Saturday. William Parker, Seattle publicity representative, is in town, and the M. Omores booker, has birthdays today.

Leonard Goldenson, Paramount home office theatre executive, will leave for the South on Wednesday for conferences with company theatre partners.

Louis Pollock went to Washington Monday to make advance arrangements for Gloria Jean’s visit here for the President’s Birthday Ball Tuesday.

Irving Cohen of the Paramount home office legal department was in Philadelphia Friday for the hearing in the Admiral anti-trust suit.

Tom Connors, M-G-M eastern and southern district manager, will return today from a short business trip to Canada.

Arthur Butler, assistant manager of the Capitol, Halifax, is the father of a daughter, born to Mrs. Butler last week.

Thomas Courtney, manager of the Casino, Halifax, has been awarded one of the 1939 Amateur Cinema League’s five Canadian prizes.

Marlenee Carroll left the Coast Friday on the first leg of a journey to her chateau in France. She sails Feb. 9 from New York.

William F. Rogers, M-G-M general sales manager, plans to leave late next week for conferences at the studio.

Jane Winterton and Ronald Reagan were married Friday at the West Kirk of the Heather Church in Glenclay, Cala.

Jane Darwell, Johnny Russell and O. Z. Whitehead, 20th Century-Box players, returned to the Coast over the weekend.

J. M. Pooleoff, Minneapolis branch manager for 20th Century-fox, has

$85,000 Is Contributed
At Federation Luncheon

(Continued from page 1) such as New York, personal charity is almost impossible of achievement, Judge Proskauer said. “The Federation is created as the agents of its supporters in bringing desperately needed aid to the less fortunate,” he declared.

In introducing the former mayor, Governor and Governor, the latter noted “in Show business with the rest of us. He began his career, so to speak, as a song writer, and now he is turning out other genre. As well was presented to Walker on behalf of the Amusement Division.

Japan’s Film Trade Lost to U.S. Studios

(Continued from page 1) whatever chance there may have been of Japan easing its film import regulations has been destroyed by the efforts of certain distributors made on the industry’s behalf by Ambassador Joseph C. Grew and the repeated petitions of the American distributors. Trade in Tokyo, foreign trade authorities assert.

Current regulations already are proving onerous to the American distributors and several have expressed doubts as to their ability to continue to operate under them for long if concessions were not forthcoming from Japan.

Guaranteed Sets
Symphonic Shorts
Guaranteed Pictures has available for release now two “Symphony Features,” with Frederick Feller conducting the National Philharmonic Symphony Orchestra of 122 pieces and a chorus of 100. The first two are “Aida” and “Rosamunde.”


Vetes Manila Ordinance
Manila, P., L., Jan. 28.—Mayor Eulogio Rodriguez has vetoed a resolution requiring local houses to show at least one-domestically-produced film each month.

He returned to his office after visiting the home office en route from a vacation.

Henry Wolper, M-G-M office manager in Boston, left over the weekend after conferring at the home office.

Jack L. Warner, vice-president of Warners, will leave for the Coast at the end of the week.

Sam Katz, M-G-M production executive, arrives here Friday from the Coast for home office conferences.

W. A. Scully was confined to his home with a cold over the weekend.

Decision Reserved
In Goldwyn Action

United Artists Friday contended before Federal Judge Bondy that the suit of Sammel Goldwyn for $3,549 should be dismissed on the ground that he has no personal interest in the suit in the Bank of America. Judge Bondy reserved decision after attorneys for the parties argued on questions of law and fact.

Goldwyn is seeking interest payments on his $54,599 bonus for previous grosses on individual pictures which the company pays to its producers.

Lincoln’ Will Open
On Coast Thursday

Los Angeles, Jan. 28.—KKO’s “Abe Lincoln in Illinois” will have a pre-release showing at the Four Star Theatre here, starting Thursday. Tickets will be priced at $1.50. Following the premiere, the film will be shown on a two-a-day, reserved seat basis. Prices will be 85 cents and $1.10 for matinees and $1.05 for evenings.

The Negro Features

Hollywood, Jan. 28.—International Roadshow Attractions have announced “Mystery in Swing” and “Darktown Strutters’ Ball” as the first two of what is expected to be several Negro pictures to be produced for the first quarter of 1940. A Benny Bray production and an Argus Pictures feature will follow, according to George Randol, in charge of production for Bert Goldberg, president.

Judging of Entries
In Quigley Awards
Starts Tomorrow

(Continued from page 1) production heads and stars are being arranged for the winners.

Goldwyn executives expected at the judging are J. J. Fitzgibbons, vice-president of Famous Players Canadian theatres; J. M. Goldwyn; Joe L. Lagrange and Alex Manta, president, Indiana-Illinois circuit.

Mr. H. have also been received from: H. D. Buckley, Maurice Bergman, Charles L. Casanova, Jack Cohn, Albert Deene, Oscar Dooli, Lynn Farust, Edward F. Fergus, Harry Goldberg, Edward Golden, Robert M. Gillman, Leonard H. Goldenson, E. C. Gramming, Monroe Greenoth, W. J. Heinen, Nat Holt, Arthur W. Kelly.


Warner Managers’ Contest Under Way

Philadelphia, Jan. 28.—Fifth annual Managers’ Parade, a contest of Warner Managers in this zone, started its 10-week run over the weekend. Managers of the winning district will share a $1,000 award. Efficiency of operations, efficiency of operation and exploitation are the main factors considered in determining the winners.

Competing in the contest will be the districts of Skip Wesher, Jack Flynn, A. J. Vanni, Larry Graver, Steve King, Paul Cashell, Paul Castello, Jack Mulhall and Al Plough.

Thompson Drops Plans

Hollywood, Jan. 28.—Orville Thompson, owner of the Orville Thompson Productions, disclosed the resignation of Henry Bellous as producer and director and the cancellation of plans to film “Abe Lincoln in Illinois.” Thompson also announced plans calling for Maurice to make two films also have been cancelled.
Below zero and coldest in years yet there’s an all-time record in every one of these spots! Check these first returns for yourself . . . then watch new engagements bring new record news!

Warners for Showmanship!
**Hitler, Aides Satirized By Stooges Comedy**

(Continued from page 1) its showmen gives the Stooges the names of “Hailstone,” “Gallstone” and “Pebble.”

While the name of the country in the film is called “Moronica,” no doubt is left that a parallel of Germany is intended. Mannequins of Hitler are aped by “Hailstone,” even to speeches. “Gallstone” wears a resplendent uniform bejeweled with medals, including several on his coat tails.

The plot has munitions makers aiding a trio of paperhangers to oust the king of “Moronica.” The Stooges move re

During a lull, “Hailstone” and “Gallstone” dance around with each other and play party mate. They discover a spy named “Mata Herring,” who escapes to help the deposed king stage a revolt against them. The dictator and his aides flee from mistake of a “lion’s den” populated by ferocious beasts at behest of dictator and are denounced by their own people, who say “Hailstone,” belching.

In the dialogue between the Stooges several words of Yiddish are used prominently. “Hailstone” talks the short, which pulls no punches in speech and action concerning dictators and their methods.

**Club Plans Benefit**

St. Louis, Jan. 28.—Plans are being formulated here by the Variety Club for a benefit show at the Municipal Auditorium at the end of February to obtain funds for pneumonia serum for the city hospitals.

**‘Herbert’ Top Toilet Draw**

**Critics’ Quotes . . .**

**“ABE LINCOLN IN ILLINOIS” (RKO)**

A significant screen drama. . . . An altogether satisfying biography of America’s ranking idol. . . . It creates a warm, living and eloquent portrait of its hero. . . . Hollywood also is entitled now to feel it has created a fitting memorial to Lincoln.—J. C. Dryden, Washington Star.

Adheres closely to the celebrated stage play. . . . Raymond Massey’s performance from beginning to end is a superb piece of mining. . . . A rounded and compelling dramatic entity.—Nelson B. Bell, Washington Post.

“’Abe Lincoln’ is a one-man picture, if ever there was one. . . . Massey’s characteristic portrayal is, I grant, greatly—really—great in the spectacular scenes, but he is equally great in the scenes where he doesn’t say a word.—Carol Fink, Washington Times-Herald.

**THE LION HAS WINGS” (Korda-U.A.)**

A fascinating film as well as first rate propaganda. . . . Brilliantly staged and staunchly performed. . . . Alexander Korda has produced this semi-documentary, semi-staged photoplay with a laudable lack of hysteria.—Howard Barnes, N. Y. Herald Tribune.

Although it is propagandistic, “The Lion Has Wings” happens also to be a tremendously interesting and exciting motion picture. . . . The German propaganda and stagecraft, M.M. Pantin, are masterful.—N. Y. Post.

**TORNADO” (RKO)**

“A fascinating picture. . . . Storytelling one. . . . Is propaganda, all documentary and your interest in it will depend entirely on your interest in the British style of approaching the current war.—N. Y. Post.

Frankly propaganda and, as such, a little difficult for a neutral to take. It is expert propaganda, however. . . . An interesting and well-made document.—Jan. 19, N. Y. Sun.

How England defends itself from enemy air raids, and in turn strikes back at its opponent is told vividly and instructively. . . . An absorbing documentary. . . . The film is worth seeing because it is enormously entertaining.—William Boehm, N. Y. World-Telegram.

**RKO Starts Anew; $8,000,000 Capital**

(Continued from page 1) transferred to the new company Fri-

The transfer ceremony, consisting largely of bookkeeping entries and the delivery of securities, took place in the Loew’s Trust offices in the RKO building.

Representatives of both the Irving Trust and the new company were present at the ceremony, which lasted less than a half hour. The trustee is expected to remove his offices from the RKO building within the next two weeks.

A statement issued by RKO pointed out that the company in seven years of operation had reduced its capital stock by one-third, and that its net worth had increased from $4,000,000 in 1929 to $25,000,000 in 1939.

**Republic’s New Film Has Village Preview**

About 150 persons, including exhibitors, circuit executives and the press, were guests of H. J. Yates and Morris Eppstein, manager of Republic’s New York office, for a special screening of “Village Barn Dance” at Village Barn in Greenwich Village Friday night.

Later, at a reception that followed, Republic’s Western star, was guest of honor, having arrived from Washington. Among the guests were Joseph Bernhardt, Al Freeman, Mrs. Charles J. Dallesandro, John Benas, Al Sachman, Al Reid, Arthur Schwartz, Jack Hatten, Sidney Picker, George Schaefer, Charles Reed Jones, David Whalen, Franklin Lynch, James Cunningham, in addition to Arno G. Carter, publisher of the New York Times and other local-notables. Congresswoman John Nichols of Oklahoma: Councilman Alfred E. Smith, President Robert J. Roche, publisher of the Mirror: Judy Canova, Buddy Hazzard, Stan Lomax, Block & Sally and others.
Beginning today, Rivoli Theatre forced to unprecedented policy of 3 A.M. closing time daily. "The Grapes of Wrath" extra week-end shows not enough to care for over-capacity crowds. House staff increased 60% as "The Grapes of Wrath" goes into second record-breaking week!
Film to Show Modern Reich: Stars Chosen

Hollywood, Feb. 28.—MARGARET SULLIVAN, JAMES STEWART, FRANK MORGAN and Robert Young will have the top roles in "The Mortal Storm," story of the disintegration of a community in present-day Germany by PHYLLIS BOTTOME, SIDNEY FRANKLIN will write the script and Frank Bor- zage will direct.

RALPH SPENCE has completed the script of "The South American Way" for 20th-Century-Fox and the book for "Salute to Spring," which is scheduled to open on Broadway soon....

MRYN LEVOK has started "Waterloo Bridge," starring Vivien Leigh and Robert Taylor, at M-G-M. ...

JOSEPH LEVOK'S first dramatic assignment at Paramount will be "Dance, Little Lady," story by Joe May, Max KOLLE and Jean SESTO, purchased from rhe company of An- sia, HUAYDENT, ROBERT PAIGE, PETE HAYES, VIRGINIA DALL, LIL- LIAN CURTIS, JACINTA FRIEDA- GELEY top roles. ... 20th-Century-Fox has put RANAR QYALE, ski expert at Sun Valley, under a term acting contract. Sundance has been designated "Pier 13," by DAVID BURTON and described as a big city comedy....

HARRY SHERMAN has purchased "Ranger Guns West," by NORTON PARKER, as a western special. WIL- LIAM HERSON was in 20th-Century-Fox, and Fine Arts has signed PHIL ROSE to direct "At Your Age," OTIS GARRETT to direct "This Summer." JOHN KRAFT to do the script of "At Your Age." ... The D. L. LOWE-ALBERT LEWIS producing company has purchased ERICH MARIA REMARQUE'S "Floteam" from M-G-M. ... WIL- LIAM T. ORR of "Meet Some People." "Three Weeks of Miami," a Warner term contract. LOUIS RANDO of the same company has been signed by Republic, while Watters earlier purchase of Hale and MAPLE CHASELY is working on the screenplay of PAINTING SHEARS' "Personal History," which WALTER WASSER will produce.

Neil Hamilton draws a role in Paramount's "The Woman from Hell." ... Producers Paul Jones is using the University of Southern California band in "Down Went Mc- GRANT" at Paramount, in addition to doing "I Want a Divorce" at Paramount, Joan Blondell will do "Two Girls on Broadway," featuring George Murphy and LANA TURNER.... Murphy has been given a new long term contract at the studio.

Twentieth-Century-Fox has purchased Jules Furthman's original, "Too Many Girls," for LIONEL BABBETT. JOEL CHITTING has been cast in Cent- TURY-Fox "Sweethart of Turret One," in which JON HALL and NANCY KELLY have the leads.

Paramount plans "Mystery Ship," story of wartime sea raider by ROB- ERST REILLY, with RAY MILLAND and SUSAN HAYWARD heading the cast. AKIM TAMIROFF, LYNE O'NEILL, J. CARROLL NAISH and ALBERT DEDKLER will support them. EUGENE ZUKOR will produce.

Radio

Brevities

TWO new quiz shows, each giving away $500 weekly, start over Mus- tachio. "The President's Birthday Show" will be heard over the NBC network's total number of quiz shows to seven. "Play Broadcasts," under the sponsorship of the Meat Code, will distribute cards similar to those used in bingo with boxes checked when a player's name is recognized. It will be heard Mondays at 8 P.M., starting Feb. 19. In addition to filling the cards, the audience must submit slogans to the "Play Broadcasts" show, and starts Wednesday, Feb. 14, at 8 P.M. Curtis Candy Co. will sponsor but details of the show have not yet been set.

Personalities in the News

Abe Schecter, NBC special events head, has returned from a Florida va- cation. ... All Pearce starts his pol- icymaking career on Peter Arsenault's program Wednesday with Jim Kelso, Walt Ambler and Dick Lane as the first guests. ... Ruth Chatterton will introduce "The New York Story" Wednesday evening. ... ED- ward G. Robinson will broadcast "Big From" from Washington tomorrow evening where he will be for the Presi- dent's Birthday Ball. ... Frank Luth- er NBC singer, has completed a recording of "Auntie's Follies" set to his original music.

Birthday Ball Broadcasts

All three major networks will carry the special broadcasts of the President's Birthday Balls tomorrow at 11:15 P.M. Those will be pickups from Boston, New York, Washington, Omaha, Chicago, Oklahoma City, Portland, Oregon and Hollywood. Name bands from many parts of the country will be heard and Presi- dent Roosevelt will speak from the White House. ... TSN will wind up the March of Dimes drive over the air.

Program News

B. T. ROBERTS adds 17 stations for the "David Harum" special Feb. 19, and has renewed for an additional 32 weeks. Total number of NBC-Red stations to be used will be 40. ... Paramount has purchased six participating 50-word announcements on the "Breakfast in Bedlinne," show over WITI for the week of Feb. 5. Arrangements have been completed by Paramount for Jackie Cooper and the Arizona B. "September on the Lot" to appear as guests of Ben Alex- ander on the "Little Old Hollywood" show over NBC-Red on Lincoln's Birthday. "Gillet Safety Razor" will sponsor the Kentucky Derby boost over CBS on May 4.

Mexican Politics on Air

From Mexico City we learn that political workers have un- angeredly declared themselves opposed to the use of radio for political pur- poses. Dr. ROBERTO RAMOS REZNIOVITZ has decided to use the air on a wholesale scale for GEN, MANUEL ARRIAL CAMACHO, his presidential can- didate. Radio specialists have been used as "Mexican Reports" from February until July 6, eve of the elec-
Within the covers of this book the greatest adventure story ever written NOW ON THE SCREEN!
The first production effort of that most famous and successful writing team, GENE TOWNE and GRAHAM BAKER.

The screen’s outstanding thrill novelty... the picture that gives your theatre the most unusual and different BIG SHOW you’ve had in a long, long time!... Something NEW to advertise... Something UNUSUAL to offer real movie-hungry millions... something with such sure-fire pull and lure that it demands preferred time, longer time, in your most optimistic expectations of what a REAL HIT can do!

GENE TOWNE presents

SWISS FAMILY ROBINSON

WITH
THOMAS MITCHELL • EDNA BEST
FREDDIE BARTHOLOMEW
TERRY KILBURN • TIM HOLT
BABY BOBBY QUILLAN

DIRECTED BY EDWARD LUDWIG
PRODUCED BY
GENE TOWNE and GRAHAM BAKER

SCREEN PLAY BY WALTER FERRIS.
Radio Fund Appeals To Help Save Opera

Radio came to the aid of the campaign to save the Metropolitan Opera on Saturday when David Sarnoff, RCA president and chairman of the board at NBC, made the initial address during the broadcast of "Lohengrin."

Sarnoff told the radio audience the opera had been broadcast for nine years without appeals for funds and stated that the Met now needs aid. Instead of appealing for funds on sustaining programs on the network they are rarely made except during the March Dimes campaign and similar drives, CBS has raised considerable funds for the New York Philharmonic Orchestra by direct appeals to the radio audience. This week, in connection with the remodeling of the Metropolitan Opera House, including air-conditioning and improved seating, it is planned to make the Opera House a year-round civic center.

Indianapolis Case Dismissal Ordered

Order for dismissal of the Indianapolis Amusement Co. anti-trust suit against the Detroit, Cleveland and Chicago distributors has been entered in the Federal District Court at Indianapolis within the next few days, thus bringing to an end the pending action to an end without trial.

An agreement on a settlement of the case was reached by parties in interest last week. Settlement involves payment to the plaintiff, Rorie R. Bair.

Bair operates a small circuit in Indianapolis. The action was brought in 1931 and involved complaints arising out of the old arbitration clauses, now outlawed.

Zanuck, Markey Returning to Coast

Darryl F. Zanuck, 20th Century-Fox production chief, left Saturday for the Coast with John Markey and Hedy Lamarr, after a week in New York. They arrive at the studio tomorrow.

Joseph M. Schenck, board chairman, who arrived with Zanuck, also left for the Coast Saturday.

In addition to attending openings of "The Blue Bird" and "The Grapes of Wrath," Zanuck conferred with company officials on the 1940-41 production program. Zanuck plans a vacation in Sun Valley beginning early in March and may come to New York during that month to complete program details.

Production for 1940-41 will start March 1st. Late in the current session, son's major films to go before the cameras will be "Maryland," in color.

Taplinger to Studio

Bob Taplinger, Warners studio publicity head, left for the Coast yesterday by plane after conferring with S. Charles Einfeld, advertising and publicity director, on forthcoming campaigns. Taplinger has set up an office in New York a group of Hollywood newspaper men who covered the 156th Regiment dinner at which "The Fighting 69th" was shown. The writers left Saturday, accompanied by Blake McVeigh, of the studio publicity staff.

Hays Finds Answer On Dual Features

Will H. Hays thinks double features "are terrible" but he "can't do anything about them," he told an audience at the New Rochelle Presbyterian Men's Club recently.

"Is there a single person here who likes them?" he asked his audience.

"I do," confessed one young lady, "I guess it's because you get more for your money."

"That must be the answer to why we have them," Hays observed.

Boycott Theatres In Mexican Fight

By JAMES LOCKHART

MEXICO CITY, Jan. 28.—A boycott which prevents them receiving pictures has been declared against exhibitors in Morelos and Zacatecas states by the National Cinematographic and Allied Workers' Union which took this action to force the exhibitors to change their mind about reducing personnel.

The union asserts that such dismissals of workers is unjustified. The exhibitors aver that depressed business conditions make such action necessary.

Exhibitors have appealed to State and Federal officials to break the boycott.

Cosmos Films, producing company organized by Miguel Contreras Torres, who has worked in Hollywood, and Armando Vargas de la Maza, newspaperman-director, has started making the first of four films.

Lupe Velez, not Dolores del Rio, is to play the lead in a new version of "Santa" ("Saintess"), famous Mexican novel which was the basis for the first talking film made in this country in 1930 by Antonio Moreno.

The best box-office grossers among native Mexican pictures of 1939 in Mexico were: "Caballo a Caballo" ("Horse to Horse"), which grossed $250,000 in five weeks; "Los Enredos de Papa" Papa's Intrigues), $200,000 in five weeks and "La Tiad de las Muchachas" ("The Girls Aunt"), $25,100 in 10 months.
“SYMPHONIC FEATURETTES”

FREDRICK FEHER, CONDUCTOR AND DIRECTOR

THE NATIONAL PHILHARMONIC SYMPHONY ORCHESTRA

CONSISTING OF 122 PIECES AND CHORUS OF 100

PRODUCED BY THE NATIONAL PHILHARMONIC SYMPHONY ORCHESTRA, INC.

“AIDA”
WITH MIXED CHORUS

“STEPHEN FOSTER SONGS”
A SYMPHONIC ARRANGEMENT WITH MIXED CHORUS

“PITTORESQUE”

“LOHENGRIN BRIDAL CHORUS”

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WITH CHORUS

“CAPRICIO ESPAGNOL”

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WITH SPECIAL COLORS

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BY LISZT, WITH PIANO SOLO

“JAZZ SYMPHONY”
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Industry Leaders At Judging Today Of Quigley Awards

Herman Wobber, general sales manager of 20th Century-Fox; Louis W. Schine, vice-president of Schine Theatres, and Alex Manta, president of Indian-Illinois Theatres, will head the list of speakers at the Quigley Awards conducted at the Hotel Astor today.

The luncheon will follow the judging of the entries in the sixth annual Quigley Grand Awards competition.

Martin Quigley, as toastmaster, also will introduce A-Mike Vogel, chairman of the Managers’ Round Table of Motion Picture Herald, under whose supervision the award competition is conducted.

More than 45 home office and out-of-town executives have accepted invitations to act as contest judges.

Among the executives who will be judges at the Quigley Awards are:

1. Herman Wobber.
2. Louis W. Schine.
3. Alex Manta.
4. Allen M. MacCubbin, vice-president of Fox.
5. Frank J. Bunch, general sales manager of Twentieth Century-Fox.
6. A-Mike Vogel, chairman of the Managers’ Round Table of Motion Picture Herald.
7. Martin Quigley, toastmaster.

Seven Majors Approve Division of $17,500,000 Allowed by Britain

Major companies evolved in New York yesterday the formula determined in Britain, which will be transmitted immediately to London for the approval of the Government. With such official sanction, the companies will be permitted to remove the cash to the United States.

British-made pictures distributed by the American firms do not figure in this formula. A company such as United Artists, which distributes a number of British-made pictures besides American-made films in England, might otherwise have shared to a much greater degree.

The amount to be withdrawn by each company is known only to that company, and some of them have not yet been notified, according to inquiry.

The $17,500,000 represents one-third of the approximately $50,000,000 annual gross income of the American companies in Britain, and about 50 per cent of the total. The division is not a party to the formula because its films are handled by a British company on commission.

The formula of withdrawal is based

(Continued on page 8)

WARNERS’ CHICAGO MEETING SATURDAY

Warners’ annual mid-season sales conference will be held Saturday and Sunday at the Blackstone Hotel, Chicago, with A. H. Griswold, general sales manager, presiding. About 60 will attend, including home office executives, district managers, branch managers and the field exploitation staff.

A review of sales progress to date and merchandising plans for current and forthcoming product will feature the discussions.

The home office contingent will leave Friday for Chicago. It will include, in addition to Sears, S. Charles Emfield, director of advertising and publicity; Carl Leserman, assistant general sales manager; Mont Flannery, Eastern publicity and advertising manager; Roy Haines, Eastern

(Continued on page 2)
MOTION PICTURE DAILY
Tuesday, January 30, 1940

Warners' Chicago Meeting Saturday

(Continued from page 1)

and Canadian sales manager; Ben Kalmenson, Southern and Western sales manager; Arthur Sachsin, sales executive; Norman Wolf, eastern shorts sales manager, and Mitchell Rayson.

District managers who will attend include Edward Schnitzer, New York; Eastern; Robert Smelter, Washington, Central; Rud Lohrene, Chicago, Midwest; James Whit, Kansas City, Prairie; Fred M. Jack, Dallas, Southwest; Henry Herbel, Los Angeles, West Coast, and Lou Stien, Toronto, Canadian district head.

The following branch managers will be present: Sam Lefkowitz, New York; Paul S. Krumenacker, Albany; N. J. Ayers, Boston; Charles Rich, Buffalo; John R. Mahan, New Haven; Ralph Kinsey, Cincinnati; T. Clay, Cleveland; F. C. North, Detroit; W. G. Mansell, Philadelphia; Harry Seed, Pittsburgh; F. W. Prederos, Wash.; T. R. Gilliam, Chicago; Fred Greenberg, Indianapolis; R. T. Smith, Milwaukee, C. K. Olson, Minneapolis.

A. M. Anderson, Moline; Homer Hisey, Memphis; W. O. Williamson, Jr., Kansas City; Sid Rose, Omaha; Hall Walsh, St. Louis; R. L. McCoy, Atlanta; John A. Buchanan, Charlotte; Doak Roberts, Dallas; L. Conner, New Orleans; J. O. Rolfe, Oklahoma City; E. A. Bell, Denver; W. E. Callaway, Los Angeles; V. Stewart, Portland; William F. Gordon, Salt Lake City; Al Shumtik, Kansas City; Francis; William Sharrit, Seattle.

The Canadian delegation, in addition to District Manager Cohen, will include Sam Pearlman, Calgary; M. J. Isman, Montreal; L. McKenzie, Saint John; Joseph Plotek, Toronto; I. Goyal, Vancouver, and Lou Gelzer, Winnipeg.

Exploitation men attending will be Sam Clark, Chicago; Cameron Shipman, Atlanta; Dick Hyland, Dallas; Monroe Rubinger, Kansas City; Phil Engel, New York, and Martin Weiser, Los Angeles.

Managers at Banquet

MIAMI, Jan. 29.—As a climax to a 10-week course given to ushers and assistant managers of Wometco Theatres, Mitchell Wolfson and Sidney Meyer entertained more than 70 employees of their circuit at a banquet.

Chicago Personal

STANTON GRIFFIS, chairman of the Paramount executive committee, plans to leave for a Florida vacation shortly after Holiday巴拉

and return to New York from there toward the end of February.

Mickey Rooney will come here to
tomorrow from Washington, where he will attend the President's Birthday Celebration this evening. From there he will travel to Fort Huron, Mich., for the opening of "Young Tom Edi-
on" on Feb. 11.

Bemie Kranz, RKO Albany branch manager, has returned from Florida. Another Albany film row figure, Elmer Siegel, 20th Century-Fox short subject booker, has returned from Miami Beach.

Frank O'Brien, manager of As-
sociated Screen News, Ltd., Toronto, has been appointed to the Canadian Legion War Services Committee which has undertaken to raise $50,000 for soldiers' comforts.

Branch Tone, Frances Far-
mer and Phil Reagan will attend Philadelphia's celebration of the Presi-
dent's Birthday held at Convention Hall today.

Mrs. Emma Boeckl, mother-in-law of Ralph Kinsey, Cincinnati Warner exchange manager, is in Deaconess Hospital, suffering from a heart attack.

Esther Bein, wife of the owner of Theatre Poster Supply Co., Cincin-
нати, is in the Jewish Hospital where she underwent an operation.

Edward G. Ruff, manager of Par-
amount's New Haven exchange, leaves Feb. 7 on the Oriente for a Bal-
iana vacation.

Louis R. Goldenberg, Fabian district manager at Allfey, leaves Feb. 7 for a short vacation in Havana.

Joseph Shulman, Connecticut ex-
hibitor, and Mrs. Shulman are va-
cationing in Miami.

Madelene Carroll has arrived here to sail for Europe next March.

Brian Ahern arrived from Hol-
lywood by plane yesterday for a four-
week visit.

Bob Wolf, RKO branch manager, returned yesterday from Florida.

Herman Gluckman, Republic franchise holder, is in Miami.

Brian Ahern arrived in town from the Coast yesterday.

St. Seadler is at the B-Bar-R at Garnet, Cal.

Alex Moss of Paramount is at Mi-
ami.

For Lunch, Dinner or Supper

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605 York St., Hollywood, Calif.  

Mayer Will Attend ‘Edison’ Premiere

Louis M. Mayer, M-G-M producer, and Frank Schenck, M-G-M studio publicity director, are scheduled to attend the world premiere of "Young Tom Edison" at Port Huron, Mich., Feb. 11.

Mayer arrived yesterday in Miami Beach for conferences with Nicholas M. Schenck, M-G-M president. He will return to New York before proceeding West.

Barret Kiesling of the studio pub-
licity department in Port Huron will be in the prepairing for the premiere of the Edison film. Howard Dietz, advertising and publicity director, also plans to attend.

K. C. Club Party Feb. 8

KANSAS CITY, Jan. 29.—A floor show and dance will feature the annual inaugual ceremonies of Variety Club's new officers at the Hotel Muehlebach here Feb. 8. Assisting Jerry Zigmund on the general commit-
tee are: President, Barret Kiesling; Vice-President, Rob-Joffre; Don Woods and Douglas Desch. Ticket sales are being handled by Desch, Woods, Sam Abend, Club Secretary, Leon Abraham, Lee Jones and Roy Miller.

‘Wrath’ and ‘60th’ Join Broadway Hits

(Continued from page 1)

stage, "The Fighting 69th" garnered an estimated $31,000 for Friday, Saturday and Sunday at the Strand with an average gross of more than $50,000 indicated. At the Rivoli, the first week of "Grapes of Wrath," which opened Dec. 29, brought an estimated $60,000. "The Blue Bird" grossed an estimated $11,000 at the Hollywood and drew an estimated $22,000 at the Astor.

At the Music Hall, "The Shop Around the Corner," with a stage show, should grossed $85,000 in its first week. In its sixth week at both houses, "Gone With the Wind" drew an estimated $75,000 at the Capitol and an estimated $22,000 at the Astor.

"The Lion Has Wings" drew an estimated $8,500 in its initial week at the Globe and grossed $5,000. At the Rialto, "Green Hell" opened yesterday after a second week for "The Invisible Man" which drew an esti-
mated $8,500.
HAILED BY SHOWMEN AND PUBLIC, PRESS AND RADIO,
AT ITS BRILLIANT N. Y. WORLD PREMIERE ... ITS FAME
NOW SPREADS AS TWO MORE ROAD-SHOW OPENINGS
THIS WEEK* EXCITE THE NATION'S ATTENTION!

Maurice Maeterlinck's

THE
BLUE BIRD
in TECHNICOLOR

*St. Francis Theatre, San Francisco, Feb. 1—Adams Theatre, Detroit, Feb. 2
Sale of GN Assets
At 28 Exchanges
Ordered by Olney

Sale of all remaining assets of Grand National Pictures located in 28 exchanges throughout the country was ordered yesterday by Referee Peter B. Olney, Jr. Under court directions a public auction will be held by the trustee early next fall for the assets.

Earle W. Hammons, former head of GN, dashed with Joseph Dannenberg, attorney for the trustee, over the valuation of Grand National Pictures’ assets, assigned to GN in return for stock, during an examination of Hammons yesterday.

A large number of films estimated at a nominal value on Educational's books were of real value when transferred to GN. Dannenberg, however, sought to prove that all assets assigned to GN totaled $35,389 in value at the time of GN's organization.

Testimony of Hammons also covered financial deals between GN and Silbo Productions, Inc., and the payment by the former of $42,000 to the latter on a debt owed originally by Educational which GN had assumed. Hammons will continue to testify today.

'Brother at $5,500
New Haven Leader


Estimated takings for the week ending Jan. 27:

"Hunchback of Notre Dame" (RKO) COLLEDGE, Conn. (70-90c-60c) 2nd week, $700. (Average, $2,700)

"Everything Happens at Night" (20th-Fox) REMEMBER PARIS, N.Y. LEW POLT-7,990 (39c-59c) 7 days. Gross: $2,790. (Average, $1,200)

"Charlie McCarthy, Detective" (Univ.) "All Women Have Secrets" (Par.) PARAMOUNT-2,480 (39c-99c) 8 days. Gross: $4,500. (Average, $1,300)

"Brother Rat and a Baby" (W. B.) "Mill on the Floss" (20th-Fox) ROGER SHERMAN-1,300 (35c-99c) 7 days. Gross: $5,500. (Average, $1,300)

'Swanee' at $8,200
Leads in Montreal

MONTREAL, Jan. 29.—"Swanee River" earned $8,200 at the Palace, "The Roaring Twenties" at the Capitol took $7,400.

Estimated takings for the week ending Jan. 27:

"The Roaring Twenties" (W. B.) CAPITOL, Montreal (75c-35c-65c) 6 days. Gross: $7,300. (Average, $1,200)

"Baldy's Millions" (Loew's) LOEWS-7,000 (90c-49c-65c) 7 days. Gross: $3,000. (Average, $400)

"Raffles" (U. A.) "Escape to Paradise" (RKO) ORPHEUM-990 (25c-35c-99c) 7 days. Gross: $3,100. (Average, $450)

"Swanee River" (20th-Fox) PALM ALLEY (dark) PALM ALLEY, Montreal (5c-35c-65c) 6 days. Gross: $8,300. (Average, $1,800)

"The Adventures of Don Juan" (20th-Fox) "Bibit Alley" (Col.) PRINCE ALBERT, Ont. (25c-35c-99c) 6 days. Gross: $2,400. (Average, $400)

Goddard and McCrea

HOLLYWOOD, Jan. 29.—Pauline Goddard was assigned today to co-star with Gary Cooper, Madeleine Carroll and Joel McCrea in Paramount-DeMille's "Northwest Mounted Police."
Chicago Best
Is 'Remember'
With $36,700

CHICAGO, Jan. 29.—"Remember the Night" in a scheduled stage show, grossed $36,700 at the Chicago. "A Child Is Born" at the Garrick was another winner with a smart $16,500 to the credit of the theater. Estimated takings for the week ending Jan. 24:

"We Are Not Alone" (W. B.)
TAKINGS—(25c-35c-50c) 7 days. Gross: $7,500. (Average, $1,000.)

"Evil Strike" (Paramount)
FOLLIES—(2Sc-35c-50c) 7 days. Gross: $10,600. (Average, $1,500.)

"The Big Guy" (United)

"False Witness" (W. B.)
GROSS—(2Sc-35c-50c) 7 days. Gross: $4,800. (Average, $680.)

"Mickey" (United)
BROADWAY—(2Sc-35c-50c) 7 days. Gross: $7,000. (Average, $1,000.)

"Hunchback" $16,500
Pittsburgh's Leader

PITTSBURGH, Jan. 29.—The "Hunchback of Notre Dame" survived the zero cold spell and drew $16,500 to "New Year's Eve." Estimated takings for the week ending Jan. 25:

"Green Hornet" (Univ.)
ALVIN—(1,900) (25c-35c-50c) 6 days. Gross: $4,200. (Average, 7 days, $700.)

"Lonesomes" (W. B.)
FULTON—(1,700) (2Sc-35c-45c) 7 days. Gross: $4,700. (Average, $670.)

"The Hunchback of Notre Dame" (RKO)
ROYAL—(5,000) (2Sc-35c-50c) 7 days. Gross: $16,500. (Average, $2,350.)

"Senator" (2,500) (2Sc-35c-50c) 7 days. Gross: $4,800. (Average, $680.)

"Private Blonde" (W. B.)
STANLEY—(5,000) (2Sc-40c-50c) 7 days. Gross: $12,500. (Average, $1,780.)

"Bertram" (M-G-M)
GOODFELLOW—(8,500) (2Sc-40c-50c) 7 days. Gross: $19,000. (Average, $2,700.)

"Hula-Hula" (M-G-M)
GOLDEN—(2,000) (2Sc-35c-50c) 7 days. Gross: $13,500. (Average, $1,950.)

"The Hunchback of Notre Dame" (RKO)
ROYAL—(5,000) (2Sc-35c-50c) 7 days. Gross: $16,500. (Average, $2,350.)

"Secrets" (M-G-M)
PARK—(2,000) (2Sc-35c-50c) 7 days. Gross: $6,000. (Average, $850.)

"Slightly Married" (RKO)
GROSS—(2Sc-35c-50c) 7 days. Gross: $10,000. (Average, $1,400.)

"Private Lives" (Paramount)
GROSS—(2Sc-40c-50c) 7 days. Gross: $19,000. (Average, $2,700.)

"Private Blonde" (W. B.)
STANLEY—(5,000) (2Sc-40c-50c) 7 days. Gross: $12,500. (Average, $1,780.)

"Dr. Eichner's Secret" (M-G-M)
GOLDEN—(2,000) (2Sc-40c-50c) 7 days. Gross: $13,500. (Average, $1,950.)

"The Hunchback of Notre Dame" (RKO)
ROYAL—(5,000) (2Sc-35c-50c) 7 days. Gross: $16,500. (Average, $2,350.)

"Private Blonde" (W. B.)
STANLEY—(5,000) (2Sc-40c-50c) 7 days. Gross: $12,500. (Average, $1,780.)

"Gavilan's Secret" (Paramount)
GOLDEN—(2,000) (2Sc-40c-50c) 7 days. Gross: $13,500. (Average, $1,950.)

"Dr. Eichner's Secret" (M-G-M)
GOLDEN—(2,000) (2Sc-40c-50c) 7 days. Gross: $13,500. (Average, $1,950.)

"Horse Shoe" (M-G-M)
GOLDEN—(2,000) (2Sc-40c-50c) 7 days. Gross: $13,500. (Average, $1,950.)
Pittsburgh Paper Scores Neely Bill

PITTSBURGH, Jan. 29.—In an editorial, the Post-Gazette attacked the Neely bill. The paper is convinced that this bill is fundamentally unsound," the Paul Block morning daily said, "and that, if it is passed, will have the most serious effects on the quality, the quantity, and the price of motion picture entertainment as it is now enjoyed by the taxpaying citizen every week, at an average admission of 25 cents."

The paper contended that "if the distributors are forced to sell and the exhibitors to buy only one picture at a time, the cost of renting films will increase and just as inevitably be passed on to the patron."

The paper offered refutation to arguments for the Neely plan by stating that "the exhibitor does not have to take a bad picture to get a good one," and "the smaller companies, which are now able to turn over their capital rapidly, can make them a part of their general picture policy, and features going at various stages of completion, would be driven out of business and the strictest sort of monopoly would result."

"Study reveals that the Neely bill," it claimed, "is but one more wholly impractical and highly dangerous attempt to extend the unnecessary governmental regulation of business."

Neely Foes, Friends Press Their Drives

"Continued from page 1"

Pittsburgh Paper scores Neely Bill

Circuits and individual exhibitors oppose the bill.

A paragraph based on a recent speech by C. C. Pettijohn, general counsel of the Hays office, has been circulated by the organization among exhibitors in the belief that the bill is a backhander to other pamphlets, intended to influence the same persons, and Congressmen, has been sent out by the American Federation of Motion Pictures, as a general counsel of Allied States. Allied officials are also sending letters to newspapers.

In the Jenkins, 20th Century-Fox general counsel, and Col. H. A. Cole, president of Allied, discussed the pros and cons of the measure at a forum of the Motion Picture Council of Montclair, N. J., last night. Among others, Will H. Hays discussed the bill in New Rochelle last week. Harry Goldberg, advertising and publicity director for the Warner circuit, and Sidney Samuels, Allied official, will lead an open forum discussion at a Philadelphia women's club group in February.

Some exhibitors are being deluged with letters expressing both sides of the issue. They come from exhibitors, film company employees, trade unions, better film councils and other public groups.

Michigan Exhibitors Split Over Neely Bill

DETROIT, Jan. 29.—Independent exhibitors in Michigan are split on the Neely bill, with Co-Operative Theatres of Michigan on record as opposing its passage and Allied of Michigan favoring it.

Co-Operative Theatres is a buying and booking organization and comprises 100 independent theatres, mostly in Detroit.

SHORT SUBJECT REVIEWS

"Unusual Occupations"

(Paramount)

This is a novel and interesting subject in color, picturing odd pursuits. Shone O'Keefe, a man who has constructed an ark in anticipation of a new flood, a young woman who makes music out of colored cellular plane sippers, fishing for pearls in the Mississippi River, and a Hollywood stunt pilot who faces the danger but is never seen on the screen. Running time, 10 mins.

"Sugar Wind"

(Paramount)

A camera tour of the Island of Barbados in the Caribbean, this subject pictures in interesting fashion a little known spot on the globe. Huge windmills power the grinding machinery used in pursuing the island's chief industry, the production of sugar cane. The unappealing "sugar" supplies the power. Running time, 10 mins.

"Shakespearean Spinach"

(Fleischer-Paramount)

The quintessential plumbers Bluto as Romeo to Olive Oyl's Juliet, and Bluto's annoyance means a rough time for Popeye until the inevitable spinach gets to work, and Bluto is on the receiving end. An entertaining cartoon. Running time, 7 mins.

"Burning Skill"

(Paramount)

Grantland Rice Sportlighters are always fast entertaining, and this one is no less so. With Ted Husing supplying the commentary, the subject pictures the ancient game of bowling on the green, modern duck pins, and concludes with incredible bowling by Gene Bevel, world champion. Running time, 10 mins.

"Old Natchez"

(FitzPatrick-M-G-M)

The pre-Civil War days are re-enacted in the annual pilgrimage of the Natchez, Miss., Garden Club. Old homesteads are shown and the glory of the old South described. Done in color. Running time, 9 mins.

"Where Turf Meets Surf"

(M-G-M)

Quick glimpses of Hollywood stars are provided when two young girl sightseers visit the Del Mar track. Bing Crosby, Pat O'Brien, Robert Young, Barbara Stanwyck, Stuart Erwin, Virginia Bruce and Edmund Lowe are among those present. The girls decide to bet on the horses but receive some bad calls called "troutie." The young fish see the box and want to become junior jockeys in the manner of Hobart Bosco and Bill Bert. With a wild duck lands to complicate matters. An amusing bit. Running time, 9 mins.

"Alfalfa's Double"

(M-G-M)

Alfalfa of "Our Gang" finds a bared rich boy who looks exactly like him. The stunt boy is tired of the continuous lessons while Alfalfa is fed up with his daily chores. They decide to change places but after a trial period both decide that there's no place like home. Plenty of laughs. Running time, 11 mins.

"Stranger Than Fiction, No. 71"

(General)

This is no less interesting than others of the series. Featured are the dingy little room in which Miss. Jumbo, a huge trick caged elephant, is kept, the ragged buildings in which the Canadian collector of old watches, the woman who paints on cobwebs, the auto-boat that cuts swamp grass, and the clever Boston terrier which helps unload tires from a truck. Running time, 9 mins.

"Going Places, No. 71"

(Paramount)

Strange creatures in the Western Hemisphere, recently subject matter of a novel and interesting subject. Pictures are such odd and little known animals as the land iguana, armadillo, ant-eater, three-toed sloth, porcupine, oter, and spider monkey. Running time, 9 mins.

"Andy Panda Goes Fishing"

(Paramount)

Walter Lantz's new cartoon character is an amusing creature for the younger set. In this color subject he goes fishing, is pursued by native panda-hunters and is rescued by a electric eel and an active turtle. Running time, 9 mins.

"Rhythm Jamboree"

(Universal)

A group of variety specialists perform with individual skill in this musical short subject, which is entertaining for those who like the modern trend in song and dance. Among the specialty performers are Judy Staff, singer; Johnny O'Brien and his Har- monia's; Bill Bert, dancer; the Brown sisters, colored singers, and others. Running time, 18 mins.

"Bullets and Ballads"

(Universal)

In the setting of a dude ranch lounge, this musical subject pictures several singers who work in their own unique way, among them the Fleischers, chorus line; the Al Vincentes, chorus line; and the Cais Brothers, comedy dancers. Running time, 18 mins.

"The Fishing Bear"

(Harmon-M-G-M)

Here is one of the liveliest color cartoons in a long while. An old bear goes fishing for trout with a line called "troutie." The young fish see the box and want to become junior fishermen. Unusual subject matter. Running time, 9 mins.

"The Old South"

(M-G-M)

This "Miniature" tends to be more documentary in form than most of the series. The theme is that of the South struggling to gain a foothold, its struggle with the North, and its sub-

Judging of Quigley Awards Takes Today

(Continued from page 1)

in town for the judging will be: George C. Walsh, president of Netco Theatres, Augusta, N. Y.; Nat Holt, advertising manager of RKO Theatres, Cleveland; Harry F. Shaw, advertising manager of National Theatres, and Fay Fay, Theatres, Providence.

The luncheon program will be opened at 11:30, when the judging of the advertisements and material that will be judged will be set on individual numbered tables for the convenience of the judges. After the completion of the entries, the judges will set down their choices in order, the majority vote determining the winners of the Silver and Bronze Grand Awards selected from among those with the best records in the four quarters of the 1939 competition.

The next expected to be in Hollywood late in February or early in March as guests of Motion Picture Herald. Presentation ceremonies are to be held before a special annual committee, with plans also in work for entertainment of the winners by production executives and stars.

Among the box-office executives who will act as judges today will be:


Two More Defendants

N. Y. Supreme Court Justice Bernstein ordered NBC and Victor Talking Machine Co., Inc., to be added as defendants in the stockholders suit brought against the studio by Victor, Erido, Westphouse and A.T.T. Defendants are charged with transferring a large block of RCA shares without adequate compensation.

The following regeneration. Cotton, of course, is the key to the South's history. The way to separate the cotton from the seed and the discovery of the cotton gin highlight the interest. An interesting short. Running time, 9 mins.

"Know Your Money"

(M-G-M)

There are almost limitless exploitation possibilities on the latest issue of the "Crime Does Not Pay" series. Dealing with counterfeit money, the reel portrays the activities of a counterfeiter who is brought to justice and can be apprehended. In addition, the method of detecting bogus bills is briefly described. This short subject should draw at the box-office. Running time, 21 mins.
**Tips on Exploitation**

"Pinocchio" Opening

To Be Social Event

Exposition for the premiere, Feb. 7, of Walt Disney’s "Pinocchio" at the center, aims to have it treated as an "event" rather than a mere opening.

Fashion writers, society editors and reporters and feature writers, art and music critics among others, are being invited to cover the premiere. The Rainbow Room will stage a Pinocchio costume party and fashion show during the opening night and music from the picture will be featured by the orchestra.

More than 200,000 chain stores across the country are selling "Pinocchio" books, ranging in price from 10 cents to 25 cents, and given prominent counter and window display space.

Priests Invited To Review "69th"

SAN FRANCISCO, Jan. 29.—Fox Theatres has ballyhooed "The Fighting 69th," in which Pat O'Brien plays Father Duffy, the fighting chaplain, included a preview for 25 local priests, another preview for Interfaith representatives—ministers, rabbis, and other priests, and a trailer showing at a Northern California Irish-American rally held here.

Gifts for Babies

Plug "Child Is Born"

WAYSAG, Wis., Jan. 29.—Verne Roundts, manager of the Wausau, promoted free gifts from 16 local merchants in connection with an exploitation stunt for “A Child Is Born.” The gifts were presented for the first five babies born in Wausau after the start of the film at the theatre.

Original Costumes

Used in "Wind" Stunt

CLEVELAND, Jan. 29.—“Gone With the Wind” is being plugged here with display in a downtown department store of the original costumes, by Vivien Leigh and Clark Gable, including Scarlett’s green sprigged muslin dress and leghorn hat and Rhett Butler’s midnight blue dress suit.

Dogs as Prizes

In "Thin Man" Plug

COLLINGWOOD, N. J., Jan. 29.—A letter-writing contest was staged in conjunction with the showing of “Another Thin Man” at the Collingwood, Asta the Second—perfect image of the canine star—will be awarded to the school boy who writes the best letter, not to exceed 25 words, stating “Why I Want a Dog.” Wireless will be post-terminals of the contest as presented at a Saturday children’s matinee.

Selection of Couples

Used for "His Life"

PHILADELPHIA, Jan. 29.—Elmer Hollander, manager of the Stanton, sought the oldest and youngest married couples in Philadelphia for a private showing of "He Married His Wife." Selection of the couples was stressed in newspaper ads and lobby posters.

"Pinocchio" (Walt Disney-RKO)

(Continued from page 1)

conspire to form a work which is an eminent contender for the box-office honors gleaned by “Snow White,” largest grosser in the history of the industry.

Comparison is inevitable, the main point to be made in that connection being that both films share equally in their quality of tenderness conveyed through celluloid and in their ability to make an audience, even one expecting as much as did those present at the Hollywood press preview, view anything and everything save what they saw and heard in the theatre.

Technically, the film sets as much of a precedent as did its predecessor. No wavering figures betray an imperfectly sketched or inked outline, and the film itself is just as compact, as full bodied, as are its figures.

From the opening scene, with Jimmy Cricket turning the page of the book, "Pinocchio," to the ending which has him receive an 18-karat goldodge from the Blue Fairy for his work as Pinocchio’s conscience, there is a constant stream of audience delight flowing through such sequences as the bubble in the voices of Pinocchio and Jimmy when they are under water, the imaginative details of the clocks in Geppetto’s workshop, where Pinocchio was born. The personalities of Monstro, the whale; Lampwick, one of the bad little boys (and a noble tough one), who is turned into a donkey on Pleasure Island; Stromboli, the puppet master who imprisons Pinocchio, and the Fox, J. Worthington (Honest John) Foulfellow, who, with the aid of Giddy, an entirely different breed of cat from Figaro, twice leads Pinocchio astray.

The excellence and range of the color are no more strikingly apparent than in the scenes of the different regions, where Pinocchio and Jimmy have gone to look for Geppetto, Figaro and Cleo, who had been swallowed by the ferocious Monstro while trying, in turn, to find the puppet. The shadings and tints of the fishes they encounter in their search range the spectrum in a display rivalling anything the screen has produced.

Such songs as “When You Wish Upon a Star” and “Give a Little Whistle” among the five created by Leigh Harline, Ned Washington and Paul J. Smith are of a calibre guaranteeing their place among the most popular tunes of the times.

Aiding and abetting Disney in the creation of this third cartoon feature to reach American theatre screens, was a staff too numerous to list, consisting of 50 persons working in the various fields of animation and animation direction, backgrounds, art direction, music, character designs, story adaption and supervision of direction. Theatre men in every section of the country bid fair to hail them all, along with Disney, for the creation of characters demanding notice as among the greatest-office stars of 1940, while the world will certainly recognize their artistry.

Running time, 85 minutes. "G**, WALTER SEDLEN

**G** denotes general classification.

National Theatres

Officials Convene

HOLLYWOOD, Jan. 29.—The annual meeting of executives of the National Theatres Corp. started today at the Fox West Coast office with Spyros Skouras, who arrived from New York over the week-end with his brother, Charles P. Skouras, in charge.

Divisional chiefs Joseph O’Brien, Connolly C. Rhoden, Rick Rickerson, Frank Newman and Arch M. Bowles are here. Harry Cox, A. A. Boland, Norbert Pollan and Edward Zabel of the New York home office also are attending.

Zore Union President

SHEBOYGAN, Wis., Jan. 29.—Theatrical Employees Local B-105 has named new officers as follows: Frank Zore, president; H. C. Baumann, vice president; Nellie Lukis, recording secretary; William Kotnik, business agent and secretary-treasurer; Ralph Schallow, William Way and Joseph Heitzman, board of auditors; William Himike, Way, Zore, Kotnik and Baumann, executive board.

Wolcott Relected

By I. T. O. of Iowa

DE SOTO, Jan. 29.—Leo F. Wolcott has been reelected president of the Allied-Independent Theatre Owners of Iowa and Nebraska.

W. B. Franke has been reelected vice-president and Wayne D. Dutton secretary. Directors elected to serve until Jan. 1, 1943, were: E. M. Garbett, Jr., W. A. Dutton and E. W. Mason.

Drop Color for ‘Hawk’

HOLLYWOOD, Jan. 29.—Warners has abandoned plans for making “The Sea Hawk” to star Errol Flynn and Brenda Marshall in color. It will place the picture before black and white cameras Wednesday.

Charter Two Companies

Arlington, Jan. 29.—Chenerating Theatres, Inc., Elmira, N. Y., and Trident Film Corp., New York, have been incorporated, each with an authorized capital stock of $20,000.

Strong Competition

For Shorts Awards

Hollywood, Jan. 29.—Unusually stiff competition in two divisions of short subjects awards of the Academy of Motion Picture Arts and Sciences was revealed today with the announcement of the nominations made over the week-end by reviewing committees.

A tie vote in one red subject classification caused the nomination of four shorts—“Busy Little Bears,” Paramount; “Don’t Trust Your Heart,” RKO; “Profit Without Honor,” M-G-M, and “Swordfishing,” Warners. Only three have been nominated, the first time in the cartoon division where four were named. They are “Detouring America, Warners; “Peace on Earth,” Other Worke; “The Six of New York,” and “The Ugly Duckling,” Disney.

Two reeders named were “Drunk Driving,” M-G-M, “Five Times Five,” RKO, and “Roon of Liberty,” Warners.

Final voting will be done probably Feb. 10 and 11 at the Academy Reel Theatre by the judging committee.

Approximately 3,500 actors, writers, directors, producers and technicians are eligible, as are the academy members, for nominations for film achievements. Nomination voting closes Feb. 7, and results will be announced Feb. 12, according to present plans.

Cinema Lodge Will Honor Pool Feb. 8

Dr. David deSola Pool, rabbi of the Spanish and Portuguese Synagogue, will be guest of honor and Dr. Charles H. Johnson, past Grand Master of the Masons, will be the State of New York, will be principal speaker at a meeting Feb. 8 of the Cinema Lodge, B’nai B’rith, at the Edison Hotel.

Other speakers include Judge Myron Sulzburger; Louis, attorney, and Rabbi Aaron Ophier of the Hebrew Tabernacle. Harold Rosher of Warners is chairman of the program. A. W. Schwaberg will preside.

Members of the Lodge will attend a presentation of the Washington’s Birthday, sponsored by the Council of B’nai Brith Lodges, Feb. 25 at the Plaza Hotel. Principal speaker will be Secretary of War Harry H. Woodring, A. Mike Vogel of Motion Picture Herald is in charge of entertainment for the meeting.

21-Week ‘Harvest’ Run

"Harvest," French film, will set a record for length of run at the World Theatre when it completes 21 weeks on Feb. 25. It will be followed by “The Baker’s Wife” for an indefinitely engagement. Previous record hold at the World’s is "Traveling," which ran 20 weeks, after 26 weeks at the Filmarite.

Ellis to Philadelphia

Jack Ellis, president of the Motion Picture Associates, has been invited by a group of Philadelphia salesmen to attend a meeting there Feb. 17 and discuss with them the organization of an association similar to the M. P. A. Its purposes would be charitable and social.
Formula Drafted For Remittances

(Continued from page 1)

upon the amount of business done in England. The official figures cannot be revealed, authorities assert, because they are first subject to approval of the British Industry experts, however, estimate the approximate percentages as follows: Loew's, 25 per cent; Warner Brothers-First National, 11,500,000; Twentieth Century-Fox, 17.5 per cent; Paramount, 15 per cent; United Artists, 10 per cent; Columbia, 8 per cent; RKO, 6.5 per cent.

Using these percentages as a foundation, the approximate amounts to be withdrawn vary, of the foregoing seven companies would be as follows: Loew's, $4,370,000; Warner Brothers-First National, $1,500,000; Twentieth Century-Fox, $3,002,500; Paramount, $2,625,000; United Artists, $1,750,000; Columbia, $1,400,000; RKO, $1,137,500.

The amount to be withdrawn during the year ending next Nov. 1 was computed on each company’s share of the foreign business done in Britain during the past two years.

Under the agreement with Britain, the companies are entitled to withdraw up to 75 per cent of their year’s allocations in the first six months ending next May 1, and the balance during the second half.

Money equivalent to the domestic sales of British films which are distributed in the United States by any of the seven companies may be retained or retained, whichever the distributing company chooses.

As part of the agreement, the companies have advised British authorities that they will not restrict their exports of films to Britain and will not raise film rentals.

Retain Donovan Firm As Counsel for RKO

Donovan, Leisure, Newton & Lambard will continue as counsel for the new RKO company in its defense of the Government antitrust action, despite the fact that the law firm of Simpson, Thacher & Bartlett is counsel for the company.

Simpson, Thacher has been counsel for Irving Trust Co., RKO trustee throughout the reorganization, but in addition, was retained as special counsel for RKO in the Government anti-trust proceedings. It will continue in this capacity.

42 Additional ‘Wind’ Engagements Fixed

M-G-M yesterday set 42 engagements for “Gone With the Wind,” bringing the total thus far scheduled to 249 in 230 cities.

$75,000 was reported for the first four days of the run at the Fifth Ave., Theatre, Seattle, where the film opened last Thursday. The advance sale for the month, however, is the largest in the history of Seattle roadshows, according to the management, and the week run is anticipated.

In Pittsburgh, the advance sale at the Warner was reported as $30,000 when the film opened Friday night. Seats are being sold for the third week in February.

Woman Claims Total Of 1,000 Films Seen

Deaver, Jan. 29.—According to the claim of a Mrs. Deaver, the Colosseum Cinema in Pueblo, Co., she has seen about 1,000 pictures since 1912, and bas a clipping about each, together with the date, to uphold her claim.

High Court Defies, Backs FCC Power

Washington, Jan. 29.—Administative law experts are subject to court review, the U. S. Supreme Court declared today in an important decision defining the commission’s powers.

Decisions of the Commission may be examined by the courts to determine whether they comply with the Communications Act but the F.C.C. has sole power to determine whether an application for a license is for the “public convenience, interest or necessity,” the court held.

Associate Justice Frankfurter, who wrote the opinion of the Court, was in the District of Columbia Court of Appeals to dismiss writs of mandamus it had issued to Paul R. Hettmeier, applicant for a new station at Cheyenne, Wyoming, and the Pottsville Broadcasting Co. at Pottsville, Pa. The latter case had been before the courts since March 26, 1937, but was sent back because of an error in the interpretation of Pennsylvania law.

Philadelphia Trust Suit Is Postponed

Philadelphia, Jan. 29.—Anti-trust suit filed Jan. 3 by the Admiral Theatres against Warner Theatres, the major distributors and Robert Lynch, local M-G-M branch manager, today had its preliminary hearing postponed.

The Admiral, suing in Federal court, seeks treble damages totaling $225,000. The suit is a second anti-trust action, filed more than a year ago by Harry Fried, suburban exhibitor, is listed for hearing in Federal court Feb. 5.

Federal Tax Appeal Lost by Zasu Pitts

Washington, Jan. 29.—Zasu Pitts today lost her effort to upset a Fed- eral Court decision validating an income tax deficiency of $15,935 assessed against her by the Commissioner of Internal Revenue. When the Supreme Court rejected her appeal for review, the case involved a contro- versial point whether she had used a community of property between her and her former husband, Thomas S. Gallery.

U. S., Columbia Fight On Trust Quiz Today

Special Assistant Attorney General F. W. Smith, Jr., will conduct the Department of Justice’s appeal of the government in the argument of Columbia’s motion to vacate notice of examination of its officials before Federal Judge Boudy today. Wright arrived in New York Wednesday and went into immediate conference with William P. Farnsworth, head of the New York Anti-Trust Division.

Film Stars, Radio Back President’s Birthday Dances

The screen and radio are contributing in large measure to the President’s Birthday Ball celebrations which will center in Washington today.

Among film and radio personalities who are at the Capital and will make personal appearances at several hotels where dances will be held are:


WNEW will dedicate its “Dance Parade” to the Ball from 10 P. M. and 2 A. M. with twelve special programs for persons celebrating at home. Ap- pears will be made on each remote control of “You and Your Wife,” the Birthday Ball Fund to fight infan
tile paralysis.

“The Big Town” program on which Miss Munson plays with Edward G. Robinson, will be broadcast tonight from Washington.

The celebrations in eight key cities will be carried over WMCA from P. M. to midnight, and the celebration at the Waldorf-Astoria Hotel in New York will be broadcast over WNT from 11:15 to midnight. President Roosevelt will be heard speaking from the White House, WOR-Mural and the NBC and CBS networks likewise will cover the parties.

Path Takes Over Cinema Laboratory

Hollywood, Jan. 29.—Path Lab- oratories, Inc., of California, new affiliate of Path Laboratories, has completed the purchase of all the assets of the United Artists Laboratory and of all the films of Cinema Laboratories, Inc., in- cluding the plant here.

O. Henry Briggs, Path president, and Irwin J. Schott, director of the company, completed the negotiations here. The company now operates plants in New York, New Jersey and here. Briggs will report here to supervise expan- sion plans for the local laboratory.

Officers of the California company are: Briggs, president; T. F. Loach, vice-president; John Connors, treasurer; and, R. E. Young, treasurer.

Directors include the officers, with the addition of: N. A. Benjamin, Arthur Miller and Russell H. Bogus,

Census Takers

Columbus, Jan. 29.—A warning against photoshopped pictures of Federal census takers has been issued by the L.T.O. of Ohio. Mem- bers have been advised to ask for ID identification when any turn into clergics or others.

M-G-M Team Wins

The M-G-M basketball team de- feated United Artists by 52 to 19 at the Jacob Riis gymnasium.

Radio

Brevities

Novel Television Show

THE Don Lee television station, W6XAO, is preparing a novel tele- vision show with the master of cere- monies in New York and the rest of the show on the Coast. Where the former is located is to be done by film, of course. Harry R. Leap, manager of the station, came to town over the weekend to supervise the shooting. Morey Amsterdam, emcee on Mutti’s “Laff and Swing Club, shows,” is helping.

NBC also is experimenting with mak- ing films for use as part of a television show. A example is the practice when the Screen Actors Guild ruled that union conditions would have to be met.

Personalities in the News

Patrick Dolan, of the CBS publiciti- department, has been named sales pro- motion director of Columbia Record- ing Corp., Edward Wallerstein, presi- dent, announced yesterday. He will watch over all Columbia promotions . . . Rock Clark, the Bridgeport Post Sunday editor and radio columnist, starts a program of Connecticut and New York radio and television. . . . NBC newscaster, has com- pleted a sound track of a film for the Children’s Aid Society which will be shown at the Museum of Modern Art next Tuesday.

A ‘Murder’ at WEVY!

Many listeners of Gene King’s “Midnight Jamboree” over WEVY thought a murder had occurred at the studio one night last week when a phonograph needle jammed. King was playing a recording of Bonnie Baker’s “Oh, Johnnye, Oh.” The switchboard awoke suddenly until the needle stuck in the groove during the final “oh . . . oh . . . oh! The switchboard operator before King could remedy the damage.

Program News

WWSY, Pittsburgh, has begun taking Mutual commercials, starting with “Little Orphan Annie” from Jan. 28. . . . “Little By Little House,” new day- line script serial, is now ready for release by Kasper-Gordon, Inc. . . Joseph Sagemiller’s foreign news com- munity program over WKRK, Cin- cinnati, will be sponsored by Fenion United Cleaning and Drying begin- ning Monday.

War in Yanks-Giants Deal

WARC yesterday closed a deal for exclusive coverage of the home baseball games of the Giants and Yankees with R. J. Reynolds To- bacco Co. and NBC. The NBC Sunday games and the seven night games of the Giants will not be broadcast. The two companies have no night games on their schedule.

Dembow Takes Post

San Dembow, Jr., yesterday took over his new post as a Paramount home office theatre executive. He will share with Leon D. Netter the home office buying and theatre operations duties.
May 1 as Date
Of Trust Trial
Seen Unlikely

Bondy Hears Columbia's Fight Against Quiz

A delay beyond May 1 in the start of trial of the Government's New York anti-trust suit appears inevitable now due to delays engendered by the Government's failure to answer defendants' interrogatories and by its objection to the pre-trial examination of officers of defendant companies, legal observers asserted yesterday.

If the Government agrees to answer defendants' consolidated list of interrogatories, it will be given until March 1 to do so. The consolidated list has been approved by all defendants except Columbia and by New York representatives of the Department of Justice. It still must be approved by Washington.

If the Government does not approve the consolidated list it will have at least seven separate sets of answers instead of two to prepare. These probably could not be completed until after March 1.

In addition, the pre-trial examinations being sought by the Government cannot be concluded before April 1, according to their present schedule. Attorneys here are of the opinion that

Long Runs Reshuffle

Broadway Pictures

Continued run bookings of such pictures as "Gone With the Wind," "Grapes of Wrath," "The Blue Bird" and "The Fighting 69th," has caused a reshuffling of the old company-showcase notion on Broadway. Several films have been booked into theatres other than the usual first run outlets of the companies who have produced those pictures.

The extended run of "Gone With the Wind" at the Capitol, now in its seventh week, has resulted in M-G-M's "The Shop Around the Corner" playing the Radio City Music Hall, "Judge Hardy and Son," another M-G-M film which ordinarily would play the Capitol, is in its third week at the Criterion.

Warner's "The Fighting 69th" is set at the Strand for three weeks and possibly four. Another Warner picture, "Brother Rat and a Baby," is at the Roxy for a week, although the

Neely Bill Hearings in March

Washington, Jan. 30.—Tentative plans have been made by the House Interstate Commerce Committee to hold hearings on the Neely block booking bill in March, it was learned today.

Members of the Committee explained that since the oil and rail hearings are scheduled in February, it will be impossible to reach the film legislation until several weeks afterward.

Any hearings that are held, it was said, will be before the full committee rather than a subcommittee, so that all members may have first hand knowledge of the situation when called upon to deal with the bill.

Quigley Awards Acclaimed
As Leaders Judge Entries

Contest Has Big Values,
Schine, Wobber and
Goldberg Agree

The Quigley Awards competition for showmanship was lauded as an incentive to theatre men to obtain maximum box-office results by speakers at a luncheon at the Hotel Astor yesterday in connection with the judging of the sixth annual Quigley Grand Awards, conducted by the Managers' Round Table Department of Motion Picture Herald.

More than 30 distribution and exhibition executives attended the luncheon. Martin Quigley was toastmaster. The speakers were Louis W. Schine, vice-president of Schine Enterprises, Inc.; Herman Wobber, general manager of distribution of 20th Century-Fox, and Harry Goldberg, director of publicity and publicity of Warner Theatres.

In opening the luncheon program, Quigley said:

"Unless great intelligence and effort is put behind the vast quantity of film which the theatres must play, it

Miami Beach to See
'New York' Tonight

MIAMI BEACH, Jan. 30.—"Little Old New York," 20th Century-Fox production, will have its world premiere at Wometco's Lincoln here tomorrow night, with kickoff lights and all the trimmings.

Many industry executives, here for winter vacations, will attend the $2,200 reserved seat premiere. The newly elected "mayor" of "little old New York," selected in a contest sponsored by the Miami Daily News, will be presented from the stage immediately prior to the opening. A dozen New

Molly Picon Slated
For Play in English

Marking her first appearance in an English language play, Molly Picon, Yiddish actress, will portray the starring role in "Morning Star," by Sylvia Regan. George Kondolf, formerly director of the New York Federal Theatre Project and prior to that director of the Chicago Project, will produce the play, slated for opening about the middle of March.

Television All Set For Going On Network!

N.Y., Washington, Boston
Link Now Possible

Television is ready for network transmission, RCA announced yesterday.

Radio relay systems which can transmit the television signal have been developed and are ready to be placed in service. Officials were non-committal on when the system would be placed in operation. It is understood, of course, that all future innovations in the television industry are awaiting the outcome of the F.C.C. hearings on the fixing of standards.

RCA engineers declared that it is now possible to set up a radio relay system linking New York with Washington and Boston and intermediate cities. Similar systems could be worked out in other sections. However, even with a limited Washington to Boston hookup, one-sixth of America's population would be served.

Each relay station has both receiving and transmitting devices and is mounted on 100-foot towers. They

FCC in Television
'Lab' Tour Today

WASHINGTON, Jan. 30.—F. C. C. officials tomorrow will leave Washington for an inspection of television laboratories to witness demonstrations of new developments.

The group will spend Thursday in Albany and Schenectady, seeing a General Electric rebroadcast of New York television, and the Poughkeepsie-Newburgh area, where RCA will

$20,000,000 Budget
For 48 RKO Films

Hollywood, Jan. 30.—RKO plans to produce 48 pictures next season, involving an expenditure of approximately $20,000,000. George J. Schaefer, president, disclosed yesterday upon his return here from La Quinta, where he held production conferences with Ned E. Depinet, vice-president, and Harry Edington, studio executive.
MIAMI BEACH TO SEE ‘NEW YORK’ TONIGHT

(Continued from page 1)

York notables now here have been nominated.

Among industry executives scheduled to attend are:

A. H. Blank, Nicholas M. Schenck,
Major Albert Warner, N. L. Nathan-
son, Harry Brandt, William Brandt,
E. J. Sparks, Frank Roger, Leo Spitz
and Norman Moray.

Also Herman Robbins, George Skorik,
Ben Sherman, George Weeks,
Harry Ross, Louis Frisch,
M. B. Shaberg, Martin Mullin,
Sam Pinanski, George J. Schaefer,
and Sidney Meyer and Mitchell Wolfson,
operators of the Lincoln and the
Wometco circuits.

Others will include: Jack Denney,
Milton Berle, Sheila Barnett, Hildegard,
Harry Richman, Tomy Martin,
Abe Lynman, Joan Abbott, Kay Kyser,
George Jessel, Alan Abel, Henry
Dunn, George E. Price, Frances Faye,
Paul and Grace Hartman, Eddie Garr,
Verna and Buddy Eisen and Jay Clarke.

Carl Erbe of the field exploitation
staff, and Christy Wilbert of the home
circuits, have been assisting Sonny Shep-
heard in the advance campaign.

RKO CLOSES DEALS WITH 239 THEATRES

In the final week of selling prepara-
tory to the Xed Deipoline billings drive
RKO has closed in on 239 circuits
including 219 theatres. The deals practically complete the company's major circuit selling for the 1939-40 season.

PROUD WORDS: "I FELT UNITED"

Distinguished overnight sleeper and scenic day-
light flights to L.A. ANGELES. “The Continen-
tal,” leave 5:15 p.m., and “The Overland
Flyer,” leave 10:45 p.m. finest meals afloat. Call travel agents, hotels or
UNITED AIRLINES
54 E. 42nd Street
Phone MU-2730

 Purely Personal

DAVID BERNSTEIN, treasurer
of Loew's, Inc., is vacationing at
St. Petersburg, Fla.

PHILIP SHERRIN, former
sales manager for Warners Toronto
exchange, has been promoted to
branch manager of the company's Montreal
office. He replaces M. J. Inman.

JACK D. MARPOLE, National Screen
Service representative, and Mrs. Mar-
pole are the parents of a girl,
JACKLYN ALMA, born at St. Mary's
Hospital, San Francisco last week.

JENNY BERNHARD, CHARLES SONN,
STANLEY GIFFORD, OTTO PREMINGER,
LOUIS PHILLIPS, MORRIS GRET, AUS-
TIN KROUG and DENNIS KING
hurrying at Safdie's yesterday.

GEOSE J. SCHAEFER left by plane
from the Coast to New York for a
hurried trip to New York. He
plans to stay only a few days.

MORRIS WOLF, counselor for the
Warner circuit in Philadelphia, has
been appointed special counsel for Phi-
adelphia closed circuit.

EDGAR SONTZ, salesman with The-
et Poster Supply Co., Cincinnati,
has been called to St. Louis by the
illness of his father.

E. J. TILTON, manager of Republic
Midwest exchange in Des Moines, is
in a local hospital recovering from
an appendicitis operation.

Cecil Cude, exhibitor of Arkad-
phia, Ark., has been named president
of the Arkadelphia Chamber of Com-
merce.

FRED WARNER, projectionist at the
Paramount, New Haven, is en route to
Florida for a month's vacation.

HERMAN RIFF, head of Liberty
Theatre Corp., Boston, has left for
Miami to join his family.

WILLIAM F. ROGERS, general sales
manager of M-G-M, is at home suf-
f ering from the grippe.

WILLIAM SIRGICA of the Lido,
Waterbury, Conn., will leave for Ha-
vana next week.

MARY HOWARD is due here today for
a vacation after attending the Presi-
dent's Ball.

DARFY F. ZANUCK has renewed the
contract of Director IRVING Cum-
MINGS.

CARL ROGERS, assistant manager
of Loew's, Harrisburg, is vacationing
here.

BENNETT F. ZIEBMAN is in town,
spending the week-end.

LOU WINTERING of Columbia has
returned from Miami.

GENE BUCK, president of Ascap, is
in Arizona.

OWEN DAVIS, MAX DREYFUSS, TED
O'SHRA, SAM SHAJN, TOM COSNORS,
A. P. WAXMAN, MAX A. COHEN,

Coast Flashes

Hollywood, Jan. 30.—At his own
request, Edward O'Dowdov has re-
turned to the writing ranks, after
producer-brother on “Man From
Dakota.”

In a new trend to get “name writers”
to script the Hardy series, M-G-M
has signed Katherine Brush to write
the forthcoming film, ninth in the
series.

“Person of Panjmir,” Saturday
Evening Post story by Peter B. Kyne,
was purchased today by Paramount
as a Harry Sherman production.

Warners is asking 100 American
scientists to name subjects on scien-
tific discoveries and advances which
will be filmed. Ten of these will be
produced.

Newcastle Anti-Trust
Heard Set Friday

Louis D. Frohlich of Schwartz &
Frohlich, Columbus, and John
Caskey of Dwight, Koegel and Cas-
key, counselor for 20th Century-Fox,
will leave for Nashville today to at-
tend the hearing in U. S. District
Court there Friday in the Govern-
ment's action against the Atlantic
Amusement Co. and the major dis-
hurt.

Hearing is the first to be held since
the beginning of such early last Sum-
mer. Defendants will argue motions
for bills of particulars from the Gov-
ernment, for a more detailed bill of
complaint and will ask 40 days addi-
tional time in which to file answers.

Lincoln' Preview

Brings Out 1,500

An exhibitors' preview of RKO's
“Abe Lincoln in Illinois” attracted
1,500 persons yesterday morning
to the Hollywood Theatre on Broad-
way.

Among those present were: RKO's
Robert D. Miskel, New York branch
manager; Max Gordon, co-produ-
cer; Elmer Leader, manager of the
Walter Reade Circuit; Walter
Flint, who has had Henry B.报
Kiner, George Haas and Harold Rinder,
To-
Betre Circuit; Arthur Mayer and George
Hoffman of the Rialto Theatre; Charles
Hester, manager of the Lincoln circuit;
Lawrence Bogino and Al Suchman,
Consolidated Cines; Abe Left, Bronx Theatre;
Morris Jacks, Mr. and Mrs. Lefty
Watson, Reade Circuit; J. Thompson and
Harold Klein, Cocalis Circuit; Al Lewis and Fred
Schwartz, Century Circuit; David Wem-
stock and Emanuel Hertzig, Raytheon
Circuit.

Also Oscar Larger, Charles Moses
and Herman Pett, Moses Circuit;
Mayers Mc-
Mahan and Doceer of Montclair and Cald-
well, New Jersey; Otto Retig, Ormone
The-

Lyric Company; Mr. and Mrs. Levis; A.
Hochberg, Associated Theater Owners
of New Jersey; Mr. Snapper, Snapper Circuit;
Maurice Sperlet, Carteret Circuit; H. B.
Frank, Levis Circuit; Bob Spooner, Mr.
Krieff and family, Krieff Circuit; Dave En-
mont, Newbury Circuit.

RUSSELL HOLMAN, ED SAUNDERS and
WILLIAM MORRIS, Jr., at Nick's
Chez Paris, Third Floor Room in the Astor
for lunch yesterday.

Mr. and Mrs. Arthur M. Lom
left yesterday for the New Orle-
ans Mardi Gras, to be followed by a
motor trip to the Coast.

HAROLD GOLDGRABEN, New York
office manager for M-G-M, observes a
birthday today.

Newsreel Parade

The City of Flint's arrival at Bal-
timore and its capture of dramatic conten-
ental news story has Peter B. Kyne.
This final release features the new issues of the newsreel, out yesterday. Reels and their contents follow.

MOVIE TONE NEWS, No. 41—Flint
returns. Social Security checks mailed.
Deer released in Virginia forests. Dog show
in Yonkers. Annual dinner of the Ameri-
канк Coast. Skating meets. Gymnastics at An-

cient Olympic Games. Telephone jockey
in Lew Lez.

NATIONAL NEWS, No. 287 —Flint
ends voyage. President receives birthday
representation of Social Security checks.
King and Queen of Sweden. D. U. Michi-
gan State basketball. Navy gym team
in action. National Skate Championships
in Grosse Pointe. "Cousin of The Angel," wrestling
matches.

PARAMOUNT NEWS, No. 44—City of
Flint ends hectic trip. William Green
generates birthday cake for Roosevelt. Ten-
ant sitter. Canadian Parliament closes.
James Connell arrives in Canada. Blimp
rescues marooned men in Chesapeake Bay
ice jam. Speed skating championships at La
Salle. Madison in gymnastic training.
"The Angel" wins wrestling bout.

RKO PICTURES NEWS, No. 56—Cir-
cus hits Flint. First snow in 1940.
Art exhibit in London. Navy begins Winter
sports carnival at St. Paul. Mail bus,
Monthly old month's issue of "The Anger".
Navy band sends first Christmas card to
external team prepares for competitions. Skating
league.

UNIVERSAL NEWSREEL, No. 845—City
of Flint arrives in port. Test new trans-
port plane. President gets birthday cake.
Italian art on display in New York. Dog show
Ice skating championship in Brown.
Navy gymnastics.

Party for U.A. Stars

A cocktail party for Madeleine
Carroll and Brian Aherne will be held
tomorrow afternoon in the studio apartment of Radio City Music Hall,
with G. S. Eysel, Music Hall secretary,
acting as host. The film players are
starred in "My Son, My Son" and "Edward Small-United Artists productions.

A. L. ROBARGE DIES

TOMAHAWK, Wis., Jan. 30.—A. L.
Robarge, Charles renal, publisher and
film exchange operator, died here
yesterday. Robarge was associated
with theatre business for 24 years in
Wisconsin and served on the former state
administration board for industry.
Survivors include his wife, a son and a daughter.

MOTION PICTURE DAILY

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ent, Bronson M. mangual, manager; William B.
Weaver, Editor; London Bureau, 4 Vienna Square, London, England, manager; cable address, "Quigpurb, London.
" A. Quigley, Managing Editor. Published by Quig-
ley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Trade and Novelties, International Motion Picture Al-
Subscription rates per year $6.00 in the Americas and $12 foreign. Single copies 10c.
THIS LINE IS AT THE STRAND N.Y.

5th Day and 2-Block Lines Still Have 2-Hour Wait. Same Screaming Story in All Other Spots! Above Everything Even Where Thermometer Is Below Zero!

BROTHER RAT AND A BABY

ROXY N.Y.

Over 6000 Seats To Be Filled and 'Brother Rat And A Baby' Did It in the First Half-Hour of the First Day! Take the Big Tip!

THIS LINE EXPLAINS IT!

WARNERS for Showmanship!
DO YOU COUNT SHEEP AT NIGHT OR LIONS!

"One-two-three-four-five-etc.-etc."
M-G-M SHOWMEN ARE LIVE-WIRES IN THE DAYTIME BECAUSE THEY SLEEP PEACEFULLY AT NIGHT!
Neely Debate
By Schaefer
And Myers

(Continued from page 1)

Myers following the debate and on the basis of comments heard, a high official of the Screen Writers Guild predicted that the vote would be against the Neely bill.

Myers, first to speak, offered three principal reasons why he believes writers should support the measure. He said:

"Selshly, because the legislation will entangle the opportunities for creative work and will enable meritorious screen writing to receive recognition which is denied it under the present law.

"Finally, as a bow to the inevitable, since the bill is based on broad, general movement toward decentralization in the industry that is already gained some momentum and that it cannot now be arrested."

Abraham F. Myers

Neely contend that screen writers should find the Neely bill very attractive since it holds out numerous benefits to them.

Sell Films on Story Content

The importance which the measure would place on synopses, he argued, "should give writers, or some of them, new standing and dignity."

"Under the Neely bill," he said, "pictures will be sold on the basis of story content; writers will become personalities and will be distinguished from cameramen, technicians, costumers and purveyors of boots and shoes in screen acknowledgments."

Moreover, successful writers will attain greater prestige and their work will be of immense value to themselves and to the companies bidding for their services.

Schaefer reduced the Neely bill consideration to four points, namely:

Shall the industry be hampered by Government regulation? Shall we have Government regulation of selling? Shall we have such regulation if it hampers production and retards and suppresses free expression? Shall we have Government regulation, unintelligent if you please, which favors the business and hobbles the producer and seller?"

Fights Government Regulation

Answering these questions, Schafe- er said that he believes films "sufficient unto itself to say that when you once permit the Government to regulate this or any other business, it is just the beginning of a reign of red tape which will extend to every possible detail."

"We have all had some experience with Government bureaucracy," he said. 

"Swiss Family Robinson"

("Play's the Thing—REO)

The famous novel by Johann David Wyss of the early 19th Century English family cast away on a Pacific island, has been brought to the screen as the first production of Gene Towne and Graham Baker's The Play's the Thing Productions.

Wyss' novel, read by millions in earlier generations and still a notable volume among cherished treasuries of film which the whole family can enjoy. Somewhere in the heart of every man in today's civilization must be a desire to "get away from it all," to settle in a far-off place, where there is peace and contentment.

To those men and women who have this desire the picture will have a special appeal. Those who associate that as its theme, place the origin of the story. Towne and Baker, who produced the film and prepared the screenplay with Walter Ferris, and Edward Ludwig, who directed, have contrived to provide action and excitement in well-paced sequences to carry the story along rapidly.

Thomas Mitchell, as the father, handles his role with splendid creditability. It is a fine portrait of the strong-willed man who rebels at the wistred existence of the age, and makes a new life for himself and his family on the island. The other players in the small cast are all excellent: Edna Best, the mother, and the sons, Freddie Bartholomew, Terry Kilgore and John Holt and hobby Quillian.

The family, especially Miss Best, rebel at Mitchell's insistence on leaving England for the colonies. Shipwrecked, they alone survive, make a home on the fertile island. In time they all learn the contentment of peace and hard work. When rescue comes, only the two eldest sons leave reluctantly to take their places in the world, the rest of the family remains.

Given an elaborate production, the film is aided by the musical arrangement based on Franz Schubert's "Quartette in A Minor," and offers a different and appealing item in screen merchandise for the family.

Running time, 93 minutes. "G."**

Charles S. Aronson

*G* denotes general classification.

said, "We know from experience that once regulations are once amended and again amended until the business is so hampered and harmed by regulations and amendments that in many cases it is almost impossible to function without securing the approved of department heads.

"Government interference by regulation in the motion picture industry can ultimately, if not fairly and honestly considered and approved, have tragic significance to the industry than to most any other industry.

Assaills Bill as 'Theory'

Schaefer traced the development of the present distribution system through the years of the industry's growth, pointing out its relation to the film price system and the theatre ticket price system. He said the bill attacks the fundamentals of these systems, which were the outgrowth of experience and years of competition, and seeks to replace them with a third code.

"Most important of all," he said, "is the Neely bill's attempt to impose immovable price regulations on distributors. The bill prohibits us from selling our product to the best of our ability and, I believe, would never take away our control and hampers the American system of free enterprise."

Cools Prevention Panic

GOLDEN SOLE, N. C. Jan. 30.—Pro- jectionist Dan Truthood recently prevented a possible panic when fire started burning boxes in a theatre in the state. Truthood walked to the center of the stage and in a calm voice said: "There's a fire in the theatre and building quietly."

Not until after the building had been emptied of its 400 persons did the audience know the theatre was afire.

Truce in Television Jurisdiction Fight

A six-month armistice was declared yesterday in the jurisdictional dispute between actor unions over television. Negotiations are expected to start within a few weeks for wage standards as a result of the compromise.

Actors Equity, which claims exclusive jurisdiction over the new art, accepted terms presented by American Federation of Radio Artists and Screen Actors Guild which will permit all three unions, together with Chorus Equity, to exercise a joint jurisdiction.

It is reported that the unions will not seek a written contract at the present time. A.F.R.A., has been insisting that a contract obtained under the present experimental conditions might have an adverse effect on agreements which will be sought when television goes commercial.

Instead, a "bulletin board" agree- ment or an exchange of letters, will be requested. In effect, such an agreement would provide wages at a certain level and permit free negotiations at a later date.

He is Ohio Broadcaster

Vernon H. Probst, manager of WTAM, Cleveland, and the Cleveland division of NBC, has been elected president of the Ohio Broadcasters Association. Felix Hjkide, general manager of WHBC, Canton, has been named vice-president, and B. A. Man- ring, of WHK, Columbus, has been named secretary-treasurer.

May I as Date Of Trust Trial Seen Unlikely

(Continued from page 1)

final arrangements for the start of trial cannot be completed in the single month remaining.

A delay of any length after May I would put off the start of trial until next fall because of the Federal Court's unscheduled time off from July until September and the unwillingness on the part of defendants to secure an extended trial of this kind just prior to the Summer adjournment.

Judge Bondy, president of Columbia, to testify in New York in response to the government's demand would create a precedent that would give the government the power to cause "a terrific amount of annoyance and harassment" in sub- sequent cases, Mr. Probst contended.

Judge Bondy was told yesterday on Columbia's application to vacate the government notice of examination of Columbia officials.

Louis Frohlich, attorney for Co- lumbia, argued that Cohn as a Coast resident is entitled to court process. Special Assistant Attorney General Robert L. Wright contended that Cohn as an individual defendant in the anti-trust suit could be required to testify in New York.

Frohlich also asked for an order vacating the notice of examination of Jack Cohn, vice-president of Columbia, and Abe Montague, general sales manager, asserting that the govern- ment had failed to answer Columbia's interrogatories.

Judge Bondy, on reserving decision, indicated that he may not require Cohn to travel here from the Coast. He questioned Wright closely on the feasibility of examining Cohn in Calif- ornia. The government argued strongly against the court's suggestion and contended that the convenience of the court and of attorneys required an examination in New York.

During argument, Judge Bondy sug- gested that Judge Henry W. Goddard who will try the suit should hear all preliminary matters. Frohlich, however, asked the court to take this application under consideration because of the short time until the scheduled examinations on Feb. 5.

The government yesterday filed no- tices declaring that Judge God- dard on Feb. 6 for an order vacating the 89 interrogatories served by Co- lumbia. The motion followed a re- fusal of the government to grant further extensions of time to the government to file objections.

Long Runs Refushe Broadway Pictures

(Continued from page 1)

Roxy is the 20th Century-Fox outlet. Other 20th Century-Fox films are shown at other theatres. "Grapes of Wrath" is in an indefinite run at the Rivoli and "The Blue Bird" is roadshowing at the Lid."n

In addition, Paramount's "Remem- ber the Night" enters its third week at the New Amsterdam. The new "IV Has Wings," United Artists film, is at the Palace, in its second week, and "Universal's Green Hell" is at the Rialto.
A Private Nurse Says:

“It takes a lot to make me love a man in the face of all I know about them!”
THE AUTHOR OF "THE CITADEL" reveals the intimate secrets of a private nurse, in a drama more absorbing than his first great success—the story of two sisters who braved a ruthless code to find the love their spartan calling would deny them! Played by three great stars with a brilliance that fires flesh and blood into the most sensational serial published by Good Housekeeping Magazine in years! . . A dramatic flame to blaze new box office wildfire everywhere.

"VIGIL IN THE NIGHT"

From the New Best-Seller by A. J. CRONIN

with JULIEN MITCHELL· ROBERT COOTE· BRENDA FORBES· PETER CUSHING

Produced and Directed by the man who made 'Gunga Din' GEORGE STEVENS

PANDRO S. BERMAN in Charge of Production · RKO RADIO PICTURE

Screen Play by Fred Guiol . . . P. J. Wofson . . . Rowland Leigh
Sees New Art
In Programs
On Television

"Television should not attempt to excel or imitate any prior art in its program materials. It must develop its own techniques," says Harry R. Lubcke, director of television for the Don Lee Broadcasting System, who is in town for a few days after attending the F.C.C. hearings in Washington.

Another format of programs is due to change and a new style will be developed in the same manner that radio introduced new entertainment standards," he asserts. "It is the most difficult theatrical task ever undertaken."

Programs With Variety, Pace
Lubcke believes that a video program should have the flavor of an automobile show. The Don Lee station, W6XAO, in Los Angeles, uses a singer, a short playlet, a dance, and an educational film, all on one program.

There have been about 25 advertisers on W6XAO. The longest regular program was a network show which was telecast for nine days.

Lubcke is now experimenting with the simultaneous telecasting of a show which is being seen and heard and has had good results, he says.

300 Sets in Los Angeles Area
There are between 300 and 400 sets in the Los Angeles area at the present time, but he believes several days away that the market of prices and increased dealer cooperation will greatly increase the number sold within a short while.

W6XAO started operations on Dec. 23, 1931, and has been on the air ever since. About 2,500 programs have been aired for a total of about 5,500 hours. A total of 11,000,000 feet of film have been telecast. Formerly, the Don Lee station was permitted to use only company-owned pictures, but this is restricted to commercial and educational pictures. Programs are transmitted daily except Sundays, Saturdays, and other days, for a total of nine evening hours and three afternoon hours. Every three-quarters hour devoted to live talent shows and the remainder are from film.

Goldwyn Will Film
Maugham's Novel

Hollywood, Jan. 30.—Samuel Goldwyn today announced that he now has three new pictures in preparation, with the start of the adaptation of Somerset Maugham's "Macbeth," which will be retitled "Tahiti."

Jon Hall and Dorothy Lamour will be starred.

Other Goldwyn films in preparation are "The Little Foxes" and "Black Gold." Arthur Caesar, well known writer and formerly press agent for the New Zealand government, has been hired for the adaptation of the Maugham novel.

One Munson Honored
Ona Munson, who plays Belle Watling in "Gone With the Wind," will be guest of honor at a press dinner at the Hotel Towers, Brooklyn, tomorrow night before the opening of the film at Loew's Metropolitan Theatre.

Radio

Brevities

The Jack Benny program has again risen to top place among commercial network programs with a rating of 41.4, according to the report issued yesterday by Cooperative Analysis of Broadcasting (C.A.B.). Bergen and McCarthy are now in second place with a rating of 40. Neither program, however, has received any new entries.

The show dropped only two points in changing from a full hour to a half-hour show.

Lowell Thomas has hit an all-time high for his career with a rating close to 20, fully 30 per cent ahead of the commentator in second place.

Kraft Music Hall, with Bing Crosby, Bob Burns, Johnny Trotter's band and the Music Makers, leads the full hour shows with 34.5, and is closely followed by the Lux Radio Theatre.

Weather conditions are probably the cause of the unusually high ratings some of the shows on the air are obtaining these weeks.

Personalties in the News

"Humanizing Publicity" is the subject chosen by William Kostoa, NBC manager of the press department, for the addies to the recently held Conference of the American College Publicity Association at Springfield, Mass., this weekend. "Bela Ban's of "The Hit Parade" has been chosen "The Valentine Girl of 1940" by Tele- graph Delivery Service, national or- ganization of telegraphers.


Bruno Walter will conduct the NBC Symphony Orchestra for five concerts beginning Saturday evening.

Eddie Green, comedian, joins "Quarter Party" cast beginning Monday.

Telecast Uses Film Technique

Documentary technic used in historical films will be employed by the Baltimore & Ohio R. R. tonight over NBC and KDKA over NBC R&W radio over W2XBS at 8:30. Since this is a commercial program, it will be watched closely to determine whether this type of show is an effective medium for a sponsor.

Program News

Six new members have been added to the cast of "Manhattan Mother" to make a total of 11 permanent members, one of the largest casts used on daytime shows. New additions are Ethel Owen, John Davenport Smy- mon, James Von Dyke, Eleanor Phelps, John Anthony, and Eric Dresler, George A. Hornel co. has extended its contract for an addi- tional month. "Milburn Gets His Man in Hollywood" over CBS; Charles Strooker, CBS director of agricultural programs, has added "The Country Journal," is now offering two $5 prizes for letters on agricultural problems. I. J. Fox has renewed its participation in "Million Dollar Music" for an additional 26 weeks. Mary Martin and Dick Powell will play for "Stage Door Canteen" cut to a half-hour on March 7.

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Quigley Prizes Hailed as Boon To Film Trade

(Continued from page 1)

is impossible for this industry to exist in its present scope and purpose. Present are four exhibition leaders whom Quigley described as “friends of the Awards contest.” They are: W. W. Bultman, President and general manager of Buffalo Theatres, Inc.; George Walsh, Netco Theatres, Detroit; Edward M. Fay, Providence, R. I., and Alex Manta, of Chicago, president of Indiana-Illinois Theatres.

Introducing by Quigley as “a distinguished personality of American exhibition.” Schine declared:

“The Managers’ Round Table plagues that we see in theatres have a great significance. They are an incentive to us to do better work, to go out and accomplish things.

Defines ‘Real Exploitation’

“It is easy to go after the ‘naturals.’ We train our managers to exploit not only the ‘natural’s but the films which present a problem. If a manager can exploit a picture with the expense and bring money to the box-office, thereby, that is real exploitation.”

Wobber also observed that if the results of production and distribution were carefully analyzed, it would be shown that pictures are far from a poor return. “The manager needs the input provided by the far-reaching results of the Managers’ Round Table and the Quigley Awards,” was cited.

Film Stars Guests

At the White House

WASHINGTON, Jan. 30.—Motion picture stars here for the President’s Birthday balls today were guests of Mr. and Mrs. James Gagney, whose atmosphere was the White House, as the President led aside all possible duties to indulge in quiet celebration.

More than a score of film celebrities and the wives of several stars attended the luncheon, at which also Mr. and Mrs. V. S. Ross, Roosevelt, Jr., G. Hall Roosevelt, District of Columbia officials and members of the White House staff.

Among those attending were Gene Anwy, Mr. and Mrs. William Boyd, and Mr. and Mrs. James Gagney, Winston Forest, and Janice Rule. Gray, Oliva De Havilland, Edward Everett Horton, Mary Howard, Gloria Jean, Brenda Joyce, Richmond B. Keph, Kay Kyser, Dorothy Lamour, Elsa Lancaster, Osa Munson, and Mrs. and Pat O’Brien, Walter Piven and Charles Vineyard, and Charles Power, Mr. and Mrs. Edward G. Robinson, and Mickey Rooney.

Dannenberg Claims G. N. Was Insolvent

Joseph Dannenberg, attorney for the Procter of Grand National Pictures, has attempted to obtain an admission from Earl W. Hammons, former head of G. N., during examination yesterday, that he had been insolvent during the greater part of its operations.

Dannenberg thus sought to throw doubt on the validity of a number of transactions between G. N. and Educational Pictures. Hammons insisted that G. N. was solvent in spite of losses of $4,500 weekly.

Blumenstock, Warners; Charles Casanova, Advertising Accessories, Inc.; Lowy, Jack, Monarch Theatre, New York; Jack Cohn, Columbia president; Al Deane, Paramount; Sam Denby, Jr., Paramount; Oscar A. Rand, RKO; Jack W. Levy, Fox; Harry A. Gold, Warners; Alexander Sussman, Davis; Edward D. Lathrop, United Artists; Willard Braden, Cinemac Universal; Irving Lesser, Roxy Theatre; Cliff Lewis, Paramount; Charles E. McCarthy, 20th Century-Fox; J. A. McCarthy, Universal; S. Barret McCormick, RKO; Harry Mandel, RKO; Alex Manta, Indiana-Illinois Theatres, Chicago; Arthur Mayer, Rialto Theatre.

Also John J. O’Connor, RKO Theatres; Louis Pollock, Universal; Louis W. Schine, Schine Circuit; Milton Silver, National Screen Service; William Stussman, 20th Century-Fox; George Walsey, Netco Theatres, and Herman Wobber, 20th Century-Fox.

Other whom attended the luncheon were Don Veides, Advertising Accessories, Inc.; Hal Young, National Screen Service; and representatives of the following film companies, including Colvin W. Brown, A-M MacBeth; Sam Shain, Martin Quigley, Jr., James A. Cron, Leo Brady, Gertrude Merrill and Theodore J. Sullivan.

Cashier Saves Cash

Toronto, Jan. 30.—Helen Nicholls, Leow’s theatre cashier, is a girl who believes in using her eyes. She brought about the arrest of a member of a gang which has been victimizing merchants by passing Mexican 20- peso notes, which are similar to Canadian $20 bills.

Legion Approves 12 of 13 New Films

National Legion of Decency has approved 12 of the 13 films reviewed for the current week. Eight are classified as objectionable for general patronage, four unobjectionable for adults and one objectionable in part. Films and their classification follow:


Class A-2, Unobjectionable for Adults—“Farmer’s Daughter,” “Honeymoon Deferred,” “I Take this Woman,” “My Son, the Sull.”

Class B, Objectionable in Part—“Secret Four.”

Open Canadian Exchange

Toronto, Jan. 30—E. M. Young, Toronto financial man, has joined J. A. Davidson, film salesman for 27 years, in the formation of a new film exchange, Regent Film Co., here, for the distribution of independent pictures.

Trade Board Gets British Film Report

LONDON, Jan. 30—Films Council today adopted and sent to the president of the Board of Trade for examination and approval the report of its committee on film legislation.

Committee members have expressed themselves as hopeful of Government acceptance in view of the apparent attitude of many officials, which seems as foreboding that an agreement.

Recommendations in the report for a Film Credit Bank will necessitate consultation with Treasury officials and their approval. However, their acceptance of the plan is considered likely in informed quarters.

It is considered certain that the president of the Board of Trade will call the various trade groups to ascertain their views and suggestions.

Associates to Install Ellis, Others Feb. 20

Jack Ellis of RKO remains president for a third term of the Motion Picture Associates, it was decided yesterday. Ellis and other officers who were elected Jan. 16 will be installed at a luncheon meeting at the Hotel Astor Feb. 20.

Morris Sanders, on behalf of whom several friends contested the election, urged at the board meeting that the objections be withdrawn. He said, however, that by-laws governing elections should be amended to prevent ambiguity in the result. William Stein, exhibitor, president at the meeting.

The recent election resulted in 62 votes for Ellis and 61 for Sanders.

WOLF OF NEW YORK

“I ask you not to condemn an innocent man to death for any lack of confidence you may have in me.”

EDMUND LOWE • ROSE HOBART

JAMES STEPHENSON • WILLIAM DEMAREST

ANDREW TOMBS • BEN WELDEN
Act to Settle Philadelphia Trust Action

Terms By Feb. 5 or Will Press Suit, Says Fried

PHILADELPHIA, Jan. 31.—A monopoly suit instituted more than a year ago by Harry Fried, Philadelphia suburban exhibitor, against Warner Bros. circuit and the major distributors, may be settled out of court this week.

Fried said today that an amicable settlement was in process, but that if attorneys on both sides cannot arrive at an agreement by Feb. 5 he is prepared to go forward with the suit.

The case is scheduled to be heard on that day in the U.S. District Court here.

Fried's charge of alleged monopoly is based on the clearance of pictures to the detriment of his houses, asserting that he could not get pictures for his suburban theatre in Ardmore until 30 days after the Warner Bros. Ardmore either accepted or rejected them, and for his Seville in Bryn Mawr and Anthony Wayne in Wayne until seven days after the picture played the Suburban.

Fried further claims that he uses (Continued on page 4)

Board of Review Convenes Today

National Board of Review of Motion Pictures will open its 10th annual conference this morning at the Hotel Pennsylvania. Dr. A. A. Brill, chairman, will convene the three-day meet of delegates from all parts of the country with an address of welcome.

"Fifty Years of Films" will be the chief topic of discussion, with conference sessions scheduled for this morning and afternoon and tomorrow afternoon. The delegates will attend film courses at New York University this evening, and view films at the Museum of Modern Art tomorrow evening.

The conference will conclude with the annual luncheon on Saturday, at which films players will be guests. Saturday morning the National Board's junior group, the 4-Star Clubs, will meet. Among the stage screen celebrities expected to attend the luncheon are: Alison Skipworth, Burgess Meredith, Harry Carey, Barry Fitzgerald, Van Heflin, Bert Lytell, Ezra Stone, Sara Allgood, John Beal, Donald Cook, Betty Field, Robert Flaherty and Mr. and Mrs. Edward G. Robinson.

Educational Files

Voluntary Petition For Bankruptcy

Educational Pictures, Inc., filed a voluntary petition in bankruptcy yesterday in U.S. District Court in which it listed liabilities totaling $377,923 and assets of $352,422.

Action of the company resulted from a recent refusal by the Securities & Exchange Commission of a loan of $450,000 to it to continue operations.

Erie is listed in the schedules as the largest creditor with a claim of $241,673 against the company secured by a mortgage of Educational Studios, Inc., on a studio property in California. Lloyd Wright, as trustee in bankruptcy of Grand National Films, Inc., is listed at $300,000 secured by preferred and common stock of Grand National Pictures.

Other large creditors included in the schedules are Earle W. Hammons, $50,000 for salary due: Jeremiah D. Maguire, $38,409 due on a lease; National City Bank, $18,251 due on a guaranty on G. N. notes, and Snider, Duke & Landis, $12,501 for legal fees.

Educational’s principal asset, estimated at $250,000, is a mortgage of Educational Studios on studio equipment, Grand National Pictures and Educational Studios are listed as debtors of the bankrupt for $90,021 and $12,570, respectively.

Other assets set forth are stocks held by the bankrupt in Educational Films of America and Educational Studios and certain 16 mm. prints.

The petition is signed by Earle W. Hammons as president.

Educational, one of the oldest and (Continued on page 7)

British Producers

Indorse Film Bank

LONDON, Jan. 31.—British producers informed the Cinematograph Exhibitors Association today that they are in favor of the plan for a Film Credit Trust and that there is little likelihood of an increase in voluntary production without financial stimulus.

British distributors, included in the conference, declared that they have no immediate plans for increasing quota requirements to submit to the Board of Trade. The C.E.A. will meet again with the distributors to clarify the situation on the number of available features.

LONDON, Jan. 31.—Sir Kenneth Clark, film director of the British Ministry of Information, will meet leading industry executives Monday to discuss motion picture propaganda.

MAJORS CITE AUDIT, FIGHT WAGE BOOST

Sales Record

10,098 Contracts Set Paramount Mark

Paramount's domestic sales contracts for the current season have reached $241,673, an all-time high for the company, Neil Agnew, vice-president and distribution head, said yesterday.

Agnew estimated that at the current rate of sales, Paramount contracts for the entire season will number approximately 12,350.

Agnew pointed out that many of the 10,098 contracts already sold cover situations where the product is split between two or more theatres under the same management, so that the number of theatres exhibiting the company's product is actually greater than the number of contracts closed.

Pictures In East Feasible—Griffis

Paramount has no definite plans at this time for production in the East but believes it to be feasible, Stanton Griffin, chairman of the Paramount executive committee, said yesterday.

Griffis conferred with Mayor LaGuardia during the past few days on the general practicability of the Mayor's campaign to encourage film production locally.

"I see no reason why pictures should not be made in New York," Griffis said. "We have a modern, completely equipped studio in Astoria and would like to see it kept busy. That's what it's there for.

"Paramount may make pictures there, but it has no definite plans to do so now."

Griffis said he found the Mayor's views to be practical and that he evidenced a good understanding of the industry.

The Paramount executive confirmed reports that the company is negotiating with Rowland Brown, director and writer, for distribution of his contemplated remake of "Young Man of Manhattan," which would be produced at Astoria.

Brown has said the picture would be budgeted around $400,000 and would have Joel McCrea and Frances Dee for the leads.

Will Give 13-Week Report To IA, Ask Surrender Of 10% Increase

Having completed an audit of their books to determine the effect of the war on foreign revenue, the major companies have decided to request the I.A.T.S.E. to surrender the 10 per cent wage increase granted to them last November.

Individual reports of the eight large companies, for district operations for the 13 weeks ended Dec. 1 last, were completed by auditors yesterday and delivered to M.P.P.D.A. headquarters.

Resume Negotiations Feb. 15

The reports will be forwarded at once to Y. Frank Freeman, Paramount studio head and acting chairman of the Producers' negotiating committee.

The committee will request that the 10 per cent increase, allowed to the I.A.T.S.E., after the unions threatened a nation-wide strike, be rescinded when the negotiations are resumed in Hollywood on Feb. 15. This date was agreed upon last November when the majors asked for time to gather evidence supporting their joint claim that they could not guarantee the permanency of the wage boost.

IATSE Fight Predicted

Generally home office opinion seems to be that the I.A.T.S.E. will not voluntarily relinquish the 10 per cent, and will attempt to put the question to arbitration in accordance with the November agreement.

The Feb. 15 conference may also determine the final status of 10 per cent increases granted several months ago at Atlantic City to the other (Continued on page 2)

Executives Attend

'New York' Opening

MIAMI BEACH, Jan. 31.—"Little Old New York," 20th Century-Fox production, had its world premiere here tonight, at the Wometco's Lincoln Theatre. Many leading industry executives, vacationing at the Southern resort, were among the capacity first-night audience.

With a film and drum corps, fireworks and klieg lights, the premiere had all the flower of the Hollywood variety, including a number of stage, screen and radio celebrities. Movietone Newsreel cameramen were (Continued on page 7)
Suburbanites Get Stage Ticket Plan

Four plans to make Broadway theatre going easier for suburban legitimate stage audiences will be presented to Bronxville residents at a meeting on Feb. 9 at the Bronxville Public School.

These plans will be a subscription plan; a deposit of $5 which will permit the subscribers with tickets to be picked up at certain times; a $5 coupon book which would permit reservations up to 24 hours in advance of the performance; or a plan for mail or telephone reservations with tickets to be picked up 48 hours before the performance.

All telephone subscribers in Bronxville will receive copies of The Playgoer's Guide next week. The publication will describe the four plans and contain invitations to the meeting.

In addition, all Broadway shows are listed together with notes indicating what tickets are available at the box offices. Meetings will be arranged for Scarsdale and White Plains at a later date.

Brock Pemberton, Elliot Nugent and Adie Williams have warned that the success of the subscription plan will be invited to present additional plans. Alfred Harding, editor of Equity, present "The League of New York Theatres to interest new audiences in the legitimate theatre. A preliminary budget of $500 has been set aside for this work.

Greenthal Leaves For Coast Parsley

Monroe Greenthal, director of exploitation for United Artists, left last night for his honeymoon. Greenthal, who will visit United Artists producers and their press representatives on plans for exploitation of the company's forthcoming releases, including "My Son, My Son" and "Our Town."

Columbia Signs Birdwell

Russell Birdwell and Associates have been signed by Columbia and Wesley Ruggles to do special publicity work on "Too Many Husbands."

Hoffberg in Chicago

J. H. Hoffberg Co., Inc., has established a Chicago office, under the name of Midwest Film Exchange, Inc., with Arthur Benjamin and Robert Snyder in charge.

scheduled to leave the Coast by plane for New York this weekend.

James Cagney, now vacationing in the East, will return to the Warner studio on Feb. 9 to start work on his new picture.

Jeffrey Lynn left for Los Angeles last night on the TWA Sky Chief.

John Manheim, executive secretary of the I.T.O.A., returns late this afternoon from a five-week vacation in Florida.

Barnet Baliran, Paramount president, has arrived in Miami from Key West, Fla.

Sidewalks' Opens Here February 14

"Sidewalks of London," the Erich Pommer production with Charles Laughton and Ronald Colman, will be opened was acquired for American distribution by Paramount a year ago, is being released this month to capitalize on current audience interest in Miss Leigh.

The picture was withheld from release during 1939 for this purpose. In it, Miss Leigh plays the part of a street entertainer in London who fights her way to stage stardom there, with a skill and career being her ultimate objective.

Laughton, also a street entertainer, who discovered her as a vagabond and gave her her first ethical as well as professional training sinks lower as his protege abandons him on her climb to success. Eventually, they are reunited and the picture is an actual new play. He fails to make good but this evidence of her gratitude strengthens his confidence and, re- their acting, he succeeds. Stills, photographs and text information will highlight the showing.

British Profits Ease Para. Quota Problem

London, Jan. 31.—Profit on recent Paramount British product has minimized the effect of the quota on the film industry and British, David Rose, head of British production, said today. Recent results prove production here economically successful.

He announced four high budget features for production here: "The Admirable Crichton," "The Life of Barney Barnato," "Knight of the Round Table" and "What Ho."

Majors Cite Audit, Battle Wage Boost

(Continued from page 1) international unions which are signatories of the studio basic pact.

The increased pay was approved and conditioned upon the ability of the companies to pay it after suffering adverse effects of the war upon revenue. As in the case of the L.T.S. and the motion picture companies, I.M.S., undoubtedly insist upon arbitration, the majors fail to convince them of their inability to continue paying the increase.

The audited reports cover only results of operations from production and distribution, excluding theatre earnings of companies having theatre affiliates, since the wage increase granted did not include theatre workers, but only studio employees.

Thus, even companies whose earnings for the three-month period under consideration, but par with earnings for the corresponding period of 1938, were found by the auditor to be in no position to make the wage increases permanent.

Some instances, it was pointed out that the "freezing" of $1,500,000 to $4,000,000 or more of individual company revenues in Britain would be an insufficient curb upon the total earnings of some companies from production and distribution. In such cases, those companies still may show good profits as a result of theatre earnings which, however, have no bearing on the ability of production to be in no position to make the burden of the wage increases, it was said.

Jeff C. Collins Dies

Des Moines, Jan. 31.—Jeff C. Collins, president and manager of theatres for the Central States Theatre Corp. and more recently a salesman for the Republic Motion Picture Corp. or Chicago, died here following a short illness.

MOTION PICTURE DAILY


Columbia Distributing Corporation, New York, N. Y., Limited. A. S. F. M. P. C. Crichton, General Manager; W. C. F. Crichton, Vice-President; J. E. Reilly, Executive Secretary; H. W. F. Robson, Secretary; T. W. Baker, Treasurer; C. F. H. W. Crichton, Assistant Treasurer.
The weather freezing but WARNERS are hot!

FOX, PHILADELPHIA
A RECORD! (HELD OVER)

METROPOLITAN, BOSTON
A RECORD! (HELD OVER)

STRAND, NEW YORK
A RECORD! (HELD OVER)

KEITH, SYRACUSE
A RECORD! (HELD OVER)

PIC, ROCHESTER
A RECORD! (HELD OVER)

FOOL'S FEST

JAMES CAGNEY - PAT O'BRIEN
GEORGE BRENT

THE FIGHTING 69TH

JEFFREY LYNCH - ALAN HALE - FRANK MCHUGH
DENNIS MORGAN - DICK FORAN
WILLIAM LINDSAY - DUANE "BIG BOY" WILLIAMS
HENRY O'NEILL - JOHN UTTLE

Directed by WILLIAM KEIGHLEY

Original Screen Story by Howard Bella, Robert Read, Jr., and Dean Fredericks

WARNER, MILWAUKEE
A RECORD! (HELD OVER)

MARY ANDERSON, LOUISVILLE
A RECORD! (HELD OVER)

VICTORY, DAYTON
A RECORD! (HELD OVER)

FOX, ST. LOUIS
A RECORD! (HELD OVER)

ORPHEUM, KANSAS CITY
A RECORD! (HELD OVER)

INDIANA, INDIANAPOLIS
A RECORD! (HELD OVER)

GRAND, CLEVELAND
A RECORD! (HELD OVER)

ALAMO, SAN ANTONIO
A RECORD! (HELD OVER)

"The Fighting 69th"
WARNERS' BIGGEST!

MARK OF SHOWMANSHIP

It's making THE SINGING FOOL look foolish!
'Hardy' Takes Good $15,500 In Twin Cities

Minneapolis, Jan. 31. — Business improved in the Twin Cities, with 'Judge Hardy' taking $9,100 at the State, $9,000 at the Metropolitan, in St. Paul the same picture took $6,400 at the Paramount, estimated grosses for the week ending Jan. 26.

Minneapolis:

"Fugitive at Large" (Col).
"Big Train" (Col).
"The Big Guy" (Univ).
"All Women Have Secrets" (Para).
"Parson of the Plains" (M-G-M).
"Dark Journey" (U. A).
"Del Rio, Fugitive on Dress Parade" (W.
B. G.)
"Housekeeper's Daughter" (U. A).
"Roo" (Univ).
"Judge Hardy and Son" (M-G-M).
"State" (M-G-M).

St. Paul:

"We Are Not Alone" (W. B.)
"They All Laughed" (20th-Fox).
"Paramount" (20th-Fox).
"Housekeeper's Daughter" (U. A).
"Little Lies" (W. B.)
"Roo" (Univ).
"Judge Hardy and Son" (M-G-M).

Cold and Snow Hit Detroit's Grosses

Detroit, Jan. 31. — Cold and snow held grosses to average and below average figures. Estimated grosses for the week ending Jan. 26:

"Destry Rides Again" (Univ).
"Three on a String" (Para).
"Evan Adams" (UA).
"My Destiny" (W. B.).
"His Girl Friday" (Col).
"The Man Who Won't Talk" (20th-Fox).
"The Man Who Knew No Woman" (20th-Fox).

Jean Muir Resigns

As AGVA Official

Jean Muir, acting executive secretary of American Guild of Variety Artists, has resigned his position yesterday. She will leave today for the Coast for a role in an M-G-M film.

Miss Muir declared that Kenneth Thomson, General Actors Guild executive secretary, who was here for a brief visit to inspect A.G.V.A. affairs gave no indication whether he would take the helm of the vaudeville union.

Curtis' Quotes

"THE FIGHTING 69TH" (Warners)

Warners Brothers have not made the error of glorifying war. ... The little scene as the 69th leaves Camp Mills is one of the most moving bits seen recently. — Philadelphia Ledger.

Stirring up all the latent patriotism which you might possess, and convincing you that these two pictures have a way of doing. ... The principals in the cast come as close to perfection in their roles as humanly possible. — Dorothy Guinan, Philadelphia Daily News.

Vigorous and moving... It is fine tribute to the distinguished record of the unit. ... An excellent cast has thrown its heart into the telling. ... A tale of heroism and glorious records that will inspire many young men. — Laura Lee, Philadelphia Bulletin.

Pays vigorous tribute to the regiment. ... Battles are expertly and excitingly staged. And the all-male cast is top-notch. — Mildred Martin, Philadelphia Inquirer.

A sure-fire entertainment formula. ... An action-filled, sometimes humorous, sometimes touching war film that has all the earmarks of a smash hit. — O'Brien merits the stellar rating. — Elsie Finn, Philadelphia Record.

"THE SHOP AROUND THE CORNER" (M-G-M)

The Lubitsch touch has never been more sure and delicate. ... He has furnished a show which is at once human and amusing. A disarming and beguiling comedy. — Howard Barnes, N. Y. Herald Tribune.

Attractive screen merchandise. ... All told, they (the cast) make "The Shop Around the Corner" a pleasant place to browse in. — Mr. Lubitsch must set up shop soon again. — Frank Nugent, N. Y. Times.

Ernst Lubitsch has made a charming, romantic film comedy, ... It is a delightful love story about simple, unimportant people, and it is told in such a way as to warm the cockles of the heart. — Kate Cameron, N. Y. Daily News.

"The Shop Around the Corner" is the best picture in town. ... It is gay and light and beautiful and as sparkling as the form atop glass of Egger, ... A brilliantly balanced cast turns in one of the best performances of the season with Lubitsch at his tops. — Lee Mortimer, N. Y. Daily Mirror.

As charming a romantic piece as the season has seen. ... A quiet little comedy about some very nice people. ... Provides a great deal more laughter and drama than seems possible. ... A most beguiling film. — Eileen Creelman, N. Y. Sun.

One of Lubitsch's most appealing pictures. ... Slight, perfectly turned, thoroughly delightful and warming to the heart, it joggles character and situation in gay sequences of holiday humor. ... For smooth and uninterrupted pleasure, few pictures can equal it. — N. Y. Post.

Once again Ernst Lubitsch shows us what a grand entertainer he is and once again it is not surprising to find a film of his providing laughter and thrills. ... A gay and sparkling charade, which you will miss at your own risk. — William Boehnle, N. Y. World-Telegram.

The famed Lubitsch touch is decided in evidence. An enjoyable picture indeed. You'll like this one. — Rose Pelswick, N. Y. Journal and American.

"GONE WITH THE WIND" (M-G-M)

It has everything the producers claimed for it, including length. ... A motion picture of power, sweep, beauty—and bitterness. — Chicago Tribune.

Mr. Selznick has apparently accomplished the job of pleasing every one of Margaret Mitchell's readers. ... A spectacular success. — Doris Arden, Chicago Daily Times.

Entertainment of a high order. ... There are at least 19 places where "Gone With The Wind" could stop and you would feel you had seen a picture show complete. — C. J. Bulliet, Chicago Daily News.

The excitement of it will take your breath away. ... The actor is convinced he is sitting in on history. ... The novel of the decade has been turned into the cinema of the century. The biggest and best entertainment that has ever come your way. — Chicago Herald-American.

Sonja Henie to Testify

New Haven, Jan. 31. — Metro Pictures has elected the following officers for the year: Thomas Donaldson, production manager; Gilbert Hynes, president; Milton Smith, vice-president; Art Caparos, treasurer; Alice Lee, secretary, and George Weber, chairman of the entertainment committee.

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"THE FIGHTING 69TH" (Warners)

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"The GRAPES of WRATH"

DAY-BY-DAY

BIGGER

BIGGER

BIGGER

"SURPASSES ANYTHING IN MY EXPERIENCE,"
says John C. Wright,
manager of Rivoli Theatre
<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
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<tbody>
<tr>
<td>Jan. 12</td>
<td>Music in My Heart (G-M)</td>
<td>Shop Around the Corner (G-C) Sullivan-Stewart</td>
<td>The Secret Four (G-D) Frank Lawton Fatal Hour (D) Boris Karloff</td>
<td>Geronimo (G-D) Preston Foster Ellen Drew</td>
<td>Mexican Spitfire (G-C) Veales-Elron</td>
<td>City of Chance (L-D) Lynn Bari C. Aubrey Smith</td>
<td>The Invisible Man Returns (G-D) Cedric Hardwicke</td>
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<td>Feb. 2</td>
<td>Pioneers of Frontier (O) Convicted Women (D)</td>
<td>I Take This Woman (G-D) La Marr-Tracy</td>
<td>Chasing Trouble (G-D) Frankie Darro</td>
<td>Parole Fixer (D) William Henry</td>
<td>Village Barn Dance (G-M) Cromwell</td>
<td>The Marines Fly High (D) Dix-Ball</td>
<td>The Man Who Wouldn't Talk (D) Lloyd Nolan</td>
<td>Brother Rat and a Baby (G-C) Bryan-Lane</td>
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<td>Feb. 9</td>
<td>Five Little Peppers at Home (D) Edith Fellows</td>
<td>Broadway Melody of 1940 (M) Astaire-Powell</td>
<td>East Side Kids (D) Vince Barnett</td>
<td>Light That Failed (G-D) Colman-Huston</td>
<td>Vigil in the Night (D) Lombard-Aherne</td>
<td>Little Old New York (D) Faye-MacMurray</td>
<td>Danger on Wheels (D) Arlen-Detine</td>
<td>British Intelligence (D) Karloff-Lindsay</td>
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<td>Feb. 16</td>
<td>Man From Dakota (D) Del Rio-Berry</td>
<td>Murderer of the Yukon (G-O) James Neill</td>
<td>Sidewalks of London (G-D) Laughon-Leigh</td>
<td>Swiss Family Robinson (G-D) Bartholomew</td>
<td>Young As You Feel (C) Jones Family</td>
<td>Chump at Oxford Deferred (C) Lauret-Hardy</td>
<td>My Little Chicadee (C) West-Fields</td>
<td>Calling Philo Vance (D) Stephenson</td>
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<td>Feb. 23</td>
<td>Blondie on a Budget (C) Arthur Lake</td>
<td>Strange Cargo (D) Clark Gable Joan Crawford</td>
<td>Cheyenne Kid (G-O) Jack Randall</td>
<td>Knights of the Range (O) Jean Parker</td>
<td>Pinocchio (G)</td>
<td>They Came By Night (O) Will Fyffe</td>
<td>Honeymoon Deferred (C) Mary Robson</td>
<td>Granny Get Your Gun (C) May Robson</td>
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<td>Mar. 1</td>
<td>Outside the Three Mile Limit (D) Jack Holt</td>
<td>Northwest Passage (D) Tracy-Young</td>
<td>Rhythm of Rio Grande (O) Tex Ritter</td>
<td>Seventeen (D) Field-Cooper</td>
<td>Little Orvie (D) Ernest Trues</td>
<td>Earthbound (D) Baxter-Leeds</td>
<td>Framed (D) Constance Moore Johnnie Downs</td>
<td>Castle on the Hudson (D) Garfield-O'Brien</td>
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<td>Mar. 8</td>
<td>Men Without Souls (D) Rochelle Hudson</td>
<td>Human Monster (G-O) Bela Lugosi</td>
<td>Adventure in Diamonds (G-D) Brent-Miranda</td>
<td>Isle of Destiny (D) Garson-Ford</td>
<td>Chan in Panama (D) Sidney Toliver</td>
<td>Rebecca (D) Oliver Joan Fontaine</td>
<td>Double Alibi (D) Morris-Lindsay</td>
<td>Dr. Ehrlich's Magic Bullet (D) Ed. G. Robinson</td>
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<td>Mar. 15</td>
<td>Too Many Husbands (C) Arthur MacMurray</td>
<td>Tomboy (C) Jackie Moran</td>
<td>Women Without Names (D) Drew-Paige</td>
<td>Millionaire Playboy (C) Joe Penner</td>
<td>Primrose Path (D) Rogers-McCrea</td>
<td>Blue Bird (G-D) Shirley Temple</td>
<td>Zanzibar (D) Lola Lane</td>
<td>3 Cheers for the Irish (C) Friscilla Lane</td>
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<tr>
<td>Mar. 22</td>
<td>Road to Singapore (M) Crosby-Lamour</td>
<td>Son of the Navy (C) Jean Parker</td>
<td>Millionaire Playboy (C) Joe Penner</td>
<td>Millionaire Playboy (C) Joe Penner</td>
<td>Primrose Path (D) Rogers-McCrea</td>
<td>My Son, My Son (D) Ahern-Heywood</td>
<td>It's a Date (D) Deanna Durbin</td>
<td>Virginia City (O) Flynn-Hopkins</td>
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land to record the opening, while Station WIOD broadcast a three-day affair. Mayors Everett Haggard of Miami and John Levi of Miami Beach were on hand to induct into "office" Abe Lyman, as "mayor," and Joan Abbott, as "mayoress," winners of the Miami Daily News contest to elect Miami's "Mayor of Little Old New York." The ceremony took place immediately before the showing of the film on the Lincoln stage.

Other celebrities who attended included Joe E. Lewis, Alan Cross, Henry Dunn, George E. Price, Tony Martin, Ruby Keeler, Sheila Ryan, Frances Faye, Paul and Grace Hartman, VVilla and Buddy Ebsen and Lou Holtz.

Among the film executives present were Louis B. Mayer, A. H. Blank, Major Albert Warner, N. L. Nathan, Mr. B. Shannahoff, Harry Brandt, Leo Spitz, George Weeks, Louis Frisch, Mitchell Wolfs and Robert Mochrie. Representing 20th-Century-Fox were Harry Ballance, Southern district manager; Paul Wilson, Atlanta branch manager; Earl E. Mersay, Cleveland branch manager; Christy Wilbert and Harry Mersay of the home office, and Roger Ferri, editor of the company house organ, Dynamo.

Buffalo Test Case Planned on Bingo

BUFFALO, Jan. 31.—A test case to determine the legality of Bingo will be heard in State Supreme Court before Justice William C. Gold, according to Gordon State, first assistant district attorney. The defendant will be Old Vienna, Inc., with which former Mayor Frank X. Schwab is associated.

An employee of the test case followed pleas of guilty by three individuals to charges relating to lotteries and the disposal of two others.

Milwaukee Bingo Rehearing Sought

MILWAUKEE, Jan. 31.—Operators of the Bahn Frei Hall here, restrained by the Federal Trade Commission Service, Inc., from renting the hall for Bingo, will ask a rehearing on the State Supreme Court's ruling that Bingo is a lottery.

To date, District Attorney Norris E. Maloney, Madison, is the only district attorney in the state to advise Bingo operators he will prosecute as a result of the high court's ruling. Because of Maloney's warning, church and fraternal organizations in Madison have discontinued the game.

Mobile Bank Night Brings Indictment

MOBILE, Ala., Jan. 31.—Richards Montreal, manager of the Sanger, Mobile's largest house, was indicted by the County Grand Jury on a lottery charge in connection with operation of the Theater's Bank Night.

Montreal was listed with 12 other persons on lottery charges. Solicitor Bart Chamberlain said that the indictments were the first he recalled by a County Grand Jury in lottery cases.

Executives Attend 'New York' Opening

(Continued from page 1)

At Miami Beach Premiere

In this exclusive wirephoto, Sonny Shepherd, manager of the Lincoln Theatre at Miami Beach, Fla., (at the microphones) announces the arrival of Major Albert Warner at last night's premiere of the 20th-Century-Fox film, "Little Old New York."

Fox Makes Changes In Its Foreign Staff

Changes effected in the 20th-Century-Fox foreign department are as follows:

Charles Metzen, assistant to Managing Director J. C. Bavetta of Brazil, has been assigned to the Lima branch where he will eventually succeed S. Chiesa as manager of Peru. Chiesa will be transferred to another territory.

Frederick L. Thomas has been appointed publicity director in Great Britain, working under Managing Director Francis L. Harley. Thomas succeeds W. Buchanan-Taylor who had temporarily held the post since the death a few weeks ago of Roy Siemons.

E. S. Fraser, foreign department statistics head, has been promoted to aide to Walter J. Hutchinson, director of foreign distribution, and Irving Maas, foreign service manager. He will continue the supervision of statistics.

Assembly Advances Ticket Re-Sale Bill

ALBANY, Jan. 31.—N. Y. Assembly today moved to third reading the Mitchell bill transferring from the Secretary of State to local licensing authorities the regulation of the re-sale of theatre tickets. The measure would limit to 75 cents above box-office price the premium charged by brokers for tickets.

The bill, reported out by the Judiciary Committee yesterday, is expected to come up for third reading Monday.

Elect Evans Mayor

MILFORD, Del., Jan. 31.—Edward S. Evans, manager of Selle's Plaza here, has been elected Mayor of Milford. He defeated former Councilman Charles E. Harrington by a vote of 546 to 434.

Canada to Censor Political Talksuit

MONTREAL, Jan. 31.—Radio speeches in the forthcoming national election campaign are decreed to be censored by all political broadcasting during the campaign will be required to originate from the studios with copies of the talk submitted in advance for censorship. Speeches made at public meetings will not be aired.

Political portions of speeches will not be censored but they will be scanned to prevent violations of Defense of Canada regulations. C.B.C. is preparing standards which will be announced shortly. These standards are expected to follow the style used in the recent Quebec elections. Questions of free time to the various parties and the appointment of censors in all the cities to prevent delay will be settled soon.

Connecticut Allied Favors Neely Bill

NEW HAVEN, Jan. 31.—Allied Theatres of Connecticut voted unanimous and qualified support of the Neely bill at a special luncheon-meeting at the Hotel Garde, attended by representatives of 40 independent theatres. Frank Lydon, of Boston, regional vice-president of Allied, Arthur K. Howard, business agent of Independent Theatres, Inc., and E. Thomas Kelly, membership campaign supervisor, were the guest speakers.

3-Film Stahl Deal With U. A. Is Near

Deal by which John Stahl may produce a minimum of three pictures for United Artists is expected to be closed early next week prior to the departure for the Coast of Maurice Silverstone, United Artists chief executive.

Silverstone conferred with Stahl yesterday and subsequent conferences are scheduled to be held in a few days.

Educational Files Bankruptcy Order

KYSER, 'Everyging,' $37,500, Cincinnati

CINCINNATI, Jan. 31.—Despite heavy snows and sub-zero temperatures, Kay Kyser on the stage, and "Everything Happens at Night" on the screen, established a near-record at the RKO Albee with $37,500 at increased stage prices.

"Everything Happens at Night" (20th-Fox) RAID ALBEE—(2,500) (45c-65c) 7 days. Average, $2.00; Gross, $2,000. (Average at 35c-45c, scale, $1,200.)

"Great Gatsby" (Warner) RKO PALACE—(2,500) (45c-65c) 7 days. Gross, $1,500. (Average, $600.)

"The Earl of Chicago" (M-G-M) RKO SHUBERT—(2,500) (45c-65c) 7 days. Gross, $1,000. (Average, $500.)

"Gene With the Wind" (M-G-M) RKO SHUBERT—(2,500) (45c-65c) 7 days. Gross, $1,000. (Average, $500.)

"Galliver's Travels" (Para) RKO STAFF—(2,750) (45c-65c) 6 days. Gross, $4,000. (Average, $500.)

"North Sea Patrol" (Alliance) RKO FAMILY—(1,500) (45c-65c) 6 days. Gross, $1,200. (Average, $200.)

"Fat Footed" (Monogram) RKO FAMILY—(1,500) (45c-65c) 6 days. Gross, $1,000. (Average, $100.)

"The Little Kid" (Para) RKO FAMILY—(1,500) (45c-65c) 6 days. Gross, $1,000. (Average, $500.)

"A Child Is Born" (W. B.) RKO FAMILY—(1,000) (45c-65c) 7 days. Gross, $4,200. (Average, $600.)

Two Photographic Awards to Be Made

Hollywood, Jan. 31.—Two statuette awards will be awarded in the Photographic Division of the 12th annual awards of the Academy of Motion Picture Arts and Sciences, one for black-and-white cinematography for color photography, it was revealed today.


The color division nominations are "Drums Along the Mohawk," "Four Feathers," "The Garden of the Wind" "The Mikado," "Elizabeth and Essex" and "Twister." All directors of photography will vote to select one production for each of the awards.
Censors Stop 19 Windy City Films in Year

By William Crouch

Chicago, Jan. 31.—The Chicago Censor Board, which is a part of the Crime Prevention Bureau, reports that 19 feature pictures were rejected during 1939. The report also shows that the board viewed 7,100,000 feet of film during the past year, consisting of 1,620 subjects including features, shorts and newreels. Out of this group, 390 cuts were made by the board.

The total number of “adult only” or “pink ticket” permits granted was 44. Permits to show films, one being necessary for each film, totaled 15,562. For the past five years the Civil Liberties League started a movement to have the present censor board ousted. Releasing of various films, especially “Hitler-Beat of Berlin” was the cause for such action. To date no specific action has been taken following the board’s decisions, entitled “General Step,” is still unapproved by the censors.

Negotiations are being completed for the site of the new RKO exchange. The new location will be on Wabash Ave, near 13th St.

Felix Mendelssohn, former M-G-M broadcast manager, has emerged from retirement to go into the premium business with Murray Ross.

Service Employes Seek Reinstatement

United Theatrical and Motion Picture Service Employes Union, Local 258, has filed a grievance with the Federal Trade Commission against the parent body, the United Retail and Wholesale Employes of America, (CIO), for reinstatement as a local union in good standing.

Local 258 released written notice last week to management that it had been withdrawn “due to circumstances over which we have no control.”

Bernard Dechoff, president of 258, also stated that the union had been reinstated.

The revocation was “irregular and unauthorized” because the charter could be withdrawn only if the local was found guilty on written charges. Hearing on a matter for a temporary injunction will be held Monday.

Certify WQXR Union

Washington, Jan. 31.—Radio Broadcast Technicians and Engineers Union, A. F. of L., was certified today by the National Labor Relations Board as collective bargaining agency for the technicians of the Interstate Broadcasting Co., Inc., owner of WQXR. New York City, legal status was on the basis of a secret ballot Jan. 8.

Losers Assesment Fight

Tallahassee, Fla., Jan. 31.—State Supreme Court ruled against the Tampa Barre Telebank, Inc., in its effort to reduce the assessed valuation of a combined theatre and office building by about $200,000.

London Review

“Band Wagon” (General Film Distributors)

Jan. 15 (B-W & S) — British films which exploit the appeal of radio favorites are an old device. This one exploits the most popular radio show and the most popular English radio comedian, Arthur Askey and his “Band Wagon” feature, a program which has competed with theatres one night a week for a year.

The public who follow the Askey show will get full measure here, plus pageantry. There are some gags, chauvinist and sophisticated cracks at the BBC, ambitious musical ensembles, all the old catch-phrases and standbys, woven zealously rather than imaginatively into a mass as rich as a Christmas pudding and, for the gourmet, as indigestible.

The radio public—a considerable band in wartime Britain—will flock to see the film. They will find Askey and his debonair and talented companion, “Stinker” Murdoch, doing their cross talk and singing their songs; Jack Hylton and his Band, and even Mr. Middleton, the popular gardening commentator; Michael Standing, outside broadcaster, and a two-inch artist, entertaining scripture on a 2,000,000-soul daily.

They will find, too, a childish business about Nazi spies and a television plot in the cellar of a castle, but if they can swallow that they will find it excite enough for a television broadcast of the radio show. It is all trivial, inconsequential stuff, but is certain of a wide public. Technical quality is adequate with photography notably effective. Running time, 85 minutes. "G"* "G” denotes general classification.

Audrey Flanagan

Providence Gives ‘Friday’ Big $8,000

Providence, R.I., Jan. 31.—“His Girl Friday” and “Thou Shalt Not Kill,” dualled at the Strand, brought $8,000, and “Green Hell,” doubled with “Little Accident” at the RKO-Albee, to a very good $7,300. Estimated takeings for the week ending Jan. 23-25

“Green Hell” (Univ.)

Little Accident” (Univ.)

RKO-Albee (2,239) (25c-35c-5c) 7 days Gross: $7,300. Average: ($8,000)

“The Strip Around the Corner” (M-G-M)

and "Little Mary" (Fox) (2,772) (25c-35c-5c) 7 days Gross: $11,000. Average $1,500.

"City of Chance" (28th-Fox)

Majestic (2,320) (25c-35c-5c) 7 days Gross: $4,000. Average: ($7,700)

"Thou Shalt Not Kill" (Rep.)

Strand (2,000) (25c-35c-5c) 7 days Gross: $3,600. Average: ($3,500)

"South of the Border" (Rep.)

FAYS (2,409) (25c-35c-4c-6c) 7 days; Stage show with the Byrne Trio; Hickey Brothers and Alice; Guffey’s Singletons; King Airline, and Park and Clifford.

Gross: $7,000. Average: ($8,300)

"Four Wives" (W. B.)

“The Men Who Wouldn’t Talk” (28th-Fox)

Carlton (1,526) (25c-35c-7c) 3 days; 2nd week. Gross: $3,200. Average: ($5,300)

“Daytime Wife” (28th-Fox) (3 days)

Return of Dr. X” (W. B.) 0 days

"Remember” (M-G-M) (4 days) 

Or Drama Parade” (W. B.) (4 days)

Renaissance (3 days) Gross: $1,600. Average: ($1,700)

FCC Probe Attacks Stations’ Contracts

Washington, Jan. 31.—Management contracts for the operation of broadcasting stations today were made the subject of a broad investigation by the Federal Communications Commission, which announced that it would hold hearings on applications for renewal of licenses of a number of companies.

Inquiry initially will be directed at Westinghouse Stations WBZA, WBZ, and KLST, and General Electric Station WGY, Cornell University’s WESG, Loyola University Station WWL, and University of Alabama Station WAPI, for whose renewal applications are pending. Other similar stations will be designated for hearings as their applications for continuance of license are filed.

It was explained by the Commission that the purpose of the study is “to determine whether broadcast licenses are themselves discharging the rights, duties and obligations under their licenses or whether, on the other hand, such rights have been turned over to and are being exercised by on-site operating companies under so-called management contracts.”

All Station Licenses Will Expire on Aug. 1

Washington, Jan. 31.—Regardless of the expiration date of any broadcast license, all permissions will simultaneously terminate next Aug. 1, the Federal Communications Commission announced.

The Commission desires to establish a uniform expiration date for licenses in order that they may have the way for the real location of renewal of which will be required in the near future under the North American Regional broadcast agreement.

Stations whose licenses expire normally before Aug. 1 will be granted extensions to that date.

Radio Brevities

WOR to Broadcast Dodger Games

With the announcement yesterday by WOR that it would carry the broadcast of the season’s final games of the ownership of Procter & Gamble and General Mills, the baseball situation is set for another year. WBS will provide the Giants-Yankees, Red Barber, who won the Sporting News award as best baseball broadcaster, will provide the Dodgers.

Broadcasting of pre-season games will start March 8.

Personalities in the News

Paramount has arranged with Benton & Bowles for the appearance of Ronald Colman, Lida Lupino and Michael Angelo in a dramatization of "The Light That Failed." On the "Good News" show over NBC-Red next season at 8 p.m., John Rea, bit, producer of M-G-M’s "Passing Parade" shorts, returns to the air in heard Mondays 8 to 9 p.m. under the supervision of Bank of America. The network, restricted to the Coast, will be selected later.

Howard Barlowe, conducer of the CBS Symphony, has been signed to an exclusive contract by Columbia Records at $7,000. Ida Lupino, May Kelsoin and Helen Wood will be heard Monday at 9 P.M. over "In the Young in Heart" during the "Lux Radio Theatre" show. 

Norman Kathan, of WHN publicity department, has been transferred to M-G-M publicity where he will be staff photographer.

"Chips" on Top in Radio Poll

Sam Taylor, WHN screen commentateur, recently completed a poll of his listeners. From 2,000 replies, Taylor says, "Mr. Chips Smith" was first, "Wuthering Heights" second, and "Mr. Smith Goes to Washington" third. The films were named, "Got Screen With the Wind" was excluded from the ballot because it had not been generally released.

Program News

Charles R. Phillips, Chemical Co., will sponsor a musical "Amanda of Honeymoon Hill" over 45 XBC-Blue stations starting Monday. It will be heard Mondays 8 to 9 p.m. 3:15 P.M. Fuller Bros will sponsor "Let’s Go to Work" with Howard Gaye over WOR starting Monday. Halden inventories listeners peris with the hope that listeners will offer employment. It will be heard Mondays and Wednesdays.

20th Century-Fox will use spot announcements for "Little Old New York" over WNEW and Saturday.

Buys ‘Brooklyn Bridge’

Hollywood, Jan. 31.—"Brooklyn Bridge," story by Arthur Caesar, has been purchased by Dr. Franklin Furnace for 50th Century-Fox production. Niven Bushel will write the screenplay.

*"G" denotes general classification.
Goldwyn OK's 'Westerner's' Release by UA

Other Pictures in Doubt; Court Fight May Stay

Samuel Goldwyn advised United Artists yesterday that he would deliver his newest production, “The Westerner,” to the company for distribution.

Goldwyn's communication did not mention later productions. He has three properties in the early stages of production. These are “The Little Foxes,” “Black Gold” and “Tahiti.”

The producer referred to the large investment tied up in “The Westerner” in which Gary Cooper is starred, and stated that release of the production could not be delayed.

He paid indirect tribute to United Artists' defense of its releasing contract with himself by asserting that it had prevented him from obtaining any other distribution outlet.

After delivering “Raffles,” his last production, to United Artists, Goldwyn served notice that he was terminating his contract with the company. At that time, his court action to have his United Artists' contract set aside was still pending in the Federal court at Wilmington, Del.

Goldwyn then began negotiations with both RKO and Paramount on a deal for distribution of “The Westerner,” but these negotiations collapsed because of the undetermined situation in Britain.

(Continued on page 2)

Situation in Britain Revealed by Korda

British producers are anxious to resume production but their future is uncertain and probably will remain so for the duration of the war, according to Zoltan Korda, London Films director, who arrived yesterday on the Conte di Savoia.

Production in England is at a low ebb, with virtually all studios occupied for emergency purposes, he said. At Denham, Britain's largest studio, where London Films produces, three stages are used as sugar depots and only two are available for camera work.

Gabriel Pascal, who releases through United Artists, is now shooting “Major Barbara,” a Bernard Shaw play, at Denham.

Korda believes there will be only one or two big pictures a year made by British companies, with others films

(Continued on page 4)

Plaque Winners

Ray Bell, publicity director for Loew's theatres in Washington, and Lige Brien, manager of Warners' Prince Theatre, Ambridge, Pa., a third run house, were named the winners of the Silver and Bronze Quigley Grand Awards for 1939 in the sixth annual competition conducted by the Managers' Round Table of Motion Picture Herald.

The winners were selected earlier this week by a corps of hand-picked judges, including ranking executives in distribution, advertising and circuit operation, meeting at the Hotel Astor. Martin Quigley and A-Mike Vogel, chairman of the Round Table, were hosts to the judges.

The campaign of exhibitors who won places in the quarterly competition (Continued on page 4)

South's Cold Wave Cuts Grosses 15%; Losses Continuing

Theatre grosses throughout the entire Southern United States show a decline of 15 to 20 per cent for the three-week period of the worst cold wave the South has experienced in the last 25 years, according to box-office reports just received by circuit and distribution home offices.

Georgia, Florida, Alabama, Mississippi, Louisiana and Texas theatres felt the full force of the business loss in individual localities, such as Atlanta, where a foot of snow covered the city for five days, periodic decline in attendance and grosses was as much as 50 per cent below average.

Full effect of the business loss cannot be estimated now, as the destruction of millions of dollars of fruit and vegetable crops will have its effect on the spending capacity of the Southern (Continued on page 4)

Television History!

Relay Uses Films

Schenectady, N. Y., Feb. 1—Television history was made here today when members of the Federal Communications Commission saw on local receivers a television program which originated in the NBC studios in New York City. It had been relayed a distance of 130 miles and then re-telecast over General Electric's new television station located in the Helderberg Mountains, 12 miles from this city.

The relayed program was a show of wild animal motion pictures.

Although test programs have (Continued on page 8)

U. S. Impasse With Majors in Trust Case

Accord on Interrogatories Balked by Government

A serious impasse between the Government and the major defendants in the New York anti-trust suit developed yesterday as a result of the Government's rejection of proposed consolidated interrogatories submitted by the majors.

Immediately following the rejection, the Government served notice on majors that it would apply to Federal Judge Henry W. Friendly on Feb. 6, for an order striking out the entire list of interrogatories of all defendants except United Artists.

The motion which predicates a long legal battle on all steps preliminary to trial seeks the court order on twelve objections. The Government move signaled a complete breakdown of efforts of several months' duration to reach an accord on preliminary steps pursuant to a direction of Senior Judge John C. Knox.

Attorneys for the majors were completely surprised by the move. Several pointed out that consolidated interrogatories had been prepared after conferences with Government attorneys. These interrogatories had been submitted early last week to the Government for its approval, it was stated.

Resentment against the Government application was expressed by a number of attorneys. Twice before the Anti-Trust Division has unexpectedly moved counter to an agreement on

(Continued on page 6)

“Little Old New York”

(20TH CENTURY-Fox)

Hollywood, Feb. 1.—This massive and solidly entertaining production in the best Darryl Zanuck manner is a fine pictorial telling of the story of Robert Fulton and his steamboat. It tells some other stories as it goes along, all closely integrated with the Fulton trials, tribulations and triumphs. It depicts also with a convincing impression of realism the New York of 1807 and the state of international affairs as of then, both with strict reference to the Fulton story.

Excellent production, writing, direction and acting combine to provide a largely factual film in which humor, drama and suspense thrive lustily without evident sacrifice of historical accuracy, a rare order of achievement.

Unquestionably a major share of the credit for the sheer entertainment power generated by this film version of a story which every school child knows in essence, is due Director Henry King, whose competence

(Continued on page 2)

Zanuck Realigns Production Staff

Hollywood, Feb. 1.—Darryl F. Zanuck today realigned his production forces at 20th Century-Fox by adding three new associate producers and by giving Sol M. Wurtzel, executive producer in charge of lower budgeted pictures, a greater number of high bracket films.

Zanuck signed Lucien Hubbard and elevated Ralph Dietrich and Walter Morosco from production assistants to the rank of full associate producers.

Dietrich's and Morosco's first assignments in their new capacities will be to produce jointly Charlie Chan and the Cisco Kid films. No assignment has yet been set for Hubbard.
Purely Personal

NATE J. BLUMBERG, Universal president, will leave for Florida today for a few weeks’ vacation.


ARThUR WILLI, head of RKO's Eastern talent department, left yesterday for the Coast to confer with William Willard. If RKO's plans are carried out, Willi will stop off in Chicago en route West.

JOSEPH MOSKOWITZ, Eastern representative of the 20th Century-Fox studio, leaves for the Coast tomorrow for a month’s stay, Maury Ash, a friend, will accompany him.

STella shire, secretary to WILIAM steUSSen, 20th Century-Fox Eastern division manager, leaves today for the Mexico for a vacation in Mexico City.

Joseph Lee, sales manager at the 20th Century-Fox New York exchange and Son. R. Kelsey left yesterday for a three-week vacation in Miami.

Walter imMMaUER and Morris LEonard of B. & K. are here for Paramount home office conferences.

Morris Epstein, manager of the New York Republic exchange, leaves Feb. 10 for a March vacation.

William Orr, assistant to J. Robert Ruben at M-G-M, observes a birthday on Sunday.

Joan Fontaine arrives from the Coast today to join her husband, Brian Aherne.

E. C. Mille,ancock executive, returns tonight from Louisville.

Roger Ferry of 20th Century-Fox returns today from Miami.

Al reed of the Fabian circuit leaves for Florida today.

Warner Executives To Chicago Tonight

Jack L. Warner, Warner vice-president in charge of production, will attend the company's three-day sales conference which opens tomorrow at the Sherman Hotel in Chicago.

Warner and S. Charles Einfeld, advertising and publicity director, will proceed to the Coast after the meeting.

They will leave Chicago tonight with a home office delegation including Gradwell L. Sears, general sales manager; Carl Lestman, assistant general sales manager; Bill Lemmon, Eastern advertising and publicity director; Division Managers Roy Haines and Ben Kalmanoff; Arthur Selchon, Norman Morax, Mitchell Rawson and Lee Blumberg.

District and branch managers and field exploitation men will attend the sessions, which will concentrate on discussing merchandising plans for Warner oxcrt.

“Little Old New York”  

[20TH CENTURY-FOX]

(Continued from page 1)

in the field of historical dramatization has been demonstrated previously in such potently office pictures as “In Old Chicago.”

Here his artistry employs a skilled interlacing of comedy, drama and minor disaster, liberally interspersed with fictitious, to bring his audience to the theater, under the impact of applause when the inventors proves that his engine will work. Many directors try to scale that height, but only Henry King and one or two others succeed.

Debtor to Director King are Alice Fay and Richard Greene for performances which dispel any doubts as to their ability. Greene portrays the honest son, which must keep promises, and Miss Fay reveals a keen and previously unsuspected comedy talent quite pointedly her own. Fred MacMurray gives a slightly less prominent role his usual strong handling while Andy Devine, Henry Stephenson, Brenda Joyce, Ward Bond and Clarence Wilson take good care of other acting chores in a large cast. Earned by Ben Carter has some extremely effective comedy interludes.

The screenplay, ably contrived and intelligently dialogued, is by Harry Tugend, taken from a story by John Balderston based on a play by Richard Johnson Young. Raymond Griffith acted as associate producer and Alfred Newman’s music score adds tremendously to the effectiveness of the narrative.

Running time, 100 minutes. “G.”

Roscoe Williams

UA Release Fixed For ‘Westerner’

(Continued from page 1)

legal status of his contract with Warners.

Shortly thereafter, he reached a preliminary agreement with Warners on distribution of the picture, but in the meantime the Wilington court dismissed his suit, leaving his United Artists contract, which has until 1945 in full effect.

The Warner deal was abandoned by the company thereafter.

Goldwyn’s New York attorney, Max D. Steiner, is in Hollywood now to settle whether Goldwyn’s compensation is complete, insofar as its future productions are concerned, or whether new litigation is being contemplated remains a matter of conjecture.

The litigation over his contract is more than a year old, having been instituted by Goldwyn as a result of his dissatisfaction with the company’s method of rewarding producers with the lion’s share of the profits. Until the Earle company started it was expected to be a $200,000 case, but whether it now has a claim to be heard is not yet decided.

Evelyn Sheen, assistant to W. W. Horning, Warner producer, has been asked to handle the Earle case.

The Earle case is one of the most important in the entire film industry, and the ultimate decision of the court will be of interest to all interested in the industry.

Penley, Columbia Contract Head, Dies

Milton Penley, 50, head of the contract department at the Columbia Pictures corporation, died Wednesday night in Miami after an illness of nine months. Because of his health, Penley had been living in Florida for the past two months.

Penley joined Columbia about 11 years ago as a bookkeeper for the Bray Productions as office manager. His wife and son survive.

Stone Ballet Conductor

Ralph Stone, former theatre organist in the old days on Broadway, and more recently conductor with Ziegfeld, Shubert and other producers for many years, has been heading the conducting staff for the Ballet at the Center Theatre.

Newsreel Parade

Celebration of the President’s birthday day was announced in Washington, D.C.,办公系统. Reels and their contents follow:

MOVIESTORE NEWS, No. 45—Birthday of President. Scene of the White House is shown in today's newsreel. The President has just finished his speech at the dedication of the new wing at the White House in Washington, D.C., and is now returning to the White House. The President is shown in his car, with his wife, Mrs. Franklin D. Roosevelt, and his dog, Fala, in the front seat.

PAWNSHOP NEWS, No. 46—Tales of suspense. The story of the murder of a man in the city is told in this newsreel. The victim is shown in his car, with his wife, Mrs. William D. Roosevelt, and his dog, Fala, in the front seat.

LEONARD H. SOLOMON, New York, February 1, 1940. \n
[20TH CENTURY-FOX]

‘A Little Old New York’

Theatrical release fixed at 20th Century-Fox for ‘Westerner’

Frank S. Nugent, film critic for the New York Times, is negotiating with 20th Century-Fox for a writer’s contract. It is reported that the offer came from the studio and that Nugent accepted and asked his paper for a leave of absence.

Critics’ Nugent May Sign with Fox Writer

Frank S. Nugent, film critic for the New York Times, is negotiating with 20th Century-Fox for a writer’s contract. It is reported that the offer came from the studio and that Nugent accepted and asked his paper for a leave of absence.

Glory for Gloria!

Although there were more than a score of elder stars present, Gloria Jean, Universal's juvenile discovery, received most of the newsreel attention yesterday. She made the President’s Birthday ball. Press arrangements were made by Lou Pollock, Universal's Eastern advertising and publicity manager.

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"Charles Laughton will easily clinch his hold on American theatre-goers through his shining performance. Vivien Leigh's artistry easily matches that of Laughton as well as measuring up to the standard she set for herself as 'Scarlett O'Hara'!" — Daily Variety

"Vivien Leigh shows other facets of her amazing personality and skill. Charles Laughton gives his best performance to date!" — Ralph Jordan, International News Service

"A hit picture... literally spiked with "good audience stuff." Splendid performances by Charles Laughton and Vivien Leigh. Audiences should take to this picture as ducks do to water!" — Hollywood Reporter

"Now we can understand why Vivien Leigh made the 'Scarlett O'Hara' role what it was, after watching her beautiful performance in 'Sidewalks of London'!" — Hedda Hopper, famous movie columnist

"Charles Laughton and Vivien Leigh are in top form!" — Jay Emanuel Publications

"The best performance of Charles Laughton's career, backed up by the fire of 'Scarlett' in Vivien Leigh's great characterization!" — Al Kohn, United Press

"Miss Leigh evidences that peculiar magnetism which has made her 'Scarlett' such a distinctive conquest!" — Edwin Schallert, Los Angeles Times
Bell and Brien Take Quigley Grand Awards

(Continued from page 1) produce on a small scale at budgets which will permit recouping costs ... the Japanese. But there is no likely or no desire to risk large amounts on big pictures. British opinion, however, is that the war will last at least two years. As a result of the situation, said Korda, directors, acting talent, technical executives and writers have agreed to work for small salaries in addition to a share of the profits. The technicians and the fact that those still available are subject to immediate call prevents setting up shooting schedules. Some art directors have been sent to France to paint postcards, and there is no telling when other workers will be called up, Korda said.

Zoltan Korda is a brother of Alexander Korda, head of London Films. Alexander Korda plans to arrive here in two or three weeks for a stay of about two months. He plans to make a film in Hollywood, possibly "Jungle Boy," which will be followed by a film in London. The story is based on Rudolph Kipling's "The Jungle Book." Sabu, London Films' Indian boy star, will play "Mowgli" in "The Jungle Book," with Mary Pickford in the role of "Mother Wolf." He is scheduled for the lead in "Jungle Boy." Before proceeding to Hollywood he will make personal appearances and will go on the radio.

Korda said that London Films is preparing to shoot "Hunting the U-Boat," which is a sequel to "The Lion Has Wings," which described the exploits of the Royal Air Force. The studio will be made with the cooperation of the Navy. Korda confirmed that his brother is giving the British Government a portion of the receipts of the air picture as it was made as an act of cooperation without thought of profiting from the war. London, said Korda, is a changing city, and London does not suffer from the blackouts. Matinee business at film theatres is good but evening attendance is still off although all outdoor night activities have largely been removed.

Night clubs are thriving, and so are the legitimate theatres. The road has pleased up for play and many productions are on tour of military camps and in the provinces. The agents are said £5 a week (about $20) and also share in the receipts.

Old British House Is Victim of War

London, Jan. 16 (By Mail)—Victim of the war, of the blackout and depleted bus and tram services, Poole's Cinema, Ipswich, pioneer British picture house, and one of the first "talking films" houses to be opened in this country, has been closed down. Since 1939, Poole's has carried on, with a nickel admission charge, in the modern house with a constant audience of the sea and action dramas. Now its doors are closed for good.

British Throffets

British Films, Avers Korda

(Continued from page 1)
"LITTLE OLD NEW YORK" AT MIAMI PREMIERE HAILED AS OUTSTANDING 1940 GROSSER AND WORTHY OF ROAD-SHOW PRICES BY CIRCUIT HEAD SIDNEY MEYER

"Opening of 'Little Old New York' greatest world premiere Miami Beach has ever seen. Capacity audience reaction was unanimously the greatest we have ever had for a first night. Am sure this will be outstanding in boxoffice receipts for 1940. One of the finest pieces of entertainment you and Henry King have ever made."

"'Little Old New York' will do smash business everywhere. My only regret that I did not schedule the entire run at $2.20 instead of just opening night as enthusiasm of audiences proves we could have gotten road-show prices easily."

Excerpt of Sidney Meyer's wire to Darryl F. Zanuck

Excerpt of Sidney Meyer's wire to Herman Webber

THE KEYSTONE OF YOUR FUTURE
WASHINGTON, Feb. 1.—American exports for 1939 show a decrease of 27,600,000 linear feet in positive and negative sound motion picture film, as compared with 1938, according to compilations made by Nathan L. Golden, Chief of the Motion Picture Division of the Bureau of Foreign and Domestic Commerce of the Department of Commerce.

This is a decrease of 14.7 per cent during 1939. A total of 160,582,315 linear feet of entertainment films, with a declared value of $4,400,657, was exported during all of 1939 as compared with 188,237,129 linear feet, valued at $4,388,418. Valuation figures should not be confused with film remittances. Valuation is based upon raw stock film costs.

Brazil replaced the United Kingdom as the largest consumer of American films in point of footage during 1939, importing 14,119,038 linear feet of positive and negative film with a value of $268,605, compared with 13,078,733 linear feet, valued at $255,953, in 1938. Argentina, Mexico and the others in the Latin-American group, with an aggregate of 5,858,743 feet of American film with a value of $227,433 for the 12 months of 1939 as compared with 14,307,200 feet, valued at $242,263, during 1938. Mexico, as in 1938, remains in third position. During 1939, 8,785,011 linear feet of film valued at $245,252 were exported to Mexico, as compared with 9,091,838 feet, valued at $25,584, during 1938. United Kingdom’s imports of positive and negative motion pictures from the United States during 1939 were more than a 50 per cent decrease which reflects itself primarily in positive imports since negative imports decreased by 23.5 per cent for 1938. America, 6,922,205 linear feet of positive film were exported to the United Kingdom valued at $245,252, compared with 14,359,042 feet valued at $380,040 during 1939. Negative film for 1939 increased by 500,000 feet, there being shipped 293,850,000 feet valued at $71,108 as compared with 1,407,974 feet valued at $54,892 for the year 1938.

The British West Indies remains in fifth position. During 1939 6,641,897 feet of American films, valued at $11,054 were taken as compared with 7,582,128 feet valued at $17,404 in 1938.

Exports of sensitized not exposed 35 mm. positive film for the year 1939 amounted 110,135,120 linear feet, valued at $941,817, as compared with 132,733,566 feet valued at $1,238,184 for the year 1938.Copies of over 35 mm. totalled 48,835,467 linear feet, valued at $1,281,579, compared with 41,034,667 linear feet valued at $1,084,999 in 1938. American export sensitized not exposed positive film of less than one inch negative valued at $109,309 during 1938 and sensitized not exposed negative films of the same size amounted to $6,730,407, valued at $8,046.

All types of motion picture equipment exports show a marked decline during 1939, according to Golden. During the 12 months of 1939, 155 motion picture cameras of 35 mm. gauge were exported with a value of $52,163, as compared with 197 35 mm. cameras valued at $180,445 for the year 1938. Projector exports of 35 mm. gauge during 1939 totaled 1,121 with a value of $582,258, as against 1,070 standard gauge projectors, valued at $382,729 during 1938.

Recording sound equipment exports for the year 1939 amounted to 8,000 as compared with 283,139 in 1938. Sound reproducing equipment exports for 1939 were valued at $90,236 as against $1,340,438 in 1938.
WORLD-WIDE SUPREMACY

NINE out of the Ten Best Pictures chosen in the *Film Daily*’s 1939 critics’ poll were made on Eastman Negative Films. Two of the Ten Best Pictures were made in England, and both were on Eastman—striking evidence of the world-wide recognition of this film’s excellence. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

NINE OF THE “TEN BEST” ON EASTMAN NEGATIVE
Radio

Brevities

$1,000,000 in BM Licenses

More than $1,000,000 in license fees collected by Broadcast Music, Inc., making it available to BM next Wednesday when the board of directors is expected to announce that the new company is officially in business. The funds are now held in trust.

Under the terms of the contracts, the licensing arrangement becomes effective April 1. Blanket licenses for stations have been adopted because Ascap uses that type of agreement, but BM prefers separate licenses for each musical composition and will eventually get around to it, according to Sidney M. Kaye, its counsel.

CBC Programs Up 45%

During 1939, the Canadian Broadcasting Corp. presented 18,810 programs, occupying 7,000 hours, the annual CBC report reveals. The total represents an increase of 43 per cent in the number of hours and 45 per cent in the number of programs. The net operating surplus was $335,745, from a gross income of $3,111,440 derived from receiving set licenses and sale of time to sponsors.

Best CBS Month

CBS started 1940 with the best month in its history. Gross billings for January were $3,588,989, a rise of 34 per cent over December, the same month last year when $2,674,657 was grossed. January’s billings were 1.7 per cent ahead of December, when the billings were $3,529,154.

Personalities in the News

John F. Royal, NBC vice-president in charge of programs, returned from the Coast yesterday after making a survey of programs. APTitude there, Edward R. Murrow, chief European correspondent for CBS, is confined to a London hospital with influenza. Jules H. Berring, chief of the Benton & Bowles publicity staff, has been transferred to the Hollywood office.

Radio Editors Quiz McNutt

Radio editors and commentators had an opportunity to question Paul V. McNutt at a cocktail party at the Hotel Lexington yesterday. The McNutt-for-President Camp Committee invited the newsmen in, and the boys fired the questions.

Propaganda and Television Studied

Analysis of propaganda on the air and the technique of television programming will be new features introduced into the radio broadcasting course at the College of the City of New York when the second semester starts Feb. 13.

Guest lecturers scheduled to appear include Victor Ratner, CBS director of news; Davidson Taylor, CBS assistant to the vice-president in charge of broadcasts; J. Harrison Hatley, assistant director of NBC special events; R. R. Popple, WOR chief engineer; Edward Padula, director in the NBC television department.

Television History!

Schenectady Hails Relay of 130 Miles

(Continued from page 1)

been received at the Helderberg relay station before in tests, today was the first time such programs were re-broadcast for the entertainment of persons in the area served by the local station. Both image and voice were considered excellent by members of the Commission, equally as good as programs originating in the local studio.

So far as known, this is the first time a television program has actually been re-broadcast over any such distance and from a point 7,000 feet below the line of sight.

Members of the Commission who viewed the program were Chairman James Lawrence Flyn, Commissioners Paul A. Walker and Thad H. Brown, and Secretary T. J. Store. With them were Dr. L. P. Wheeler, W. H. Bauer and G. O. Gillingham of their staff.

Among those in the General Electric group accompanying the commissioners on their inspection of the G. E. television facilities were Dr. W. R. G. Baker, manager of radio and television; Chester H. Lang, manager of radio and advertising; Dr. F. F. W. Alexanderson, radio expert and scientist; C. A. Priest, chief transmitter engineer, and W. J. Purcell, engineer of broadcasting Station WGY.

With today’s visit by the Commission, G. E. announced the completion of its new television relay station, located one and one-half miles from the main transmitter atop the Helderberg Mountains. By the use of the new relaying equipment, television broadcasts from New York City will become available to district residents within range of the company’s Station W2XB.

3 WOR Salesmen Hit $1,000,000 Mark

One million dollars’ worth of radio time was sold by three WOR salesmen during 1939, it was announced yesterday by Eugene S. Thomas, sales manager, who disclosed that time sales were 15 per cent ahead of last year.

The $1,000,000 mark, after discounts for local time, was achieved by Theodore W. Herbert, Otis P. Williams and Robert A. Catherwood.

The only other WOR salesman to hit the $1,000,000 mark is George A. Schmidt who did it in 1938.

and Norton Cotterill, World Broadcasting vice-president.

Gets NBC Trade Press Post

Jack Miles, who has been with the NBC press department for six years, was named trade press editor for the network yesterday.

Mutual Programs on FM

When WOR opens its new frequency modulation station next month, the FM station will use Mutual programs instead of WOR’s. The effect of this method will be to provide a check-up on audiences. A number of Mutual programs are not carried by WOR and any audience reactions to such shows will be directly attributable to the FM outlet.

the news that 26 of America’s greatest network advertisers used WOR to supplement their network broadcasts in Greater-New York during the year 1939*

*This is an increase of 37% over 1938 and an increase of 116% over 1935. Incidentally, some sponsors used more than one WOR show to supplement their network broadcasts.
Foreign Films
Suffering 25 Percent Loss in Gross

War Raises U. S. Dislike For Alien Product

Grosses on foreign films in this country are off from 25 to 30 percent, due to a decreasing interest in Americans in this type of product, according to distributors of foreign pictures.

Notwithstanding the fact that some 175 theatres in the United States show foreign films on a full-time or part-time basis, distributors say that the decrease in grosses has been due to a lack of interest in foreign films. Distributors say foreign films have only one market, in the east.

When the 1936 foreign film grosses begin to be released, it is expected that the trend will continue to decrease.

WARNERS WELCOME OUTSIDE PRODUCERS

As New Precedent

CHICAGO, Feb. 4—Warner

Warner's}

AGREE ON QUERIES; COHN QUIZ TODAY

Bondy Denies Columbia's Plea; U. S. to Examine Other Trade Chiefs

Examination of Columbia's top executives by Government attorneys in connection with the New York anti-trust suit will begin today with Harry Cohn, president, scheduled to be the first to be questioned.

Federal Judge Bondy on Friday denied Columbia's motion to vacate the Government's notice of examination in respect to Jack Cohen, vice-president, and Abe Montague, general sales manager. The court said it understood Harry Cohn was on his way to New York and said that in that case he should submit to examination here. Otherwise, the court added, the Government should examine Cohn in California.

The decision has possibilities of establishing a precedent for the examination of other companies' West Coast executives, or such of them as cannot be spared from their work there.

Attorneys for most companies indicated, however, that they would not oppose the Government's plan to examine Columbia, and preferred to have the examination take place here, rather than to disrupt their legal staffs at this time by sending delegations of attorneys to

Unions End Television Fight; Major Split Threatens 4-A's

Contracts settling the television jurisdictional dispute between the three branches of the Associated Actors and Artists of America were signed over the weekend and negotiations with the networks are due to start within 10 days.

Control for a temporary period of six months is vested in a five-man board. Actors Equity, Screen Actors Guild, American Federation of Radio Artists, and S. A. G. and A. F. R. A. will select a fifth. Addition of a Chorus Equity member was designed to equalize the balance of power between Equity and S. A. G. and A. F. R. A.

Members of any 4-A union will be eligible to work in television. The

Hebert to Exploit Fleischer's Next

MIAMI, Feb. 4—William Hebert, former head of Fleischer Studios, is to exploit the studio's new cartoon production.

The deal was set by Robert Gillham, Paramount advertising and pub-

Arguments Close

In Nashville Case

NASHVILLE, TENN., Feb. 4.—A battery of counsel yesterday closed argument in U. S. District Court in an effort to have the government file a bill of particulars and clarify a bill of complaint charging the Crescent Amusement Co. and others, with violating the Sherman anti-trust act.

Mrs. Holt, American Federation of Radio Artists, and her assistant, George Heller, rushed to the Coast by plane to attend an S. A. G. board meeting tonight. Paul Dallberg, executive secretary of Actors Equity, was due to accompany Mrs. Holt and Heller but was forced to cancel his trip due to illness.

Although the secession threat is not likely to be consummated, it reflects the grave nature of the present dispute. S. A. G. is incensed over the delay in forming "one big union" and the handling of the affairs of the
JAMES K. GRAINGER, Republic president, returns today from sales meetings in the Midwest.

Lloyd Lind, manager of the contract department at Monogram's home office, and Mrs. Lind are the parents of two infants, girls aged 6 months and 12 ounces, born Thursday night at the Hackensack Pavilion, Medical Center.

Morris Wolf, counsel for the Warner Bros. circuit in Philadelphia, has been appointed chairman of the advisory committee of the United Charities Campaign in Philadelphia.

GEORGE P. AAROES for the 22nd time has been reelected secretary-counsel for the United Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware.

Mr. and Mrs. Abe Fishman of the Community Field, Conn., will join Dr. J. B. and Abe Fishman of Fishman Theatres, New Haven, at Miami Beach later this month.

Stanley Freiberg, of the law firm of Phillips & Nizer, has become an executive of Disney-Ricker. A reception will be held Feb. 22.

Tyrone Power, Annabella, Brenda Joyce and Jane Darwell, 20th Century-Fox players, left for the Coast over the weekend.

Charles Roberts, Columbia home office supervisor for Latin America, was married last week in Mexico City to Margarita Ruiz of that city.

Walter Lambder, M-G-M booker in Kansas City, and Virginia Ziegler, assistant cashier there, were married yesterday.

Col. H. A. Cole, president of Allied States, returned to Dallas over the weekend.

George Scavan of the DuPan Film Company has returned from a trip to Mexico City.

Sam Katz, M-G-M production executive, arrived Friday from the studio for a two-week vacation.

Bruno Granichstaedten, Vienna composer of "White Horse Inn," is here from Europe.


George Dismow, general sales manager of National Screen Service, is on the Coast.

Forrest Tucker, six foot four Godwyn star, is visiting in the city.

WANTED SCRATCHED FILMS

You can get extra revenue out of your prints by having them restored by your scratch film to your final new condition. Telephone Co. 5-470 for our low prices.

AMERICAN RECONO, INC.
243 WEST 35th ST., NEW YORK, N. Y.
Negative Positive-Positive Film Reimbursement

JUDIIFL FIRM FIGHTS
Bankruptcy Threat

Hollywood, Feb. 4.—Creditors of Producers Pictures Corp., met late last week to plan the conserva-
tion of the company in order to stave off possible bankruptcy.

Robert Benjamin, attorney representing Pathe Laboratories which holds exclusive film production rights to seven productions which Ben Judell made, called the creditors together and said that he will not negotiate, but would do all in his power to liquidate the films in an effort to pay off all indebtedness of the corporation.

Appointed to the creditors' committee were Gus Barth, Agfa official here; A. J. Gurskey, International Motion Picture Supply, who appointed Adolph Fleischman, Cinema Props Co.

Total indebtedness of the corporation is $125,000, of which $4,500 is owed for labor wages and materials. The company has virtually no assets other than pictures.

Benjamin is reported in New York conference with FTC officials. He will return in two weeks. In the meanwhile, Harry Rather, Eastern division manager of Pathe, will study the possibilities of reviving the corporation in order to continue production.

Manager Kupper's Sales Month Starts

William Kupper's Month starts today, the first of three months horizontals in revenue campaigns in their division. Kupper is Western division manager, E. W. Hays and W. W. Gehring, Central division head, and April for William Sussman, Eastern division manager.

Quigley on 2-Week Trip to Hollywood

Martin Quigley, head of Quigley Publications, left for Hollywood yesterday. He will remain on the Coast for about two weeks, stopping over en route for two days at Chicago.

Lloyd Film for RKO
Harold Lloyd's first production for RKO will be "Three Girls and a Gob," an original by Grover Jones. RKO will produce the picture but not act in it.

New York Review

"Dr. Ehrlich's Magic Bullet"
(Warner's)

In the fine tradition of "The Story of Louis Pasteur," Warners have fashioned "Dr. Ehrlich's Magic Bullet," the record of an equally great medical scientist. There is no question that it is splendid enter-
tainment.

The film's production quality, the drama of Dr. Ehrlich's fight against disease, the most accurate use of screen technique.

Of necessity, the film's story concentrates upon the activity of Dr. Ehrlich. In that exacting role is Edward G. Robinson. Everything that he has done in the past must be forgotten, so perfectly has Robinson become the assiduous scientist, Ehrlich. His performance is true and sincere; nothing must be accorded a high place in the annals of motion picture portraiture.

The supporting cast is of a high order. Ruth Gordon is splendid as the loyal and devoted Mrs. Ehrlich. Otto Kruger is fine as Robinson's friend and fellow-scientist, as are Donald Meek, supplying a small bit of humor; Maria Ouspenskaya as the wealthy Mrs. Speyer, who aids Dr. Ehrlich with funds; Albert Basmann, as the great Dr. Robert Koch, who starts Ehrlich on the way to scientific fame.

Forced to quit his hospital for infractions of regimental discipline which he abhors, Ehrlich tries private practice but it proves unsuccessful. He meets Kruger, aide of Dr. Koch, and through his suggestion for the curing of disease bacteria to enable their ready identification, he is appointed to Koch's staff. Contrasting tuberculosis while working on the disease, he goes to Egypt. There he accidentally discovers the basic principle of imparted immunization. His dream is the development of what he calls "magic bullets," or chemical compounds which will act in the prevention or cure of disease.

To prove that point he devises the preparation of immunization. Family comes when he stews a diptheria epidemic with his injec-
tions. He then turns to the pursuit of a cure for syphilis. He continues his work despite rebuffs, a break with Kruger and the inability to raise funds.

Eventually, after hundreds of tests, he develops the famed "606," an arsenic compound which is specific for syphilis. Unwillingly, he re-
leases it, and when several deaths occur, newspapers charge him with murder. He defends his specific in a libel action and with Kruger's timely aid wins the case.

Dr. Ehrlich dies shortly afterwards securely in his place as one of the great benefactors of mankind.

Production honors belong to Jack L. Warner, in charge of production; Hal B. Wallis, executive producer; William Dieterle, director; Wolf-

Galg Reimhardt, associate producer; John Huston, Heinz Herald and Norman Burnside, writers of the screenplay.

Running time, 105 minutes. "G."

Charles S. Aaronson

"G" denotes general classification.

Wind's Sets Records; It's Same Old Story

Continuing to break records, "Gone
With the Wind" exceeded the previous highest gross at each of the 25 houses where the film opened a week ago, according to M-G-M. In some of the situations it grossed four or five times the normal business.

In its first week in Chicago, the picture took $48,000 at the Oriental and $16,000 for the two-day show at the Woods. The first week in Detroit resulted in $56,000 at the United Artists and $23,000 at the Wil-

Hays to Hollywood

Producers' Parley

Will H. Hays will arrive in Holly-

wood today to attend the annual meet-

ing of the M. P. Producers Associa-
tion scheduled today.

After several weeks' vacation at his Hidden Valley ranch, Hays will re-
turn to New York for the annual meeting of the M. P. P. A. on March 15.

Hammans Testifies

Examination of Earle W. Ham-

moss, head of Grand National Pictures, will continue on Feb. 15. Hammans testified on Friday concern-

ing a loan of $9,000 made to the company on Feb. 3, 1932, by his mother, Sally Hammans. Educational Pic-
tures assumed a balance of $6,000 liability on this loan. G. N. V. was declared a bankrupt, Hammans said.

702 Gets Pathe Contract

Laboratory Technicians Union Local 702, reported over the week-

end that it had signed a closed shop contract for laboratory workers em-

ployed in the 48th Street Film Co. The contract provides for one week's paid vacation, wage in-

creases ranging from 10 to 25 per cent, six paid holidays and time and a half for overtime, according to the union.

Film's $1,000th Showing

"Harvest," prize-winning French film, on Saturday had the 1,000th performance of its record-breaking run at the World.
The Author of "The Citadel" Reveals
The Intimate Secrets Of a Private Nurse
The man who gave the world its first inside drama of the medical profession now turns his pen of fire on the world of the nurse... of those cloistered women who know men too well, yet must somehow find love in the midst of terror, toil and disillusionment!...

As it appeared serially in Good Housekeeping Magazine, here is the tremendously absorbing story of two sisters, one of whom pays for the other’s fatal mistake!...

TERRIFICALLY STIRRING—AND PLAYED BY THE YEAR’S BIG CAST!

CAROLE LOMBARD  BRIAN AHERNE  ANNE SHIRLEY

"VIGIL IN THE NIGHT"

From the New Best-Seller by A. J. CRONIN

with JULIEN MITCHELL  ROBERT COOTE  BRENDA FORBES  PETER CUSHING
Produced and Directed by the man who made ‘Gunga Din’ GEORGE STEVENS
PANDRO S. BERMAN in Charge of Production • RKO RADIO PICTURE

Screen Play by Fred Guiol  P. J. Wolfson  Rowland Leigh
Trailer-Made Gives Accounts to N.S.S.

Trailer-Made, Inc., is turning over all its accounts to National Screen Service for liquidation. Existing contracts with exhibitors will be served by National. The terms of the Trailers-Made contracts until they expire.

Sandel L. Rogers, attorney for Trailermade, said the company has found it impossible to operate with the type of trailers it made due to an insufficient number of terminals. He understood Trailermade had about 1,100 contracts. The company expires within a year.

National Screen Service will service the accounts with its regular sound trailers.

Trailer-Made entered the field two years ago. The company is headed by I. Schwartz, the same group that owned Ad-Vance Trailer to National Screen several years ago.

Arguments Close in Nashville Case

(Continued from page 1) theaters in five Southern states, and leading motion picture producers, have asked for a clarification of the plaintiff's suit, and for filing of a bill of particulars.

Last Friday afternoon, Louis D. Frolich, of Nashville, representing Columbia Pictures, United Artists, and Universal, charged the government has tried to bring this case within the four corners of the interstate case, 'only it didn't have the evidence.'

George H. Arrinstead, Jr., Nashville attorney representing the Columbia Company, has had a vigorous attack on the lack of complaint filed by the government. Charging the allegations were "vague, confusing, and self-contradictory," Arrinstead insisted the court should require clarification of the plaintiff's suit so the defendants could prepare an answer.

Arrinstead also insisted that allegations by the government about "predatory practices" were based on the Columbia Company, through holding of bank nights and advertising of admission prices, did not constitute inter-state violations. He will attack the suit, he said, on the character, not subject to federal jurisdiction, and that there is no "part in the lawsuit."

Herbert to Exploit Fleisher's Next

(Continued from page 1)

Fleisher's Next

Fleisher's Next premiere for cor- t nouns has not been definitely set yet, but several stories are under considera- tion. A decision will be made in the near future.

Milton Hancock Buried

Funeral services for Milton Hann- ock, head of the contract department at Columbia's home office, were held yesterday at the Riverside Memorial Chapel. Hancock died Wednesday in Miami after an illness of nine months.

Notes From Hollywood

Hollywood, Feb. 4—Joan Craw- ford and Fredric March start work this week with producer George Cukor to direct. Ruth Hussey has a featured role.

Charles Bracken and Billy Wilder are on location in Paramount's "The Poiloune," original by Brian Marlowe and Charles Bracken. The story is about the Nazi siege. . . . Harry Sherman will have as one of his westerns "Special." The Round-Up, and Harold Shumate has been assigned as writer of the screenplay. crispy Friday night play which was a Broadway success. Clarence Brown, producer- composer "Edison, the Man" at M-G-M will start preparations on a story depicting the life of Elihu Yale, for whom the University was named. Spencer Tracy may star in it.

Wally Ford boarded a train in Los Angeles the other day, bound for New York, and got off at Pasadena as M-G-M piled him for a fat role. . . . Edward Ashley, young English stage-screen actor, gets his first M-G-M role in "Pride of the 20th Century-Fox has signed Marguerite Chapman, New York model, to a term contract. . . . Lawrence Stelling is writing the script for "Witch of the Wilderness," at M-G-M. . . . The same studio has set Frank Morgan for a role in "Waterloo Bridge." . . . Lucille Ball and James Ellison will be co-starred in "The Romantic Mr. Hinklin" at LKO.

Scott R. Dunlap, Monogram pro-duction head, announced this week to his office after a siege of the flu, . . . "Chamber of Horrors" has been set as the next in the series of Boris Karloff horror stories starring Boris Karloff. . . . Paul Jones will bring Dr. Abram Leiberman, noted Viennese stage and film specialist, to a new movie. Dunlap, writing from Hollywood, on February 10th, will leave the studio for a business trip to New York for technical direction of "The Man in Half Moon Street," which is being produced for Paramount. . . . Mary Boland is to sign into M-G-M's "Pride and Prejudice." . . . "The Hapalong Cassidy" stories are to be produced for Paramount, which will be revamped to include the comic antics of E. Bremond, recently signed. . . . Louis B. Mayer will play opposite Jack Randall in Monogram's "The Cheyenne Kid." . . . Paramount has signed Leila Ernst, society girl and former Miss America, for a screen hit, "Too Many Girls." . . . She will make her film debut in the sequel to "What a Life."

Paramount has purchased "Ari's Love," original story by Benja- min Glazer and John Szekely, for Claudette Colbert. It is a comedy set in France at the outset of the cur- rent war, with Miss Colbert ex- acting the role of a newspaper corres- pondent falling in love with an American, soldier of fortune who joins the Allied Lincoln Brigade. . . . Bradby King has been signed by Fine Arts to a term writing contract.

Television Control Settled by Unions

(Continued from page 1)... the committee is now permitted to set wage and hour standards without approval of the executive boards of the four major wire services. The boards must approve or disapprove within one week after the committee makes its recommendations.

The six-month period may be extended later by agreement and it was agreed that all branches reserved their rights to assert claims for the jurisdiction over television after the six months.

Threat of Big Split Hovers Over 4-A's

(Continued from page 1) the nearest, the American Guild of Variety Artists.

Kenneth Thomson, S. A. G. execu- tive director, was a guest speaker tonight on A. G. V. A. conditions and is expected to make known his decision on taking over a temporary executive post in the vaudeville branch.

S. A. G. insists that the 4-A reor- ganization should be started forthwith with the boards believing there is no report of Bernard Reis, accountant, who should hold the Reis re- port of the 4-A's.

I. T. O. Coast Parley Planned in Spring

Los Angeles, Feb. 4—Trustees of the Pacific Coast Conference of Inde- pendent Theatre Owners will meet Feb. 6 and 7 at the Ambassador Hotel with the purpose of hearing the annual con- vention of the organization. The par- ley will be held this Spring.

Attending from Washington state will be both Mark and William Rip- ley; from Oregon, Robert White and A. West Johnson; from northern California, Ruth Harvey and Ben Levin, and from Los Angeles, July Brunn, Jack Y. Berman and Robert Poole, the latter executive secretary of the organization.

Warners Welcome Outside Producers

(Continued from page 1) the mid-season sales conference which started here yesterday and ended to- night. He will proceed to the coast on Tuesday.

Norman Moray, short subject sales manager, has been here on a tour of 22 exchanges and will con- clude the tour at the studio on next sea- son's program, returning to New York April 15.

Delegates attending the meeting will leave tomorrow night. Home office executives, traveling with the group, will be S. Charles Einfield, general sales manager, and managing, who is presiding, and S. Charles Einfield, ad- minister, vice-president, will return to New York Wednesday.

Warners Announces Publicity Staff Promotions

Chicago, Feb. 4—Promotions in the Warner field publicity staff were announced by S. Charles Einfield, ad- vertising and publicity director, at the company's sales meeting here.

Changes are: Sam Clark, Midwest representative, was granted leave to the West Coast at Los Angeles. Fred Bartow, formerly with M-G-M for 10 years, succeeds him.

Dick Hyland, Dallas representative, is transferred to the Washington, D. C. territory, Bill Lewis replaces him.

Cohn Under U. S. Trust Quiz Today

(Continued from page 1) to the Coast to sit in at the examina- tions.

Examinations of Jack Cohn and Abe Montague will follow that of Harry Cohn. On Feb. 12 or 13, the Government will attempt to begin examination of Nate J. Blum- berg, Universal president; William A. Scud, vice-president and general sales manager, and Charles R. Rog- ers, former production executive for Universal, who is now producing indi- dependently.

Examinations of other company of- ficials are scheduled to take place at one week intervals up to April 1.

Majors, U. S. Agree Upon Trust Queries

(Continued from page 1) United Artists will waive its right to a separate answer.

Columbia has declined to join in the major countersigning with the other defendants and the Government retaliated last week by moving to have the Columbia list vacated. The suit will be heard by Judge Goddard.

Columbia also will interpose objec- tions to the Government's interlocu- tories this week and may be joined by other defendants. The Government's interrogatories are scheduled to be answered by Feb. 15.
Foreign Films Suffering 25% Loss in Gross

(Continued from page 1)
to be suitable for this market and they are expected here within the next few months.

Where theatres have been unable to obtain good foreign films they have been forced to show revivals and fill in with selected American pictures.

Distributors say that a factor in the decline of the foreign film market is that most of them are heavy dramas, whereas the American public's taste now is for light films.

Theatres featuring Russian films have been hard put for product since last Fall, and some discontinued these pictures because of anti-Russian feeling.

With the withdrawal of Russian film distribution in this country, it is believed some of these theatres will be forced to close.

Davidson Receiver For Educational

James A. Davidson on Friday was named receiver of Educational Pictures, Inc., by Federal Judge Bondy with orders to take immediate possession of all Educational assets.

At the same time, Judge Bondy referred all hearings to Referee John E. Joyce.

Appointment of Davidson followed a request of Lloyd Wright of a $200,000 creditor as trustee of Grand National Films, Inc. Wright asked for a receiver on the ground that the bankrupt stood in danger of losing a $50,000 mortgage on studio equipment.

The petition claimed that the trustee of Grand National Pictures, as lessee of the California studio was threatening to take possession of this studio equipment.

In addition, Wright stated, it was essential for the receiver to defend a Government tax suit for $40,000 against Educational Film Co. of America, as Educational subsidiary.

Davidson must post a $5,000 bond before qualifying under the order. Judge Bondy has also stayed all creditors interfering with Educational's assets.

Pathe Breakfast Party

RKO-Pathe held a breakfast party showing of "Vacation Diary," a short subject travelogue describing Bermuda, on Friday at the Newseum Theatre in Rockefeller Center. Breakfast was served in the mezzanine while the reel was screened continuously in the theatre. Travel agents, officials of children's societies and representatives of the trade press attended.

Canadian Censor Quits

Toronto, Feb. 4—L. C. Moyer has resigned as a member of the War Censor Bureau of the Canadian Government because of other Government duties. Moyer had charge of the censorship of both foreign and domestic films. C. J. Hannatt, a newspaperman, has been appointed his successor by the Dominion Government.

RCA Operates FM Station; Negotiating License Deal

RCA is operating an experimental frequency modulation station from the Empire State Building and is negotiating for a licensing agreement for Edward Armstrong, who holds the major FM patents, it was learned over the weekend.

The station operates on a frequency of 426 megacycles and is on the air constantly except when television programs are being broadcast. Regular NBC programs are transmitted. Call letters of the new station, which started operation two weeks ago, are WXXWG.

RCA is experimenting with both a wide and narrow band, although Major Armstrong uses only the wide band. Engineers are working in the field, testing the signals as they are received, to prepare data for the F. C. C. hearings on FM, which start Feb. 28.

Silent on Armstrong Patents

RCA engineers refused to disclose whether or not they are using the Armstrong patents. They pointed out that under experimental conditions the question of patents is not involved. However, it was added that the question of ownership of patents might have to be determined by the courts.

Major Armstrong formed, some of his experiments in the RCA laboratories.

The nature of the present negotiations for a licensing agreement was not disclosed. It was stated that Major Armstrong never offered to sell the Armstrong patents to RCA but has offered to grant licenses.

With Mutual's FM station due to go on the air next month and an announced no-problem presentation of a CBS transmitter in the Chrysler Building, in addition to the NBC station, all major network programs will shortly be available over FM in the New York area.

FCC Ends Survey Of Television Today

Members of the F.C.C. will end a five-day inspection tour of television stations today with a visit to the RCA plant in Camden and the Broward plant.

They will leave for Washington tonight to resume deliberations on the setting of standards for television.

On Friday they toured the NBC television studios and the Empire State transmitter. On Saturday, they visited the Cathay-Film laboratories and the Dumont plant.

David Sarnoff, RCA president, who greeted Commissioners Fly, Walker, Thompson and Brown and engineers who accompanied them, declared that he realized the problem the Commis- sion was facing. He emphasized the fact that RCA desires that standards be fixed by the Commission, but added that they would not insist that one be set at this point to facilitate the F.C.C. for delay in setting standards.

Publishers See Film

The Columbia one-reeler, "The Threads of A Nation," the story of cotton, was screened for the annual winter executive meeting of officers and directors of the Southern Newspaper Publishers Association in Atlanta yesterday.

Merrill Is Elected RKO Treasurer

William J. Merrill, financial executive in RKO for the past four years, was elected to serve as one of the reorganized company at the first meeting of the board of directors since RKO's emergence from reorganization.

Mr. Merrill was elected a vice-president of the reorganized company earlier. He had been assistant to George J. Schaefer, RKO president, for a year preceding his election.

Review Board Ends 3-Day Conference

National Board of Review of Motion Pictures concluded its 16th annual conference with a luncheon at the Hotel Pennsylvania on Saturday.

Among stage and screen stars present were Burgess Meredith, Betty Field, Roman Bohnen, Joseph Kauffman, Robinson, Harry Carey and Bert Lytell. Dr. A. A. Irill, chairman of the National Board, was toastmaster at the luncheon.

On Friday, the second day of the three-day meeting, delegates met with the Committee on Exceptional Photoplays. In the afternoon was held the second discussion session on the conference theme, “Fifty Years of Films.”

Among the speakers were Albert Howson, Warners scenario editor; W. W. Whittinghill, head of the department of visual and radio education of the Detroit public schools; Arthur Mayer, operator of the Rialto Theater, and Herbert Kline, director. On Friday evening, the delegates saw early films at the Museum of Modern Art Film Library.

Ampa's Luncheons Resume Thursday

Ampa will resume its luncheon meetings next Thursday at Dempsey's Restaurant, Eighth Ave. and Sixth St., where meetings will be held in the future.

The new arrangement provides a seating capacity of more than 200 persons and facilities for entertainment which were lacking at the previous meeting place. Price for luncheons remain the same.

Radio Brevities

T HE Federal Communications Commission is seriously concerned with the danger of foreign spies using high frequency transmitters in the United States in furthering efforts to prevent such espionage.

The F. C. C. is seeking F. C. C. funding for an investigation of unauthorized use of broadcasts by foreign agents.

The Commission is anxious to construct a transmission line near Anchorage, Alaska, to check up on the activities of amateur and other operators who might be communicating information to foreign governments.

Personalities in the News

George Seber, formerly publicity director for Lenan & Mitchell, and now with Universal's exploitation department, is leaving to join the J. Hambidge agency as an associate. . . . Frank Corson, assistant chief censors, has resigned to go to Eugenio, received the 1940 gold medal of the American Institute of the City of New York on Friday. His work was in the field of short wave and frequency modulation. . . . William Powell and Myrna Loy will star in "Single Crossing" on the Screen Guild show over CBS next Sunday. . . . Charles Correll, the "Andy of "Amos 'n' Andy," is the father of Dorothy Alyce, born Wednesday night.

Mutual's January Billings

Gross billings of Mutual for January totaled $317,729, a rise of 3 per cent over $315,679 during the same month last year.

Program News

NBC will offer $50 weekly prizes in connection with the station's "Ad- ventures." The first weekly contest is for photographs of family pets and subsequent subjects will be announced on each broadcast. . . . Charles Barret replaces Jack Star- ri at the Hotel Lincoln Blue Room on Friday and will take over Swit's schedule of four NBC and two WEAF weekly broadcasts. . . . Barbara's Clothes, Inc., has renewed its contract for one year over WXYN for 12 quarter-hour periods weekly plus 44 to 62 spot announcements weekly.

New WEAF Transmitter

NBC has added 10 acres to its 40-acre tract in Port Washington, L. I., for a new WEAF transmitter. The station's present transmitter is located in Bellmire, L. I.

Canada Dry Contest

Canada Dry, who sponsors "Information, Please," will produce a promotional and publicity contest today for radio stations which carry the program. First, second and third prize winners will be given to the winning station in addition to 12 other prizes. Judges will be T. W. Williams, Canada Dry advertising manager; S. Barrett McCormick, RKO director of advertising and publicity; Robert J. Landry, radio manager which were lacking at the previous meeting place. Price for luncheons remain the same.

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U.S. Theatres
Show Big Gain
In ’39 Building

798 Projects During Year
Cost $22,267,000

Theatre construction showed a marked upturn in 1939, with a total of 798 projects and contract valuations of $22,267,000 in the 37 states east of the Rockies, according to Dodge Reports.

This compares with 751 projects valued at $20,966,000 reported for the same areas in 1938. The projects include new building and major alterations.

A trend to smaller seating capacities is indicated in Dodge Reports statistics which show that while the 751 projects in 1938 involved 2,776,000 square feet of floor space, the 798 projects last year involved only 2,798,000 square feet.

Last year’s building record was exceeded only once in the last five-year period. This was in 1937, when there were 884 theatre projects with a contract valuation of $27,227,000. In 1936 there were 797 projects involving $17,493,000, and in 1935 the contract valuation for theatres was $13,992,000.

U.S. Quizzes Cohn
Upon Player Loans
And Theatre Deals

Columbia Pictures has loaned players to producers regardless of whether these producers are independent or not, Harry Cohn, president of Columbia, declared during his two-and-a-half-hour examination yesterday in the Government’s anti-trust suit.

Cohn insisted that Columbia had always maintained this policy in answer to a number of questions asked by Special Assistant Attorney General Robert L. Wright, Cohn disputed Wright’s contention that a producer could not be considered independent if he released his pictures through a major company and argued that “he still is an independent.”

Cohn went on to say that Columbia did not inquire into releasing facilities of an independent before leasing it talent, but confined its investigation to the ability of the producer to pay, the type of story in which the player would take part and the billing that he would receive.

The company at no time has con-

U.S. Critics Voting
On Screen Awards

MINNEAPOLIS, Feb. 5.—Balloting has started in the national poll of 283 critics sponsored by the newly organized Newspaper Film Critics of America.

Nomination under seven classifications have been made by a committee of 50 critics, including pictures which have had general release during 1939. Roadshow films are not included.

Merle Potter, film editor of the Minneapolis Times-Tribune, is director of the poll.

The seven classifications include: Best picture, best actor performance, best actress performance, best support-

N. S. S. Takes Over
2 Poster Services

Advertising Accessories, Inc., sub-

Freeman Is Elected
Head of Producers

HOLLYWOOD, Feb. 5.—Y. Frank Freeman of Paramount was elected president of the Association of Motion Picture Producers at today’s annual meeting which was addressed by Will Hays. Freeman succeeds Joseph M. Schenck, president for the last two years.

Other officers named were E. J.

BIOScreen: COLOR TELEVISION SHOWN;
THREAT TO MOVIES

Television Today

FCC Witnesses Secret RCA, Philco Tests;
Brilliance, Clarity Like Photograph;
Philco Set Has Built-In Aerial

PHILADELPHIA, Feb. 5.—That television is likely to become an early serious threat to the motion picture industry was emphasized today as the Federal Communications Commission witnessed sensational demonstrations at the RCA plant at Camden and at the Philco laboratories here.

Both RCA and Philco took television out of the closets of secrecy for the private inspection of the F.C.C. and today saw spectators. All of those who witnessed the demonstrations were visibly awed by the advanced state of development with large screens.

Officials readily agreed that television is no longer in its swaddling clothes, but sufficiently advanced to be the outstanding scientific achievement of the next decade.

Large screen color projection featured the RCA demonstration. A receiving set, with a built-in aerial, receiving pictures transmitted at 605 scanned lines, highlighted the Philco showing.

Stopping first at RCA, the F. C. C. members, headed by Chairman James Lawrence Fly, concurred in the belief that television presents a grave menace to motion pictures. They saw the transmission of black and white films onto a 4½x6-foot screen, projected from the receiving set by means of a new optical system.

RCA’s development of color television was disclosed in the transmission of color films onto the large screen. Color pictures were shown with remarkable brilliance, and witnesses said the entire showing was comparable to home talks.

In addition, RCA engineers showed the Commissioners how they arrived at a 30 frames per second transmission of pictures of 441 scanned lines against 24 frames per second in motion pictures, the greater speed making

Extended Play Time
Asks for ‘Wrath’

A guarantee of extended playing time will be asked by 20th Century-Fox for “Grapes of Wrath” and exhibitors will be requested to play it as a single bill, especially during 100 or 150 pre-release engagements which are being set for March.

Herman Wouker, general sales manager, feels that the film should run singly in order to permit adequate turnover. The picture runs two hours and 10 minutes. Should another fea-

Bioff Federal Trial
Is Set for May 28

LOS ANGELES, Feb. 5.—Federal Judge Ralph J. Jenney set May 28 as the date for the opening of the trial of William Bioff, J. A. T. S. E. leader, indicted recently on two counts of income tax evasion.
Dinner at Detroit
Will Honor Mayer

Detroit, Feb. 5—Louisa B. Mayer, in charge of M-G-M production, will be guest of honor at a civic luncheon at the Roe-Colden Club here on Wednesday in connection with the world premiere of “Young Tom Edison” in Port Huron the following day. Mayer will arrive here Thursday for ceremonies which will start Port Huron’s “Edison Days” celebration.

Others expected are William F. Rodgers, M-G-M general sales manager; Edward M. Saunders, Western division manager; Howard Dietz, advertising and publicity director; Howard Strickling, studio publicity director; William R. Ferguson, exploitation manager; Mickey Rooney and Les Peterson of the studio.

They will attend the opening of the film at the Downtown Theatre, Port Huron, Saturday night. A special preview will be held at the same time at the Family and Majestic theatres.

Mrs. Minna M. Hughes, widow of Harry M. Edison, and Premier Mitchell Hepburn of Ontario have invited acceptances to the premiere. Others who will attend are Norman Taurog, director, and John Considine, Jr., producer of the film; Gov. Dickinson of Michigan; Alfred A. Tate, editor of the Edison Pioneers of New York, and Edsel Ford.

Warner chiefs back after Chicago Parley

CHICAGO, Feb. 5—Warner sales executives, district managers and branch managers left here tonight following the three-day sales meeting at the Blackstone Hotel, presented by Gradwell L. Sears, general sales manager.

B. Einfeld, director of advertising and publicity, and Mort Blumenstock, in charge of advertising and publicity, will return to the home office yesterday. The home office executives who left today included: Sears, Carl Leesman, assistant general sales manager; Roy Haines, Eastern and Canadian sales manager; Ben Kalmenson, Western and Southern manager, and Arthur Sachson.

Sears read to the sales personnel a wire from Hal B. Wallis, associate executive in charge of production, who cited the results of forthcoming product ready for release, including “Dr. Ehrlich’s Magic Bullet,” “Virginia City,” “Three Cheers for the Irish,” “Till We Meet Again,” “Saturday’s Children,” “The Sea Hawk,” “All This and Heaven,” Too” and others.

U.A. Officials going to Coast for Parley

Conferences on United Artists’ new season production plans and sales policies will get under way in Hollywood next week with the arrival here of United Artists president Paul A. Brown, his brother Donald, Editorial Director, and Lou Schwartz, advertising and publicity head of the company, and other United Artists officials.

Brown and Charles Schwartz, counsel and board member, will leave for the Coast by train Thursday. They may be accompanied by Zoltan Korda, Silverstone director, and Sabu, Indian boy star. Members of Silverstone’s family will accompany him.

Lynn Farnol, United Artists advertising and publicity director, also will leave for the Coast conferences on Thursday.

Monthly meeting of the company’s board of directors will be held today with the probability that it will act on the new five-year contract for John M. Stahl pictures.

MacIntyre Finishes Tour of 38 Branches

Herb MacIntyre, captain of RKO’s Ned DeLine sales drive, concluded a tour of 38 branch offices yesterday with a visit to the New York salesroom, exchanged, headed by Robert Wolf, manager.

Approximately 100 employees, including many from the RKO home office, attended the final rally to the billings drive proper.

Herb MacIntyre there is a W. Smith, Jr., eastern and Canadian sales manager, Harry Michelson, southern sales manager, A. S. Hart, manager, and exchange operations; M. G. Poller, W. J. McShea, Dick Anderson and Harry Gittleson.

Decision Reserved in Vineyard Action

PHILADELPHIA, Feb. 5—U. S. Circuit Court here reserved decision on the appeal from a preliminary injunction granted the Landis Theatre, Vineyard, N. J., in its anti-trust suit against the United Artists and the major distributors.

The court had been expected to hand down the decision when it convened here Monday. Arguments on the appeal were heard Jan. 19, when the injunction, granted by Judge Kirkpatrick of the Federal District Court was attacked as unconstitutional.

MOTION PICTURE DAILY
(Distributed by U. S. Patent Office)
IN THE TRADITION OF SUCCESS

Topping "Alexander's Band" at Lincoln, Miami ... Hold-over already announced at Roxy, N. Y. ... Beating "Stanley and Livingstone" in Baltimore ... Biggest of season in Bridgeport ... Out-grossing "Alexander's Band" in Hartford ... Leading "Rains Came" in Worcester!

DARRYL F. ZANUCK
produced...

HENRY KING
directed...

LITTLE OLD NEW YORK
Boston, Feb. 5.—With all theatres in the city playing to better than average, "The Fighting '69th" grossed $35,000 at the Metropolitan. Playing its sixth week at one theatre, "Gone With the Wind" was still strong with a gross of over $10,000.

Estimated takings for the week ending Jan. 31:

"The Cisco Kid and the Lady" (20th-Fox) KEITH, BOSTON—(500) (2Sc-40c-5c) 6 days. Gross: $1,000. (Average, $166.67).

"Swannee River" (20th-Fox)
PALATKA, FLA. (John D. M.) KEITH MEMORIAL—(2,907) (20c-35c-50c-60c-75c) 7 days. Gross: $6,500. (Average, $928.57).

"The Secret of Dr. Kildare" (M-G-M)
FENWAY—(1,352) (2Sc-40c-55c-60c-75c) 7 days. Gross: $2,000. (Average, $285.71).

"Ninotchka" (M-G-M)
PARAMOUNT—(1,797) (2Sc-40c-55c-60c) 7 days. Gross: $3,300. (Average, $471.43).

"The Fighting 69th" (W. B.)
HIGH POINT, N.C. (20th-Fox—METROPOLITAN—(4,367) (2Sc-40c-55c-60c-75c) 7 days. Gross: $11,800. (Average, $1,692.86).

"G" denotes general classification.

New York Review

"Louise"
(Mayer-Burtynt)
Interpreted into terms of the screen, the opera "Louise," by Gustav Charpentier is entertaining for those discriminating audiences who either are fond of good music, attractively rendered, or of opera itself. The film is in French.

There is, in addition, for the selling of the film, the star, Grace Moore, who is in fine voice in the title role. Supporting her are Georges Thill of the Paris Opera, as his love interest, and Andre Pernet, of the same company, as her father. Both are excellent.

The use of the screen medium permits of a somewhat greater latitude in the depiction of such scenes as the carnival in Montmartre, but for most part the pattern of the original stage opera is closely followed. Abel Gance directed and Taylor provided a foreword and is credited with the English subtitles.

The story tells of the young girl in love with a composer-poit, an affair strongly disapproved by the girl's parents. She persists in seeing him, eventually leaves home, returns briefly when she learns her father is ill, then leaves again finally, as the call of youthful freedom and romance overwhem her wish to please her aging parents.

Running time, 80 minutes. "G."* Charles S. Aarons

Short Subject Reviews

"Nothing But Pleasure" (Columbia)
Buster Keaton, in his artless way, becomes involved in a series of misadventures which wind up in some big schemes. He sells his car and travels with his wife, Dorothy Appleby, to Detroit to purchase a new one. He neglects to buy insurance and his car is wrecked by bandits. Highlighting the comedy is a scene where Keaton attempts to put an injured lady to bed. Running time, 17 mins.

"Park Your Baby" (Columbia)
Scrappy, in a black and white cartoon, organizes a baby checking service in a department store. A pair of twins from the gashouse district is checked. When the family of the twins' real parents, who drive Scrappy to desperation, put them into a "bad-boy pacifier," after which their own father fails to recognize them, the cartoonist animates Running time, 6 mins.

"U. S. Treasury" (Columbia)
Another in a series of Washington gumphes, "U. S. Treasury" describes the activities of the Bureau of Engraving and Printing. The money printing process, which is always an interesting subject, is described in considerable detail. Methods of offset printing are also discussed. Should make a good addition to the program. Running time, 10 mins.

"The Heckler" (Columbia)
Charley Chase, as a loud-voiced sports fan, delights in upsetting the morale of baseball players with his calls of "Watch him miss it!" Charley is so successful that some gamblers pay him to travel with the team. The players get even by making Charley catch cold, and he returns to his heart, Should produce laughs. Running time, 17 mins.

Los Angeles, Feb. 5.—"His Girl Friday" and "Cafe Hostess" drew a strong crowd Monday night at the Pantages, $12,500 at the former and $11,000 at the latter. "Gone With the Wind" continued its top pace in the Cahuilla Circle and United Artists.

Estimated takings for the week ending Jan. 31:

"Gone With the Wind" (M-G-M)
CAR ATHAY CIRCLE—(1,343) (7Sc-15c) 7 days. Gross: $20,700. (Average, $4,000.)

"Of Mice and Men" (U. A.)
LOEW'S THEATER—(2,907) (80c-75c) 7 days. Gross: $3,500. (Average, $500.)

"Cafe Hostess" (Col.)
HILLSTREET—(3,000) (30c-65c) 7 days. Gross: $12,500. (Average, $1,785.)

"The Shop Around the Corner" (M-G-M)
LOEW'S THEATER—(2,500) (65c-15c) 7 days. Gross: $13,000. (Average, $1,857.)

"The Fighting 69th" (W. B.)
UPPER WEST SIDE—(2,400) (30c-5c) 7 days. Gross: $1,900. (Average, $264.)

"Community Sing, No. 5" (Columbia)
Donald Grayson leads a group of singers in some old gypsy songs. Included are "Two Guitars," "The Gay Match," "Volga Boatman" and "Abdul Allum Amir." Grayson frequently exults the audience to join the singing. Running time, 10 mins.

"The Threads of a Nation" (Columbia)
Here is a history in color of the development, growth and manufacture of cotton. From its beginnings, cotton is shown as it was used by ancient civilizations. The process is described in detail. Running time, 11 mins.

"Vacation Diary" (RKO-Pathé)
Glorifying the advantages of Bermuda as the spot for the ideal winter vacation, this reel's highlights—swimming, surfing, dancing under the stars and sailing in the moonlight—are some of the pleasures. Nine minutes.

"Teddy, the Rough Rider" (Warners)
Many will regard this as the best of the "Historical Feature" series. It certainly is worthy of being shown in every theatre, not only for its Americanism but because it tells an absorbing story which, in fact, has feature-length possibilities.

It is the story of Teddy Roosevelt the fighter, always batting for the country. After his retirement, Sidney Blackmer performs splendidly in the role, and has Pierre Watkin, Theodor Von Eltz and Arthur Loit in chief support. Ray Enright is turned in a swell job of direction. In color. Running time, 19 mins.

Wind' Establishes Kansas City Record
Kansas City, Feb. 5.—A new all-time high for any picture was set by "Gone With the Wind" given it took $41,000, according to A. I. Mieland, "The Fighting 69th" and "Mexican Spitfire" took $8,100 at the Orpheum. The weather was mild.

Estimated takings for the week ending Jan. 30- Feb. 1:

"Conge Maiasle" (M-G-M)
HILLSTREET—(2,500) (80c-75c) 8 days. Gross: $2,700. (Average, $337.50).

"Gone With the Wind" (M-G-M)
MIDLAND—(4,000) (7Sc-15c) 7 days. Gross: $18,000. (Average, $2,571.)

"Invisible Stripes" (W. B.)
"Gunny, Get Your Gums" (W. B.)
MIDLAND—(2,400) (30c-65c) 7 days. Gross: $4,000. (Average, $571.43).

"The Mexican Spitfire" (RKO)
HIGHLAND—(1,100) (2Sc-35c-50c) 7 days. Gross: $2,700. (Average, $385.71).

"The Wind" (M-G-M)
TOWER—(2,200) (2Sc) 7 days. Staged, Nelson Sisters, Glamour Girls, Elaine Arden, 4 McVieille Sisters, Gross: $4,100. (Average, $600.)

"Conge Maiasle" (M-G-M)
UP TOWN—(2,500) (2Sc-40c) 8 days. Gross: $3,900. (Average, $487.50)

Charter Three Firms
Albany, Feb. 5.—Chinese American Films, Inc., has been incorporated here by Rudolph Allen, S. E. Sydow and Alvin Kaplan, of Philadelphia. The firm’s object is to produce dramatic pictures, as follows: Lamu Productions, Inc., by Leo Moselle, Rose Lader and Geraldine Weiss, New York; Roster Amusement Co., Inc., by William J. Boxer, Samuel Levitt and Rochelle Dronge, New York.

"Girl Friday"
Hits $24,100, Los Angeles
Seattle, Feb. 5.—"Gone With the Wind" scored $34,000 at the Fifth Avenue. "The Fighting 69th" drew $900 at the Palomar.

Seattle Film Bookings for the Week Ending Feb. 2:
- The Great Victor Herbert (Para.)
- Henry Lehrer (MGM)
- Blue Mouse (20th-Fox)
- Footlights (M-G-M)
- Fifth Avenue (20th-Fox)
- The Seventh Man (Col)
- The Fighting 6th (W.B.)
- The Marrying of Miss Mansfield (20th-Fox)
- City in Darkness (20th-Fox)
- Our Prairie (20th-Fox)
- Is It Safe (20th-Fox)
- Green Hell (Univ.)
- High School (20th-Fox)
- Paramount—$600 (20th-Fox)

Gross: $8,000. (Average: $1,000.)

Seattle, Feb. 5.—W. D. Wobber feels that box-office receipts would be curtailed. The company will have an assist advertising campaign on the film for the pre-release engagements and will require the exhibitor to increase his normal advertising budget for the engagements.

In addition to a number of early engagements shortly after March 1, the company is setting up more than 100 day-and-date bookings for about March 15.

The only engagement for the picture so far is at the Rivoli on Broadway.

Government Picture Planned in Canada

Toronto, Feb. 5.—The National Film Board of the Dominion Government has organized the production of a "national film" under the title, "The Underdeveloped Frontier," dealing with the neighborhood peace between the United States and the Dominion Board also plans to produce a short subject film for school children, and a group for adults for educational purposes.

A regular series of films will be brought out, portraying the life of Canadian soldiers in England and France during the war. Production will also send films to military theaters in the overseas war zones.

Cincinnati Club Elects

Cincinnati, Feb. 5.—The following board of governors was chosen at the first election of the recently-formed Cincinnati Cinema Club, composed of the film and other salesmen serving the industry: Rudy Knooppe, Pete Niland, John S. Allen, Max Cummins, Nat McKnight, L. J. Bugie and Al Koliste.

Notables to Attend "Pinocchio" Opening

Industry and civic leaders and important personalities of the stage, screen and radio will attend the world premiere of the Walt Disney-RKO feature, "Pinocchio," at the Center Theatre tomorrow evening.


Also Mr. and Mrs. Joe Pomer, Robert Stack, Cobina Wright, Jr., Jerry Killion, Mr. and Mrs. Brian Ahene (Joan Fontaine), Burgess Meredith, Walter Hampden, Edmond O'Brien, Ruth Gordon, Gene Autry, Judy Canova, Edward G. Robinson, Jimmy Durante, Clifton Fadiman, John Kieran, Franklin P. Adams, Oscar Levey, David Sarnoff, Harry Carey, Hope Hampton, Irving Berlin, Andre Kostelanetz, Tony Martin, Kate Smith, Deems Taylor, Harry Goetz, Max Gordon, Gladys Swarthout, Frank Chapman, Jascha Heifetz, Mary Martin, Phil Spitalny, John Green, Adlon Stepworth, Donald Cook.


Cameraman Sues IA on Union Transfer

Los Angeles, Feb. 5.—Bylaws of the I. A. T. S. E. are due for another court test as a result of the damage action filed in Superior Court by Ben Wetzler, member of Photographers Local 659, and he also alleged he was denied privileges of transferring his membership to Studio Photographers Local 699, which has a closed shop contract in local motion-picture production. Wetzler, in his complaint, declared that upon his arrival here three years ago he, under the bylaws of the alliance, sought to transfer his membership and Local 659 refused it.

Gennaro Rea Sells Story

Gennaro Rea, former scenarist for Monogram, has sold an original story, "The Slavers," to the Italian-American Film Corp., headed by Dr. Philip Giordano, former publisher of the film. The story will be produced at Cinecitta, in Rome.
**Critic's of U.S. To Vote Upon Film Awards**

(Continued from page 1)

Hollywood, Feb. 5.—When a “Broadway Melody” is bad it's very, very bad, and when it’s good it's terrific. This “Broadway Melody of 1940” is the best of the very, very good ones, so much better than the previous best as to suggest at once a broadening of the calendar title scheme so as to permit production of more than one a year, perhaps as “Broadway Melody of 1940—Spring Edition,” “Broadway Melody of 1940—Summer Edition,” and so on, for surely the market will stand four a year, maybe more, if each can be depended upon to measure up.

This musical surpasses any of its series predecessors, first, by reason of the presence herein of not one, not two, but three superlative dancers, Fred Astaire, Eleanor Powell and George Murphy. It excels its forerunners, secondly, by the use of a Cole Porter music score, than which, for this, that the yen has been none better nor as good. It excels, additionally, on the performances of Frank Morgan, in the pink of his giguddest form; Ian Hunter, Florence Rice, Lynne Calver and young Trytie Firschke, ache vaudeville juggler whose act is interpolated for immense audience result.

Produced by the knowing and open handed Jack Cummings, the picture is big, beautiful and broad production-wise, yet studded with niceties of incidental business and artistically sound throughout. Direction by Norman Taurog is of a high order, keeping the background story steadily coherent and constantly in motion without allowing it to impede the smooth flow of musical numbers. These, following always the knownsequence of events, are placed and unified by that subtlest stimulation all musicals are supposed to be but only the cream of them do.

The picture is easily the “dancing-est” musical ever produced, the three evenly matched dance stars performing individually, collectively and in all the possible pairings. The story by Jack McGowan and Dore Schary is about a male dance team emanoured of a girl dance star and a case of mistaken identity which requires a sequence of unfamiliar incidents to get itself ironed out. The screenplay by Leon Gordon and George Oppenheim has the extremely good sense to attend to this matter of ironing it out good-humouredly, commonsensically and without distracting the audience thrust to unnecessary strain in the thespian department.

Some while back the trade was whispering that musical comedies were on the wane. It is all true. They were good, but they all alike and nothing could be done about it. Producer Jack Cummings and his co-workers made a liar of that whispering. They achieve this notable and highly worthwhile unmasking of a canard by the simple device of proceeding to make a grand musical comedy that tries to be just that and nothing else.

Their picture, coming to market at a time when social documents done up in entertainment wrappings are more plentiful than pleasant, is a brilliant and most welcome piece of universally enjoyable screen amusement.

Running time, 100 minutes. “G.”

Roscoe Williams

**Studies Mass Facts to Fight 10% Raise**

(Continued from page 1)

broke down individual company resistance to divulging information on their labor costs, it was learned officially here. Hereinafter, no such individual or consolidated company information has been available for labor negotiating purposes.

The I.A. summit covers costs of labor in many employee groups to individual studios and to the production branch of the industry as a whole. In addition the chart shows labor’s share of the gross payroll (including production dollar for purposes of comparison with the share of executives and employees) taken separately in technical and non-technical groups in that dollar.

The information is aimed to answer the I.A.T.S.E. contention that labor costs are unequal sharing in production shipment, either because of irregular employment periods for the workers or because executives, talent and technical groups command too great a share of the production dollar.

The I.A.’s contention that the average studio union worker earns only $900 per year, despite prevailing high wage scales, due to irregular employment, has been refuted by the records just compiled, it was said. The average is shown to be nearly twice that of the regular employees due to production letdowns.

As reported by Motion Picture Daily, last week, audited reports of production and distribution earnings during the first 13 weeks of the 1939-40 season revealed that the industry was already prepared here and forwarded to Freeman for use in the Feb. 15 negotiations on the Coast.

The reports show that on the basis of earnings for the period, and because of the continuing uncertainty in international markets, continuation of the 10 per cent increase is unwarranted in the opinion of the auditors.

**Los Angeles Citizens Protest Censor Plans**

Los Angeles, Feb. 5.—The Municipal League, composed of leading Los Angeles citizens, had reaffirmed in a session in the city council a letter expressing the League's opposition to a proposed ordinance empowering the police commissioner to censor movies and stage shows.

**Player Loans Told by Cohn In Trust Quiz**

(Continued from page 1)

sidered purchasing theatres for showing its own films, he later stated. No Cohen proposal, however, would have involved any financial interest in any theatres, he added.

Attorneys, however, would not allow Cohen to make a statement as to whether it was advisable or necessary for a producer to own theatres. Wright stated that he would move for a continuance in answer to this query after attorneys claimed that the main question was the suit and could not be answered by a witness no matter how expert he was.

Cohn was the first of 26 top officials to testify before the board. His preliminary examination covered his activities in the film industry since 1918. In 1924 he organized Columbia in collaboration with several other men, he said.

**Denies Being Major Company**

From 1924 to 1929 Columbia distributed its pictures through states' rights exchanges, he said, and at no time did it have any of the then major companies. In 1929, Columbia set up a national distributing system, but this, he continued, was a result of being a major company, he insisted.

In response to a question which sought his admission that only the big producer companies classified as "A" films, Cohn declared that "all companies make good pictures." Metro accepted the best consistent in making good pictures, he said in answer to a direct question. Asked to name the second best, he promptly replied: "I am afraid you are going too far with me."

**Quiz Jack Cohn Friday**

Wright frequently attempted to obtain a concession from Cohn that Columbia became a major company in 1929 when it ended its own distribution system. Cohn continued to assert that Columbia was an independent and declared that it had made Class "A" pictures before 1929.

Examinations will continue on Friday with Jack Cohn, vice-president, taking the stand. Abe Montague, sales manager, will not testify this week because of illness. Officials of Universal who were scheduled to testify next week have obtained a postponement of their examinations until March, Wright announced.

**Freeman Is Elected Head of Producers**

(Continued from page 1)

Mannix, first vice-president; Cliff Wharton, second vice-president, and Fred W. Beets, reelected executive vice-president. Mannix succeeds Jack L. Warner who asked to be relieved of his pressing obligations in the press of studio production work.

The board of directors, composed of Harry Samuel, Goldwyn, Mannix, Thomas H. Ince, Hal Roach, Samuel Gold, Walter Wagner and Jack Warner, remains unchanged with the exception of the addition of James Rogers who was named as member of the Association today.
Tips on Exploitation

Paramount Starts "Seventeen" Contest

Contests in 17 key cities to select as many "Miss Seventeens," who will be flown to Hollywood by Paramount to attend the press preview on Feb. 5 of Booth Tarkington's "Seventeen." The contests are being conducted with the cooperation of a local newspaper in each of the following cities: Kansas City, Pittsburgh, Birmingham, Buffalo, Chicago, Columbus, Dallas, Denver, Detroit, Des Moines, Houst on, Memphis, Little Rock, Minneapolis, Nashville, Omaha and Salt Lake City.

2000 Have Applied in Monogram Contest

More than 2000 applications have been received for the Uncle Dan's Sweepstakes, a talent contest which will continue through February over a Mutual network. The winners will be flown to Hollywood via United Air Lines, and will be exposed in a picture to be produced by Monogram.

Legion Dinner Aids Albany Run of "69th"

ALBANY, Feb. 5.—"The Fighting 69th" was aided here when the American Legion state legislative dinner was held here the night before the picture opened. Manager Andy Roy of the Strand here, an American Legion officer, ran the contest to select the best girl reporter in Seattle, who was offered a week's job at a salary of $50 during the first week of the picture's engagement.

Free Shaves Play "Demon Barber" PHILADELPHIA, Feb. 5.—For the showing of "The Demon Barber of Fleet Street," William Woll, manager of the Allegheny Star, has set up a barber chair in his lobby and offered free shaves to patrons.

Ship Model Contest Aids "Rulers of Sea"

PHILADELPHIA, Feb. 5.—Philadelphia Hobby League was solicited by the State Theatre to sponsor a model ship display contest. Three prizes were awarded for the best entries and the ship models were on exhibition in the theatre lobby. The stunt tied in with the showing of "Rulers of the Sea."

Large Family Search Plugs "Child Is Born"

PHILADELPHIA, Feb. 5.—"A Child Is Born," Jack L. Lexy, manager of the Broadwyn, has started a search for the neighborhood's largest family for a private showing of the picture. A report of the Family's testimonial will be used in the advance advertising and publicity. Lexy claims that the largest brood brought to his attention is a family of 21.

Theatre and Personnel Notes

KANSAS CITY Area Changes

KANSAS CITY, Feb. 5.—Changes in their business ownership in the territory include: Lathrop, MO, where Fred Hall has taken over the Lathrop from George Owens; Pierce City, MO, where H. L. White has reopened the Norwich.

Takes Schenectady House

SCHENECTADY, N. Y., Feb. 5.—The Mount Pleasant, dark recently, is being taken over by a New York firm which owns the Stanley and other theatres there. The theatre name will be the New Metro, with interior and exterior renovations, new marquee and remodeling work to begin before its opening early in February.

Renovate Waldorf Here

The Waldorf, 900-seat theatre at 55th St. and 6th Ave., will close in about two weeks for renovation. New front, new seats, air conditioning and a new marquee will be included in the project.

Frisco House Remodeled

SAN FRANCISCO, Feb. 5.—The Midtown, of Golden State Theatres, has been completely remodeled and finished. Rex A. Feliziani is resident manager.

Opens Alabama Theatre

LINDEN, Ala., Feb. 5.—The Dianne, a new theatre, has been opened here with J. E. Williams as manager.
RCA's Television Relay System Uses FM Transmission

RCA's new system of radio relay for television employs the frequency modulation method of transmission, it was announced yesterday. The original announcement was silent on the type of modulation to be employed.

It was stressed, however, that the relay system will also work on amplitude modulation, although FM is more desirable. RCA engineers insist that the company holds many basic patents for FM transmission.

Returning from a weekend trip to Chicago where he addressed a joint meeting of the American Institute of Electrical Engineers and the Institute of Radio Engineers, Major Edwin H. Armstrong yesterday declared that interest in the Middle West is at a high pitch.

Armstrong pointed out that 12 FM stations are operating on a regular basis, that four additional are expected within the next few weeks and that 10 more have received FM licenses.

Armstrong's station in Alpena, N.J., now transmits CBS programs from 9 A.M. until 11 P.M., although the regular programs are scheduled to start at 4 P.M.

F. M. Broadcasters, Inc., organization of stations using FM, will hold meeting in Washington on Feb. 28, prior to the start of F.C.C. hearings on Feb. 28. They will seek the allotment of 15 channels for FM stations instead of the present five with provision for future expansion. Increases of power from the present one kilowatt to 50 kilowatts are sought.

Full commercialization through the granting of regular instead of experimental licenses will be asked.

Firm Will Produce All-Negro Pictures

Hollywood, Feb. 5—Jed Buell today announced incorporation of Dixie National Pictures, Inc., with Ted T. O'Day, Atlantic exchange man, as president; William J. Morton, former attorney and executive producer, and Jack Coyle and Rev. James K. Friedrich as board members. The company will produce and distribute, starting with the production of a series of eight all-Negro pictures. Coyle and Friedrich recently produced "The Great Commandment," which was purchased by Twentieth Century-Fox.

 Majors Get Early Nashville Decision

NASHVILLE, Feb. 5.—Federal Judge Elmer D. Davies indicated that he would grant, "in part," defendants' motions for a bill of particulars in the Government's anti-trust suit against Crescent Amusement Co. and large distribution companies, following arguments which were concluded here on Saturday.

Film Division Chiefs Named in Finn Drive

Jack Connelly, former general manager of Pathe News, has been appointed in charge of publicity of the motion picture division of Herbert Hoover's Finnish relief campaign. Leslie E. Thompson is chairman and Vincent Hart director.

Five Continued Runs Bring Excellent Grosses to Broadway

With the opening of "Pinocchio" tomorrow evening at the Center, five Broadway houses will be housing films for continued runs, the largest number in a long while.

Over the weekend, "Little Old New York," with a stage show, established itself at the RKO where it is planned to $5,256 admissions in three days for an estimated gross of $27,536.

At the Strand, "The Fighting Sixth," with Paul Whiteman's band on the stage, rolled up an estimated $55,000 for its first week and clicked over the weekend for an estimated $85,000.

"Geronimo" is due at the Paramount tomorrow morning while "Swiss Family Robinson" goes into the Music Hall on Thursday. "Gone With the Wind" is still playing to capacity houses at the Capitol and Astor, where it registered an estimated $75,000 and $22,000, respectively, during the seventh week.

In the second week at the Rivoli, "Grapes of Wrath" should gross an estimated $90,000 at the Fox and hold a second week. Five days of the second week of "The Shop Around the Corner," with a stage show grossed an estimated $55,000.

Over the weekend, "Remember the Night" took an estimated $12,000 and at the Winter Garden "The Blue Bird," which began its fifth week, which ended Friday brought an estimated $8,500. At the Rialto, "Green Hell" produced an estimated $13,000 for the first week and is held over for a second.

Big Screen Color Television Proves Success; Film Threat

(Continued from page 1) for better definition of picture and reception were not as good as expected unless present technical limitations are reduced in the future, but for a demonstration it is remarkable.

RCA engineers explained that they have worked for years on television transmission up to 100 lines, within the range of F.C.C. frequency assignments. They have been able to determine to their own satisfaction that within that limit, a 441-scanned line picture gives the best detail and best final appearance while with wider bands they get a jerky picture.

Commissioners were also shown RCA's one kilowatt frequency transmitter and signal generator, the main equipment of receiving sets, equipment and advance developments of the incono- scope, transmission tube, which is the heart of the apparatus. They were shown the details in the definition of 441-line pictures.

Waiting for FCC Standards

The Commissioners were told that RCA is prepared to bring out television as a full grown industry once standards are set by the F.C.C., explaining that stations are already lined up for the development of a television network by means of relay transmitters, that transmitters and all necessary station equipment is being manufactured and that they have even set up a service department for television stations.

Viewing the demonstration were F. C. C. Commissioner Frank Mors, Commissioners Walker, Brown and Thompson along with Dr. I. T. Wheeler, chief of the Communications information division; William H. Bauer, F.C.C. attorney, and George O. Gillings, the commission's publicity director.

From RCA were George K. Throckmorton, president of the manufacturing company; Robert Shannon, executive vice-president, plus the other vice-presidents in charge of respective divisions: E. W. Engstrom, director of research; Thomas F. Joyce, in charge of advertising; O. B. Hanson, chief engineer of the National Broadcasting Co. in New York, and all the research engineers at both the Camden and Harrison, N. J. laboratories.

At Philco, where the demonstration was in charge of William H. Grin- ditch, vice-president in charge of engineering, and David Grimes, chief engineer, the F.C.C. party was taken to the various homes of Philco engineers in the suburbs to view transmission and test reception of the sets. Philco has made no immediate plans to put its sets out on the open market.

The significance of the demonstration was twofold. The Philco set offers a new innovation in a built-in aerial with picture transmission at 605 scanned lines, approximating a perfect photograph. With a built-in loop, a dial on the set enabling the set owner to control the direction of the aerial. Philco engineers claim that diathermy interference, which makes for hum trouble, is eliminated and thus makes for a better synchronized reception.

Definition is Acclaimed

By running diathermy machines mile away from the homes of the engineers, a practical demonstration of hum trouble was shown to the commission. Further, the built-in loop means the reduction in the total cost of the receiving set since the constructed vacuum tube aerial for sets on the market today is considered an expensive item.

Due to the elimination of diathermy trouble, the F.C.C. has been able to step up the definitive tests of Philco sets by eliminating the influence of the aerial on the scanned lines, contrasting the 441 line scanning to the 60 screen of newspaper pictures as compared to the 88 screens in slick paper magazines.

Another feature of the Philco set demonstrated was the use of a flat-faced tube as compared to the round-faced tubes on the sets in use today. The flat screen eliminates distortion and makes for a picture as one walks away from the receiver.

Black and white films and a living talent sketch, transmitted from the Philco studio where the demonstration was held, were used for the demonstration. After viewing Philco's one kilowatt set better, the commissioners returned to Washington, releasing a comment on all that they had seen and heard on their five-day inspection tour.
Brazil Plans Drastic Acts; Majors Fight

Big Boost in Censorship Fees Is Proposed

New film legislation calling for a drastic increase in censorship fees and for reciprocal distribution of certain Brazilian pictures by American companies has been proposed in Brazil.

So seriously do home office foreign departments regard the new proposals that representations were made at once to the American legation at Rio de Janeiro, protesting all phases of the new film measures.

Representations hold that the proposals are in violation of the United States-Brazil trade treaty and, specifically, the treaty's guaranties against increases in taxes and other levies over the level prevailing at the time the treaty was signed.

The new censorship fee would add approximately $5 per reel to the present fee, an increase of about 270 per cent. It will apply to short subjects as well as features.

The reciprocal distribution proposal provides for the distribution by American companies outside of Brazil of one native newsreel or travelogue for every 10 newsreels or travelogues sent into Brazil by American distributors.

Adolph Zukor, Paramount board chairman, and John W. Hicks, vice-president and foreign department head, will confer with Argentine government and trade officials on pending film legislation following their arrival in Buenos Aires next Sunday.

The two Paramount officials, currently on a business tour and goodwill tour of Central and South America, left Santiago, Chile, last Sunday for Buenos Aires.

Associates Honor Wurtzel Saturday


The informal gathering will be addressed by Darryl F. Zanuck and Joseph M. Schenck, among others.

Among the guests will be Tom Mix, Buck Jones and Frank Lloyd, with whom Wurtzel had worked.

The actual anniversary fell last October but the celebration was delayed because of business conditions.

Latin America Film Funds Voted Down

Washington, Feb. 6—Requests of the state department for grants to initiate the motion picture phase of President Roosevelt's Latin American program were rejected today by the House Appropriations committee in reporting the department's supply bill for the coming fiscal year. An item for purchase of projection equipment for embassies in Latin America was eliminated from the bill.

Films Needn't Fear
Television—Morton

Alfred H. Morton, NBC vice-president in charge of television, yesterday discounted claims that large screen television may serve as a threat to the motion picture industry.

On the contrary, large screen television was developed for the motion picture theatre.

"I do not believe that television, even large screen television, offers any threat to the motion picture industry. On the contrary, large screen television was developed for the motion picture theatre."

SEC Report Shows
William Goetz Sale
Of 6,300 Shares

Washington, Feb. 6—Disposition by William Goetz of 20th Century-Fox, of 16 shares held in his company's common stock in a series of sales ranging in volume from 100 to 1,800 shares, was reported by the Securities and Exchange Commission in its semi-monthly summary for December.

The largest of a number of year-end transactions reported by officers and directors of film companies, the sales reduced Goetz' holdings to 178,343 shares of the common, in addition to 55,284 shares of $1.50 preferred stock.

Next heaviest transaction was the disposition by J. Robert Rubin of Loew's of 1,400 shares of common stock of that company, reducing his holdings to 30,015 shares. Also in Loew's, Leopold Friedman disposed of 100 shares of common stock, raising his holdings to 712 shares, and Sam Katz disposed of 750 shares, leaving him with but two shares.

Disposition of 500 shares of Warner Brothers common was reported by Morris Wolf, Philadelphia, leaving him with 450 shares, in addition to 160 shares held in trust, at the close of the year. Acquisition of 200 Universal Corp. common voting trust certificates was reported by Charles D. Frutman, bringing his total to 900.

Other transactions reported included the acquisition by Allan P. Kirby, Jersey City, Pathé director, of 80 shares of common stock through Holding Company B, bringing his interest to 350.

Films Prosper in Australia;
Continue Exporting of Cash

SYDNEY, Feb. 6—Depending almost entirely on film imports for its theatres, Australia is not expected to follow the lead of Great Britain in drastically restricting the export of currency.

The Government, according to trade opinion here, will continue indefinitely the provision instituted at the start of the war, whereby film companies may withdraw their deposits every two months, in six equal instalments.

Withdrawals, however, are limited to the amounts taken out in 1939.

Although the Government has classified films as "non-essentials" in its regulations governing imports for the war period, trade leaders do not anticipate any moves to restrict their import.

Film business is prospering here as a result of the war which has brought new money into the country through large-scale buying of wheat, wool and other commodities by the British Government.

Since Australia is predominately an agricultural country, trade leaders believe that this assures economic prosperity for some time to come.

One of the effects of the war is that the Australian Government, seeking to conserve its cash, is encouraging domestic manufacture to supplant imports to some extent. "The Government is subsidizing film production to the extent of $200,000. The first film partially financed by the Government loan subsidy is "Rudd M. P.", now in production at Cinesound.

Cinesound plans four features this year.

SAG Flare-Up
Wins Backers
Of 'One Union'

Drastic AGVA Shakeup Is Believed Near

Hollywood, Feb. 6—The "one big union" issue, dormant for months, was forced to the fore yesterday by Screen Actors Guild, whichcliited guarantees from American Federation of Radio Artists and Actors Equity that both were willing to see its early development.

A drastic shakeup of the entire American Guild of Variety Artists organization and a change of its character policy loom as a result of conferences this week of Associated Actors and Artists of America branch executives behind closed doors.

Threats of secession by S. A. G. brought Emily Holt and George Hel- ter of A. F. R. A., and Walter Greaza of Equity to the Coast by plane last weekend. After hearing them, the S. A. G. board appointed a subcommittee for further conferences and will hold a special meeting Thursday night.

Important Questions Arise

Among important questions to be discussed are repayment of loans made by S. A. G. to A. F. R. A. and A. G. V. A.; plans of cooperation between A. G. V. A. and other A. F. L. unions in Seattle, Chicago and other A. G. V. A. chapters; and establishment of national officers for A. G. V. A.

Principally, however, S. A. G. is interested in the "one big union" plan. The Guild is reported to have lent $30,000 to A. G. V. A. and to have spent about $25,000 in the fight with the I. A. T. S. E. last Summer. A. F. R. A. is reported to have borrowed from $30,000 to $40,000 from S. A. G. during its attempt to get contracts with the networks.

Another reported point of irritation is the claim of some "Equity members that a great number of members of S. A. G. who work exclusively in Hollywood but retain Equity cards.

Pinocchio' to Have Premiere Tonight

Walt Disney's "Pinocchio" will have its world premiere at the Centre Theatre tonight, with all of the fan fa...
**Newsreel Parade**

Arrival in New York of Finnish runners and selection of Chicago for the Democratic convention share the spotlight in the newsreels, reels and their contents follow:

**MOVIEENEWS, No. 43 — Fire disaster in Japan, President of Turbofilm, Ltd., Mr. Luiz C. Turbino, has reported that Soviets suffer defeats in Suomussalmi and Tammemea, Russia. The report states that Russian anti-aircraft batteries have been destroyed. Mardi Gras in New Orleans, Fargen, President of the Justice and Liberty League, celebrates birthday. Senator Taft and Mrs. Taft arrive in town. Senator LaGuardia urges water economy. Track meet in New York, Speed skate contest.


**RKO PATHES, No. 86 — Finns here for homeland while two Finnish runners arrive in New York. Fire in Jay business center. Display news photos. Famine in New Orleans.**

**SETTLE RKO ACTION AGAINST MUSIC HALL**

Stipulation was filed yesterday in the U.S. District Court settling the suit of RKO for $164,751 against the Center Music Hall, Inc. and Rockefeller Center, Inc., owners of the settlement were undisclosed.

Suit was filed in 1936 with RKO claiming breach of a five-year exclusive contract which covered the exhibition by the defendant of a minimum of 22 pictures in the 1935-36 season. The plaintiffs claimed that the defendant exhibited only 11 pictures and failed to pay minimum rental under the contract on a number of them.

**Editor:**

**Motion Picture Daily**

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**AMERICAN AIRLINES INC.**

**ROUTE OF THE AIRLINES**

**Fly American Overnight to California**

**Via The Southern Sunshine Route**

- Over the fields of Dixie, over the sunny plains and golden day which travelers to their destinations in luxurious ease and comfort. Giant Skykippers . . . complimentary meals . . . stewards service. Make your next trip to the West via this nature-favored service. Travel agents. Havemeyer 6-5000. Ticket offices, 45 Vanderbilt Ave., and Rockefeller Center at 18 W. 49th St.
THE GRAPES OF WRATH

in third week

continues blasting all

22-year Rivoli records!

Forced by crowds to keep open 19½ continuous hours!

Over the week-end Rivoli doors were opened at 8:30 a.m. Unabated S.R.O. kept theatre from closing till 4 a.m. following morning!
I broke off several limbs with a pickaxe, and, carrying them in large strainers, with a pickaxe, and, carrying them
in large strainers, I made several pieces red hot in the fire.
When these were dry, I reduced them to powder, which, when
needed, was ground to a powder. Then I prepared the powder.

With these materials, I began to construct a new house, which I

To prevent it from falling through the cracks,
and to prevent it from falling through the cracks,

With the help of the boys, who were always ready for any new

In constructing a hut of poles and branches of every

different size and shape, I prepared a shelter for the boys, and

As they were always ready for any new

rainy day, I constructed a hut of poles and branches of every

different size and shape, I prepared a shelter for the boys, and

I used several of these to light a fire, and after the fire had

When the fire had been lit, I threw a small stake over the

The hut was then closed to make

It was then closed to make

It was then closed to make
“RKO can well puff out its chest along with those two new producers, Gene Towne and Graham Baker, for a production that definitely lands in the smash hit class. It’s swell adventure.”

– Jimmy Starr, Los Angeles Herald & Express

“Hollywood’s parade of great motion pictures continues. Joining such recent smash hits as ‘Gone With The Wind,’ ‘Abe Lincoln in Illinois,’ ‘Grapes of Wrath’ and ‘The Fighting 69th’ is ‘Swiss Family Robinson’... a motion picture that every member of the family should see.”

– E. J., Los Angeles Examiner

“‘Swiss Family Robinson’ augurs well for Towne and Baker’s ‘The Play’s The Thing’ idea.”

– Philip K. Scheuer, Los Angeles Times

“Pleasing entertainment for old and young alike.” – Harry Mines, Los Angeles Daily News

**THE NEW PICTURE OPENING AT RADIO CITY MUSIC HALL THIS WEEK, IS . . .

– “A solid piece of wide-appeal merchandise . . . The story is one of the two or three most completely escapist stories ever written.”
  – M. P. Herald

– “The kind of film the whole family can enjoy . . . ACTION AND EXCITEMENT . . . Has deep appeal for all those with a desire to ‘get away from it all.’”
  – M. P. Daily

– “An outstanding piece of entertainment.”
  – Variety Daily

– “An appealing picture, and should click strongly . . . DIFFERENT. A genuine accomplishment.”
  – Film Daily

– “Definitely among RKO Radio’s BIG PICTURES of the year.”
  – Box Office

– “Real entertainment . . . moving, human drama . . . stirring action and thrilling spectacle . . . HAS ALL THE EARMARKS OF A SOCK HIT AT THE BOX OFFICE.”
  – Hollywood Reporter

with

**THOMAS MITCHELL • EDNA BEST • FREDDIE BARTHOLOMEW • TERRY KILBURN • TIM HOLT • BABY BOBBY QUILLAN**

Directed by EDWARD LUDWIG  Produced by GENE TOWNE and GRAHAM BAKER  Screen Play by Walter Ferris, Gene Towne and Graham Baker
**Wind' Loop Smash Lead With $65,100**

CHICAGO, Feb. 6.—“Gone With the Wind” broke records at the Oriental and was grossing $48,200 and the Woods $16,900. The Chicago, “The Fighting Eighty’ and Andy Hardy were in second, with the personation at the latter at $46,600.

Estimated takings for the week ending Jan. 31-Feb. 3:

- **Remember the Night** (Para.)...
- **Gone With the Wind** (M-G-M)...
- **A Child Is Born** (W. B.)...
- **James Cagney in the Second Man** (RKO)...
- **The Flying Deuces** (RKO)...
- **Henry Ford's Men** (Univ.)...
- **Gone With the Wind** (M-G-M)...

**Wind' with $42,000 Sweeps Providence**

**Academy’s Music Nominations Listed**

HOLLYWOOD, Feb. 6.—Nominations in the music division of the Academy of Motion Picture Arts and Sciences awards, are as follows:


Best score regardless of source:


**May Ease Quebec Children Film Ban**

Montreal, Feb. 6.—Possibilities of a change in the law to permit Quebec children to attend films, were hinted today by William Roussard, Attorney General. The Government was reported not to be opposed to such a plan to permit children to see pictures, carefully selected by a board of religious and educational leaders, as opposed to educational development and moral safeguarding of minors.

**SAG Flare-Up Wins ‘One Union’ Support**

(Continued from page 1)

exercise too great an influence in Equity affairs.

Union officials in New York declare that they are mystified by the sudden flare-up of the S. A. G. on the question of reorganization. It was pointed out yesterday that the report of Bernard Reis, accountant, who was assigned to study the issue, is due on Feb. 15. With such a short period remaining, officials here believe that the S. A. G. action was provoked by a desire for recognition.

On the other hand, the Guild asserts that administrative policies need not await the accountant's report. However, it is believed that assurances given Monday night in Hollywood may satisfy S. A. G. that the other branches have accepted the basic principle established at one big convention here last week.

Kenneth Thomson, S. A. G. executive secretary, has failed to announce whether he will accept a temporary post with A. G. V. A. The S. A. G. board is expected to decide tomorrow whether it will permit Thomson to take the post or if he wishes to help A. G. V. A.

The subcommittee nominated to meet with Mrs. Halt, Heller and Greens on the Coast consists of Walter Abel, Lucille Gleason and Noel Madison. The first two are Equity members.

**Films Needn’t Fear Television—Morton**

(Continued from page 1)

hat and coat and go out of the house on at least one evening of the week. And the family goes with her. In that is the theatre’s guarantee of continuous popularity.

Television needs motion pictures and we have been trying very hard to convince motion pictures that they need television. Television is a substantial part of television programming and, as time goes on, we will be able to pay their prices for them.

**Settle Trusts; Trend Denial Made**

Major companies which are defendants in local anti-trust suits or other litigation always have attempted to find some equitable settlement or judgment. In advance of going to trial, home office attorneys said yesterday in commentary on suits. The best settlement of several suits indicated a new procedure.

The settlement efforts are mater- ially aided by a sort of armistice out of complaints regarding product supply and unreasonable clearance, it is usually understood that the defendants are not settled with a trial indicates only that the companies were unable to get together with complainants on what they regarded as an equitable solution.

The major distributors would rather go to trial on any suit of the kind than consent to what they believed to be an unjust settlement, it was said.

**Music Hall Reception**

Dr. Alfred Wys, descendant of the author of “Swiss Family Robinson,” and a number of distinguished Swiss residents of New York will attend a benefit show at the Music Hall in connection with the premiere there of RKO’s film of the same name. Dr. kern, prominent player, and Gene Towne, producer, will also attend.

**’Girl Friday’ Pulls $13,500, Cincinnati**

CINCINNATI, Feb. 6. — “Girl Friday” took $13,500 at the RKO Palace, and “The Cisco Kid and the Lady” at the New. “Comedie Francaise” on the RKO Shubert stage, gave that house $13,000.

Estimated takings for the week ending Jan. 31-Feb. 2:

- “The Shop Around the Corner” (M-G-M)...
- “Male and Female” (M-G-M)...
- “Buckboard” (M-G-M)...
- “Gone With the Wind” (M-G-M)...

**Philadelphia Gives ‘Wind’ Big $72,000**

PHILADELPHIA, Feb. 6.—“Gone With the Wind,” in its second week at the Earle, established a new house record for “Wuthering Heights” and at the Bowd took $31,000. “The Fighting 69th” gave the Fox $20,500.

Estimated takings for the week ending Feb. 2:

- “Green Hell” (Univ.)...
- “The Light That Failed” (Para.)...
- “The Girl from Jones Beach” (20th-Fox)...
- “Gone With the Wind” (M-G-M)...
- “My Sister’s Keeper” (M-G-M)...
- “The Fighting 69th” (W. B.)...
- “The Yearling” (M-G-M)...
- “Music in My Heart” (Col.)...
- “Rawhide” (W. B.)...
- “His Girl Friday” (Col.)...
- “The Great Gatsby” (20th-Fox)...

**STANTON—(3,200) (30c-42c-57c) 7 days. Gross: $22,000. (Average: $3,143.)**

**Gazette**
**SEC Reports Stock Sales By Wm. Goetz**

(Continued from page 1) to 2,100 shares held direct, 1,000 through Holding Company A, 4,000 through Holding Company B and 500 through a trust; acquisition of 300 shares of Keith-Albee-Orpheum by Malcom Kingsberg, New York, managing director of the company, giving him a total of 143,000 shares, and disposition of 300 shares of the same stock by Michael J. Meehan, holder of more than 10 per cent of the stock, reducing his holdings to 26,504 shares, and acquisition of 100 Columbia Pictures common voting trust certificates by Abraham Schneider, bringing his total to 304.

In Columbia Broadcasting System, Lawrence W. Lowman reported the disposition of 394 shares of Class A stock, reducing his holdings to 3,400 shares, and James M. McEwen disposed of 200 shares of Class B, his entire interest.

**Australia Allowing Export of Currency**

(Continued from page 1) year. Production is expected to start at two or three other studios.

The production of official films for propaganda purposes is now in the hands of the Information Propaganda Board. Film representatives on the board are Bernard Freeman, M-G-M managing director and Clark O'Day, president of United Film Distributors Association; Ken Hall, Cinesound studios; Gordon Ellis, representing distributing companies, and Sam Snyder, representing exhibition companies.

These films will run about 1,000 feet and will be made at no cost to the Government. Regular rentals will be charged exhibitors, however. Alexander Korda's "The Lion Has Wings," which is made under the cooperation of the British Government, is doing big business here.

**Nick, Weston Ouster Upheld in St. Louis**

St. Louis, Feb. 6.—The ouster of John F. Nick, deposee head of the operators' union, and Clyde Weston, business agent, from control of Local 143 last April by Circuit Judge Ernest P. Oxley was upheld today by the St. Louis Court of Appeals.

The opinion affirmed Judge Oxley's refusal to revoke the appointment of the General Managers by the Information Propaganda Board. The association stated in part: "On the record before us there is no escape from the conclusion that there was no good reason to be had by the plaintiffs by an appeal to tribunals within the organization." Nick and Weston were "either irresponsible or crazy," the evidence against them, the opinion added.

**Biff's Extradition Hearing Set Feb. 13**

Sacramento, Cal., Feb. 6.—Governor Carter, who set the date of the extradition hearing for William Biff, I.A.T.S.E. leader, sought by California authorities, who charge he fled to avoid service of a six-month jail term 18 years ago.

**Circuit Takes Over Free Milk Project**

Lake Charles, La., Feb. 6.—When a city project to furnish nearly 200 school children with free milk was facing failure, a government official on the street ran out, officials of the Southern Amusement Co., through a personal appeal to the president, announced that it would sponsor continuation of the program in the future. The agency operates four houses in Lake Charles.

**'U' Studying Plans Of Recapitalization**

Several plans of recapitalization are under consideration by Universal, but will receive little help from Wall Street. A number of conditions, including the need for the money in the immediate future, company officials said yesterday, were considered by company's preferred stocks on the New York Stock Exchange in registering a gain of almost 25 points in the past two weeks is based on the preparation of a recapitalization plan which will provide for the five years of accumulated, unpaid dividends.

Investors obviously are expecting a new issue of securities for which the outstanding preferred will be exchanged, that is, a new common to be issued in payment of accumulated dividends.

**Whole Play and Cast Will Go On Television**

"When We Are Married," Broadway legitimate play, without cuts and with the regular cast, will be presented by NBC's television station Sunday night, Feb. 25. The cast will have received a flat fee out of which it must pay the cast. Several months ago Max Gordon was forced to do a play review "Very Warm for May" because of Equity's insistence on a full week's pay.

**January Billings Set NBC Record**

NBC gross billings reached a high during January when $4,460,987 was handled over the Red and Blue networks. The increase over the same month last year was 9.2 per cent, and compared with the same period December, 1939. The Red grossed $3,496,393 for January, an increase of 8.9 per cent over the same month last year, while the Blue registered $900,487, an increase of 10.5 per cent.

**Club Postpones Dinner**

Kansas City, Feb. 6.—The Variety Club inaugural dinner and dance, set for Feb. 8, has been indefinitely postponed due to conflicting dates.

**Robinson as Franklin**

Hollywood, Feb. 6.—Edward G. Robinson will be starred by Warners in "Benjamin Franklin." William Dieterle, who has been given a new contract, will direct.

**Ontario Amusement Tax Aims Dropped**

TORONTO, Feb. 6.—The Ontario Government has abandoned its plan for restoration of the amusement tax during the present session of the legislature because of many protests against it. General of the tax, according to a semi-official announcement.

The Government had planned to revive the ticket tax, which was abolished in 1937, in order to obtain $2,000,000 additional revenue annually, but because of the face of objections from theatre, labor, sport, hotel and other organizations.

"We've been swamped with protests," declared a Government representative. "Since it is difficult and costly to collect and in view of the great resentment, the Government has decided to forget it."

Theatre and film exchange contractors have the cost hundred per cent to pay and increased profits tax, however, in what is regarded as an alternative measure of the law which has been introduced in the legislature by Gordon Conant, attorney-general. It provides an increase from 2 per cent to 5 per cent in the profit tax on all companies, and is to apply to all industries. The Conant bill has received its first reading.

The decision of the national Canadian Government to hold a general election March 26, because of criticism of the war program, has had the effect of a freeze on all measures. The next session of the Canadian Parliament will not be held until late in April.

**Theatre Not Liable For Robbed Patron**

An exhibitor is not responsible for the assault and robbery of a woman patron in the rest room of the theatre, despite the fact that no attendant is in charge, according to a ruling by the Supreme Court of the N. Y. State Supreme Court.

In the case of Cora L. Hart, Brooklyn, wife of Robert W. H. Hart, it was decided at the trial Monday that the way Paramount in 1934, the higher court upheld the lower court's dismissal of Miss Hart's suit for $5,000, on the ground that the theater had no reason to anticipate the assault.

**Ampa Hears Film Stars Tomorrow**

Mary Howard, who plays Ann Rutledge in "Abraham Lincoln in Illinois," and Terry Kilburn of the cast of "Goodbye, Mr. Chips" and "Swiss Family Robinson" are on the program for the Ampa luncheon meeting tomorrow at 12:45 p.m. at Jack Dempsey's Sports Club, Garden Restaurant.

Others scheduled to appear are Joan Edwards, singer, and Katherine Conrad, European actress.

**Discrimination Bill Is Sent to Lehman**

ALBANY, Feb. 6.—The New York Assembly last night unanimously passed a bill authorizing the governor to amend the Civil Rights Law to prevent discrimination by labor organizations. The Senate previously had passed the measure, which now goes to Governor Lehman.

**Coast Studios Have 27 Films Now in Work**

HOLLYWOOD, Feb. 6.—Twenty-seven pictures were before the cameras this week, as six finished and six started. Twentieth Century-Fox leads with seven productions in work. Sixteen are being prepared and 62 are in the cutting rooms.

The latest to open by studio:

Hollywood Reviews

“Charlie Chan in Panama” (20th Century-Fox)

Hollywood, Feb. 6—The maximum of entertainment with the minimum of extraneous matter—the Sol Wurtzel style—is embodied in “Charlie Chan in Panama,” a tersely told melodrama which places the famed Chinese detective in the Canal Zone on a search for spies attempting to sabotage the Canal as the United States Fleet goes through. One of the best “Chans” in the veteran series, the film again has Sidney Tolmer in the title role and Sen Yung as one of his sons.

Others in the cast are Jean Rogers, Lionel Atwill, Mary Nash, Kane Richmond, Chris-Flin Martin, Lionel Royce, Helen Ericson, Jack La Rue, Edwin Stanley, Don Douglas, Frank Puglia, Addison Richards and Edward Keene.

Norman Foster achieved an unusual quality of tenseness in his direction of the meaty screenplay of John Larkin and Lester Ziffren.

Tolmer, disguised as a hawker in Panama City to track down spies attempting to sabotage the locks, is exposed unwittingly by his son. Following a series of deductions and dangers, he brings all the suspects together in a power house in which explosives are planted and forces the master criminal to expose himself.

Running time, 66 minutes. “G.”

VANCE KING

“Parole Fixer” (Paramount)

Hollywood, Feb. 6—Paramount’s “Parole Fixer” is the second film to be made from F. B. I. Director John Edgar Hoover’s “Persons in Hiding,” and it deals in straightforward fashion with the intimate details of the G-Men’s work in solving crimes with microscopes and then bringing the criminals to justice with guns and prison terms.

As the title indicates, the plot has to do with the obtaining of paroles by criminals through influential, often misguided and sometimes dishonest persons. It is action through, from the showing of F. B. I. men being trained in criminal detection and marksmanship every eighteen months, to the final capture of a band of kidnappers led by a grafting attorney and two paroled convicts.

The cast consists of Virginia Dale, Robert Paige, Gertrude Michael, Richard Denning, Faye Helm, Anthony Quinn, Harvey Stephens, Marjorie Gateson, Charlotte Wynters, Lyle Talbot and Louise Beavers, all of whom perform capable characterizations with Miss Gateson, as the society woman whose effecting of a parole for a criminal leads to the kidnapping of her daughter doing one of the outstanding parts. William Lipman and Horace McCoy wrote the screenplay and Robert Florey directed, all of them collaborating on a picture which is outstanding for its type. Edward T. Lowe was the associate producer.

Running time, 66 minutes. “G.”

VANCE KING

Injunction Refused In Anti-Trust Suit

Motion for a temporary injunction in the anti-trust suit of the Justice Department against Paramount Pictures and RKO, the two largest picture producers of the Gloria, Brooklyn, was denied yesterday by Federal Judge Grover M. Mozorkwitz. Suit, pending in a New York Federal Court, names as defendants Samuel Rinzler, Louis Frisch, William Yost, 20th Century-Fox Film Corp., Warners New York Theatre, Republic Pictures, Inc., Universal Corp., Vitagraph, Inc., and the Big U Film Exchange.

Paramount and Republic were originally named in the suit but have since been dropped from the list. Plaintiff in the suit charges that the Clanton, Randorf theatre in the vicinity of the Gloria, was granted an unfair preference in clearance.

Early trial of the suit is expected.

More Cash Denied To Trust Division

Washington, Feb. 6—Avowedly impelled by the need for economy, the House Appropriations Committee today denied Assistant General Thurman Arnold’s request for $1,600,000 for enforcement of the anti-trust laws during the coming fiscal year. The Committee approved an appropriation for $1,250,000, refusing to add $400,000 above the budget estimate.

Handles Cuban Newsrel

Havana, Feb. 6—Charles B. Garret, formerly in charge of Monogram Pictures in New York, has been appointed distribution manager of Noticiario Cinematico Cubano, Cuban newsrel. The newsrel is issued weekly under the sponsorship of radio station CMQ and El Cristal, local newspaper.

Radio Brevities

A SECOND commercial sponsor for short wave broadcasts has been obtained by NBC, it was disclosed yesterday by L. P. Yarrell, executive in charge of commercializing short wave broadcasts.

Marking the first time that a network has been broadcast by wave under commercial sponsorship, the Joe Lane-Arthur Godoy bout will be broadcast on the short wave station WKN in charge of the sponsorship of Standard Oil of New Jersey and its affiliates, West India Federation of Curb, Standard Oil of Brazil and the Compagnia De Petroleo Largo.

Eli Canef, director of the Spanish affairs bureau, Glenn Miller’s band took top honors in Martin Block’s semi-annual WNEW popularity poll.

Starting Monday, Zax Pixels will be heard on “The Rex” over WOR.

Niles Trammell, NBC executive vice-president, has returned to his desk after a week’s siege of illnesses.

Barton Adds Two to Staff

Francis Barton, head of the CBS program service department, announced yesterday that Yasha Frank and Richard Vojnos, formerly manager of WICC, Bridgeport, and WFAN, Providence, will handle the staff end of selling programs.

Barton, through his personal connections in the broadcasting business, will run day and date at the Lincoln and Surf theatres. The picture also is scheduled to open in Dallas and Buffalo, March 22, and will have its New York premiere at the Music Hall shortly thereafter.

Legion Approves 11 Of 12 New Pictures

National Legion of Decency has approved 11 of the 12 films reviewed for the current week. Seven are classified as unobjectionable for general patronage, four as unobjectionable for adults and one objectionable in part. Films and their classification follow:

Class A-1, Unobjectionable for General Patronage—“British Intelligence,” “El Garlán,” “Marines Fly High,” “Village Barn Dance,” “Northwest Passage,” “Overture to Glory,” “Swiss Family Robinson.”


M. A. Gasaway Dies

Tuscola, III., Feb. 6—M. A. Gasaway, 65, part owner and manager of the Strand here, died at his home following a stroke. His wife, a son and two daughters survive.
Film Workers Seek Higher London Wage

Exhibitors Sympathetic, But Voice Protest

London, Feb. 7.—A deputation of film employe groups today asked a wage increase of 12½ per cent from the London Branch of the Cinematograph Exhibitors Association. This is the first direct move for wage increase in a long period.

The C.E.A., while expressing sympathy with the desire for increases, protested the inability of exhibitors to pass on the cost of such increases to the Public Entertainments tax.

The organization's general council will consider the matter next week on a national basis, with a view to possible approaches to the Chancellor of the Exchequer on the theater taxation situation.

Transport firms have demanded a wage increase of 15 per cent. The C.E.A. plans to offer a raise, but hopes at a joint meeting Friday to effect a compromise.

Film Chiefs Absent From Home Offices

Winter vacations, West Coast production conferences and illness have depleted home office executive ranks to one of their lowest levels in many months.

With the departure for Hollywood today of Maurice Silverstone, United Artists chief executive, the heads of only two companies, 20th Century-Fox and Columbia, will be at their New York offices.

A visit to one major company home office yesterday disclosed an entire executive floor, including two top ranking company offices, without an occupant.

Top executives, away from New York, in addition to Silverstone, and their present locales, include Nicholas M. Schenck, Florida; George J. Schaefer and Ned E. Depinet, Hollywood; William H. Hays, Hollywood; Barney Balaban, Florida; Harry Warner, Hollywood; Nate J. Blumberg, Florida.

Leaving with Silverstone are Mrs. Silverstone; Charles Schwartz, United Artists attorney and board member; Mr. and Mrs. Zoltan Korda and Saba.

Unions on Coast Iron Out Disputes; Boards Must Act

Hollywood, Feb. 7.—Having reached an understanding on important controversial issues, negotiators from the Screen Actors Guild, American Federation of Radio Artists and Actors Equity today prepared to obtain their respective board's approval of the proposed disposal of the disputed problems.

S.A.G. will hold a special meeting tomorrow night to hear the committee's report and the A.F.R.A, board is expected to act at the same time.

Emily Holt, A.F.R.A, executive secretary; George Heller, her assistant, and Walter Graza, Equity, flew back to New York today. The Equity council meets Tuesday.

After conferences yesterday, the representatives of the three branches issued a joint statement that all differences had been settled. The conferences had been so successful, the statement set forth, that a plan for regular conferences in both New York and Hollywood would be recommended.

Details of reorganization developments and future policies of the Associated Actors and Artists of America were not set forth. The American Guild of Variety Artists problem will be settled by dividing responsibility between the West Coast and the East.

Kenneth Thomson, S.A.G. executive secretary, will remain on the Coast and advise A.G.V.A. from there.

Bernard Reis, accountant who is drawing a "big union" plan for the A.R.A., reorganization, said yesterday that his report, due Feb. 15, would be delayed for about two weeks.

Late News Flashes from Coast

Hollywood, Feb. 7.—For the first time in Los Angeles, and Hollywood, one film will play day and date at three theaters. It will be the 20th Century-Fox picture, "Grapes of Wrath," which, following a $5.50 premiere Feb. 26 at the Four Star, will open the next day at regular continuous runs at the Four Star, Grauman's Chinese and Loew's State.

A delegation of Hollywood American Federation of Labor studio union officials went to Sacramento today to register their objections to the extradition of William Woff, I.A.T.S.E. leader, to Chicago. The extradition hearing will be held Tuesday.

Motion pictures having the production code authority seal will not be affected in any way under the proposed censorship ordinance in Los Angeles, city officials promised today. They said the city administration is aiming the legislation, not at organized industry's films, but at "bootleg" stag reels, imported foreign offerings and particularly at night club floor shows and stage presentations at burlesque houses.

Paramount, M-G-M To Close Monday

M-G-M and Paramount exhibitors will close at least 45,000.7 on Monday. Lincoln's Birthday, United Artists and several others have not yet decided on the holiday. The New York Stock Exchange and the city's banks will be closed.

Net Assets $28,000, GN Trustee Reports

Grand National's net assets total $28,000 after payment of administration expenses to date, Harry G. Fromberg, trustee, stated yesterday in an affidavit which for the first time revealed liquidated assets of the company. Total gross assets of G. N. will approximate $90,000 on a conservative estimate, Fromberg revealed, and administration expenses at present total $32,000. Reference Peter D. Ohany, Jr., on the strength of the affidavit, authorized Fromberg to meet a payroll of $2,850 for the week ending Feb. 5. The trustee has at hand in bank deposits the sum of $38,148 which will be reduced to approximately $20,000 by payment of claims against it, the affidavit said. Property located in G. N.'s 28 exchanges and rights to negatives and prints are each estimated at $10,000.

Liquidation of California studio equipment will bring in an additional $20,000, Fromberg stated. Unpaid mortgages against this equipment, which cost $134,000 amounts to $33,000, he continued.

Administration expenses consist of $17,000 due to The National City Bank on a $25,000 loan made during reorganization efforts, $12,000 for unpaid rent and $3,000 for unpaid salaries.

Anti-Ascrap Bill At Albany asks For Licensing

Act Would Hurt FilmMen Themselves, Says Mills

Albany, Feb. 7.—A bill aimed at Ascrap which would amend the state tax law to require the licensing of agencies which collect royalties for the use of copyrighted musical compositions was introduced in the New York legislature today by Assemblyman Anthony J. Canney of Buffalo.

Referring to the bill, was introduced at the behest of his constituents, presumably exhibitors.

If enacted the bill would become effective July 1. It provides that royalties may not be collected for the public performance of music without a license from the New York City Police Commission or the Department of Taxation and Finance. The license fee would be $1,000 annually.

The bill stipulates that: "Nothing contained in this article shall be construed to apply to any patented equipment used in public motion pictures or talking pictures, or any patented equipment used in connection with the reproduction of sound, speech or music in connection with moving or talking pictures."

E. C. Mills, chairman of the Ascrap association, said yesterday that the Canney bill is intended to increase the rates for New York exhibitors to cover the society's increased operating costs from licensing fees.

"If exhibitors want legislation enacted to tax the world premiere of "Pinocchio," Walt Disney's second feature-length animated cartoon, Leaders of New York's society, art, industry, commerce and civic life as well as the film industry were in the colorful throng of top hats and crinoline women.

Arc lights played on the multi-colored marquee from across Sixth Ave., while $8 policemen kept crowds back from the biggest threat to the world premiere was blocking the doors. RKO Pathes News shot films of arriving celebrities outside the theatre and in the lobby, and

3,200 See Brilliant 'Pinocchio' Opening

A brilliant first night audience of 3,200 filled the Center Theatre in Rockefeller Center to capacity last night for the world premiere of "Pinocchio," Walt Disney's second feature-length animated cartoon.

Leaders of New York's society, art, industry, commerce and civic life as well as the film industry were in the colorful throng of top hats and crinoline women.

Arc lights played on the multi-colored marquee from across Sixth Ave., while $8 policemen kept crowds back from the biggest threat to the world premiere was blocking the doors. RKO Pathes News shot films of arriving celebrities outside the theatre and in the lobby, and
Fords Fete Metro
Executive Today

Henry Ford and his son, Edsel, will give a luncheon today for M-G-M executives at Greenfield Village, near Detroit. The luncheon will be a prelude to the Port Huron, Mich., opening on Saturday.

Guests at the Ford luncheon will be Mr. and Mrs. Louis B. Mayer, Mr. and Mrs. William F. Rodgers, Mr. and Mrs. Robert A. Saenbergs, and Dr. Elspeth LeRoy, who plays the title role; Howard Strickling, Leslie Peterson and Franklin O’Neill.

Charles Edison, Secretary of the Navy and the son of late Arthur W. Shurtleff, Saturday at the Hotel Astor in commemoration of the 93rd birth anniversary of the inventor.

At the same luncheon will be in progress in Port Huron, as part of the festivities in connection with the opening. Charles Edison will send a message to the Port Huron gathering over the telegraph apparatus used by the inventor.

Father Flanagan of Boys Town, Neb., will give the Invocation at the luncheon. An Impeachment statement, addressed by Mayer, Rooney and others.

The Rodgers party left last night for Milwaukee. Edward M. Saunders, Eastern division sales manager, leaves today. Rodgers will proceed from Port Huron to the M-G-M studio.

Induct Pool Tonight
At B’nai Brith Meet

Dr. David deSola Pool, rabbi of the Spanish and Portuguese Synagogue, will be inducted as a member of the Cinema Lodge, B’nai Brith, at a meeting at 8:30 o’clock tonight at the Hotel Edison. A. W. Schwaberg will preside.

A number of prominent film executives have been invited to attend. Among the speakers will be Charles H. Johnson, Past Grand Master of the Masons in the State of New York, Myron S. Soper, Grand Master of the Municipal Court and Louis Nizer, attorney.

Rabbi Aaron Opher of the Hebrew Tabernacle will deliver the invocation, and Rabbi Saul H. Applebaum, associate rabbi, Central Synagogue, the benediction.

There will be a musical program by a choral ensemble under the direction of Leo Braun. Members are permitted to bring friends to the meeting.

Mississippi Houses Aid Paralysis Drive

Oxford, Miss., Feb. 7—All Mississippi theaters are cooperating in aiding the infantile paralysis foundation. The campaign, which is directed by Mayor Robert X. Williams, president of the Tri-State M.P.T.O. and heading the drive in Mississippi.

Goldsmith to Coast

J. Goldsmith, producer of the "Stars Look Down," English film, left yesterday for the Coast where he will continue negotiations on a release for the picture. He will also confer with Dr. A. J. Cronin, author of the novel on which the film was based.

Crick Is Elected
Mayor of Sydney

Stanley Crick, formerly managing director for 20th Century-Fox in Australia, has been elected Mayor of Sydney. Crick, who was succeeded by Clay Hake, has film interests in Australia.

Golden Off Today
On Exchange Tour

Edward A. Golden, general sales manager of Monogram, leaves today on a nationwide tour of 15 company offices from Los Angeles to Canton. Cancellor is his present playdate drive. He will be gone six weeks.

Golden plans sales meetings in each branch. He will visit Atlanta, Memphis, New Orleans, Dallas, Los Angeles, San Francisco, Denver, Kansas City, St. Louis, Chicago, Milwaukee, Cleveland, Buffalo and Albany.

Skouras Winner
In Union Dispute

Members of one projectionists union may be discharged and members of another union hired when theaters change ownership, the New York State Labor Relations Board ruled yesterday. The board dismissed charges of unfair labor practices brought by the Empire State Operators Union against the Skouras Theatres Corp.

In its decision, the board pointed out that Skouras Theatre Corp. had a contract in 1936 to employ members of Operators Union, Local 306, only. In September, 1937, Skouras purchased a circuit of motion picture houses from the United Exhibition Co. and dissolved the Empire men, replacing them with 306 projectionists. The board ruled that Skouras had a bona fide contract with 306 and could dismiss the Empire State operators. Theaters involved were the Playhouse, Third, Carlton, Stoddard, Olympia, and 77th St.

Bingo, Ticket Sale
Bills Up in Albany

Albany, Feb. 7—A new Bingo measure, introduced in the state legislature by Senator John McCullough, and another bill on the resale of tickets, filed by Assemblyman Malcolm Wilson and Senator William Condon are new industry measures.

The McCullough bill would allow and regulate Bingo by any charitable or religious organization formed at least a year before the application for a Bingo license. The Condon measure would extend licensing provisions on ticket resale to every corporation and individual engaged in reselling tickets.

The Mitchell bill to put a ceiling of 75 cents on the premium over book value for ticket resale has been put over until Monday.

Para. Plans 'Interlochen'

Hollywood, Feb. 7—Paramount producer, film "Interlochen," which is based on the famous national musical camp for young people at Interlochen, Mich., will be released and direct. Allan Jones and Dorothy Foster will star.

The Motion Picture Daily

Thursday, February 8, 1940

Publications:
YOU'LL BE READING THE SAME KIND OF BOXOFFICE NEWS AGAIN THIS WEEK WHEN WARNERS PRE-RELEASE ROBINSON IN 'DR. EHRLICH'S MAGIC BULLET' TO MEMPHIS, CHARLESTON AND SPRINGFIELD!

Showmanship shows the way! Watch the campaigns!

'69th' Cracks Phila. Record With $29,000

Philadelphia—Fox Press buildup, plugs by veterans of 'Gala' organizations and word-of-mouth are sending this one into the boxoffice with a record $29,000. Large AMC patrons and those who have been fighting for screen time are setting a new record for house with $29,000, almost $5,000 higher than any film has done here.

'Catalina' At 55c A RECORD

New York—Strand is building up the Catalina, which has been playing to long early dates ever since opening in Fighting 69th and has been running for some time.

‘69th’ Hits K.C. For Fine $9,200

Kansas City—A popular film trade going to the Orpheum. Film is getting a big draw in the Orpheum and is certain of a big draw.

Cagney Nifty $11,000

Indianapolis—Indiana Indians, despite heavy competition, are doing well, with Fighting 69th, first picture being the draw!

‘69th’ BIG $33,100

Downtown—Got away to big weekend and breaking prize of $36,000. Hollywood—For five-day Saturday, opening, one-way pile up $17,000 and will hold.

Louisville—Mary Anderson Cold spell, which has stretched into the largest session for Old Man War in a good many years. Manager in a good mood and plenty of 69th going at time and plenty okay, in spite of English across the street.
Los Angeles, Feb. 7.—"Gone With the Wind" held a two-weekengagement at the Carthay Circle and $24,500 at the United Artists.

Estimated takings for the week ending Feb. 7:  

- "Gone With the Wind" (M-G-M)  
  CARTHAY CIRCLE—$1,310 (75c-85c) 7 days, gross: $8,800. (Average, $1,257)  
- "I Take This Woman" (M-G-M)  
  HAYES—$250 (75c-85c) 7 days, gross: $1,750. (Average, $250)  
- "Alle Lincoln in Illinois" (RKO)  
  CAFE HOBES—$200 (75c-85c) 7 days, gross: $1,400. (Average, $200)  
- "His Girl Friday" (Col.)  
  HILLSTREET—$200 (30c-40c) 7 days, second week, gross: $900. (Average, $675)  
- "Take This Woman" (M-G-M)  
  XML—$250 (30c-40c) 7 days, gross: $1,750. (Average, $250)  
- "Brother Rat and a Baby" with "Hollywood Revue" on the stage  
  LOEW’S—$2,200. (Average, $315)  

- Estimated takings for the week ending Feb. 1:  
  - "He Married His Wife" (20th-Fox)  
  WARNER’S—$200 (75c-85c) 7 days, gross: $1,400. (Average, $200)  
  - "The Invisible Man Returns" (Univ.)  
  WARNER’S—$1,600 (25c-35c) 7 days, gross: $1,120. (Average, $160)  
  - "The Hunchback of Notre Dame" (M-G-M)  
  WARNER’S—$4,000 (75c-$1.10-$1.65) 7 days, gross: $28,000. (Average, $4,000)  
  - "My Son, Is Guilty" (M.G.M)  
  SENATOR—$200 (75c-85c) 7 days, gross: $1,400. (Average, $200)  
  - "Goodbye, Mr. Chips" (M-G-M)  
  WARNER’S—$200 (75c-85c) 7 days, gross: $1,400. (Average, $200)  
  - "Brother Rat and a Baby"  
  WARNER’S (M-G-M)  
  RKO—$200 (75c-85c) 7 days, gross: $1,400. (Average, $200)  

- Estimated takings for the week ending Feb. 2:  
  - "Broadway—It’s a Night" (Para)  
  APOLLO—$1,000 (25c-40c) 7 days, second week, gross: $7,000. (Average, $1,000)  
  - "Gone With the Wind" (M-G-M)  
  WARDWORTH—$1,000 (25c-40c) 7 days, gross: $7,000. (Average, $1,000)  
  - "Gone With the Wind" (M-G-M)  
  PLAZA—$500 (25c-40c) 7 days, gross: $3,500. (Average, $500)  
  - "His Girl Friday" (Col.)  
  STATE—$500 (25c-35c) 7 days, second week, gross: $3,500. (Average, $500)  
  - "The Earl of Chicago" (M-G-M)  
  TOWER—$1,000 (25c-35c) 7 days, gross: $5,500. (Average, $785)

- Estimated takings for the week ending Feb. 3:  
  - "Who’s Who in Vic Herbert’s" (Para)  
  BUDD, $1,000. (30c-40c-50c) 7 days, gross: $7,000. (Average, $1,000)  
  - "Gone With the Wind" (M-G-M)  
  GREAT LAKES—$3,000 (75c-$1.10-$1.50) 7 days, gross: $21,000. (Average, $3,000)  
  - "The Man Who Wouldn’t Talk" (20th-Fox)  
  WARNER’S—$200 (75c-85c) 7 days, gross: $1,400. (Average, $200)  
  - "Private Detective" (W. B.)  
  TWENTIETH CENTURY—$350 (30c-40c) 7 days, gross: $2,450. (Average, $350)  
  - "His Girl Friday" (Col.)  
  AMERICAN—$1,000 (25c-35c) 7 days, gross: $7,000. (Average, $1,000)  

- Exhibitors, Officials  
  Weight Moline Fee  
  Moline, Ill., Feb. 7.—A committee of the Moline City Council and theatrical managers will confer on an increase of license fee for the four Moline theatres from the present flat fee of $35.  

- Alderman Harry Roman, sponsor of the ordinance and chairman of the committee, proposed a $150 fee for theatres with 500 seats or less, and that the scale be increased at a rate of 20 cents per year on the additional capacity.

- ‘Wind’ Blows $36,000, Gale, Denver Lead  
  Denver, Feb. 7.—"Gone With the Wind" packed the Orpheum repeatedly to the roof, taking $36,000, with $5,000. "Remember the Night," at the Denham, drew $7,000.  

- Estimated takings for the week ending Jan. 31:  
  - "Shop Around the Corner" (M-G-M)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "Driving Desires" (RKO)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "Remember the Night" (Para)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "Tower of London" (Univ.)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "Dance to the Music" (M-G-M)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "Dancing Co-Ed" (M-G-M)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "Another Thin Man" (M-G-M)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "The Hunchback of Notre Dame" (RKO)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  

- $70,000 for ‘Wind’ Sets Detroit Pace  
  DETROIT, Feb. 7.—"Gone With the Wind" playing its first week in two Detroit theatres grossed $70,000. The second week, while the Wilson took in $30,000.  

- Estimated takings for the week ending Feb. 1:  
  - "His Girl Friday" (Col.)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "My Son Is Guilty" (Col.)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "Another Thin Man" (M-G-M)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "The Hunchback of Notre Dame" (RKO)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  

- $30,000 Cleveland Gross for ‘Wind’  
  CLEVELAND, Feb. 7.—"Gone With the Wind," after finishing off the Cleveland engagements,chalked up $30,000 for its opening week at Lowel’s Stillman. "His Girl Friday" drew $12,000 at the Hippodrome.

- Estimated takings for the week ending Feb. 1:  
  - "A Child is Born" (W. B.)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "WARNER’S HIPPOPOTOMUS"—(Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "Raffles" (M-G-M)  
    (Average, $500) 7 days, gross: $3,500. (Average, $500)  
  - "LOWELL’S STILLMAN"—(Average, $500) 7 days, gross: $3,500. (Average, $500)
December 5, 1939

Mr. Harry Sherman
Harry Sherman Productions
7250 Santa Monica Boulevard
Hollywood, California.

Dear Harry:

Our family, children, and grandchildren always gather every Saturday night to run a picture in our home.

The three generations represented in these gatherings demand Hopalong Cassidy pictures whenever they can be obtained, and Bill Boyd is, of course, one of the family heroes. His fine honesty and sound American principles are good for the children to absorb.

Last Sunday night you graciously sent us KNIGHTS OF THE RANGE, your recent Zane Grey production with Victor Jory, Russell Hayden, Jean Parker, Morris Ankrum and J. Farrell MacDonald. We were all delighted with it. Some of the shots of the great herds of cattle grazing on the western plains as far as the eye could reach were thrilling, not only for the drama they represented, but for their great beauty.

I extend to you the plaudits and appreciation of three generations for an exciting evening.

Sincerely,

Cecil B. deMille.
**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>Jan. 12</td>
<td>Music in My Heart (G-M)</td>
<td>Shop Around the Corner (G-C) Sullavan-Stewart</td>
<td>The Secret Four (G-D) Frank Lawton Fatal Hour (D) Boris Karloff</td>
<td>Germaino (G-D) Preston Foster Ellen Drew</td>
<td>Heroes of the Saddle (G-O) 3 Mesquiteers</td>
<td>Mexican Spitfire (G-C) Velez-Erroll</td>
<td>City of Chance (G-D) Lynn Bari C. Aubrey Smith</td>
<td>Of Mice and Men (A-D) Burgess Meredith Lon Chaney, Jr.</td>
<td>Lion Has Wings (G-D) Oberon-Richardson</td>
<td>Brother Rat and a Baby (G-C) Cedric Hardwicke</td>
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<td>Jan. 19</td>
<td>His Girl Friday (A-C) Cary Grant</td>
<td>Congo Maisie (A-D) Ann Sothern John Carroll</td>
<td>Hidden Enemy (D) Warren Hull</td>
<td>Remember the Night (G-D) Stanwyck MacMurray</td>
<td>Wolf of New York (D) Edmund Lowe</td>
<td>High School (G-C) Joan Withers</td>
<td>Danger on Wheels (D) Arlen-Devine</td>
<td>Calling Phil Vance (D) Stephenson</td>
<td>Fight 69th (G-D) Cagney-O'Brien-Brenn</td>
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<tr>
<td>Feb. 2</td>
<td>Pioneers of Frontier (O) Convicted Women (D)</td>
<td>Broadway Melody of 1940 (G-M) Astaire-Powell</td>
<td>I Take This Woman (G-D) La Marr-Tracy</td>
<td>Parole Fixer (G-O) William Henry</td>
<td>Swiss Family Robinson (G-D) Bartha Lumow</td>
<td>Swiss Family Robinson (G-D) Bartha Lumow</td>
<td>Swiss Family Robinson (G-D) Bartha Lumow</td>
<td>Chump at Oxford (C) Laurel-Hardy</td>
<td>Castle on the Hudson (C) Garfield-O'Brien</td>
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<td>Feb. 9</td>
<td>Five Little Peppers at Home (D) Edith Fellows</td>
<td>Man From Dakota (D) Del Rio-Beery</td>
<td>Cheyenne Kid (G-O) Jack Randall</td>
<td>Sidewalks of London (G-D) Laughton-Leigh</td>
<td>Pinocchio (G)</td>
<td>They Came By Night (D) Will Tryle</td>
<td>Honeymoon Deferred (C) Love-Lindsay</td>
<td>My Son, My Son (D) Deanna Durbin</td>
<td>It's a Date (D) Deanna Durbin</td>
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<tr>
<td>Feb. 16</td>
<td>The Blond on a Budget (C) Arthur Lake</td>
<td>Strange Cargo (D) Clark Gable Joan Crawford</td>
<td>Rhythm of Rio Grande (G-O) Tex Ritter</td>
<td>Seventeen (D) Field-Cooper</td>
<td>Little Orvice (D) Ernest Trues</td>
<td>Earthbound (D) Baxter-Leeds</td>
<td>House Across the Bay (D) Joan Bennett George Raft</td>
<td>Double Alibi (D) Morris-Lindsay</td>
<td>Virginia City (O) Flynn-Hopkins</td>
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<tr>
<td>Feb. 23</td>
<td>Outside the Three Mile Limit (D) Jack Holt</td>
<td>Northeast Passage (D) Tracy-Young</td>
<td>Murder on the Yukon (G-O) James Neill</td>
<td>Knights of the Range (O) Joan Parker</td>
<td>Isle of Destiny (D) Gargan-Ford</td>
<td>Chan in Panama (G-D) Sidney Toliver</td>
<td>Rebecca (D) Olster Joan Fontaine</td>
<td>Zanzibar (D) Lola Lane</td>
<td>Virginia City (O) Flynn-Hopkins</td>
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<td>Mar. 1</td>
<td>Men Without Souls (D) Rochelle Hudson</td>
<td>Midnight Limited (D) James Cagney</td>
<td>Human Monster (D) Bela Lugosi</td>
<td>Showdown (O) William Boyd</td>
<td>Millionaire Playboy (C) Joe Penna</td>
<td>Blue Bird (G) Shirley Temple</td>
<td>My Son, My Son (D) Joan Fontaine</td>
<td>Zanzibar (D) Lola Lane</td>
<td>Virginia City (O) Flynn-Hopkins</td>
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<td>Mar. 22</td>
<td>Too Many Husbands (C) Arthur-MacMurray</td>
<td>Florian (D) Robert Young</td>
<td>Road to Singapore (M) Crosby-Lamour</td>
<td>Primrose Path (D) Rogers-McCrea</td>
<td>Primrose Path (D) Rogers-McCrea</td>
<td>Blue Bird (G) Shirley Temple</td>
<td>Blue Bird (G) Shirley Temple</td>
<td>Zanzibar (D) Lola Lane</td>
<td>Virginia City (O) Flynn-Hopkins</td>
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<td>Mar. 29</td>
<td>Son of the Navy (C) Joan Parker</td>
<td>Daughter's Partner (C) Roy-Logue</td>
<td>Son of the Navy (C) Joan Parker</td>
<td>Road to Singapore (M) Crosby-Lamour</td>
<td>Primrose Path (D) Rogers-McCrea</td>
<td>Blue Bird (G) Shirley Temple</td>
<td>Blue Bird (G) Shirley Temple</td>
<td>Zanzibar (D) Lola Lane</td>
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New York Review

“The Lone Wolf Strikes”
(Columbia)
Concerned with another exploit of Louis Joseph Vance’s suave gentleman-crook, the Lone Wolf, this mystery yarn is lively and at times exciting entertainment, despite its unpretentious character.

Warren William is a highly satisfactory “Wolf,” aided by Joan Perry, Eric Blore, his butler, Alan Baxter and Astrid Allwyn, Harry Segall and Albert Dufy, who prepared the screenplay from Dally Trambo’s story, contrived a fast-paced item of entertainment. Sidney Salkow directed capably.

William is called upon to aid in the recovery of a valuable necklace, stolen by a ruse from an old friend, who is killed in a faked automobile accident when he is the first to be quizzed, and seeks to recover the pearls. Despite the efforts of Miss Perry, daughter of the victim to assist, William makes progress, until matters are complicated by a second loss of the pearls and another murder. Faced with police accusations that he is the murderer, William decoys the gang into following him with the necklace straight into the arms of the police.

CHARLES S. AARONSON

Harvest Time
(Terry-20th Century-Fox)
The riotous hues of harvest time are reproduced in this color cartoon. The insects are shown busily engaged in reaping the Autumn crop until a spider kidnaps one of their number. Should please. Running time, 7 mins.

Edgar Runs Again
(Terry-20th Century-Fox)
The sad plight of an ex-race horse who has lost his speed and his home is depicted in this black-and-white Terry-Toon.” An old junk man befriends the ancient stee and the latter rewards his benefactor by winning a rich stake race. An amusing reel. Running time, 7 mins.

Dog in a Mansion
(Terry-20th Century-Fox)
This is a tale of a poor little rich dog. As in the case of the rich boy, the dog is saddened by too much attention and seeks the companionship of his fellows. The mongrels rally to his aid and stage a party for him. In the end, the dog’s mistress fires the butler and the pup is permitted to resume a normal dog’s life. Running time, 7 mins.

Radio Poll Honors Donat
Robert Donat’s performance in “Goodbye, Mr. Chips” was selected as the best of 1939 in a poll of listeners conducted by Sam Taylor over his “Hollywood Sound Stage” program on WHN. In a previous poll by Taylor, the picture was chosen as the best of the year.

Paramount Lobby Stormed by Crowd
“Geronimo!” war dance on the screen and a jitterbug dance contest on the stage of the Paramount yesterday drew about 5,000 interested to the theatre and a flock of Commissioner Valentine’s blues. The net result was:
One broken box office window, an injured leg suffered by a ticket-taker, and a doorman whose chest was hurt.
Robert M. Weitman, manager, reported an estimated $7,500 gross for the day and an 11,000 matinee attendance.

Casanave to Talk At Ampa Luncheon
Charles A. Casanave, vice-president and general manager of Advertising Accessories, Inc., will be guest speaker at the Ampan luncheon today, at Jack Dempsey’s 8th Ave. restaurant. Casanave will discuss the aims of the new company, which is a subdivision of National Screen Service and its relation to the film companies, advertising departments, Advertising Accessories recently took over the accessory business of Paramount and RKO.

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Booking Stage Shows
Raymond Schreiber, William Graham and Sol Burns of Midwest Theatres and the Palmer Park in Detroit are here booking stage shows and other business. They plan to leave for Detroit tomorrow night.

M-G-M Signs Friedman
Hollywood, Feb. 7—Charles Friedman, co-author and director of “Sing Out the News,” has signed with M-G-M as writer, producer and director.

Canada Bars
Only 17 Films
During 1939

Toronto, Feb. 7.—A report on film censorship in Canada shows that only 17 pictures were condemned outright in 1939 by the eight Provincial boards and the number of “refusals” is actually much less in the matter of pictures involved because one feature was rejected by five different boards and is counted five times. Other features were turned down by more than one Province. The number of refusals in 1938 was 23, this total representing the decision of one or more boards on the same features. Rejections have declined steadily since 1932 when 101 pictures were banned by censors.

Not only are fewer pictures refused licenses, but eliminations in films that have been passed have declined in the same proportion in recent years, it is pointed out. The censors have taken the attitude that it is their business to safeguard the public on very extreme occasions and not to improve on the work of the film directors. The only real difficulty in Canada, it is declared, is the continued opposition of the censors in Quebec to any pictures relating to divorce. Fewer American pictures are seen in Canada than are made and distributed in the U. S. and, it is asserted, Canadian distributors themselves exercise good judgment by not attempting to distribute pictures which would be objectionable.
Radio Shows To Exploit 10 Para. Films

Paramount stars and featured players will take part in radio programs arranged six weeks in advance of the opening of the new productions scheduled for February release.

Broadcast will be on the Good News program tonight and will have Ronald Colman and Ida Lupino for a plug for the new Colman picture, "Jill of the Times." On Feb. 15 Jackie Cooper and Betty Fields will appear with the Vop Pop show on behalf of "In Old Chicago." The climax will also will appear Feb. 18 on the Pursuit of Happiness program.

Fred B. Bing Crosby will start radio introductions of songs from "Road to Singapore," and will appear in connection with the new picture on the NBC Hall program, March 15, and on the Bob Hope-Pepson program, March 19. Bing will make five or six appearances to go with release of seven other productions being completed by Robert M. Gilliam, advertising and publicity director.

Big TBS Posts Go To Boice and Sutton

Directors of the Transcendental Broadcasting System yesterday announced the election of H. W. Deming as executive vice-president and Robert Thompson of Pittsburgh as treasurer and secretary.

The position of chairman of the board was formerly held by John T. Adams, who resigned in January.

Studio Contract Set For Publicists Guild

HOLLYWOOD, Feb. 7.—Contract covering minimum wages and working conditions in the motion picture industry was announced in the studios has been approved by the Association of Motion Picture Producers. The agreement with the Screen Publicists Guild went into effect yesterday.

McDonough on MPPA

HOLLYWOOD, Feb. 7—J. R. McDonough of RKO continues as a member of the board of directors of the Motion Picture Producers, for 19.0. His name was confirmed from the organization's new list.

‘Wind’ in 306 Cities

Booked on ‘Some With the Wind’

total 332 in 306 cities, including 27 set by M-G-M yesterday. Eighteen of these are all-day reserved engagements and nine are three-a-day.

Associates Install Feb. 13

Installation of newly-elected officers of Motion Picture Associates has been advanced a week to Feb. 13 at the Hotel Astor.

Trying to Resume British Television

LONDON, Jan. 30 (By Mail)—Television interests here have been conferring with the Floating Islands, a venture which has jurisdiction over communications, seeking wartime television sponsored by the British Broadcasting Corporation.

Such service had been suspended for fear enemy aircraft might use the waves as a guide. It is considered likely that if television is resumed, the land line method of transmission will be used. Trade interests have been informed of the possibility the television progress of RCA and General Electric in the United States and Canada.

Manufacturers have submitted to the Television Advisory Panel plans for the use of land lines, which are, it is claimed, a cheaper, as well as a simpler way of using wave length. They claim also that the plan would encourage the development of larger television installations, which was interrupted by the outbreak of war.

3,200 See Brilliant ‘Pinocchio’ Opening

(Continued from page 1)

newspapermen and photographers were kept busy taking pictures.

New York Theatres Aid Finnish Drive

All independent theatre owners in New York have voted to cooperate in the Finnish Relief drive, according to information transmitted by the chairman of the Motion Picture Division.

More than 2,500 girls will be used to solicit funds for the benefit of the relief on Feb. 17 and 18. They will be recruited by Mrs. B. W. Huesch, Finnish welfare officer, with Mrs. Nathan Ottinger, with Mrs. Thomas Supreme Court Judge Ottinger.

Major Thompson disclosed that the Bijou and Pantages theatres is forwarding checks to national headquarters of the drive representing contributions from the circuit's 31 theatres.

Recent President Herbert Hoover, chairman of the Relief Fund, has addressed a letter to independent exhibitors throughout the country asking their cooperation in the drive.

Defendant Added To Anti-Trust Suit

BOSTON, Feb. 7—E. M. Loew's, Inc., and the Winter Theatre Co., subsidiaries of Loew's, Inc., were added as a defendant in the suit claiming anti-trust suits against the eight major companies, has succeeded in getting the New York Supreme Court to put a hold on it.

Judge McClenan granted the motion by consent of the defendants.

Open Cartoon Exhibit

An exhibit featuring the production technique of animated cartoons opens today at the New York Museum of Modern Art. "Pinocchio," which was completed at the Center Theatre last night, is the exhibition in cooperation with Walt Disney Studio, and a film illustrates the making of the cartoon.

Starting Negro Film

"Paradise in Harlem," the first of a series of six Negro pictures to be produced in the United States, has been completed. The John H. O’Hara is slated for the starring role.

George Shauer Dead

VALPARAISO, Ind., Feb. 7.—George A. Shauer, owner of three houses here, died at his home yesterday.

Radio Briefs

CBS earned $5,001,504 during 1939, according to preliminary figures subject to final audit, Frank K. W. McEvoy, director of financial affairs yesterday.

The profits are equivalent to $293 per share as compared with $207 per share for 1938, when $41,700. Per share earnings are calculated upon 1,797,233 shares of $2.50 par value stock.

Several station directors yesterday declared a 45 cent dividend, payable on March 2 to stockholders of record on Feb. 23.

WTOL Joins NBC—18th Affiliate

Effective Feb. 18, WTOL, Toledo, will become the 18th NBC affiliate as a supplementary outlet for the basic Blue network. WTOL is owned by Community Broadcasting Co. with 250 watts total at 1,200 kc.

Personalities in the News

Sidney M. Stotz, NBC vice-president in charge of the Chicago office, is to move to New York later on this month.

The National Defense Foundation and its chairman, 39. V. McConnell, national sales office and local sales manager, declared yesterday that sales of 5.5 per cent over the same month last year to a new high of $516,400.

The new facilities and increased sales results were responsibility, McConnell said.

15 stations are WEAF, WIZ, NBC-Red-Vo, WEM, Chicago; KPO, KGO, San Francisco, WRC, WMAL, Washington, WBZ-WBZA, Boston-Springfield, WGY, Schenectady; KDKA, Pittsburgh; KOA, Denver; KYW, Philadelphia; and WTAM, Cleveland.

Program News

"David Horne," Monday through Friday, has been in cooperation with its seventh year over NBC-Red on Feb. 18 and will boost the number of stations used from 22 to 40 on that date. By that time, it is announced, the show will have played for 52 more weeks. . . Additional station and sponsor deals reported this week for the show. . . The scheduled of sponsored broadcasts of "The Adventures of Pinocchio" to 26. Several local cooperative "Walt Disney Puppets" are planned in connection with the Walt Disney film. . . Starting Monday, Hecher Products will sponsor "Stunners." . . The network of WOR will be used locally. . . . Different comedians will be starred each week in "Comedy Quiz," a new feature over WOR which starts Feb. 16 at 9:30 P. M.
U.S. Launches Lottery Probe Of ‘Pot o’ Gold’

Exhibitors Attack Air Show; FCC Acts

WASHINGTON, Feb. 8.—After being besieged by complaints from numerous exhibitor organizations and individual theater owners, the Federal Communications Commission today requested the Department of Justice to investigate the ‘Pot o’ Gold’ broadcast over NBC.

The Associated Theatre Owners of Michigan, which took the initiative in the campaign against the program, found that the ‘Pot o’ Gold’ show is a lottery and is depriving U.S. theatres of approximately $1,000,000 gross revenue a week. Two other exhibitor groups joined the Michigan organization in forwarding protests to the F.C.C. and members of Congress.

The F.C.C. has turned over all documents pertaining to the situation to the Department of Justice, which will determine whether the ‘Pot o’ Gold’ program violates Section 316 of the Communications Act. This section forbids the broadcasting of “any lottery, gift enterprise or similar scheme.”

‘Pot o’ Gold’ is sponsored by the Lewis Howe Co. on behalf of Tums. It is heard on Tuesdays at 8:30 p.m. Highlight of the program is the selection of a winner.

(Continued on page 15)

Rivoli, Corinella, Tenure

Goldwyn Demands Dies Retraction; Misquoted in Article, Says Producer

Hollywood, Feb. 8.—Samuel Goldwyn today released to the press the following copy of a telegram which he addressed to Congressman Martin Dies, chairman of the committee for investigation of un-American activities:

“Your article appearing in this week’s Liberty Magazine has been called to my attention. I note you state that while you were in Hollywood you had a round table discussion at which I was present and that you were almost unanimous in their belief that Communism did not constitute a menace to the country and that the real threat came from Fascism and Nazism.

“I wish to point out to you that this statement is incorrect, as I never attended a round table discussion with you. I only met you once and that was very briefly at a luncheon given by Mr. Schenck at the 20th Century-Fox studios.

“Our meeting consisted of ‘I am pleased to meet you, Mr. Dies, I think you are doing a fine job in fighting un-American activities.’ What you said you good enough, therefore, to deny this story immediately.”

TEN CENTS

REMITTANCE PACT
GETS LONDON O.K.

Five More Pictures For ‘40-‘41 UA’s Aim

$17,500,000 Is Exportable Amount; Formula Already Agreed

By SAM SHAIN

The British Government has formally approved terms of the agreement on exportable revenue from England as drawn recently by the American film companies in New York. Terms of withdrawal became immediately effective.

Under the terms of allocation, each party to the agreement receives proportionate to the amount of business done in England. The terms are for American-made films distributed by these companies in England. British pictures distributed by these companies are not included in the deal.

The companies recently devised a formula to govern the amounts which American companies may export from Britain is $17,500,000. Word of the British Government’s approval was received yesterday.

Broadway Suffers Business Slow-Up

Business was off along Broadway yesterday, “Pinocchio,” acclaimed by the New York critics, got off to a slow start yesterday last is expected to build up over the weekend. “Gone With the Wind” continued at capacity at both the Astor and Capitol. At the Rivoli, “Grapes of Wrath” is tapering off somewhat in its third week. “Geronimo” also had a slow start at the Paramount. The Roxy is doing very good business with “Little Ohl New York” and a stage show. First week’s gross was an estimated $43,500. At the Strand, “The Fighting 69th,” with Paul Whiteman’s band drew an estimated $47,000 for its second week. It is likely to be held over for four weeks.

“Swiss Family Robinson” also had a poor day at the boxoffice yesterday when it opened at the Fulton. “The Little Shop Around the Corner,” with a stage show, drew an estimated $70,000 in its second week there.
**Purely Personal**

MARVIN QUIGLY arrived in Hollywood yesterday.


- JULI Bernhardt, cashier at John Dancy’s Palomar in Seattle, has left for Hollywood where she will be tested for screen roles by Republic. She was selected by Gene Autry during a recent tour.


- SYDNEY Skouras, William Pyburn, Edward Zaner and John Healy of National Theatres are remaining on the Coast another week.

- THURMAN H. TALLEY, general manager of Movietone News, is due back late this month from a European survey. He is now in Paris.

- T. J. Connors, M-G-M division manager, has left for West End, island off the coast of Palm Beach, for three weeks of fishing.

- LOUIS Davidon of the 20th Century-Fox publicity department, has sold several short stories to the New syndicate.

- ROBERT Stack, Universal player, left for the Coast yesterday via American Airlines, on a call from the studio.

- JOHN Garfield will leave the Warner studio for the East tomorrow, to star in a Broadway play.

- W. RAY Johnston, president of Monogram, is confined to his home with the grippe.

- H. M. Richy, director of exhibit relations for RKO, leaves tomorrow for Columbus.

- PETER Levaties and Irving Barry of the National Theatres are back from a coast trip.

- ORIS SKINNER, actor, sails on the Santa Lucia from New York for a coast trip.

- Harry Cott, president of Columbia Pictures, left for Miami yesterday.

- Joe Kaliski, formerly with Grand National in Detroit, is in town.

**Tax Assessments Set for Theatres**

Radio City Music Hall and the RKO Building, in which the theatre is housed, were assessed at $1,710,000, an increase of $100,000 over last year, to the New York City 1940-41 tax assessments on real estate.

- New valuations on the most important theatrical property in the city follow:

  **MANHATTAN**
  - Metropolitan Opera House, $4,500,000
  - Lees’s State, $4,100,000
  - Maytag, $3,250,000
  - Ziegfeld, $1,500,000
  - Carnegie Hall, $1,000,000
  - New Amsterdam, $1,000,000
  - Booth-Shubert, $1,200,000
  - Columbia Radio Playhouse No. 2, $175,000
  - Globe, $1,300,000
  - Strand, $1,300,000
  - Rialto, $1,000,000
  - Winter Garden, $2,575,000

  **BRONX**
  - Grand Theatre, $1,500,000
  - Lincoln-Jordan, $1,000,000
  - Paradise, $1,000,000

  **BROOKLYN**
  - Albee Theatre, $1,000,000
  - Paramount, $1,400,000
  - State, $800,000
  - Strand, $550,000

  **QUEENS**
  - Lucky Famous Players Studio, $735,000
  - Paramount, $850,000
  - Valencia, Jamaica, $1,000,000

  **RICHMOND**
  - RKO George Theatre and Building, $30,000

**RKO Faces $50,000 Net Loss for 1939**

RKO will show a net loss of approximately $50,000 from consolidated operations for 1939 after all charges, according to current Wall Street estimates. Result compares with net profit of $186,604 for 1938. Operating losses for 1939 when the company was in reorganization are approximately equivalent to require-ments, estimates of stock of the reorganized company, payable during 1940. Dividend requirements for this year will amount to about $770,000.

**Sound Experts See New Erpi Devices**

Hollywood, Feb. 8.—Heads of major studio sound departments were guests of Erpi today at laboratories here. For the first time general discussion regarding current activities in sound recording and demonstrations of recently developed equipment were given to the staff of the reorganized company, payable during 1940. Dividend requirements for this year amount to about $770,000.

**Perfect Timing**

Kansas City, Feb. 8.—The Madrid Theatre here was playing "A Child Is Born" the other day. Its manager, Paul Reineke, was pacing the halls of Research Hospital. Before the day was over, Mary, 84-pound girl, was brought to Mrs. Reineke.

**Paramount Chiefs Off on Trip South**

Full contingent of Paramount's home office theatre executives left yesterday for visits to the company's theatre associates in the South. The departing group included Leon Nettter, Sam Demboff, Jr., Leon Goldenson and M. F. Gworfowce.

They will make visits to officials of the Willy-Kinney, Lucas & Jenkins, E. L. F. and Lynch in Florida, and to the Lucas & Jenkins operating agreement with Paramount will be discussed during their stay. Nettter and Goldenson will vacate in Florida before returning to New York by New York and Guthrope are expected back in about 10 days.

**Oklahoma Owners Fighting Neely Bill**

Oklahoma City, Feb. 8.—Laurie Loewenstein, president of the Theatre Owners of Oklahoma, Inc., has called on all independent theatre operators in the state to call the attention of Paul T. Chedden, Jr., and other groups to the necessity for defeat of the Neely bill. Loewenstein said effective work is being done in Oklahoma and Texas in changing the attitude of women's clubs toward the Neely bill, resulting in the withdrawal of support in favor of the bill that the defeat be accomplished. Newspapers in the area recently have called for defeat of the measure.

**Lenorse Anti-Trust Suit Is Discontinued**

Anti-trust suit of Lenorse Amuse- ment Corp., owner of a Nework in- dependent theatre, for $150,000 treble damages against the eight majors and M.P.D. Corp. was withdrawn with prejudice in a stipulation filed yesterday in U. S. District Court. Plaintiff had filed suit in March, 1939, claim- ing that it had been deprived of product in restraint of trade.

**Fox Obtains Nugent As Writer for Year**

Frank S. Nugent, film critic for the New York Post-Telegram for the past one-year writer's contract with 20th Century-Fox. He will leave for the Coast about March 15 and report at the studio April 8.

Nugent has been given a leave of absence by his paper. Ben R. Crister and Bosley Crowther will share his duties and there will be no additions to the reviewing staff, it is understood.

**Altec Opens Office**

SeATTLE, Feb. 8.—Local offices of the Altec Service Corp. have been opened here. Barclay Ardell is manager, D. M. Over- mire and J. S. Briggs.

**Newsreel Parade**

Clips of various sports such as boxing, shinny, horse racing, ice skating and diving largely compose the new film. Reds and their contents follow:


**Greece's Film Import Rules Are Accepted**

New regulations which facilitate the importation of high-priced film into Greece have been adopted and meet with the approval of the film trade there, according to a report to the trade from a Greek official from the American Commercial Attache in Athens.

The new regulations increase the maximum to a 10 and authorize a foreign exchange for importation of a feature film from $750 to $1,000. The import duties are increased to a minimum of $50 per week, or two weeks showing, or simultaneous one week showing in two theatres, in Athens; must post a bond to guaran- teed the performance of obligations and release of the imported film by April 1940.
FLASH!
from the BOX OFFICE FRONT

MIAMI...
Paramount's release
Sidewalks of London,* the Charles Laughton,
Vivien Leigh starrer, does
tremendous opening day business, Miami Beach,
Sheridan...topping every opening day of season except New Year's.
Audience reaction to picture great!

BROADWAY...
Paramount's "Geronimo!" forces riot call for cops as fans jam Broadway traffic in terrific opening day, with grosses shooting to high altitudes as New York Paramount Theatre gives New York back to the Indians... (Maurice Rubens reports "Geronimo!" topping "Victor Herbert" in his Great States Theatres.)

*CHARLES LAUGHTON and Vivien Leigh in "SIDEWALKS OF LONDON"
with REX HARRISON - Screen Play by Clemence Dane - Directed by Tim Whelan - PRODUCED BY ERICH POMMER - A Pommer-Laughton "Mayflower" Production - A Paramount Release
Federal Cash For Mexican Films Near

By JAMES LOCKHART

MEXICO CITY, Feb. 8. — Government aid for the film industry seems to be just around the corner. The Ministry of National Economy has invited all Mexican companies to appoint delegates to a conference to be held here late this month to discuss problems affecting the industry.

President Lazaro Cardenas has assured the National Cinematographic and Theater Institute, which appealed to him for help, of all possible assistance in the situation. The President said that he will advance plans that have been in preparation for the past two years for the establishment of a state-controlled bank to finance the industry.

Further assistance for the workers is promised by Vicente Lombardo Toledo, secretary general of the Confederation of Mexican Workers and Mexico's labor leader.

Mexican producers have started an intensive drive for more business in Spain by sending scores of their most aggressive representatives, Antonio Soria and Jose Rodriguez, to Madrid to establish an exchange. The producers think that as the war has limited European production, Mexican pictures have a better chance in Spain.

Central Mexico's largest theatre, seating 6,000, is being built in Saltillo, capital of Coahuila State, by Gaumont Ochoa. The theatre will be inaugurated late in the Summer.

Exhibitors here are not to be taxed more heavily a year from now, as the Senate has rejected a bill calling for new taxation, that would exempt low-admission film houses but heavily tax those that charge higher rates.

The present tax scale takes 16.5 per cent of the exhibitor gross.

Atlanta Paramount Adopts Dual Shows

ATLANTA, Ga., Feb. 8.—Lucas & Jenkins Paramount theatre here will adopt the double feature policy beginning Friday, becoming the first downtown Atlanta theatre to do so. The Paramount recently has been playing big state attractions in conjunction with minor pictures. The Paramount is the L. & J. second show house, L. & J.'s Capitol is adopting a policy of running stage and screen show four days over the weekend, and following with a picture only for three days. The Roxy theatre, independent rival, will do the same.

Seeks Sunday Film Ban

NASHVILLE, Feb. 8.—Repeal of the Sunday film law will be asked in a resolution to be introduced in the City Council by Commissioner Charles Riley. The ordinance permitting Sunday film was passed Feb. 21, 1939, after a bitter fight in the council.

News Notes From Studios

Hollywood, Feb. 8. — Twentieth Century-Fox has extended the contracts of Alice Fay, Richard Greene and Mary Healy and given new contracts to James Darren and Douglas MacKrea who had withdrawn from Cecil B. DeMille's "North West Mounted Police" to accept the lead in Wagner's "Die Walkure." The screen version of the不影响 slice, however, is being delayed because of shifting events in Europe. Meanwhile B. DeMille is searching for a replacement for M. C. A.

Hugh Herbert will top every other Hollywood actor in the number of roles played in one picture. He will play six in Universal's "La Conga Nights." Among the vehicles for Spencer Tracy at M-G-M is "Cy," a picture of daily life, whose rights were acquired from Alexander Korda, who had wanted Charles Boyer to play the title role. May McAvoy, star of the silents, will be in "Two Girls on Broadway" for M-G-M.

Victor Fleming has returned from a location trip survey to Florida to prepare for "The Yearling," according to which he will produce. The picture will be made for M-G-M.

Jerrold Cowan joins the cast of Warner's "Tortoise Trail," which stars Walter Pidgeon and Ann Sheridan. Andy Devine has a featured role. M-G-M has extended the writing contract of Jean Monke, Jr., and Fred Finklehoffe.

Ian Keith joins Warner's "The Hawk's Nest" cast.

Fredra Innescott has been cast as the menace in "Pride and Prejudice" at M-G-M. Her and Edward H. Griffith have been shooting "The Five Card Stud" for any Hollywood producer who may have the stock which was Edison's first important invention, will be used as a prop in the Warner Bros. "The Man," which Clarence Brown is directing for M-G-M.

RKO is negotiating with Horace Jackson and Grant Garrett for their play, "He Does as She Pleases." After viewing rushes of Martha Scott's work in "Our Town," Proctor Sol, Lesher obtained rights to "Emma," by Jane Austen, as a vehicle for the young actress. And "One Was Beautiful," a magazine serial by Alice Duer Miller, recently purchased by M-G-M, will have Virginia Bruce in the lead. Frederick Steiner is producing and Jweiller will direct "Flowing Gold," Warner film based on the famed Rex Beach story.

Goldberg and Port, producers of all-colored cast films, in addition to the 12 pictures scheduled for release this season, are negotiating to make three high budgeted films. Clarence Muse will direct one from Alice Childress's original story, "Swing," second of the 12 scheduled, for shooting now. A mystery melodrama centered on activities on a Negro St. Louis street corner, is under the banner of Aetna Film Corp., headed by Arthur Deuffus and R. Goldsby, and Port and Goldberg, co-producers.

Franklyn Warren, head of Fine Arts Producing and Distributing Co., has purchased "Flying Heels," Charles Neville Buck's original. John Harvey will write the scenario and Joan Bennett will co-star with Louis Hayward in Edward Small's "The Son of Monte Cristo." Don Auster, Regional manager, and Heather Angel have been added to the cast of M-G-M's "Pride and Prejudice." Harry Halsey is writing the screenplay for "Hell Cats," formerly "Flight Command," which M-G-M has scheduled for a Robert Taylor vehicle. J. Walter Ruben will produce.

Barry Republic Star

Hollywood, Feb. 8. — Republic's new western star will be Donald Barry, who will be starred in a series of six outdoor action films. The stories will be written around the character of "The Red Rider," from the comic strip.

Date New French Film

Premiere of "The Baker's Wife," French film starring Rainu, will be held Feb. 26, 1940, at the world. "Le Paquet au Front," American organization which aids French soldiers, will sponsor the showing.

"Destry" Hits $13,800 Total In Twin Cities

MINNEAPOLIS, Feb. 8.—"Destry Rides Again" led the box-office processions, grossing $8,400 in the Minneapolis Orpheum and $5,400 at the St. Paul Orpheum. Estimated grosses for the week ending Feb. 3, were:

Minneapolis:

Babalah! (M-G-M-MGM) 7 days, Gross $1,900, Average 271.$

Hearty Goes Armanda! (M-G-M) 7 days, Gross $2,000, Average $285.

Judge Hardy and Sam (M-G-M) 7 days, Gross $3,100, Average $442.

Riviera! (20th-Fox) 7 days, Gross $1,350, Average $193.

Twin Cities:

DESTRY RIDES AGAIN (Univ) 7 days, Gross $4,500, Average $642.

Babalah! (M-G-M-MGM) 7 days, Gross $1,300, Average $185.

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The Tenth Man (20th-Fox) 7 days, Gross $2,100, Average $300.

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Columbia Querries Hearing Postponed

Government's application to strike out the interrogatories of Columbia Pictures on a film contract was adjourned to Feb. 15, in a stipulation filed in U. S. District Court yesterday. The motion was originally scheduled to be heard today.

Federal Judge Godbold yesterday assigned an order which gave approval to the step between attorneys for the majors and the Government which agreed upon a consolidated set of interrogatories. The order was approved by the Government on or about March 1.

Grainer Perplexed By Crowded Lobby

E. C. Grainer, general manager of Feiber & Shea theatres, made a rush trip to New Philadelphia yesterday. One of his managers there had explained to the why his theatre was doing well with standees while his competitor was not, which is forbidden by law. Grainer wants to know what picture could crowd the lobby with people. P.S. The Roosevelt statue, a recent acquisition, was not "Gone With the Wind."

Museum Sets Program

A series of Russian, French and German films will be shown at the Museum of Modern Art Film Library. In addition, the Genius of the USSR, an impressive film, will picture the development of industry in the medium in Russia; before the Revolution, immediately thereafter, experimental groups and the social film.
ALL ABOARD!

THE FAMOUS TRAIN ON WHICH THOMAS A. EDISON AS A BOY WORKED AS A “TRAIN BUTCHER” FOR THE GRAND TRUNK WESTERN RAILROAD . . . Including a restoration of the baggage car young Edison nearly burned down as a result of one of his youthful experiments, the train once again will traverse the route between Detroit and Port Huron on Saturday, February 10, when “Young Tom Edison,” first of two Metro-Goldwyn-Mayer pictures dramatizing the life of the celebrated inventor, will have its preview in Port Huron, where Edison passed his childhood. The train is now owned by Henry Ford.

Mickey Rooney, who portrays Edison as a boy in “Young Tom Edison,” will make the trip in his film character and will act as “train butcher” for Edsel Ford, Governor Luren D. Dickinson of Michigan and many other dignitaries of the political and business world who will also be aboard the train. On their arrival in Port Huron, they will participate in a mammoth Edison Day celebration. Men and women of the city will wear costumes of the 1850 period as part of the celebration. Continuing the story of the great inventor, Spencer Tracy will be seen as “Edison the Man” in the M-G-M picture of that title now in production at the Culver City studios.
METRO-GOLDWYN-MAYER is engaged in filming the life of Thomas A. Edison. The project has fallen naturally into two divisions and accordingly two important productions are on their way. The first dealing with the youth of the great inventor, entitled "YOUNG TOM EDISON", a complete narrative in itself which shows episodes in the life of a boy which led directly to the final flourishing powers of "EDISON THE MAN", which is the title of the second film.

"YOUNG TOM EDISON" is portrayed by Mickey Rooney. He gives a serious and careful characterization of the struggles of a great American during his early days in Port Huron. Directed by Norman Taurog, "YOUNG TOM EDISON" is an exciting and authentic story of a great mind in its formative stages groping in the dark before the dawn of modern progress.

It is a story typical of American opportunity, perhaps not concerned with widening the territorial frontiers of the Continent, but definitely indicative of steps that have been made in broadening the horizon of our daily life. There is something of Horatio Alger in it; something of Mark Twain, something of Tarkington, and above all, something essentially American.

We see a family as it lived its life during the time when the Union itself was a question mark and when the era of witchcraft and superstition had not yet been completely discredited. "YOUNG TOM EDISON" is simply a great story and it is a great story simply told. We suggest that you see "YOUNG TOM EDISON", as portrayed by Mickey Rooney and later on we urge you to watch for "EDISON THE MAN" as carried forward by that unquestionable artist, Spencer Tracy, under the direction of Clarence Brown.
The first (scheduled for March release)!

**Mickey Rooney**

**As Young Tom Edison**

with Fay BAINTER
George BANCROFT
Virginia WEIDLER
Eugene PALLETTE

Original screen play by Bradbury Foote, Dore Schary and Hugo Butler
Directed by NORMAN TAUROG
Produced by John W. Considine, Jr., Associate Producer: Orville O. Dull

A Metro-Goldwyn-Mayer PICTURE
BIGGER THAN "BOYS TOWN"!

Mickey Rooney as Young Tom Edison

"Let There Be Light"
SHORT SUBJECT REVIEWS

“Drums of Fu Manchu” (Republic)

Fu Manchu returns to the screen in a 6-chapter serial produced by Hiram S. Welsch, Jr. Aimed by Leon Raphael, “Daaduz men,” whose will-power has been removed by surgical operations, and who (Henry Frankan) is engaged in an effort to conquer the entire continent of Asia. He is aided by his daughter, Milla. On the outside of the fence is William Royle, a representative of the British foreign office, and Robert Kel- lar, son of a Scottish herding handbook.

The first chapter is replete with murders, shootings and hand-to-hand encounters. Running time for first chapter 30 mins.; others 20 mins.

“Aquapois” (RKO Pathé)

One of the interesting Sportscope series, this subject pictures the reckless and thrilling sport of aquaplaning behind fast steamers in Florida. The initial testing of the sport is shown, and several experts almost literally stand on their heads, 3-4 feet from the surface of the water. It is a fast and entertaining subject. Running time, 9 mins.

“Information, Please, No. 5” (RKO Pathé)

These short subjects are as entertaining on the screen as the “Information, Please” program on the radio. Beside the three standbys, John Kei- ran, Franklin P. Adams and Oscar Levant, is Christopher Morley, answering the questions thrown at them by Clifton Fadiman. This is exploit- able and enjoyable. Running time, 11 mins.

“Men of Muscle” (RKO Pathé)

Athletes in training to teach physical education at Springfield College, Massachusetts, are the subject matter of this Reelium subject. Students are shown in mixed practice, as well as in physical duties, ranging from micro- scopic examinations to mat tussling. It is interesting material, well han- dled. Running time, 9 mins.

“Navajo Land” (RKO Pathé)

The Government’s supervision of the lives of the Navajo Indians on their western reservation makes for an interesting and pictorially effective short subject in the Reelium series. Done in sepia tone, the film pictures the Indians in school, at their work of herding and farming, and in their simple homes. This is an effective subject. Running time, 10 mins.

“Africa Sneaks” (Warners)

Leon Schlesinger has assembled a amusing Porky Pig cartoon. Porky sets out to catch the big African jungle and encounters many strange sights including a gorilla which acts like Tony Galieno, and Stanley, who is searching for Dr. Livingstone, who turns out to be Kay Kyser. There is a fast musical ending. Running time, 17 mins.

“Sieve” (RKO Pathé)

Julien Bryan, noted photographer, brought back from a visit to Warsaw, pictures and comments on the commies and uncensored newsworthy pictures of Nazi bombing raids on the virtually defenseless city. The camera traverses in stark detail the wreckage of homes and hospitals, the blazing buildings lighting the night as incendiary bombs take their toll, a mixture of fear, resignation and indignation on the faces of the aged. Most striking of all shots is that of the Nazi plane swooped low over a field, striking down seven women who had been grubbing for potatoes. It is a better commentary on the modern war of the air, and Bryan’s own simple explanatory remarks add to the effect.

Running time, 10 mins.

“Mighty Hunters” (Warners)

James Sylvester, who draws the Daffy Duck, created the background for this cartoon sub- ject, painting it in oil and produc- ing a good illusion of depth and color. The technique is excellent, but the subject matter lacks comedy. The Kiddies are seen as hunters who be- come involved with a bear and other predators. Running time, 7 mins.

“Following the Hounds” (20th Century-Fox)

An outstanding subject and a virtual “must” for any program. Describing a fox hunt, the reel shows how the horses are trained and then follows the pack of hounds on an actual chase. Done in color, the photography has striking beauty and realism. The colorful costumes of the riders and the scenic beauty of the surrounding coun- try lend vividness and charm to the reel. Running time, 10 mins.

“Double or Nothing” (Warners)

An entertaining two-reeler, during which Porky and Bosko star in a commercial in which stars present their specialties. The likeness of some of these to the real persons is amazing. Seen are the counterparts of Mae West, Joe E. Brown, Zasu Pitts, Charles Laughton, Deanna Durbin, Eddie Cantor, Bing Crosby and Doris Herber. There are also songs by Ed Smalle’s Octette and dances by Lee Dixon. The action takes place through the medium of a “nightmare” experienced by Lee Dixon while in the dentist’s chair. Running time, 20 mins.

“Information, Please, No. 6” (RKO Pathé)

With Gene Tunney as the guest “expert,” Clifton Fadiman, interlocu- tor, presents this “Information, Please” radio program via the screen. The three regular experts are Franklin P. Adams, Oscar Levant and John Keiran. They provide a full measure of entertainment and amusement with their answers and their wit. Running time, 10 mins.

Film Business

Up in France, Says Miggins

Improving in recent weeks, Amer- ica’s chief market for French films in the Paris area has increased 60 to 70 per cent of what it was last year and in the provinces has improved still more. Hence, Charles Mark, Continental European manager for 20th Century-Fox, who arrived yesterday on a visit to France, said:

“"The French Government is cooper- ating with the American companies," Miggins reported. "It is realized that films are a necessity.

Miggins said that distribution is "making progress every week" in France and that theatre attendance is increasing. Theatres are allowed to remain open until 11 o’clock or midnight in Paris and the authorities are relaxing attendance regulations. Roughly 60 per cent of seating capacities in some cases, depending on the size of the bombed-out shelters. In the early months of the war attendance was restric- ted more severely.

A similar situation exists in Bor- dage, the French provinces and other large centers, while in the less populated sections the restrictions are less drastic. Miggins also said that production is being revived at the French studios.

Business in Poland is disrupted and the newsreel branches have been established communication with its Warsaw office. Operations continue in the former all-American theatre, which was annexed by Germany, but only old films are being distributed.

None of the American major com- panies has announced the opening in Poland of new branches to establish communication with their Warsaw office. Operation continues in the former all-American theatre, which was annexed by Germany, but only old films are being distributed.

Regarding Spain, Miggins said that the Government is reorganizing the country’s economy and that the nec- essity still exists to conserve Spain’s cash. The American companies’ de- posits there, embargued since the Civil War, are still tied up. The directors have not yet officially stated whether they will accept or reject the rules under which General Franco will permit them to operate.

Canadian Political Air Ban Is Lifted

Montreal, Feb. 8.—Radio censorship of political speeches in Canada will be lifted in the current national election campaign, but the ban on the broadcasting of public meetings will continue.

All parties protested the censorship of independent meetings in the first speech. In the case of the Canadian Defense of Canada regulations provide for machinery for muzzling those who give information dangerous to the enemy. Instead of submitting speeches to regional censors the speakers will be put on the honor system.

Plans ‘Capture Kidd’

Hollywood, Feb. 8.—RKO plans the production of “Capture Kidd,” based on the life of the pirate, and starring Charles Laughton.
Hollywood Review

“Vigil in the Night”

(RKO)

Hollywood, Feb. 8.—Latest entry in the field of the grimly realistic photoplay, “Vigil in the Night” balances outstanding characteristics on the part of its name-value cast, the production and direction values contributed by George Stevens, remembered for his “Gunga Din” among many others, and its basis on the novel by A. J. Cronin, author of “The Citadel,” against a total effective RKO Screen Service.

Only box-office results can tell exhibitors whether the values enumerated above are of sufficient audience interest to counteract the essential tone of the picture—an unrelieved gray. The principal comedy touch during the more than an hour and a half which the film runs is as strictly within the framework of the production itself. This comedy emerges from a nurse’s perception of her difficulties with an elderly patient who is beginning to feel the successful effects of a monkey gland operation.

The Cronin novel and the screenplay by Fred Guiol, J. P. Wollson and Rowland Leigh provide a tribute to the silent and daily heroism of the nursing profession, and do so against a background uncompromisingly stark in its depiction of hospital life.

Shown in every detail is the struggle for equipment adequate to cope with any emergency bound to rise, and here concerning an epidemic of spinal meningitis. Depicted at its most sordid is the atmosphere of the hospital’s titular ward and board chairman to establish ruthlessness of an attractive and efficient nurse, resulting in her discharge. Dilinated in bold relief is the effort of that nurse to make her younger sister a loyal member of the profession, resulting in the latter’s death from her work in an isolation ward.

Carrington Lombard has the nurse unswerving to her duty; Brian Aherne, as the doctor attempting to carry on against the odds of avarice and inertia; Anne Shirley, as the younger sister influenced against her will in her choice of career, but happily in her knowledge of a job well done as she dies, and Julian Mitchell, as the board chairman, contribute fine and understanding portrayals. Their roles are etched with the underlying humanity of the film itself.

Running time, 95 minutes. “A”

* * *

WALTER SEDLEN

Ampa Hears Aims of Ad Accessories

(Continued from page 1)

Advertising values increased as the business grows, thus absorbing the staff of the companies which sign with Advertising Accessories.

The company’s system of operation will be similar to the film distributors’, he said, with branches in every territorial exchange center.

The poster exchange, as Casanave declared, injures the distributors because they compete with the ad sales departments and undersell them on their own merchandise. They have been able to exist because of their low prices, despite attempts of the companies to discourage purchases from renters, he said.

“Many believe that the day of the one-sheet has passed, yet that type of advertising is the backbone of the industry’s advertising” said Casanave. “It has lost value because of the manner in which it has been handled.”

Casanave said Advertising Accessories will attempt to do in its field what its national affiliate, National Screen Accessories, has done in centralizing distribution of specialty accessories. The company would represent the parent company, which is 21 years old, and the record of Herman Robbins, its president, is a guarantee that the company will fulfill its promise, he said.

Short talks were made by Mary Howard of the cast of “Abe Lincoln in Illinois” and Terry Kilburn, who is in “Swiss Family Robinson.”

Remittances Pact Is Given London O.K.

(Continued from page 1)

These were as follows: Loew’s, 25 per cent; Warner Brothers-First National, 18 per cent; Twentieth Century-Fox, 17.5 per cent; Paramount, 15 per cent; United Artists, 10 per cent; Columbia, 8 per cent; RKO, 6.5 per cent.

Using these percentages as a foundation, the approximate amounts to be withdrawn by each of the foregoing seven companies would be as follows: Loew’s, $4,277,600; Warner Brothers-First National, $1,150,000; Twentieth Century-Fox, $5,025,300; Paramount, $2,500,000; Columbia, $1,400,000; RKO, $1,137,500.

These estimates are unofficial and may vary from one per cent to one per cent, with the exception of RKO which could be from one per cent to six per cent higher than the estimated figure.

Film Trade Facing More Peru Taxes

A surtax of seven per cent on total gross business done by film distributors in Peru has been proposed by the government there, according to a report in one of the local paper.

The tax on gross would be in addition to the existing tax to the government and distributors now in effect in Peru.

An investigation of the industry’s status in relation to the proposed tax is being given by President Herrad, who is now in Washington to register a formal protest with the State Department.

It is estimated that the tax would cost the industry in excess of $500,000 annually.
"Information"

..."MY THEATRE HAS long been a subscriber to the Motion Picture Herald and I have enjoyed reading each issue and have secured a great deal of information from the round table section." ...

Harvey Swenson
Manager

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
U.S. Launches Lottery Probe: Of "Pot O' Gold"

(Continued from page 1)

... tion, by the use of a spinning wheel, to make the lottery tickets available only directly from the studio. If the phone is answered, $1,000 is awarded to the subscriber; if unanswered, $100 is awarded to the company. The contest, which started Sept. 25, is one of the most widely popular ones on the air.

John Butler, vice-president of Stack-Goble, agency handling the show, declared yesterday that "the show will go on." He asserted that the legality of the giveaway had been studied very carefully. He pointed out that the postoffice department's legal staff had ruled that literature describing the program was illegal because no violation of the lottery law was shown. He stressed the fact that the F.C.C.'s action did not imply that any violation was involved, but rather that the commission did not specify that any action was necessary.

The N.J.C., the policy of "no comment" on the show was continued yesterday, Niles Trammell, executive vice-president, explained that the network's policy is to have a change by discussion of the program. All other sales and program officials have been instructed that no apologies should be made except Trammel was permitted to discuss it.

When questioned about the NBC program policies, which specifically set forth that "gamblers of chance are not acceptable," Trammell admitted that he was "a good question." However, he added that the close association of the question with the "Pot o' Gold" show made it impossible to discuss at this time.

Brazil Film Decree Violates Pact, Claim

The State Department at Washington yesterday advised industry foreign officials that it believes the recent film decree promulgated in Brazil to be contrary to the United States trade treaty with that nation.

In consequence, the State Department's opinion will be forwarded to the American Ambassador at Rio de Janeiro with instructions to make representations accordingly on behalf of the industry.

The decree also requires American distributors to purchase newseeds and travelogues made in Brazil from the country that imports their films. The purchases must be equivalent to at least 10 per cent of the film footage sent into Brazil annually by the distributors.

The industry protested the decree to the State Department as a violation of the trade treaty. A statement by the industry particularly that part of it which guarantees against increases in taxes and levies over the level prevailing at the time the treaty was signed.

Critics' Quotes . . .

"PINOCCHIO" (Disney-RKO)

Mr. Disney's "Pinocchio" is the happiest event since the war. . . . It is a film, one which is beautifully drawn and fantastically beautiful fantasy, which is superior to "Snow White" in every respect but one: the score.—Frank Nugent, N. Y. Times.

With Disney's "Pinocchio" Walt Disney has achieved his seemingly impossible megalomaniac financial goal. . . . Technically "Pinocchio" far surpasses its predecessors. . . . Of the material of which this hits are made.—N. Y. Daily News.

"Pinocchio" has Mickey's law magic wand over Collodi's world-famous fairy story, "Pinocchio," and presto! he has changed it into the most enchanting film ever brought to the screen. . . . Full of wit and charm, beautifully photographed.—Kate Cameron, N. Y. Daily News.

Though Disney has made the world a fairyland again. "Pinocchio" is a movie which is a thrilling. . . . Like "Snow White," this is a screen classic. . . . Another of Walt Disney's masterpieces. . . . For children, it should be a completely joyful experience.—Eileen Creelman, N. Y. Sun.

Hollywood, Calif. — Disney's "Pinocchio" has accomplished the astonishing feat of out Disneying Disney himself. As brilliant as was his "Snow White," Disney's "Pinocchio" is twice as enchanting. And more truly, his latest program in his studio's history have made in the past two years. —Rose Pelswick, N. Y. Journal and American.

Sing out the news that Walt Disney has done it again! . . . and that "Snow White" he has not only matched "Snow White" but in many respects has outdistanced it. It is a lovely film—one that leaves you tingling with joy and laughter. . . . An artistic achievement and polluting entertainment.—William Boehml, N. Y. World Telegram.

In writing of "Pinocchio" you are limited only by your own power of expressing enthusiasm. To put it in the simplest possible terms, the film is a licensed work of pure, undiluted genius.—Archer Winsten, N. Y. Post.

Another outstanding, sensational hit . . . "Pinocchio" is far greater than "Snow White" in many ways. . . . Its mechanical maneuvers are startling, the work of genius. It is funny. . . . Disney reaches a new high in perfection.—Jimmy Starr, Los Angeles Herald and Express.


It was the treat that comes once in a lifetime. . . . Of Walt Disney's genius, too much cannot be said. . . . It has a story that is exciting and entertaining. . . . Everyone who has a part can feel they have contributed to the motion picture industry.—Louella Parsons, L. A. Examiner.

By far the best of all Walt Disney's animated cartoons. He has produced a charming, amusing and beautifully drawn. . . . A thoroughly engaging motion picture. "Pinocchio" shows great advancement in the animated cartoon field.—L. A. Daily News.

Radio Brevities

NBC has granted permission to 25 Latin American stations to rebroadcast the Joe Louis fight. Standard Oil of New Jersey and four other broadcasting companies are going to short wave broadcast will mention their products on the commercials. It will attempt no direct product selling.

Time is being arranged among station managers, local managers of the NBC company and RCA Victor for exploitation of the broadcast. NBC declared that it will grant permission for broadcasting to all Latin American stations which request it.

Program News

Scallett went to 60 NBC-Red stations for the Ruby Yallow show which starts at noon April 7. . . . More than 3,500 guests are expected when "A Christmas Tree" is broadcast. The "Meeting of the Airs" is broadcast from Chicago on Washington's Birthday.—In "God's Country," the NBC program, directed by Dr. Eilert, president of the German-American Artists Association, of which Thomas Mann is present, has a special appeal. It's a half hour over WGN. —News flashes will be used on station breaks every hour for Reginet cigarettes over WGN, one of the Chicago stations moves to a new time, Tuesday at 9:30 P. M. over Mutual next Tuesday.

TBS Revival Looms

The possible revival of Transcontinental Broadcasting System was indicated yesterday by letters sent to stations which were to be affiliated with the new web. Robert Thompson, TBS secretary, notified stations that Hug. K. Boice, newly elected executive vice-president, is making a thorough study of plans for the network and will provide details "within a few days."

Personalities in the News

Alan Dinhart, Glenda Farrell and Lyle Talbot will be guests of "Fifth Row Center" over Mutual this Sunday. Budgatie, R.B. commentator, will address the Lawyers Club in Buffalo on Feb. 17. —Erudite Nie- ses will meet star of Alec Temple- land over NBC-Red in his first broad- cast from Chicago this year. —Irene Rich will be unable to appear on her regular Sunday broadcast over NBC when her condition failed to improve, doctors ordered her removal to a Hollywood hospital.

Bomb Film Officials Home

North Y. Ritchey, foreign man-ager of Monogram, has received word from his homeland of N. P. Dahlstrom, managing director of Sun- ni Films, has been destroyed by So- viet authorities. The news is due for Monogram in Finland. Neither Mr. nor Mrs. Dahlstrom are in fact, it was reported.

Sonotone Shifts Policy

Cricag, Feb. 8.—Withdrawal of Ankino, distributors of Soviet films, from the American market has caused the company to change its policy to other foreign product.

Telegram Premiere: Reactions on 'Bullet'

MEMPHIS, Feb. 8.—Warners insti- tuted an innovation in checking patron reactions here today at the world premiere of "Dr. D. J. Disteld, the Magi- jac" at the Warner Theatre. With the cooperation of Postal Telegram, a teletype machine was installed in the lobby, Interviewers from two local newspapers and one commercial newspaper solicited comments from patrons after they left the theatre.

The reactions were then transmitted by teletype to the leading exhibitors of the city, Warner home office and other representatives in the company's district and branch man- agers throughout the country. The comment also was placed in key city newspaper newspaper announcement desales.

Five Texas Stations Lose FCC Licenses

WASHINGTON, Feb. 8—Five Texas broadcasting stations today lost their operating licenses, effective February 24, on the ground that they failed fully to disclose to the Federal Communications Commission the details of ownership, management, financing and control.

The Commission charged that while complete and full disclosure to different licenses there were in each undisclosed interests of Dr. G. E. Ulmer and Paul Lie- brary, and that the original construction permits and licenses were issued upon false and fraudulent representations.

The stations affected by the order, which they are given 15 days to contest, are KSAM, Huntsville; KAND, Lubbock, KTBC, Austin, and KNET, Palestine.

Motion Picture Daily

Friday, February 9, 1940

12
Grip of Surety Firms on U.S. Theatres Told

$38,240,000 in Mortgages Held by 26 Companies

WASHINGTON, Feb. 12.—The 26 largest life insurance companies in the United States held mortgages on theatres amounting to $38,240,000 as of Dec. 31, 1938.

This information was reported to the temporary National Economic Committee today by the Securities and Exchange Commission.

In addition, it was shown in a voluminous report on the companies that they owned theatres and real estate of which theatres comprised the major asset amounting to $2,826,944 on which, during 1938, they had a return of $490,183.

Theatre properties sold by the life insurance companies in 1938, amounted to $587,579 on which, during the year preceding sale, the companies had a return of $34,419.

The report showed, however, that the theatre properties comprised only a small percentage of the insurance money invested in real estate which, according to Louis A. Anderson, S.E.C. member of T.N.E.C., is so great as to give the life companies a “first mortgage” on the country.

FCC Probe Will Fix Radio Prizes Policy

WASHINGTON, Feb. 12.—Department of Justice and F. C. C. officials anticipate that the investigation of the “Pot o’ Gold” program will be completed without delay, it was learned, over the weekend.

Indications are that if the program is found to be in violation of the regulatory statutes, it will be ordered off the air immediately, but officials refused to hazard an opinion as to whether any prosecutions would be undertaken.

It is generally believed, however, that no attempt will be made to impose any penalty under the circumstances because the program was purely an advertising scheme and the subterfuge was not required to buy tickets or otherwise contribute in order to participate.

F. C. C. officials say in the case a good opportunity to develop a definite policy on giveaway programs, about 50 of which are now on the air.

First Oral Credits In History of Films

For the first time in the history of motion pictures, important credits will be rendered orally when Paramount’s “Buck Benny Rides Again” is shown. Names of the star and featured players will be announced by Don Wilson, who announces the Benny radio programs.

Columbia to Honor Montague in Drive

Columbia’s annual sales and billing drive will be completed this year with the 10th anniversary with the company of Abe Montague, general sales manager.

The drive will start Feb. 17 and will continue for three months through May 10. It has been designated the “Montague Fifteenth Anniversary Campaign.”

Paying tribute to the general sales manager’s lengthy service with the company, Jack Cohn, Columbia vice-president, declared:

“Of all the motion picture executives, I know of none with a better reputation for fair dealing than Montague has. That in itself should create an urge among exhibitors to contribute their best efforts toward making this anniversary campaign a success.”

A series of bonuses will be awarded high ranking salesmen throughout the three month campaign. In addition, grand awards will be made to those with the best records at the close of the drive.

Comerford’s Estate Placed At $2,000,000

Holdings in 30 Theatre Companies Revealed

SCRANTON, Feb. 12.—M. E. Comerford, film theatre circuit owner, owned personal property valued at nearly $2,000,000 at the time of his death in Miami, and inventory on his holdings on file with the register of wills has disclosed.

The appraisal of the estate showed a total net value of $1,717,32. Comerford died on Febr. 2, 1939.

Frank C. Walker, executor of Comerford’s will, recently reported it. He showed the estate to consist principally of holdings in some 30 theatre companies and several real estate corporations.

Comerford’s most valuable property is the inventory, revealed, was 1,000 shares of Penn Realty Co., which were listed at $386,760. His next biggest holding was 6,334 shares of Meco Realty Co., to the value of $376,018.99.

Principal among the estate’s other

(Continued on page 5)

“Pinocchio’’ Gross

Best on Broadway

“Pinocchio’” headed for a first week gross at the Center of more than $50,000 with three days of capacity holiday weekend business which spurred attendance on Broadway.

The Walt Disney feature, without stage show aid, was forced to add an extra morning performance over the weekend, grossing $32,000 for the first four days, ended Sunday, and continuing at capacity yesterday. “Gone With the Wind” was also at capacity over the weekend at the Astor and Capitol, taking an average of $3,000 daily at the former and $2,000 daily at the latter.

“Swiss Family Robinson” at the Music Hall grossed about $50,000 for the holiday weekend, indicating a $75,000 week. “Little Old New York” was strong at the Roxy with an estimated $34,000 for five days through yesterday. “Grapes of Wrath” and steady at the Rivoli in its third week with $27,500 for the weekend, indicating another $48,000 week.

“The Fighting 69th” grossed $27,000 for the weekend, its third week at the Strand, and “Geronimo” at the Paramount did $29,000, its first five days through Sunday.

“Northwest Passage”

(Metro-Goldwyn-Mayer)

HOLLYWOOD, Feb. 12.—Here; Ladies and Gentlemen of Show Business, is a picture to start talking about, now, if you’ve got it scheduled and keep right on talking about, with rising fervor, until it comes to hand, after which, by all the rules of showmanly precedent, the customers will pick up the glad news and start shouting it from the house tops.

For this is the kind of picture the customers have always made it their personal business to tell their friends about, a solid piece of screen entertainment, sound as a bell, tight as a drum, strong as the strong men whose factual adventure the film reproduces faithfully and with tremendous power. It is the kind of picture the industry and its public thrive upon, the kind that makes paying customers out of the casual comers, friends out of strangers.

The story of the picture, based on Book One of Kenneth Roberts’ historical novel of the same title, is an implicitly simple account of the Rogers’ Rangers expedition, 1759, undertaken to wipe out the Abenaki, Indians, allies of the French against the British in the French and Indian War. Laurence Stallings and Talbot Jennings accounted for

(Continued on page 5)
**Purely Personal**

**Hollywood Review**

"My Little Chickadee"

(Universal)

Hollywood, Feb. 12.—For the first time on the screen, the gusty, husky humor of Mae West and W. C. Fields is presented in the package, an episodic western comedy from Universal entitled "My Little Chickadee." Brimful of Western lines, oral and otherwise, and the cinematic conundrums, gesticulations and utterances of Fields, the picture takes them through a conveniently phoney marriage, wild life in a western saloon, the robbery and the denouement which causes the villain to return the stolen gold after being influenced by the woman's wiles. Fields is doped as sheriff and "husband," leaves for greener pastures for his chil- dren.

With much of the humor centering about Fields' unsuccessful attempt to consummate his marriage with Miss West, who contrives a spurious marriage because she thinks Fields is wealthy, the picture is definitely adult fare.

The stars, who also wrote the original screenplay, appear for most of the film's 83 minutes, relegating but comparatively minor tasks to Joseph Callela, Dick Foran, Ruth Donnelly, Margaret Hamilton, Donald Meek, Fuzzy Knight, Willard Robertson, George Moran, Jackie Searl and Fay Adler. Gene Austin, "Candy" and "Coco" furnish musical accomplishment for Miss West's one song, "Willie of the Valley," written by Milton Drake and Ben Oakland.

Edward F. Clise directed this Lester Cowan production.

The usual West style of stressing delivery of lines prevails throughout.

Running time, 83 minutes. "A." **VANCE KING**

"*A" denotes adult classification.

**Kills Vineland Writ; Rehearing Ordered**

PHILADELPHIA, Feb. 12.—U. S. Circuit Court of Appeals here has sent the Vineland injunction case back to the federal District court for a rehearing.

The higher court held that District Judge William H. Kirkpatrick issued an injunction against Warner Theatre defendants and major distributors in favor of the Landis Theatre, Vineland, N. J., without any basis having been established on which to pass final judgment.

No date for the District court's rehearing of the case has been set yet. Judge Kirkpatrick's ruling, granting the Landis a preliminary injunction, was appealed to the higher court by the defendants and argued on Jan. 19 as having an "unconstitutional" effect.

**ROONEY RUSH**

Rooney Rush, exploitation and publicity manager of 20th Century-Fox, has left for a Florida vacation.

**LISTEN TO LAW**

William B. Zoeller, M-G-M branch manager in California City, today observes his birthday.

**COHES OF THE PARAMOUNT CONSPIRED**

Irving Cohen of the Paramount home office legal department is taking a long delayed vacation.

**JUDGE MAKES HISTORY**

Joseph Moszkowitz of 20th Century-Fox plans to leave for the Coast late this week.

**WILLIAM WYLER DIRECTS**

William Wyler and Mrs. Wyler arrived in New York from the Coast yesterday.

**DALTON WORKS AS WRITER**

Dalton Trumbo, writer, arrived from the Coast over the weekend.

**GLANDON ALIVE IN KANSAS CITY**

Glandon Alline is visiting in Kansas City.

**FRANK PHPELS IN LARGEST**

Frank Phelps of Warners is ill of laryngitis.

**Children of Writers Attend "Pinocchio"**

More than 400 children of newspaper and magazine writers attended the first child's matinee of Walt Disney's "Pinocchio" at the Center Theatre Saturday afternoon. Stressed as part of their educational program, they inspected a "Pinocchio" exhibit at the Museum of Science and Industry in the RCA Building.

The audience also included children of Mr. and Mrs. Irving Berlin, Mr. and Mrs. Jack Pekler, John J. O'Connor, B. C. Sang, R. E. S. Foster, Richard Patterson and others. Charles Anthony Whick, son of Antonio Sperati, entertained the children, friends, children of newspaper people, as part of his birthday celebration.

**W. E. DEMONSTRATES NEW MICROPHONE**

New microphone developed by the West Electric Co. to overcome reverberations was demonstrated at Madison Square Garden Friday before radio men, technicians and press representatives.

The instrument, the calibre that the "multilac," can be adapted in accordance with acoustical apparatus in studios. Advantage to the talking motion picture is claimed in outdoor scenes where sound echoes from all directions.

**Ohio ITO Meets Feb. 28**

COLUMBUS, Feb. 12.—Directors of the I. T. O. of Ohio have set the date for the annual convention as Feb. 28 and 29.

**WANTED—SCRATCHED FILMS**

You can get extra revenue out of your prints by having us restore your scratched film to practically new. Telephone 4-4780 for our low prices.

**AMERICAN RECON, INC.**

245 W. 52nd St., New York, N. Y.

**For Lunch, Dinner or Supper**

LaHiff's TAVERN

The Industry's MEETING AND EATING PLACE

156 W. 48th St. Tel. Chickerin 4-4200

**For Your Consideration**

Pamphlet available upon request. Mention of our name guarantees the best of service.

**Edison** Previewed

In Michigan City

Perry HUBRE, Mich., Feb. 12.—Industry notables attended the opening here of the theatres playing M-G-M's film, "Young Tom Edi-

son," among those in attendance were: Louis B. Mayer, John W. Considine, Jr., producer of the film; Mickey Rooney, the film's star; Mr. and Mrs. Howard Dietz, Howard Strickling, Mr. and Mrs. Ben Whitten and Mr. and Mrs. Edward J. Flanagan, of Boys Town, Neb.

Prior to the preview, the celebri-

ties were guests of the Ford Motor Co. at the Ford Plant here. Mr. Ford and his son Edsel greeted Mayer, Rooney and the others. A visit to the Ford Motor Village, historical landmark, fol-

lowed.

One of the original wood-burning trains on which Edison worked as a boy, was run from Detroit to Port Huron for the opening. Governor Townsend, who was among the group making the trip on the old train.

In New York, Secretary of Navy Charles Edison, son of the inventor, and Governor Moore of New Jersey on Saturday were guests of honor at a luncheon at the Astor of the Edi-

son Pioneers. At the same time a luncheon also was being held here, the speakers including: Governor Dickinson, Premier Mitchell Hepburn of Ontario, Canada; Mrs. Minna Edi-

son, the preview of the inventor, Mayer and Rooney.

A wire was sent by Edison in New York to the luncheon here, and re-

ceived over the original Western Union telegraph apparatus used by the inventor. In the early evening Mrs. Hughes turned on the 20,000-

watt beacon which will serve as a permanent memorial to Edison. Fol-

lowing the preview in the evening, at the Family, Majestic and Desmond, a ball was held.

**SMPE Group Meeting**

Atlantic Coast Division of the So-

ciety of Motion Picture Engineers will hold a meeting at the Hotel Pennsylvania on Wednesday, The matter will be "The Television Pictures" and the speakers will be Peter C. Goldmark and John N. Dyer of the CBS television department.

**Motion Picture Daily**

(Rolled U. S. Patent Office)

NOW_ WHILE THE WHOLE NATION IS TALKING "THE GRAPES OF WRATH"

... with the word of the all-time record-breaking New York run spreading the country over . . .

... with big-space news breaks hitting top-circulation newspapers and magazines to reach every man, woman and child in the land . . .

... with the greatest reviews ever written lauding "The Grapes of Wrath" as the greatest entertainment of all time . . .

... with the ace columnists and radio commen-
tators voicing their highest praise to their vast personal followings...

...with the Rivoli manager reporting "'The Grapes of Wrath' surpasses anything in my entire experience", and predicting a "ten weeks' to three months' run"...

...with such radio programs as "Information Please"; "We the People", "Pursuit of Happiness" featuring "The Grapes of Wrath" from coast to coast in response to unparalleled public interest...

...with the millions asking when they can see it...
Parents Threaten
Strike Over Films

In an open letter titled "Must Parents Strike," the Schools Motion Picture Committee over the weekend protested the failure of New York circuits to re-arrange their booking schedules in order to show films which the committee has been unable to make available for the 1,280,000 children between the ages of five and 14 in the city. The Committee included 36 Parent-Teacher Association leaders and organized five years ago, said that it was having an extremely hard time inducing any of the circuits to show films which parents approve for juvenile patronage. The Committee criticized films which they considered unsuitable for children to see.

Eight Weeks Bring $800,000 for 'Wind'

"Gone With the Wind" enters its ninth week at the Capitol and Astor on Broadway today, after rolling up a gross of close to $800,000 in eight weeks.

The Astor, at a two-day reserved, has been doing an average of $22,000 weekly and the Capitol an average of more than $70,000 weekly.

The film is scheduled to close a four-week run at Loew's theatre in New Jersey on Feb. 22 to be followed by Columbia's "His Girl Friday" and another feature.

Comerford Leaves $2,000,000 Estate

(Continued from page 1)

assets were: 1,150 shares of North Penn Theatres, $175,195.66; 616 2/3 shares Metropolitan Theatre Co., $126,219.33; 500 shares Capitol Theatre Co., of Hazelton, $80,013.23; 63 1/3 shares Lazerne Theatre Co., $73,369.96.

Additional amusement company enterprises listed among the holdings were: 84 shares Carbondale Theatre Co., $24,128.16; 167 shares Comerford Theatres, Inc., $72,739.89; 36 shares Federal Theatre Co., $45,316.39; 334 shares Hyde Park Amusement Co., $56,961.34; 84 shares Shawnee Amusement Co., $29,041.50; 15 shares Wabash Theatres, $3,131.79.

The inventory listed $24,000 in cash. Comerford, at the time of his death, owned or controlled approximately 125 theatres in Eastern and Central Pennsylvania and New York State. In his will he bequeathed his estate to his widow, his daughter and many relatives. During his lifetime his philanthropies were large and widespread.

Dissolution Voted By Poster Renters

Philadelphia, Feb. 12—George P. Aarons, attorney for the National Poster Renters' Association, today at a meeting held just prior to the three-day meeting of the national association in New York, said that the organization had disbanded because, he explained, all except four or five of the members had sold out to Advertising Accessories, a subsidiary of National Screen. The association had been a cooperative unit headed by Simon Libros, head of National Penn Printing here.

Academy Nominations

Hollywood, Feb. 13—Nominations for the Academy Awards of 1939, from which the prize winners will be decided at the annual banquet on Feb. 20, are as follows:


Best Performance by Actor—Robert Donat in "Goodbye, Mr. Chips," Clark Gable, "Gone With the Wind," Laurence Olivier, "Wuthering Heights," Mickey Rooney, "Babes in Arms," James Stewart, "Mr. Smith Goes to Washington"


Best Written Screenplay—The late Sidney Howard for "Gone With the Wind," R. C. Sheriff, "Cabinet of Caligari," "Goodbye, Mr. Chips," "Ninotchka.


Broadcast Music
Free to Pictures

Film producers and exhibitors will have free use of all music owned by Broadcast Music, Inc., Sidney Kaye, vice-president, over the weekend. Full cooperation will be sought with the industry, Kaye said, although he also pointed out that there may be a licensing charge in future years if B. M. succeeds in building up a sizable catalogue.

Mobeel Anti-Trust
Suit Discontinued

Discontinuance of the $75,000, treble damage, anti-trust suit of Mobeel Enterprises, Inc., by eight majors, Republic Pictures, Monogram Distributing Corp. and Century Circuit, was filed in U. S. District Court Friday. No reason for the discontinuance were disclosed. Mobeel, owner of the Glenwood in Brooklyn, has pledged support and others are expected to join.

8 Majors Answer
Boston Trust Suit

Boston, Feb. 12—Forty-five answers were filed late Saturday, dead- line for answering the $2,950,000 anti-trust suit in the Boston courts, by eight majors, Republic Pictures, Monogram Distributing Corp. and Century Circuit, were filed in U. S. District Court Friday. No reason for the discontinuance were disclosed. Mobeel, as owner of the Glenwood in Brooklyn, has pledged support and others are expected to join.

Assembly Passes
Ticket Price Bill

Albany, Feb. 12.—The State Assembly tonight passed, 130-0, Assemblyman Mitchell's bill restricting the re-sale of theatre tickets to 75 cents above original printed price. The measure, which now goes to the Senate, also transfers licensing authority over ticket brokers from the Secretary of State to the License Commissioner of New York City and mayors elsewhere.

Ginsberg to Para.

Henry Ginsberg, who recently returned to this country from South America as manager of Selznick International, will join Paramount as executive assistant to Y. Frank Freeman within the fortnight.
THE "BLONDIE" SERIES HAVE

**BLONDIE**
has a fit...

**DAGWOOD**
has an
"oomph" gal . .

**BABY**
has the
time of his life!

**DAISY**
has a
hangover . .
STUNNING RITA HAYWORTH helps make it THE BEST OF THE "BLONDIES"!

BALANCE YOUR PATRONS' FUN BUDGET WITH

Blondie ON A BUDGET

Based upon the comic strip created by CHIC YOUNG

with THE BUMSTEADS

PENNY ARTHUR LARRY
SINGLETON * LAKE * SIMMS
as Blondie as Dagwood as Baby Dumpling

and RITA HAYWORTH

Screen play by Richard Flournoy · Directed by FRANK R. STRAYER
Haddock to Guide

AGVA’s Activities

American Guild of Variety Artists on Thursday elected a new executive secretary, Hoyt S. Haddock, the third person to hold that post in the six months of A. G. V. A. existence. Haddock, a labor consultant, will remain with the union until it is functioning smoothly under the leadership developed under the previous secretaries.

Haddock was formerly president of the American Radio Telegraphers Union and for the past two years labor advisor for Standard Oil of New Jersey. He will continue to work for the union in other capacities while in the union post, but will devote most of his time to A. G. V. A.

The union still has about $18,000 in cash left from loans from other labor unions. Haddock said he denied that A. G. V. A. had withdrawn from the circus and outdoor entertainment field despite the assertion to that effect before the Miami board of the A. P. L. executive board by Ralph Whitehead, executive secretary of American Federation of Whitehorse. Haddock seeks a charter to organize circus and outdoor actors and workers.

Uses West Film

Will Rogers’ Short

Harold Rodner, Warner executive and vice-president of the Will Rogers Memorial Fund, left for the Coast last night to supervise the selection of programs for the production of the annual Will Rogers short.

The film will be shown in theatres throughout the country during Will Rogers National Theatre Week starting April 18.

The short will be made at one of the major studios, with all companies participating.

Branding Circuit Plans

Eleven New Houses

Harry Brandt announced over the week-end that the Brandt theatre circuit plans to construct eleven new houses along Colonial architectural lines in New England this spring. They will be built in Portland and Providence, R. I.; Putnam, Danielson, Bridgeport, Darien and Danbury, Conn.; Southbridge, Great Barrington and Plymouth, Mass.

“Wrath” Will Get

55 Pre-Releases

Total of 65 pre-release engagements on “Grapes of Wrath” has been set by 2oth-Fox. Additional engagements other than the Rivoli in New York will be in Miami Feb. 21. It will open at the Capitol, Cincinatti, Feb. 26.

On Feb. 29 it will begin extended engagements in 10 cities and the show will be coming in March in 23 situations. Other engagements will follow between March 2 and 12.

Sonn Loses Court

Plea in RKO Case

N. Y. Supreme Court Justice Mc-Cook Friday denied an application of H. & S. Sonn, Inc., to strike out the answers of RKO Film Booking Corp., RKO Service Corp., and the White Plains Hamilton Corp., for failure to submit books and records on an examination before trial. Suit is for $20,000 damages for alleged failure of two of the companies to pay 50 cents of net receipts of the RKO White Plains Hamilton Theatre under a lease with the plaintiff.

Manages Frisco Theatre

SAN FRANCISCO, Feb. 12—Appointment of H. H. Crosland as manager of the El Rey, one of the city’s largest neighborhood houses, has been announced by Roy Cooper, division manager of Golden State Theatres.

Halifax Theatre Renovated

HALFAX, N. S., Feb. 12—The Family here has been renovated, with 500 new chairs installed.

Honor Frances Perkins

Hollywood, Feb. 12—Soggy Levien, famous film writer, will be hostess to Frances Perkins, Secretary of Labor, at a cocktail party here Feb. 14 when the cabinet member makes a short visit to Hollywood.

Motion Picture Daily

Tuesday, February 13, 1940

Tips on Exploitation

Extensive Campaign Set for “Pinocchio”

One of the most extensive exploitation and publicity campaigns ever put on for a picture’s opening here was executed by RKO and the Disney News office for the premier. A large number of pictures was featured in the New York Times and Herald Tribune, and special material appeared in 60 additional dailies in the metropolitan area.

Tunes with numerous New York newspaper advertisers have been effected and 900 stores are featuring “Pinocchio” in window displays. Songs from the picture will be plugged on radio programs and 1,200 tack cards have been posted at strategic transportation points. National exploitation for the picture is on a similar scale.

An elaborate press book, colorful and comprehensive, has been issued on “Pinocchio.” It contains material on promotion, a manual of exploitation, various types of publicity, feature stories and suggested advertising campaigns.

Promotes 80 Window Displays for “Wind”

KANSAS CITY, Feb. 12.—John Mc-Plough, manager of the Midland Theatre, has arranged 80 store window displays for “Gone With the Wind,” including Woodrow Wilson, which is the second time in 81 years the store has provided such a display.

Plan Feminine Preview

For ‘Many Husband’s”

Hollywood, Feb. 12—Columbia’s film, “Too Many Husbands” will be previewed before an all-female audi- ence. About 500 secretaries, from a so-so book. . . it is certainly the best picture Darryl Zanuck has produced or Milton Johnon scripted—Time.

Zanuck proceeded to convert one of the most controversial books of recent years into a picture. . . . . . the facts as Steinbeck presented them have been dramatized with a boldness and an uncompromising integrity that is rare in Hollywood—Newswear.

FCC Postpones FM

Hearing to March 18

WASHINGTON, Feb. 12.—Hearings on frequency modulation broadcasting, originally scheduled for Feb. 28, have been postponed by the Federal Communications Commission until March 18.

The action was taken in order to give some of the interested parties additional time in which to prepare the material they desire to file with the commission. In order to expedite the hearings, the commission has ordered that all prepared statements shall be filed at least one week in advance of the meeting and that witnesses will not be permitted to read such statements when on the stand.

‘Wind’ Fashion Caravan

Continues Illinois Tour

M-G-M’s “Gone With the Wind” fashion caravan is continuing its tour of the country. After a visit to Indianapolis, the caravan, featuring costumes and sketches used in the picture, is in charge of Capt. Vokey Phifer and his wife, Eloise Phifer.

Form Kentucky Film

LEXINGTON, Ky., Feb. 12—Articles of incorporation for the Rex Theatres of Lexington, with capital stock of $5,000, have been approved. Incorporators were Matt B. Kohl, Meyer Lantzy and J. M. Pound.

Critics’ Quotes . . . .

“SWISS FAMILY ROBINSON”

In the face of psychological difficulties “Swiss Family” is an excellent job. . . . The production contains some of the most brilliant photographic work and the direction is technically perfect.—Lee Moritmer, N. Y. Daily Mirror.

This one doesn’t seem too much of a good thing. . . . a bit far from New York. When it was well considerably better. . . . Moderately entertaining—Frank Nugent, N. Y. Times.

A bit ponderous. . . . The show is eminently suitable for children and they will probably love it. . . . They have pointed up the moralizing of the original.—Howard Barnes, N. Y. Herald Tribune.

Not of classic film proportions. . . . The backgrounds are well done and the action of the small cast is splendid.—Kate Cameron, N. Y. Daily News.

With bold strokes of movie magic, Johann Wyss’ story of high adventure has been transferred to the screen with full, exciting flavor. . . . One that will give you a pleasant, escapist feeling.—Los Angeles Examiner.

The incidents of the picture are for the most part funny, exciting and instructive. The film is a generally creditable piece of movie making.—L. A. Times.

Thomas Mitchell does a superb job as the elder Robinson. . . . RKO can well puff out its chest for a production that definitely lands in the smash hit class.—The New York Herald Tribune.

“GERONIMO”

Braveworthy excitement . . . delight of audiences. . . . Is somewhat inaccurate historically. . . . There is enough fast and furious movement among the characters to satisfy the most rapacious action fan.—N. Y. Journal and American.

An old fashioned western with all the trimmings. . . . A regulation old thriller at which the audience hisses the villain and cheers the cavalry.—N. Y. Herald Tribune.

A very last minute feature.—Philadelphia Record.

Whenever it takes leave of the father-son conflict which occupies much of its celluloid, and gets down to the business of Indian fighting, “Geronimo” is a thorou- ghly good picture.—Philadelphia Record.

Action-rammed picture. . . . The period (in American history) is vividly pictured. . . . Only the best can be said of the players.—Philadelphia Daily News.

A veritable pin-up show and shooting furnishes even more entertainment than the plot.—Philadelphia Bulletin.

“THE GRAPES OF WRATH” (20th-Fox)

People who go to pictures for the sake of seeing pictures will see a lot of real power in the story of a so-so book . . . it is certainly the best picture Darryl Zanuck has produced or Milton Johnon scripted—Time.

Zanuck proceeded to convert one of the most controversial books of recent years into a picture. . . . . . the facts as Steinbeck presented them have been dramatized with a boldness and an uncompromising integrity that is rare in Hollywood—Newswear.

10,000 Match Covers

Plug “Nick Carter”

Hollywood, Feb. 12—For the showing of “Nick Carter, Master De- tective,” Paul Townsend, manager of the Liberty, promoted 10,000 paper match books on which he stuck printed labels calling attention to the playdate of the picture. He had them distributed in all downtown drug stores, restaurants and other places near the theatre.

“Wind’’ Fashion Caravan

Continues Illinois Tour

M-G-M’s “Gone With the Wind” fashion caravan is continuing its tour of the country. After a visit to Indian-apolis, the caravan, featuring costumes and sketches used in the picture, is in charge of Capt. Vokey Phifer and his wife, Eloise Phifer.

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YOU CAN'T MAKE A SILK PURSE
FROM A SOW'S EAR

... and you can't show color features in natural hues with unbalanced light

- The audience sees on the motion picture screen only those colors that are present in the projection light. If certain colors are absent from the light, the dye on the film can't put them on the screen. Excess of certain colors likewise distorts the natural hues of color features. - High intensity carbon arc projection assures an evenly balanced light with all colors present in essentially equal intensity. This is apparent from the chart of color distribution here shown. - This is the quality of projection light for which color film is processed. It is the only quality of light that gives natural color reproduction.

USE HIGH INTENSITY PROJECTION LIGHT FOR HIGH QUALITY PROJECTION

SIMPLIFIED
High Intensity
PROJECTION
WITH "NATIONAL" "SUPREX" CARBONS

ECONOMICAL AND MODERN

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide and Carbon Corporation
CARBON SALES DIVISION, CLEVELAND, OHIO
General Offices: 30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES: NEW YORK PITTSBURGH CHICAGO SAN FRANCISCO

The words "National" and "Suprex" are trade-marks of National Carbon Company, Inc.
FCC Suffers Big Pressure By Lobbyists

WASHINGTON, Feb. 12—Congressional lobbying is more effective against the Federal Communications Commission than most other federal administrative agencies, it is held by the Attorney General’s committee on administrative procedure in a monograph on the F. C. C. just prepared as the basis for the 80th Congress.

The F. C. C. report was one of a number prepared by the committee, which plans to hold hearings with a view to drafting a final report and recommendations sometime next fall, covering various unrelated agencies.

The basis for much of the lobbying directed against the Commission is the "financial stake" involved in the broadcast license, the committee explained.

"The Congressional response in this particular area of regulation is stronger than it might be if it were stimulated only by a desire to pacify important residents of the districts, for it is a commonplace that the radio is rapidly becoming the most effective forum of the gossips may have much to gain personally by the licensing of new stations in their home territory and by securing a monopoly of 'station ownership," was commented.

However, the report added, it is important "to indicate that while congressional pleas may have either upon individual commissioners or upon the entire commission—" It was pointed out that a "superficial" attempt has been made by the Commission to remedy the situation but, it was said, the officials who supposedly that the Commission’s decisions may conceal rather than reveal the true state of affairs. It is the official’s judgment, there will be persistent efforts to subject the Commission or its individual members to political pressures.

Study Lawyer Status In Momand’s Action

OKLAHOMA CITY, Feb. 12—The question of whether J. B. Dudley, attorney, is qualified to represent the defendant, in the Federal anti-trust law suit of A. B. Momand, Shawnee, Okla., against the Griffith Amusement Co. and Consolidated Theatres, Inc., has been referred by Judge Alfred P. Murrah to the committee to grievances of the Oklahoma State Bar Association.

Dudley, who withdrew as attorney for the Griffith company some time ago is listed in the Federal District Court last week asking Judge Murrah to pass upon his qualifications.

Eight Join Club

OKLAHOMA CITY, Feb. 12—Sol Davis, assistant property man of the local Variety Club, announces that eight new members have been accepted for membership in the club recently. They include Walter Do- lan, Chiff White, Jr., Hy Martin, John Ferney, Charles Rock, James Allen Smith, Louis Barton and Ray Hughes.

New York Review

"Calling Philo Vance"

[Warners]

From the late S. S. Van Dine’s detective novel, “The Kennel Murder Case,” another adventure of that amazingly clever gentleman sleuth, Philo Vance, is brought to the screen. The formula is good, and successful, the original novel was popular, and the exhibitor may be assured of a saleable detective.

William Clemens, who directed, held the pace well, starting actively and maintaining the speed, as the story, revolving about war plans sought by several governments, starts in Vienna, and moves to Washington. In this case Vance is acting for the Federal government, a detective on special assignment from the Bureau of Investigation. However, this time as a Federal official, and the not-too-clever detective.

James Stephenson, essaying the role of Vance, handles it capably, if not brilliantly, while Henry O’Neill, as Markham; Edward Brophy, as the detective; Margaret Stevenson, Ralph Forbes and Donald Douglas, are good.

As Vance goes on the trail of a plane designer suspected of selling despite an exclusive arrangement and a brother are murdered. With unities the smart and enterprising Vance.

Running time, 62 minutes. "G."*"+"*"denotes general classification.

Charles S. Aaronson

Promotions Made On Universal’s Staff

HOLLYWOOD, Feb. 12—Cliff Work, vice-president and general manager of Universal, today announced a series of promotions of executives and employees under which Milton Schwartz, who has been placed in charge of television, exploitation and musical productions and Jack Gross in charge of "Idea Pictures." Marshall Grant, story editor, has been made associate producer. Don Brown, executive secretary to Work, will be Gross’s assistant. Group Dowling, secretary to Operations Manager David Garber, takes Brown’s former post. Elmer Grether of the prop department, replaces Dowling’s former position. Leonard Crump, assistant to Grant, becomes the new story editor under the supervision of Dan Keller. Grant’s first picture will be "Bombay.""WMCA Transmitter

WMCA has been authorized by the F.C.C. to build a 1,000-watt transmitter at Kearny, N. J. This will include a new type three-tower directional antenna system which will give WMCA the strongest daylight signal at any independent station in the New York area. It will boost WMCA’s daytime power five-fold. WMCA has had its transmitter for the past eight years at Flushing, L. I.

Theatre Pioneer Dies

CONNEAUT, O., Feb. 12—W. A. Pitts, 80, pioneer theatreman, is dead here. More than 30 years ago, he was one of the men who gave the first film exchange in Pittsburgh. He opened Conneaut’s first theatre in 1916. Later Pitts operated theatres in Cleveland and Buffalo.

Stars in ‘Boom Town’

HOLLYWOOD, Feb. 12—Metro will co-star Clark Cable, Spencer Tracy, Claudette Colbert and Holly Lemarr in "Boom Town" to be produced by Sam Zimbalist and directed by Jack Conway.

Radio Briefs

AN extensive farm news hookup has been arranged at CBS which will enable its field editors to give live minute news on agricultural conditions, Charles Stookey, director of farm broadcasts, announced over the weekend.

Under the direction of Leon Levine, newscaster and agriculture, regional directors will report on conditions and they will be summarized by Stookey on "Columbia’s Country News." Each broadcast will be made from the different regions.

Personalities in the News

(Valda) Remmer and Ely Pettigrew contactors with "Do You Think You Know Music" over CBS on Friday. . . Miriam Hopkins will be heard on "Texaco Star Theatre" in a dramatization of "Jeezibel" tomorrow over CBS. . . Bonnie Brice may do a play called "Fall" for C. S. Ferris, formerly with Blauke- Sample-Hummmert, has joined the H. W. Kelly Company as advertising director. . . Edith G. Foreman, Jr., has organized the Foreman Co. in Chicago. . . Carla Hnedak is supervisor for the new "T.V." program, "Stars of Tomorrow." . . Mme. Georgi, from London, has joined the staff of "Mid-Atlantic News Bureau." . . S. L. Hamm, has joined the "Mid-Atlantic News Bureau." . . A. H. Cash, former assistant to Paul Erickson, is now in charge of radio department. . . A. S. Brophy has joined the script department of William Bly & Co. . . Edith G. Foreman has returned from Europe.

Program News

The starting date for "Cath in De- livery" of Mutual has been post- poned. Miss Hickman and Appli- cations for "Uncle Don’s" child tal- ent quest in his typical with Monogram close on Feb. 29. . . Lyle Hvass, morning disc jockey of radio, will re- ceive the philosophy she derived from "Pinocchio" over WEAF at 9:30 A. M. today in her Sherlock Holmes "Morning Market Basket Program. Mutual will also have an exclusive National Defense Week program Friday at 11:15 P. M. . . Speakers will be Gen. John C. Sweatt, Secretary of War, Harry A. Woodyr, Rupert Hughes, the novel, Dr. Robert Sprott, pres- ident of University of California, and Lt. Gen. DeWitt, commander of the Fourth Corps.

19th Mutual Affiliate

KPC, Port Arthur, Texas, has joined the Mutual web, making a total of 119 affiliates.

Free Lunch at Radio Show

And now it’s free lunch! In addi- tion to the "Radio Club" luncheons and "The World of the Waldorf" ofues a free meal to members of the audience who participate in the show.

Tuesday, February 13, 1940
Win't Give Up 10% Increase, Unions Warn

**AIM TO FIGHT PRODUCERS AT PARLEY TOMORROW**

Hollywood, Feb. 13.—Voting to reject any wage increase recession proposal, leaders of the Conference of American Federation of Labor Studio Unions today accepted an invitation of producers to meet Thursday afternoon to open discussions of readjustment of wage scales.

At that meeting the studios will ask the unions to formally relinquish the 10 per cent wage increases granted last November.

Conference heads, representing about 20 locals, including 10 I.A.T.S.E. groups, will first meet Thursday morning to formulate their strategy in dealing with the producers. It is the opinion of informed observers that the wage increase issue will go to arbitration.

The decision to resist any attempt to have the raises revoked came at today's meeting when union men committed themselves to the proposal.

(Continued on page 7)

22 FIRMS ABSORBED BY AD ACCESSORIES

Advertising Accessories, Inc., recently-formed subsidiary of National Screen Service, has acquired 22 of the 33 units of the National Poster Service Association, Charles Casanave, vice-president and general manager of the subsidiary, said yesterday.

Deals are now pending with the remaining three units, Casanave said.

These three are Western Poster Co., Inc., San Francisco; Southern Poster Service of Los Angeles, and Western Poster Co. of Northwestern Seattle. The three, affiliated with each other, are represented in the current negotiations by R. R. Wolf, A. J. Aaronson and Max M. Morris.

Casanave declared that the heads of the 22 absorbed units would become associated with Advertising Accessories, representing the company in their respective districts.

Simon Libors, president of National-Kline Poster Co., Philadelphia, and president of the Poster Association, was instrumental in closing the individual deals, Casanave said. Libors will be retained in an advisory executive capacity by Advertising Accessories.

**GODDARD REBUKES U.S. FOR TACTICS USED ON MAJORS**

Jack Cohn Balks at Two Questions at Pre-Trial Examination

The Government yesterday completed a one-day pre-trial examination of Jack Cohn, vice-president of Columbia, in suit against the majors. Cohn, now absorbing a second Columbia official to testify, answered all except two questions asked by Special Assistant Attorney General Robert L. Wright.

The first of these was a request to produce a list of exhibitors in key cities who were entitled to first run Columbia films in the past five years. The second was an objection to a question whether Cohn had ever considered the advisability of the acquisition of theatre interests by Columbia.

Examinations will continue today when William A. Scully, general sales manager of Universal, will testify. RKO officials appear Monday.

Cohn, in describing his background and duties, stated that he owned no financial interests outside of Columbia.

In 1929, his company embarked on a policy of building up a national distribution system because he was convinced that it could only become a major concern by that policy, he declared.

In behalf of Columbia, Cohn agreed to furnish a number of detailed lists to the Government, including one showing all franchises with exhibitors; a confidential statement of pictures produced by the company for independent distributors; and a list of pictures which were sold separately from block book sales.

**COLUMBIA SCORES VICTORY ON QUERIES; CASE BADLY HANDLED, SAYS JUDGE**

Federal Judge Henry W. Goddard, who will preside at the trial of the Government's New York anti-trust suit against the Industry, yesterday upbraided Government attorneys for their "very arbitrary attitude" in preliminary phases of the litigation, in the course of a hearing in U. S. District court here.

The hearing was on the Government's motion to dismiss four actions charging violation of the Clayton Act. The District judge ruled that Columbia may have access to the consolidated answers which the Government will furnish to all other defendants by March 1 and that if the information provided is insufficient, Columbia may come before him again on March 8 to renew its request for additional information.

The Government had rejected Cohn.

(Continued on page 2)

9,000 THEATRES GIVE FINN DRIVE SUPPORT

More than 9,000 theatres will participate in collections for the Finnish Relief Fund next Saturday and Sunday, Feb. 17 and 18, the Motion Picture Division of the Fund reports.

All major circuits have agreed and thousands of independent theatres will participate in the two-day collections which will be conducted in the lobbies by volunteer workers. The days have been designated "Motion Picture Help Finland Days."

Because of the limited time and personnel, the sale of theatre tickets will not be accepted.

(Continued on page 6)

**ACTORS PUSH PROBE OF CASTING BUREAU**

Hollywood, Feb. 13.—A two weeks' extension of the investigation into alleged job layoffs and other irregularities in the Central Casting Bureau has been approved by the Screen Actors Guild. A private detective, making the investigation, made a preliminary report last night.

**O'CONNOR TO HEAD INDUSTRY SECTION OF CATHOLIC DRIVE**

**JOHN J. O'CONNOR—OPERATING HEAD OF RKO THEATRES**

John J. O'Connor, operating head of RKO Theatres, has been named chairman of the motion picture and amusement industries group in the 1940 Annual Catholic Charity Drive. O'Connor is now forming his committee.

The drive, which is an annual affair, will be sponsored by the Archbishop's Committee, headed by Alfred E. Smith, chairman, and Frank C. Walker, treasurer.

The following industry figures have already accepted invitations to serve on the 1940 committee:

Harry Buckley, United Artists; H.

**PATTERSON FUNERAL IN ATLANTA SATURDAY**

Funeral services for Willard C. Patterson, assistant general manager of Warner Theatres, will be held in Atlanta on Saturday from the Patterson & Son chapel.

Patterson died Monday at Palm Springs, Cal. Mrs. Patterson is on route with her husband's body and will stay at the Biltmore Hotel in Atlanta.

Nat Fellman of the Warner Theatres executive staff will represent the company at the funeral. Mrs. Irma Flanders, Patterson's secretary, will leave here tomorrow to attend.

Patterson, who was 53, was born in Atlanta. Following a period in legitimate theatre work as advance capacity by Advertising Accessories.
**O'Connor Leader Of Catholic Drive**

*(Continued from page 1)*


The full committee is expected to be completed by the end of this week.

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**Paramount Officials Combat Neely's Bill**

Means of combating the Neely bill and other legislation inimical to the industry were discussed by Paramount theatre associates and home office executives meeting this week in Miami Beach, according to word received at the Paramount home office yesterday.

The meeting was described as "informal" and was attended by Barney Balaban, Paramount president, and Austin C. Kough, vice president and general counsel, who have been vacationing in Florida.

In addition, the Paramount home office theatre executive staff, consisting of Leonard Goldenson, Leon Netter, Sam Dembow, Jr., and M. F. Gov- thorpe, who left New York for Miami last Thursday, was in attendance.

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**Purely Personal**

**JOSEPH BERNHARD,** general manager of Warner Theatres, Ill at Lexton Hill Hospital, was reported last night as slightly improved.

**J. J. MILSTEIN,** eastern representa- tive for Edward Small, has left for a 10-day vacation in the South, follow- ing which he will go to Hollywood to confer with Small on new season production plans.

**STANSTON GRIFFIT, MILTON KUSELL, SI FABIAN, JOHN LONGE, A. F. WAX- MAN, EDWIN DOWLING, MARTE HANNA, BLACKIES, Sonny, Dennis King, LEE SHUBERT and PHIL BAKER at Sardi's for lunch yesterday.

**W. RAY JOHNSTON,** president of Monogram, returned to his desk yester- day after having been ill for a week with a severe cold.

**ANDREW NIEBENTHAL,** suburban theatre owner, is the father of a seven-pound boy, born last week for Mrs. INEBENTHAL in Cincinnati.

**WILLIAM WYLER,** director, and Mrs. WYLER, on vacation in the East, leave today for a visit at Lake Placid prior to a West Indies cruise.

**WILLIAM F. ROGERS,** M-G-M general sales manager, has arrived at the studio for conferences. He is due back early in March.

**NED E. DEFINE,** RKO vice-presi- dent and distribution head, returned to New York from the Coast yesterday.

**SONJA HENIE** is in town for a few days before opening her ice revue in Boston.

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**ALEXANDER KORDA** will ar- rive from Europe on the Rex Tuesday, and plans to leave for Hollywood over the weekend.

**MONROE GREENE, JACK HALEY, JOSEPH MOSKOWITZ, JOSEPH PINCUS, HARRY AND JACK GORTZ, W. RAY JOHNSTON, WILLIAM FITZGERALD, LOU TORNADO, HOPFEN, RUBE JACKET, SAM CITRON, WILLIAM A. SCULLY, GEORGE SKOURAS, RAY W. HENLEY AND JOSHUA LOGAN** lunching at Bob Goldstein's Tavern yesterday.

**otto LEBERER, exhibitor, formerly with First Division Exchanges, has joined Merit Pictures in an executive capacity. JERRY Wilson and ALAN LEVY will be associated with LEB- ERER.

**CHARLES E. McCARTHY'S, ERNO RAPPE, MAX A. COHEN, RUSSELL HOLMAN AND WILLIAM ORR at Nick's Skylark Room in the Astor for lunch yesterday.

**CHARLES SONIN, M-G-M purchasing agent, is a goodwill ambassador. A son was born Saturday to his daughter, HALFET, wife of MONROE J. MEYERS, at Polyclinic Hospital.

**MIRAM HOPKINS** arrived yesterday by plane from the Coast. He has been in New York for two weeks before returning to Hollywood.

**M. N. GRASSGREEN,** 20th Century-Fox branch manager in Albany, has returned to his office after a two-week vacation.

**FLOYD STAWLS,** manager of the Carillon, Richmond, and **WILLIAM A. AYERS,** RCA engineer, leave for a three-week vacation in Florida.

**ELIZABETH COPLAND NIBLEY,** motion picture editor and critic for the News Leader in Richmond, is the mother of a boy born Friday.

**JOHN S. HARRINGTON,** manager of Monogram prints and accessories de- partment, has left for a six-week tour of the company's exchanges.

**JOHN M. STAHL** is recovering from his recent attack of influenza at his home here and may be able to leave for the Coast at the end of the week.

**FRED WHEATRE,** operator of the Park, Cobleskill, N. Y., has recovered from a recent illness.

**AL ROSEN, owner of the Princess, St. Louis, leaves for Florida this week with his family.

**JOHN BROWN,** manager of the Mo- zark, Springfield, Mo., is convalescing after a major operation.

**BOB WEITMAN,** managing director of the Paramount, returned yesterday from Newburgh, N. Y.

**JOSEPH A. McCONVILLE,** Columbia foreign manager, has returned from a business trip to Mexico and Cuba.

**JUNE MURPHY,** assistant to Joseph R. Rafferty at Loew's, has returned from Miami.

**WILL H. HAYS** was detained at Hollywood last night for New York.

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**Newsreel Parade**

President Roosevelt's address before the Youth Congress in Washington is the focus for the nation's news visits. Reels and their contents follow.

**MOVIETONE NEWS, No. 45—Roose- velt, speaking at St. Thomas House, in- sists on "no special executive privileges for special persons" when the Nation is in need. N.Y. U. V. vs Notre Dame basketball.


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**Schafer Expected From Coast Shortly**

Hollywood, Feb. 13.—George J. Schafer, RKO president, expects to conclude his production conferences at the studio and leave for New York by the end of the week.

Schafer yesterday signed Ronald Colman to co-star with Jack Benny in Rogers in the Sascha Guity story, "Good Luck," which George Haight will pro- duce.

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**Laurie Forms Company**

Toronto, Feb. 13.—Following his resignation as assistant general sales manager of Empire-Pebbles Films, Ltd., Archie J. Laurie has organized Laurie Theatres, Ltd., with offices here. He will operate a booking and general service bureau for theatres throughout the Dominion.

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**Motion Picture Daily (Registered U. S. Patent Office)**

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Northwest Passage

WATCH THE MOVIE SKY!
Critics HAIL!
Walt Disney's newest full-length feature in technicolor
Pinocchio

The most enchanting film ever brought to the screen. Will appeal to all types and ages of people. Far superior to anything Disney has ever done. Hurry over to the Center Theatre — pronto! — Kate Cameron, News

A compound of imagination and craftsmanship, beauty and eloquence to be found only in great works of art... endless succession of humorous inciden... sure touch of comic gen... Another Disney masterpiece. — Howard Barnes, Herald-Tribune

As brilliant as was his Snow White... Disney's PINOCCHIO is twice as inspiring... he accomplished the astonishing feat of out-Disneying Disney himself. — Rose Pelswick, Journal-American
very bit as fine as we had
expected it would be, if not finer
Superior to Snow White... the
best thing Disney has done.
—Frank Nugent, Times

...out the news!... Walt
Disney has not only matched
but has outdistanced Snow
White. Recommended unre-
reservedly for young and old.
Will leave you amazed
Disney's timeless genius.
—Wm. Boehnel, World-Telegram

...When you go to see
OCCHIO forget all about
Snow White... it is far superior
to its predecessor. You are go-
to leave the theatre singing
its praises. Don't miss it! Really
grand and happy stuff!
—Lee Mortimer, Mirror

Absolutely perfect and a work
of pure, unadulterated genius.
Has a higher percentage of
pleasure for adults than any-
thing Disney has ever done.
No excuse for not seeing it
will be acceptable.
—Archer Winsten, Post

It is hard to think of anyone who
wouldn't like to see it twice at
least...A screen classic for adults
as well as juvenile audiences.
This twentieth century still has
reason for rejoicing... it has
Disney! —Eileen Creelman, Sun

JIMINY CRICKET!
IT'S HAILING ORCHIDS!

Distributed by
RKO RADIO
Pictures, Inc.

© Walt Disney Productions

K'S GREAT CENTER THEATRE!
Court Rebukes U.S. for Trust Action Tactics

(Continued from page 1)

umbia’s interrogatories in toto after that company refused to sign the Government’s stipulation limiting its ques-
tions to 20 and that attorneys agreed upon with other defendants.

“Columbia is certainly entitled to interrogatories,” Judge Goddard said. “The trial—the bit-
ary—setting a May 1 trial date, refusing information and telling others just what information they may have.”

Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, counsel for Columbia, told the court that Columbia received itself asking in an entirely different position in the suit than were theatre-owning corporations. Therefore, answers which the Government agreed to furnish other defendants through the consolidated interrogatories would be of no value to Columbia.

“Very Badly Handled”

“We do not feel the Government gets through answering these,” Frohlich said, “these other defendants will know less than they do now.”

Frohlich expressed a willingness to sit down and talk with Government attorneys and agree on a separate list of inter-
rogatories for Columbia, but his offer was rejected out of hand by William P. Farnsworth, Government at-
torney.

“The Government has handled this very badly,” the court observed. “I believe in liberality in interrogatories because fullness of information saves time in the long run. If you can sit down without an arbitrary attitude,” he said, addressing Farnsworth, “I’m sure this whole question could be disposed of in short order.

“This appears to be an effort to pass the buck to me. You tell your associates to interview the Government attorneys, ‘they can’t do that to me.’”

Farnsworth argued that it would be “burdensome” on the Government to have to answer Columbia’s interrogatories separate-
ly.

“Suit Is Government’s Baby”

“I’m not at all sympathetic,” the court responded. “This defendant has rights regardless of your convenience. It may make the very good answer that it is subjected to great trouble and expense in defending itself in an action brought on by the Government, and that this suit is not its own but the Government’s baby. Farnsworth then attempted to ar-
gue against Columbia’s interrogatories as “improper” on the merits.

“If you want to argue this on the merits, it will take me at least a month to decide it,” Judge Goddard said. “Just sit down and very courteously do it. It is not our fault if you can’t make a better effort to agree and get together.”

With Judge Goddard’s urging the attorney agreed to attempt to reach an understanding with the Columbia attorneys on a separate set of inter-
rogatories between now and March 1.

Hollywood Review

“Young Tom Edison” (Metro-Goldwyn-Mayer)

Hollywood, Feb. 13.—If you’ve been going along in the common error that Mickey Rooney is just a smart aleck kid who happened to get cast as Andy Hardy and bounced on up into the Number One box office spot willy nilly, look at this picture and discover your error. And if you’ve been wondering whether there was a good film in the record of the late Thomas A. Edison, stop work for the evening.

To sit through this motion picture in company with an audience is to learn what genuinely solid, all-purpose entertainment really is and to rediscover Master Rooney as an actor of the highest order. It is, likewise, to discover that the boy Edison, as convincingly depicted here, was as much a wealth of vitality, determination and despair, as the man Edison was full of genius.

This is a truly great picture. It is not the biggest ever made, nor the most polished, and it is not a precedent-shattering work in any particular. On the contrary, it is an essentially plain production of a straight story with an appeal as wide as the horizon and as deep as civilization. It is the story of young Tom Edison and his time and it is a very great story, rendered greater, if possible, by the sheer simplicity of its presentation.

“Young Tom Edison” was produced by John W. Considine, Jr., producer, “Boys Town,” and he possesses the charm and potency of that film without in any way resembling it. It was directed by Norman Taurog in his most effective manner from a skillfully designed script by Bradbury Foote, Dore Schary and Hugo Butler. Orville O. Dull acted as associate producer and the story material was assembled by H. R. Dunn. The applause which the result of these several gentlemen’s efforts reflects glory upon all.

The period dealt with is 1861, the place Port Huron, then the home of the great inventor. His boyhood experiences, tragic disappoint-
ments, triumphs, the ups and downs which beset his early life, are portrayed with a maximum of story value, a minimum of glorification, no sermonizing whatever. Fay Bainter plays his mother, George Baner-
ton his father, Virginia Weidler his sister, all splendidly. Others in the cast are Eugene Palette, Victor Kilian, Bobby Jordon, J. M. Kerrigan and Clem Bevans.

The picture is powerful in its matter-of-factness, plausible in detail and whole, utterly clean and unfailingly interesting from start to finish, a motion picture of the sort the art-industry has prospered by and grown with from its inception. It is completely appropriate for every type of audience and every location.

Running time, 82 minutes. “G.”

Roscoe Williams

Yates and Grainger Leave for Meetings

Herbert J. Yates, chairman of the board of Republic Pictures, and James R. Grainger, president, leave tonight by plane for regional meetings meeting tomorrow in Atlanta, Saturday in Dallas and Monday at the studio.

Yates plans to remain at the studio four weeks, conferring with M. J. Siegel, president of Republic Productions, on current and next season’s production.

“Dark Command,” Republic’s leading film this season, will be given its world premiere late in March in Law-
rence, Kan., scene of the story.

Cash by Ohio ITO Battles Pot o’Gold

Columbus, Feb. 13.—Members of the I.T.O. of Ohio next Tuesday will inaugurate the giveaway plan designed to combat the “Pot o’ Gold” cash giveaway on NBC.

Exhibitors have pledged $6,000 and will double the amount which any winner who is a theatre patron would have received had he remained home to listen to the radio program.

The exhibition giveaway was spurred by the fact that there have been three “Pot o’ Gold” winners in Ohio in the last four weeks. Par-
ticipating theatres will show a trailer advertising this newly-conceived counter-atraction.

Steffes Will Remain

In Hospital 6 Weeks

W. A. (Al) Steffes, Minneapolis exhibitor and Allied States official, will be at Providence Hospital, Wash-
ington, another six weeks. He was taken to the hospital four weeks ago when he became ill and was空气less. Allied’s annual board meeting, H. M. Richen, of RKO, who visited him last weekend, reports that Steffes shows improvement but has been unable to acknowledge numerous letters and gifts of flowers from friends.

Deny Extra $50,000

For Navy Pictures

Washington, Feb. 13.— Rejecting an appeal by the Bureau of Naviga-
tion for an additional $50,000 for the purchase of Navy pictures, the House Appropriations Committee today re-
ported the Navy Department supply bill for 1941. It allocated only the usual $85,000 for showing films to en-
listed men on fighting ships and at shore stations.

Bingo Resolution

Is Filed at Albany

Albany, Feb. 13.—Assemblyman Max Turshen today introduced in the N. Y. State legislature a resolution proposing amendment to the state constitution, to empower the legisla-
ture to authorize the operation of Bingo under religious and charitable auspices.

Preview for Clergy

Time, Inc., producer of “March of Time” reels, will preview the latest release, “The Vatican of Pot XII” at the Waldorf-Astoria for the bene-
fit of prominent members of the Catholic clergy from 5 to 8 P. M. today. In addition, “Fin-
land” will be screened for members of the Finnish Relief Fund.

Vaudeville Is Resumed

New Orleans, La., Feb. 13.—Vaudeville has returned to three lo-
cal houses on a half-an-hour basis for the first time in several years. The theatres are the Lafayette and two Joy Hauck houses, Strand and Rio.
Associates Plan
Fund for Jobless

An unemployment benefit fund for members will be the next project of the Motion Picture Associates, Jack E. Ellis, president, announced at the annual installation of officers yesterday at the Hotel Astor.

Ellis said that the organization has 240 members, that the major unprovided charity demands it has more in its treasury now than ever before.

Maurice Hershfield, another speaker, stressed the need of the directors in establishing permanent club rooms and a home for needy and retired members.

Harry Hershfield, radio commentator and cartoonist, was master of ceremonies and installing officer. He disclosed that in a few days he will inaugurate in the Maple a column of comment on films and the theatre, and that he would be "a friend of motion pictures."

Emil K. Ellis, brother of Jack Ellis, and several of the installed officers also spoke.

In addition to Ellis, new officers are: vice-president, Moe Streier; second vice-president, Marty Caan; treasurer, Sol Trauner; recording secretary, Moe Fraum; financial secretary, Charles Pense; orchestra directors, Abe Blumstein, Trustees. Jack Hattam and Joe L. Lee.

Streini, as chairman of the board, has named the following directors: Leo Brecher, Morris Sanders, Dave Levy, William Stein and Jerome Wilson.

Jackter Chairman
Of Columbia Drive

Rube Jackter, Columbia assistant sales manager, will serve as chairman of the committee handling the company's annual sales drive, which this year has been designated the Montage Fifteenth Anniversary campaign.

On Jackter's committee are: Lou Astor, Lou Weinberg, Max Weisfeld, Maurice Grad, Henry Kaufman and George Josephs, home office sales executives.

The committee will arrange for competitive events and special awards during the drive, which marks the fifteenth anniversary of Columbia of Abe Montage, general sales manager.

Jacob Miller Dies
New Orleans, Feb. 13.—Jacob Miller, for 28 years sales manager of Lafayette here, died after a long illness.

Miller retired in September, 1939, owing to ill health. His widow, a sister and a brother survive.

15-Year Wait

Samuel Straussberg, president of Interborough Circuit, Inc., bought a site on Myrtle Ave., Brooklyn, about 15 years ago. The anticipation improvement in the area failed to develop, and the property was left untouched.

Now, in view of the Brooklyn Navy Yard District improvement planned by the state, plans have been completed for a 1,200-seat theatre, which will get under way shortly.

RADIO BREVITIES

If there is any doubt about the legality of the "Pot o' Gold" show, it was not indicated yesterday. NBC would originate from Washington for one night on April 25. Speculation on the immediate fate of the $1,000 giveaway show pending the Department of Justice investigation was set to rest yesterday when the program went on the air on schedule.

Personalities in the News

Ken Dyke, NBC director of national sales promotion, leaves for a two-week vacation in Hawaii and Cuba on Friday. . . . John L. Grimes, Wheeling Steel advertising director, will return to the air on Tuesday after a trip to the Oil Field in Oklahoma. . . . Arthur Tracy, "The Street Singer," returns to the air today at 11 A.M. with a new program under the sponsorship of Pye-Pro Corp. over WOR.

Urges Amateur Air Shows

"I think it would be a salutary thing if every radio station threw open some of its time every 21 hours for the development of new talent," said former Mayor James Walker yesterday. Walker's "amateur" program over WNYE, starting Feb. 26, will be devoted to the uncovering of talent. All performers will be paid. Novel twist for this type of show is the inclusion of radio advertising of newsmen and bookers and announcers.

Television Delegates Named

Moving closer toward definite union action in the television field, Actors Equity yesterday appointed Walter Costello its representative on a three-man joint committee.

The Armour and Co. of Chicago, will start its sixth radio series on March 1. The series will be "Sound of Heaven" and "Romantic Dreams," with Dr. George F. Schaffner, musical director.

WNEW Begins 7th Year

WNEW started its seventh year on the air yesterday at 7 P.M. Studies were gathered to watch the clock mark the event but there was no other celebration.

Program News

David Loew's "Sound Track" program over WNEW, devoted to Hollywood comment, has acquired a new sponsor, Diamond Co., manufacturer of Hollywood cosmetics. Members of New York's Junior League will start their sixth radio series on Friday with a series of dramatizations of "Alice in Wonderland."

Won't Give Up Wage Boost, Unions Warn

(Continued from page 1)

completed the preparation of data on salaries for stars, directors, writers, producers and executives. The data will be used in evaluating the expected producer assertions that the foreign and domestic markets are filling.

In addition union officials are preparing demands for changes in working conditions which are expected to increase materially the studio financial outlook. Negotiations on working conditions such as plans for rotation of employment, number of men for various shifts and possible reclassification of various types of workers were postponed at the time the wage increase was granted.

These 'Wrath' Openings Set

In addition to the third-theatre opening in Los Angeles Feb. 28, "The Grapes of Wrath" will have simultaneous openings at the Byrd and State, Richmond, Va., March 1, and the Uptown and Esquire, Kansas City, Mo., April 7. The Los Angeles premiere will be at the Four Star Feb. 27.

The company has received 120 requests for pre-release dates on the film.

"Something should be done about a radio program like this."
"That's right! And I'm aint to do something about it right now."

Richard Cromwell - Doris Day - George Barbier and Radio's Brightest Stars - A Republic Picture

Educational Films
Files Bankruptcy

Educational Films Corp. of America, a subsidiary of Educational Pictures, Inc., yesterday filed a voluntary petition in bankruptcy in U. S. District Court. It listed liabilities of $392,876 and assets of an unknown amount.

The petition named Erpi as the largest creditor with a secured claim of $211,600. Other secured creditors were Jeremiah D. McGuire with a claim of $80,400, and The National City Bank for $10,000. A suit for $100,000 damages brought by Amanda and George Seichert against the company was set forth as a contingent liability. Tax claims, now in dispute, total $47,349.

Chief assets were set forth as the trademark, "The Spice of the Program," and 16 mm, and substandard rights to films being distributed by eight companies.

Polish Invasion Film
Is Halted in Chicago

CHICAGO, Feb. 13.—Boleslaw Patzokoski, independent exhibitor, was arrested last night by Lieutenant Harry Costello, police censor, for the showing of a 16 mm, film, "The Invasion of Poland by Hitler." Patzokosi, out on bail, will be given a hearing Feb. 15.

The performance, under the sponsorship of the Polish-American Citizens' League, was given without a police film permit. Costello and a squad of officers stopped the performance during the first reel and confiscated the film.
Hollywood, Feb. 13.—Research Council of the Academy of Motion Picture Arts and Sciences has been expanded to include the investigation of problems in laboratory processing, photography, cine technology, sound reproduction and optics.

Darryl F. Zanuck, Council chairman, named chairmen for each of the fields, as follows: John Nickolas, laboratory; John Arnold, photography; Grover Lambe, cine-technical; Loren Ryder, sound, and B. F. Miller, optics.

Nathan Levinson, Warners, was re-elected vice-chairman of the Council, and the finance committee included: Zanuck, chairman; Levinson, John Aalberg, RKO; E. H. Hansen, 20th Century-Fox.

Patterson Services in Atlanta Saturday

(Continued from page 1) agent, publicity man and manager, he became manager of the Criterion and Metropolitan in his home city. Later he was successively division manager for Universal Theatres in Atlanta, division manager for Public Southeast Theatres, director of public relations for Warner Theatres at the home office and in 1936 became assistant to Joseph Bernard, head of operations.

Freed on Game Charge

Indianapolis, Feb. 13.—A Municipal Court jury found Orvin J. Moore, manager, and James Kenny, usher, of the Ohio Theatre, not guilty of conducting a lottery on charges brought by police who raided a "Bank-Roll Night" at the house recently.

**Hollywood Review**

"The Farmer's Daughter"

(Paramount)

Hollywood, Feb. 13.—No, this isn't the one about the traveling barn. It is a story about a Broadway stage producer who rents a barn for summer presentation of a musical comedy hopefully aimed at Broadway and encounters such adventures as the public has been taught to believe commonly afflict producers who take to the "straw hat circuit." Further, it is a most diverting and solidly amusing story, expertly compounded and skillfully acted, a feather in the hat of Associate Producer William C. Thomas.

Producer Thomas' most prolific provider of hearty amusement, in the acting division, is Charlie Ruggles, immensely entertaining as the harassed producer. Ally cooperating to this end is Martha Raye, here given to do those things she does best. William Frawley and Jack Nordean are similarly effective in lesser footage allowance as press agent and playwright respectively. Richard Denning, Gertrude Michael, Inez Courtney, William Demarest, William Duncan, Ann Shoemaker, Benny Baker and Tom Dugan are among the others in a balanced cast. Frederick Hollander and Frank Loesser supply a "whistletune" song number which may be out of tune with her usual whim.

Delmar Davies and Lewis R. Foster, responsible for story and screenplay respectively, gave Thomas and his effective director, James Hogan, prime stuff to work with. Their approach to the subject, which is show business itself and as old and as fresh as that same, is new and alert, their treatment of it unfailingly bright. The film is entirely a project in behalf of audience laughter.

Running time, 60 minutes. "G"*

Roscoe Williams

Roach to Have Six New Season Films

Details of Hal Roach's new season schedule for which the release will be worked out on the Coast during the current visit there of Maurice Silverstone, United Artists chief executive.

Roach's new season program calls for six productions costing $7,500,000.

Brady Trial March 4

St. Louis, Feb. 13.—State Representative Edward M. Brady, indicted on a charge of extorting $1,000 from motion picture theatre owners in 1937, will go to trial March 4.

EXCLUSIVE

Official Motion Pictures of the World's Heavyweight Championship Fight

JOE LOUIS vs. ARTURO GODAY

booked by

RKO
WARNER
LOEW'S
SKOURAS

SCHINE
CENTURY
FABIAN
RANDFORCE

NEW YORK STATE

FOR IMMEDIATE BOOKINGS

Write—Phone—Wire

MONOGRAM EXCHANGE

630 Ninth Ave., New York City
Phone: Circle 6-8886

British Exhibitors Seek Modified Taxes

London, Feb. 13.—Cinematograph Exhibitors Association decided today to ask the Chancellor of the Exchequer to receive a deputation which will plead for modification of amusement taxes.

A C. E. A. deputation tomorrow again will consult with the Board of Trade on the general film situation, and tomorrow evening the executive council will complete a draft embodying the exhibitor attitude on the quota problem.

Another exhibitor group will join National Association of Theatrical and Kiné Employees representatives in a hearing at the Ministry of Labor seeking to have projectionists listed in the reserve occupation class for war service.

It is expected at the taxation hearing that the C. E. A. will ask for exemption on seven-pence tickets with adjustments on the high prices. Exhibitors are expected to point out that the amount they would gain is needed to defray rising overhead and to meet the demand for increased wages.

Smakwitz to Albany


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**Proud Words:**

"I FLY UNITED"

Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. "The Continental," leave 5:15 p.m., and "The Overland Flyer," leave 10:45 p.m. Finest meals aloft. Call travel agents, hotels, or

UNITED AIR LINES

56 E. 48th Street
Phone VU 1-7790
Storm Ruins Grosses, Hits Broadcasting

Box-Offices Suffer Worst Beating in Months

Yesterday's severe snowstorm had a serious effect upon film and legitimate theatre box-Offices and at the same time caused major transmission trouble at practically every broadcasting station in the city.
The freakish rain-snow-hail-sleet storm, the severest of the Winter, was the worst Broadway gross figures in many months.
The Paramount, where "Sidewalks of London" opened, was the only house which reported a sizeable gross, $8,000 for the day. Dorothy Lamour, Barry Wood and Dick Stabile's band on the stage were given much credit for attracting customers.
Described by engineers as "the greatest radio emergency since the 1938 hurricane," the storm caused major transmission trouble at almost every station in the Metropolitan area. Not since the hurricane which affected transmitting stations all along the Atlantic Coast have so many radio sta-

Soviet Gets Offers To Handle Product

The Central Film Committee of the Russian Government in Moscow has received several bids from Americans who have offered to continue distribution of Soviet films here.
The offers were cabled after the decision of Amkino Corp. to withdraw as the Russian film distributor for North and South America. While tentative negotiations were started with Amkino, no word has been received from Moscow in reply to the proposals.
Nicola Napoli, Amkino manager, said no provision has been made as yet for the continuance of Russia's purchase of film equipment and supplies in the United States. In the last two years purchases made here have dropped, although considerable amounts of raw stock have been bought from DuPont. Before the outbreak of the European war, Russia transferred much of its buying from America to England and France.
The Amkino office is remaining open until a definite decision is reached, but the company has dissolved.

Majors to Release 40 Films Produced by Independents

Hollywood, Feb. 14.—More than 40 films will have been produced by individuals or corporations other than the regular production staffs of the seven majors by the end of the 1940-'41 season, a survey shows. United Artists is not included.
RKO alone will account for 21 pictures made by eight individuals or corporate producers other than those on their own company roster. Metro-Goldwyn-Mayer is currently releasing the Selznick-International "Going with the Wind," while 20th Century-Fox has released a report in a decent whereby it would distribute pictures made by Howard Hughes.
Paramount plans to release 12 "outside" productions during the season, nine of these being the Harry Sher-

U. S. Permits Companies To Stagger Answers To Interrogatories

Defendant companies in the Government's New York anti-trust suit will be given additional time to answer the Government's interrogatories as a result of a agreement reached with Federal attorneys here yesterday.
The companies' answers were to have been served today but under the arrangement all defendants will be permitted to "stagger" their answers, furnishing their answers to Government when, as and if the information becomes available.
Under the agreement, the Government also will have the right to serve answers to defendants' interrogatories on March 1, the date on which the Government's answers were to have been due.
Columbia will serve answers to the first 24 questions of the Government's interrogatory today and will answer the remainder over a period of several weeks as the information sought by the Government becomes available.
United Artists may answer some of the Government's queries today but will not release all of its answers over a period of weeks as complete information is obtained.
Other defendants—Paramount.

$7,000,000 Gross Passed by 'Wind'

Theatre receipts on "Going With the Wind" have already exceeded $7,000,000, according to Howard Dietz, M-G-M advertising and publicity di-

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Scully Questioned On Sales Methods

HARRY GOLDBERG, advertising and publicity director for Warner Theatres, will speak at the annual banquet of the Philadelphia Cinema Club Feb. 20 at McAllister's.

COL. JOHN A. COOPER, president of the Motion Picture Distributors of Canada; Mrs. N. L. Nathanson, former of the Famous Players' president, and Mrs. J. E. Lawson, wife of the film company lawyer, were elected to the executive board of the Red Cross Society in Toronto.

Terry Kilburn, young RKO player, will be on the first day of a personal appearance tour of 14 key cities in the East, Midwest and Southwest. He is accompanied by his mother, Miss Jessica Clark, and Charles McKey, RKO publicity representative.

Rosalee McKenna has resigned as billing stenographer at the Republic exchange in Oklahoma City. Emma Castrell, formerly with National, succeeds Miss McKenna.

The Dennis Sisters, harmonys trio, will appear with Ted Lewis next week at Loew's State. They were formerly seen on Broadway as dancers.

Dave Wessinger, zone manager for the Warner circuit in Philadelphia, has left for a Florida vacation.

Donovan Hall has resigned as director of advertising and publicity for Ross Federal Research Corp., after two years with the company.

J. M. Franklin, head of the Franklin & Herschorn circuit of St. John, N.B., has left for Miami Beach with Mrs. Franklin.

James Gillespie is doing special publicity and exploitation for United Artists in Vancouver, New Jersey and West Virginia on new RKO product.

Ben Mergens, 20th Century-Fox manager for Continental Europe, now visiting in America, has left for Florida.

William Powers and Harry Cox of National Theatre Corp., have returned from Coast meetings.

Grace Fields and June Duprez, film players, arrive today on the RGG. Alexander Korla is also arriving.

F. A. McCarthy, Eastern sales manager for Universal, has returned after a week in Nashville, Tenn.

L. W. Consow, president of Allied Service Corp., is vacationing in Florida.

MRS. ABE FISHMAN of New Haven, will join her husband at Miami Beach shortly.

Gilbert Josephson of the World Theatre was host to the press at the Champlain's restaurant yesterday.

Jack Hattem of Interboro Circuit and Neil Traub of Adelphia are persons entering the business who will leave for Miami over the weekend.

Charles Moses, circuit operator, is in Florida.

Storm Ruins Grosses, Hits Broadcasting

(Continued from page 1)

Majors Win More

Trust Reply Time

(Continued from page 1)

Loew's, Warners, 20th Century-Fox, Universal and RKO, will serve the first of their five players next week and the balance will be staggered over a period of several weeks. Some of the answers will be confidential; others will be made public.

Conferences between William P. Farnsworth, Government attorney, and Schwartz & Frolich, counsel for Columbia, to seek an agreement on a separate list of interrogatories to be answered by the Government are scheduled to get under way next week. The Government's original refusal to answer Columbia's separate questions was approved by Federal Judge Godard to term the Government's attitude "very arbitrary" and to order the Government attorneys to seek an agreement with the company prior to a second hearing before him on March 8.

D. Frollic, of counsel for Columbia, told the court that he "had been trying for two years to learn from the Government what Columbia is charged with and hasn't received any information yet."

Scully also expressed the Government's attitude in the case thus far and cited it as assuming an untenable position different from that of any private litigant.
Two Bronx Theatres Closed

Max A. Cohen has closed his 600-seat Loew's at 2707 E. Tremont Ave., Bronx. Also closed in that borough is the Ritz at 1014 E. 188th St.

Fosse to Build House

La PORTE CITY, IOWA, Feb. 14.—Marvin Fosse, owner of the Pastime, has bought a building and plans to remodel it to a modern theatre seating 350 seats.

Open in Effingham, Ill.

EFFINGHAM, III., Feb. 14.—The Heart Theatre has been opened here. Its seats 750 is managed by Mr. Russell Hogue for the Frisina theatre circuit. Cost was $60,000.

Manages in St. Mary's, Pa.

ST. MARY'S, Pa., Feb. 14.—J. R. Jackson has been named manager of the Harris here. He formerly managed a house in Freedom, Pa.

Reopens in Maquoketa, Ia.

MAQUOKETA, Iowa, Feb. 14.—S. R. Peake, recently reopened the Pastime theatre, has spent $400 to $700 seats.

Open Michigan House

THREE OAKS, Mich., Feb. 14.—The Lee has opened here. Mr. and Mrs. Frank Lee are the owners and managers.

Allied in Connecticut Has 90% Enrollment

NEW HAVEN, Feb. 14.—Allied's membership campaign in Connecticut has lined up 90 per cent of the independent exhibitors in the state. E. Thaddeus Kelly, field secretary, reported at a meeting of Allied Connecticut here this week.

Frank C. Lydon, national regional vice-president, and Arthur K. Howard, business manager of New England Allied, were guest speakers.

The Allied committee was appointed to seek to congregate grievances of members and non-members. The committee includes Joseph F. Reed, William Hoyt and Jack Schwartz. A legislative committee appointed consists of A. L. Pecus, Leo Bonoff, Harry L. Laveites, Martin H. Keleher, Ralph Pasho and Lawrence C. Caplan. The next meeting will be held Feb. 27.

Hear Ed Sullivan Plea

NEW YORK, Feb. 15.—Ed Sullivan is scheduled to appear in court in the 36th Street Police Station in the case of "Passage to Have Premiere Tuesday" of "Northwest Passage" at the Playhouse Theatre, Boise, Idaho, next Tuesday. A celebration will be held, with a parade in the afternoon.

Hone Massey, Isabel Jewell, Truman Bradley and other players, as well as studio representatives, will attend the hearing. Two men are defending Sullivan from an order that he room in an order to change the name of his show to "Northwest Passage." Sullivan is applying for a new Federal court to decide the case.

Rob Providence House

PROVIDENCE, R.I., Feb. 14.—Reports that the Providence Times were stolen from the safe of the Uptown Theatre here. The police were notified by phone to report the theft.

Motion Picture Daily
"Brilliantly conceived, superbly produced and masterfully acted, this film should take rank as one of the finest pictures of this or any year! Exhibitors and the public alike will long remember this picture. Completely absorbing drama at its best; it should completely grip any audience from beginning to end; Edward G. Robinson gives what many will term the finest performance of his career; and it adds new laurels to the Warner Bros.' standard, as well as representing a great achievement for everybody connected with the picture. No audience can fail to be stirred and thrilled!"  
*Film Daily*

"Attains epochal proportions! Edward G. Robinson’s delineation of the German scientist is undoubtedly his crowning achievement!"  
*Boxoffice*

"In the exceptional array of fine pictures which have been presented to Hollywood preview audiences during the past few weeks, ‘Dr. Ehrlich’s Magic Bullet’ moves immediately into the farthest forerank as one of the greatest. It is a magnificent picture, completely absorbing, tense, exciting drama, with a production which is well-nigh flawless. Picture unquestionably marks the turning point in the
Showmanship Brand, Ace a "Zola"...!

Showmanship Brand, Ace a "Zola"...!

The career of Edward G. Robinson, who gives a performance so superb that it ranks with the finest in history. This is William Dieterle's finest directorial effort to date, one which must be reckoned with when the 1940 Academy awards are considered."

Hollywood Reporter

"Fine acting, superb direction, remarkable story telling and a plus quantity of inspiration. 'Dr. Ehrlich' will hold audiences spellbound!"

Daily Variety

"One of the greatest motion pictures in the whole history of the screen! A stirring drama of vast popular appeal! It is a film every theatre should be proud to play!"

Film Bulletin

"A motion picture with all the attributes to make it one of 1940's most auspicious screen triumphs. It is a production that places Edward G. Robinson in the niche with other truly great actors!"

Showmen's Trade Review

"There is no question that it is splendid entertainment! Everything that he has done in the past must be forgotten, so perfectly has Robinson become the scientist, Ehrlich."

Motion Picture Daily
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**COLUMBIA**
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- The Lone Wolf Strikes (G-D)
- Pioneers of Frontier (G-D)
- Five Little Peppers at Home (G-D)
- Man From Dakota (G-D)
- The Northwest Passage (G-D)
- Blondie on a Budget (G-D)
- Outside the Three Mile Limit (D)
- Men Without Souls (D)
- Too Many Husbands (C)
- Blazing Six Shooters (C)

**M-G-M**
- Congo Maisie (A-D)
- Lambeth Walk (C)
- I Take This Woman (G-D)
- Broadway Melody of 1940 (G-M)
- North West Passage (G-D)
- Strange Cargo (D)
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- Young Tom Edison (D)
- Florian (D)
- Dr. Kildare's Girl (D)
- Tomboy (D)
- Tomboy (D)

**MONOGRAM**
- Hidden Enemy (D)
- Pioneer Days (G-O)
- Chasing Trouble (G-D)
- East Side Kids (G-M)
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- Remember the Night (G-D)
- Santa Fe Marshal (G-D)
- Parole Fixer (G-D)
- Light That Fails (A-D)
- Murder of the Range (O)
- Seventeen (D)
- Showdown (O)
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- Son of the Navy (C)
- Adventure in Diamonds (D)

**REPUBLIC**
- Married and in Love (G-D)
- Wolf of New York (D)
- Village Barn Dance (G-M)
- Knights of the Range (O)
- Pioneers of the West (O)
- Road to Singapore (M)
- Farmer's Daughter (C)
- Irene (M)
- Courageous Dr. Christian (D)
- Stardust (D)
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**20TH-FOX**
- He Married His Wife (A-C)
- Wolf of New York (D)
- The Marines Fly High (D)
- Swiss Family Robinson (G-D)
- Pinocchio (G)
- Little Orvie (D)
- Isle of Destiny (D)
- Pioneers of the West (O)
- Money From Home (C)
- Son of the Navy (C)
- Adventure in Diamonds (D)
- Irene (M)
- Courageous Dr. Christian (D)

**U. A.**
- He Married His Wife (A-C)
- Wolf of New York (D)
- The Marines Fly High (D)
- Swiss Family Robinson (G-D)
- Pinocchio (G)
- Little Orvie (D)
- Isle of Destiny (D)
- Pioneers of the West (O)
- Money From Home (C)
- Son of the Navy (C)

**UNIVERSAL**
- He Married His Wife (A-C)
- Wolf of New York (D)
- The Marines Fly High (D)
- Swiss Family Robinson (G-D)
- Pinocchio (G)
- Little Orvie (D)
- Isle of Destiny (D)
- Pioneers of the West (O)
- Money From Home (C)
- Son of the Navy (C)

**WARNERS**
- The Lone Wolf Strikes (G-D)
- Pioneers of Frontier (G-D)
- Five Little Peppers at Home (G-D)
- Man From Dakota (G-D)
- The Northwest Passage (G-D)
- Blondie on a Budget (G-D)
- Outside the Three Mile Limit (D)
- Men Without Souls (D)
- Too Many Husbands (C)
- Blazing Six Shooters (C)

**PARAMOUNT**
- The Lone Wolf Strikes (G-D)
- Pioneers of Frontier (G-D)
- Five Little Peppers at Home (G-D)
- Man From Dakota (G-D)
- The Northwest Passage (G-D)
- Blondie on a Budget (G-D)
- Outside the Three Mile Limit (D)
- Men Without Souls (D)
- Too Many Husbands (C)
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**SHORTS**
- The Lone Wolf Strikes (G-D)
- Pioneers of Frontier (G-D)
- Five Little Peppers at Home (G-D)
- Man From Dakota (G-D)
- The Northwest Passage (G-D)
- Blondie on a Budget (G-D)
- Outside the Three Mile Limit (D)
- Men Without Souls (D)
- Too Many Husbands (C)
- Blazing Six Shooters (C)
Hollywood Review

“The Marines Fly High” (RKO)

HOLLYWOOD, Feb. 14.—A service action melodrama of familiar stripe, RKO’s “The Marines Fly High” presents Richard Dix and Chester Morris in a “Flap”—“Quint” combination. Lucille Ball and Steffi Duna supply the romantic interests.

Dix and Morris are lieutenants of the United States Marines, engaged in training soldiers of an unidentified Central American country about to revolt against the government led by a bandit chief. Vying for the love of a wealthy American ranch owner, their rivalry is forgotten as they defect the rebels.

The late George Nichols, Jr., and Ben Stoloff share screen credit for the direction of the screenplay of Jerry Catly and Lipton. Commander A. J. Bolton, who adapted a story by A. C. Edington. Robert Sisk was the producer.

Running time, 67 minutes. — VANCE KING

$70,000 For ‘Wind’ Is Detroit Leader

DETROIT, Feb. 14.—“Gone With the Wind” played to capacity in its second week, equaling the $70,000 take of last week. The United Artists took in $69,000 and the Wilson $3000.

Estimated takings for the week ending Feb. 8:

- “The Blue Bird” (2nd): $15,000
- “The Fighting 8th” (W. B.): $12,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $9,000

$81,000 for ‘Wish’ Holds High Spot in Cleveland

CLEVELAND, Feb. 14.—“Gone With the Wind” drew $23,000 in its second week at the Hippodrome. “The Fighting 60th” drew $13,500 at Warner’s.

Estimated grosses for the week ending Feb. 8:

- “His Girl Friday” (Col.): $4,000
- “The Fighting 60th” (W. B.): $11,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $5,000

$260,000 For ‘Wish’ Pulls Strong $16,500 Omaha Lead

OMAHA, Feb. 14.—“Gone With the Wind” was good for $16,500 at the Dorchester. “The Fighting 60th” pulled $16,500 at the Central.

Estimated takings for the week ending Feb. 7-8:

- “Flying Deuces” (RKO): $2,000
- “Elephant Boy” (_para.): $2,000
- “Child Is Born” (W. B.): $1,000
- “Angel” (M-G-M): $1,000
- “Gone With the Wind” (M-G-M): $1,000

Indianapolis Hands ‘Wind’ Big $42,000

INDIANAPOLIS, Feb. 14.—“Gone With the Wind” in its second week at Loew’s drew $42,000. All grosses were made prior to a possible competition from Sonja Henie’s Hollywood Ice Revue.

Estimated takings for the week ending Feb. 8:

- “The Fighting 60th” (W. B.): $1,500
- “The Man Who Wouldn’t Talk” (20th-Fox): $1,000
- “Charlie McCarthy, Detective” (Univ.): $1,000
- “My Son Is Guilty” (Col.): $500

‘Wind’ Hub’s High Gross With $20,000

BOSTON, Feb. 14.—“Gone With the Wind,” playing its seventh week at Loew’s Orpheum, grossed $20,000. Elke Sommer’s “Green Hell” and “Charlie McCarthy, Detective,” grossing $18,500.

Estimated takings for the week ending Feb. 7-8:

- “Inspector Hornleigh” (20th-Fox): $4,000
- “Thoroughbreds” (RKO): $4,000
- “Laugh It Off” (Para.): $3,000
- “High School” (RKO): $3,000
- “Charlie McCarthy, Detective” (Univ.): $2,000

‘Wish’ with $19,000 New Haven Winner

NEW HAVEN, Feb. 14.—Second week of “Gone With the Wind” at the college drew $19,000.

Estimated takings for the week ending Feb. 7:

- “Gone With the Wind” (M-G-M): $7,000
- “Pamper Me, Mr. Peters” (Col.): $3,000
- “Spanish” (Barrymore): $2,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $1,000
- “Charlie McCarthy, Detective” (Univ.): $1,000

‘Wish’ with $21,500 Oklahoma City Lead

OKLAHOMA CITY, Feb. 14.—Despite wet and freezing weather, “Gone With the Wind,” in its second week at the Midwest, drew $21,500.

Estimated takings for the week ending Feb. 8:

- “The�-8th” (Fox): $7,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $5,000
- “Charlie McCarthy, Detective” (Univ.): $3,000
- “Charlie McCarthy, Detective” (Univ.): $1,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $1,000

‘Wish’ with $26,000 Portland Leader

PORTLAND, Feb. 14.—Second week of “Gone With the Wind” at the Fox drew $26,000.

Estimated takings for the week ending Feb. 7-8:

- “The Man Who Wouldn’t Talk” (20th-Fox): $5,000
- “Charlie McCarthy, Detective” (Univ.): $3,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $2,000
- “Charlie McCarthy, Detective” (Univ.): $1,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $1,000

Seattle Gives ‘Wind’ Heavy Lead, $31,000

SEATTLE, Feb. 14.—“Gone With the Wind” led at the Fifth Avenue with a smash $31,000 in the second week, best weather for rain but mild.

Estimated takings for the week ending Feb. 9:

- “Green Hell” (Para.): $5,000
- “Pamper Me, Mr. Peters” (Col.): $3,000
- “Spanish” (Barrymore): $2,000
- “Charlie McCarthy, Detective” (Univ.): $1,000
- “Pamper Me, Mr. Peters” (Col.): $1,000

‘Wish’ with $26,000 Portland Leader

PORTLAND, Feb. 14.—Second week of “Gone With the Wind” at the Fox drew $26,000.

Estimated takings for the week ending Feb. 7-8:

- “The Man Who Wouldn’t Talk” (20th-Fox): $5,000
- “Charlie McCarthy, Detective” (Univ.): $3,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $2,000
- “Charlie McCarthy, Detective” (Univ.): $1,000
- “The Man Who Wouldn’t Talk” (20th-Fox): $1,000
Albany Allied Unit
To Be Reorganized

Albany regional unit of Allied Thea-
tre Owners of New York will be re-
organized, it was decided at a meeting
of the organization's executive com-
nitee yesterday. A new executive com-
mittee, appointed temporary vice-presi-
dent of the Albany unit.

Max A. Cohen, who presided, ap-
pointed a reorganizing committee in-
cluding George Abramson of Brook-
ly, Edmund Solomon, general coun-
sel, and Pashley. The committee will
meet with the Albany members early
in May at which time new officers and
directors will be elected.

Mitch Conner of Ravenna, Albany
vice-president, and several other mem-
bers mentioned the $15,000 and trust
after breaking with the state organi-
ization on the Needel bill issue. The
state organization is opposed to the
bill.

The organization's by-laws provide
that a member who acts contrary to
the state organization's policies will
be expelled, according to Souhan. He
said the unit has more than 40 members.

The next state meeting will be
May 22 and 23 in Syracuse. The
night of May 23 will there be a
testimonial dinner honoring Cohen.
A special meeting is scheduled for
Syracuse Feb. 23.

Ohio Theatres Drop
New Prize Offers

COLUMBUS, Ohio, Feb. 14—Inde-
pendent Theatre Owners of Ohio have
abandoned their plan to counteract the
“Friday Night” radio programs by of-
fering double the prize offer to any
patron who would have been the
winner had he or she bought the Ameri-
can-French War Relief, sponsored by
a group of celebrities. The film will
open its regular run on Monday.

Accessories Deal
With “U” Postponed

Effective date of the contract under
which Advertising Accessories, Inc.,
Nathan Gross: New York, will take over
the accessories distribution
of Universal, has been postponed.
The deal was scheduled to be
come effective today, but the clarifi-
cation of details caused the delay.
Although no new date has been set
for the arrangement, it is understood
that the delay will be short. Meanwhile,
negotiations are still in progress on
the acquisition by Advertising Ac-
cessories of the three remaining units
of the National Poster Service
Ass ociation.

Majors Lose Trust

Pl ea at Pittsburgh

PITTSBURGH, Feb. 14—U. S. Dis-
trict Judge R. M. Gibson today denied
a motion of the defendants asking for
injunction of the alleged anti-trust
suit against the eight major companies
and others by United Exhibitors, Inc.,
Penn State Theatre Corp. and others.
The court ruled defense answers must
be filed within 15 days.

Defendants in the trust action, in
addition to United Exhibitors, Colonial
Amusement Corp., Marika Galantis,
Leo Guerrier, Jr., Flora Guerrier,
William Zeny, Joseph Say-
bold, and George Saybold and Boyd Mey-
land.

Clemente in City

Frank Z. Clemente, independent pro-
ducer, arrived from the Coast yester-
day. Clemente is planning to pro-
duce a series of films in the East out
of which tentatively titled “The Latin
American Way.”

100 ‘Robinson’ Dates

Swiss Family Robinson.” Towne-
baker film distributed by KKO, will
play 100 day and date engagements
on Feb. 22, national release date.

Rep. Congress

The bill “dajamaica Inn” and “Married and in Love”
with the announcement that it’s “not
colossus . . . stupendous . . . it’s just a
good show . . . The kind everyone likes . . . Bring a Friend!”

Republic Meeting
In Atlanta Today

Third of Republic's regional sales
meetings will be held today in Atlanta,
with H. J. Yates, president of Con-
nections in the community, and Presi-
dent, managing director of the
Atlanta, Henry Glover,
Tampa; J. H. Dillon, Charlotte; L.
V. Sezinebuhmad, New Orleans; Wil-

In Dallas: W. G. Underwood and
Claude Exell, Dallas franchise
owners; Sol Davis and B. F. Burgh,
franchise owners for Oklahoma and Little
Rock, respectively; Lloyd Rust, Dallas
manager, and Morris Lovesewitz,
Oklahoma City.

The following will attend the
session at the studio in North Holly-
day, M. G. Siegel, president, Re-
public Productions; J. T. Sheffield,
franchise owner for the Northwest,
and settling affiliate. Presented
Salt Lake City and Butte; Sid Weis-
baum and Francis Bateman, San
Francisco and Los Angeles branch
managers, respectively.

Screen Playwrights
Will Be Disbanded

HOLLYWOOD, Feb. 14—Screen Play-
wrights, Inc., now reduced to 26 paid
up members, will be dissolved. The
motions picture writing board, under
officially abrogated. As a result there
is no official method of settling screen
wrongs, has been

An early bargaining agreement with
the Screen Writers Guild is antici-
pated, since the Playwrights have an
understanding that pact with the pro-
ducers is nullified and with it the
settlement of credit disputes through
conciliation and arbitration. The
Screen Writers Guild already is rec-
ognized as the official bargaining
agency for writers.

Trintz Rites Held

CHICAGO, Feb. 14—Funeral services
were held today for Samuel Trinz, 77,
one of the last tough and Henry Trinz,
who founded the Lubliner- Trinz Circuit.
Trinz died on Monday of a heart attack.

Screencraft Closes Deal

Screencraft Pictures, Inc., state
right distributors, have sold 13 tea-
tures to Pam-O-Pictures in upper
New York State and to Fine Arts
Distributing Corp. of Pittsburgh.

Chicago House Burns

CHICAGO, Feb. 14—The Main
neighborhood house, was burned last
night after closing, with damage
estimated at $20,000.

Personnel in the News

Appointment of Watson Lee to the
CBS sales staff was announced yester-
day by William C. Gattiner, vice-
intendent in charge of sales. Lee was
formerly Eastern advertising manager
for the Woman’s Home Companion.

Milton Burgh, of the NBC special
affiliates group, has left his position
from a two-week vacation. . . . Elmer
Davis leaves for a vacation in Key
West, Fla., on Feb. 23. His CBS
show will be replaced by Linton Wells,
Bob Trout and Albert
Warner. . . . M. Patricia Lock-
ridge, of the CBS special events de-
partment, flies to the Coast tomorrow
on a business and vacation trip.

Selling F M Receivers

Frequency modulation receivers
are now being sold by three com-
panies, two others are selling com-
plete kits for home assembly, and
several additional models have been
licensed to manufacture sets. In
addition to 12 FM broadcasters now
operating, 48 additional stations will be
applied for licenses for the F.C.C.

Program Notes

“Light of the World,” a dramatized
version of Bible stories in modern dia-
logue, will be sponsored by General
Mills over NBC-Red beginning March
14. The half-hour “Bettie and Bob” now
heard in the 2 P.M. spot for the same
sponsor . . . General Baking Co. has renewed its sponsor-
ship of “Wee Willie Winkie” for another 12 weeks on 10 Mutual
stations.

Census Facts on 682 Stations

Largest single order filled by the
radio-recording division of NBC
was completed yesterday. A series of
the national news networks for 682
stations has been completed for the
Government to describe the activi-
ties of the Census Bureau and pre-
pare the public for the census ed-
der’s visit. Called “Uncle Sam call-
ing” the program is offered free to
all stations by the Government.
Grosses Drop 50% in Storm Through East

Houses from Ohio Valley Eastward Are Hurt

Theatres from the Ohio Valley east to the Atlantic seaboard, and from Washington north to the middle of New England literally were snowed under on Wednesday and were still trying to dig out yesterday.

General estimates were that grosses in the affected area were off approximately 50 per cent, on the average, although reports from many spots were still being trickling in to home offices of the major circuits.

Typical reports were these: RKO—"business "no good" in the entire theatres," a major operator stated; Loew's—"busy work all day long from Washington to Boston to Detroit, business as busy as it generally gets," personnel in the theatres ran for the day; Warner—"business off terrifically; Warners—"grosso's badly off"; Walter Reade Theatres in New Jersey reported the worst business in the history of the company, Walter Reade said that after the Paramount in Asbury Park managed to eke out a spare $12 for the day on Wednesday, he ordered the theatre closed for the rest of the Winter. The Lincoln, in Trenton, N. J., as another example, on Wednesday grossed $141, against $344 a week ago;

The Century Circuit, operating in Brooklyn and Long Island, estimated grosses off from 40 to 50 per cent in the two areas.

With many towns in Pennsylvania.
(Continued on page 4)

Korda is Arrival; Delays Coast Trip

Alexander Korda, head of London Films, arrived yesterday afternoon on the S.S. President Warfield and cancelled six hours later his plans to fly to the Coast. He will remain in the city several days.

While he left the ship's gaugertaink as a deputy U. S. marshall in New York, he was told that papers in the new suit brought by Samuel Goldwyn against United Artists, London Films and Korda.

Korda said his production plans, disrupted by the war, are indefinite. He will supervise the shooting of exterior shots in the Arizona desert and the Grand Canyon for "The Thief of Bagdad," which will complete the picture. The war prevented making these scenes in Africa, as originally planned.

Milton Korda, Alexander's brother and director of the firm, who is in
(Continued on page 4)

Hepburn Drops Aim For Amusement Tax

Toronto, Feb. 15.—Although Ontario closes the year ending March 31 with a $1,000,000 deficit, Premier Hepburn officially announced today in the legislature that no amusement tax will be imposed for another twelve months.

Banks, Duce's Son To Produce Films

Monty Banks, who directs the Gracie Fields pictures for 20th Century-Fox in England, said on his arrival yesterday on the Rex that he has become associated with Vittorio Musolini, son of H. Duce, in an Italian film company.

Banks said he will devote all his time to the new company upon expiration of his 20th Century-Fox contract next Summer. He has one more film to direct under this contract. He will confer with Darryl F. Zanuck, 20th Century-Fox production chief, and Robert T. Kaut, in charge of the company's British picture, on the final picture.

Miss Fields accompanied Banks. They leave for the Coast today. She said plans to make "Molly, Bless Her" after her next picture have been shelved. She added that it probably will be "Mademoiselle from Armentieres," in which she could utilize her experiences as an entertainer for troops behind the Maginot Line.

Banks said the new Italian company is A. C. I., that it plans to make four
(Continued on page 7)

Hollywood Inquiry is Next, Congressman Dies Warns

Washingons, Feb. 15.—Charging that the film industry has tried to sabotage his committee, Representa-

tive Martin Dies today declared that he will propose an investigation of Hollywood as the next action for the House group investigating un-American activities.

Dies said the film producers had secured a copy of an investigator's report on conditions in Hollywood in a "mysterious" manner and have had it mimeographed. The report was made available to members of the committee, he said, but was not sup-

posed to be made public.

Further, he declared, the industry "even knows" who the committee's witnesses are to be and, he said, "we would like to find out how they got their information.

Making it clear that he was expressing his own views only and not talking for the committee, where he is apparently encountering difficulty in carrying through his program, Dies said that Hollywood's activities in the realm of his committee's in-

vestigations "should be exposed.

However, he said it will be up to the committee to decide whether the investigation should be made and whether producers shall be called. Dies said he thought that if the inquiry is undertaken hearings should be held in Washington and a report should be issued before the
(Continued on page 4)

Goldwyn Files New U. A. Suit Over Contract

Bony Refuses to Dismiss Action on Bonus

Cancellation of the Goldwyn distribution contract with United Artists Corp. and an injunction restraining United Artists from acting with the release of future pictures, was de-

manded yesterday by Samuel Goldwyn, Inc, and Samuel Goldwyn, Ltd., in a 154-page complaint filed in U.S. Dis-

trict Court against U.A., U.S. Film Productions, Ltd., and Alexander Korda.

On the same day, Federal Judge Bony rendered a decision refusing to dismiss the suit, on the ground that it was filed for $54,559 and interest against U.A. The court decided that Gold-

wyn was the legal owner of a claim for a percentage under the Silverstone Plan and had not assigned it to The Bank of America as claimed by U.A.

Goldwyn's complaint filed yesterday was in most respects similar to one recently dismissed by the Chancery Court in Delaware for failure to in-

clude Korda among the necessary defen-

dants. Major differences between the two suits are the inclusion of Lon-Don Film Productions and Korda as defendants and a demand for damages against U.A. for preventing release of Goldwyn's film, "The Westerner." Through other distributors.

Three basic charges are made by Goldwyn in his suit as grounds for considering his contract cancelled.

The first claim is that U. A. breached its distributing agreement with the
(Continued on page 4)

New Coast Company To Use Paris Stars

Nat Wachberger, executive vice-

president of Film Alliance of the U.S. and Harry Brandt, also a principal in that company, will organize a new producing company on the Coast.

The new organization involves a radical departure in that it will bring a group of French name stars and French producers from Paris to Cali-

fornia.

Wachberger will make the next crossing of Pan American's Yankee Clipper to Paris today, to complete plans for the trans-

fer here of the stars and producers who are to make up the nucleus of the new studio.

Names of the stars and producers, it
(Continued on page 4)
Purely Personal

Joseph S. Hummel, Warner Bros.' foreign sales manager, is in Puerto Rico and will return here March 1 via Miami.


Mr. and Mrs. Lou Ansell and Mr. and Mrs. John Garrison will leave for Florida this week. Ansell operates a string of St. Louis houses, and Garrison is head of the Universal exchange there.


William Pine, associate producer for Cecil B. DeMille, returned to Hollywood yesterday from Canada, where he conferred with Royal Canadian Mounted Police officials on “North West Mounted Police.”

Lester B. Isaac, chief projectionist for Loew's Theatres, today celebrated his 27th birthday with friends. He started in 1916, and assumed his present post in 1926.

John A. Schwall, manager of the Northio Rialto, Hamilton, Ohio, who entered a clinic at Detroit to undergo treatment for a heart ailment, is reported slightly improved.


Moe Sanders, office manager at the 20th Century-Fox change, and Mrs. Sanders have left for a Miami vacation.

Spyros Skouras, head of National Theatres, and Edward Zabel, film buyer, are due from the Coast Feb. 26.

J. Don Alexander of Colorado Springs has brought his new yacht, the Widgeon, to Miami.

Ona Munson flew back to the Coast last night via American Airlines.

Flora Rossen is en route here from the Warner studio to appear in a Broadway play.

Richard Ford, representative of Oscar Deutsch, head of the English Odeon Circuit, is in town.

John Ringling North, head of the Ringling Bros. circus, arrived from Europe yesterday on the Rex.

Hal B. Wallis and his wife leave the Coast for New York today by train.

Max A. Cohen, head of the Cinema Circuit, left yesterday for Florida.

Collect Finnish Cash in Theatre Lobbies

He was among producers from theatres agreeing to cooperate with the Finnish Relief Fund continued to pour into the Motion Picture Headquarters for the Finnish Relief Fund. Harrison Thompson is chairman and Vincent G. Hart is director.

In a statement yesterday, Major Thompson said, “I am indeed grateful to the theatre owners of America for their cooperation in giving a helping hand in the Finnish lobbies

Demands have been so great that we find it physically impossible to contact every theatre in America. I appeal to the theatre owner who has not been contacted by our office to join with us in this drive. May I suggest that any theatre that has not suggested that any theatre that has not returned a form select three films in its locality and have them in the lobbies of the theatres on Saturday and Sunday. We will collect funds for the Finnish Relief.

“I would suggest that all the money be turned over to the management of the theatre. We will make no profit beyond the cost of the film, and the name of the theatre.”

Paramount Plans Industrial Pictures

Paramount is prepared to begin production of industrial pictures special advertising and promotional uses, the company yesterday announced. Leading advertising agencies whose accounts might be interested.

The industrials would be made by a special branch of the company's local departments. The general idea has been both East and West Coast production facilities made available to it.

One phase of Paramount's proposal to agencies suggests a consultation of the films to audiences attending radio broadcasts. Presumably, such films would be built around operations of the program's sponsors.

Funeral for Wilkes, Vet Film Man, Today

Funeral services will be held today in Buffalo for Michael Harris Wilkes, 55, Canadian exploitation representa-tive, who died Wednesday night of a heart attack on a train en route from Toronto to Montreal.

The 24th in the 24th film in the handling of shows in Canada since the days of "The Birth of a Nation," Wilkes has been with United Artists since 1932. He is survived by his wife, two sons and a daughter.

Donald W. Thornburgh, CBS vice-president in charge of west Coast operations, leaves tonight for a meeting of the National Broadcasters Association at Washington, D.C.

Dr. Paul Korte, European story editor for 20th-Fox, arrived at the Coast studio yesterday for conferences with studio chiefs.

And the Last Shall Be First

Chicago, Feb. 15.—Orson Welles' en route westward to Los Angeles, where he had just signed a contract for a third picture for RKO, which he will make before he starts his world tour. On the first two he has signed to.

Welles said, like the other two, it will be made to order, with no original which he will write. He will put it in production this Spring for Fall release, and the title is still tentative.

His first two, "Heart of Darkness" and "Smiler With a Gun," are to be made later on, he said.

Grosses Improving After Storm Losses

Broadway grosses, after suffering the severe effects of Wednesday's blizzard, yesterday showed signs of slight improvement as the city began returning to normal.

"Swiss Family Robinson," with a stage show, drew an estimated $65,000 in its one week at the Music Hall, according to box office reports.

"The Fighting 69th," with Paul Whiteman's band on the stage, is still strong at the Strand where it took an estimated $40,000 for its third week. It is being held for a fourth;


March 1 Is Deadline For Majors’ Replies

Defendant companies in the Government’s New York anti-trust suit will have until March 1 to complete their answers to the Government’s interrogatories under the agreement reached with Federal attorneys, which was reported in Motion Picture Daily yesterday.

The answers were to have been served yesterday but the new agreement permits defendants to "stagger" the first 24 statements, which will be served by defendants to-morrow; the next 15 will be due on Feb. 24, and the final 20 on March 1. Confidential answers in these groups will be served separately.

The Government’s answers to the defendant interrogatories will be due on March 1.

William P. Farnsworth, Government attorney, cited the time extension yesterday as evidence of the Government’s good faith in dealing with defendants despite its anxiety to receive the answers.

Last Tuesday, Federal Judge Henry W. Goddard, who will preside at the trial of the suit, lectured the Government for its "very arbitrary" attitude and lack of cooperation thus far.

Newsreel Parade

Two Nazi planes downed on the Western Front and a German mine washed ashore in England constitute the two major highlights of the "Parade" newsreels.

Wells Due Monday For ‘Erichsh’ Show

Hal Wallis, executive producer for Warner, will arrive here Monday from the studio for the premiere of "Erichsh's Magic Bullet." The film will open at the Broadway Strand on Feb. 25.

Erichsh, Wallis will confer with Major Albert Warner, Gradwell L. Sears, general sales manager, and Charles Einfield, director of advertising, on publicity for upcoming Warner product.

Scheafer Names Piazza

Hollywood, Feb. 15.—Ben Piazza named of RKO's talent department and also will supervise casting, George Schaefer announced today. Schaefer leaves for New York tomorrow by plane.
Today’s a Hap-Hap-Happy Day at LOEW’S!
All over town movie fans will be shouting the good news that this week’s Loew’s entertainment is the town’s top! There’s fun for everyone at the Loew’s Theatre just around your corner!

FIRST N.Y. SHOWING
LOEW’S TIMES SQ.
STATE TODAY

FARMER’S DAUGHTER

See Paramount’s new fun panic with
MARTHA CHARLES GERTRUDE RAYE RUGGLES MICHAEL

OH! WHAT A GAL! SHE WEARS A GINGHAM GOWN AND B_FORMATTER HEY! SHE’S WITH THE CITY SLICKERS!

THE FARMER’S DAUGHTER

JACKSON

JOHN BOLES FRANK GABY "B. GET” O’GAR

CICERO RIMAC AND HIS PAN-AMERICAN REVUE CHARLEY BOY JUANITA & CONCHITA FRANK CONVILLE & SUNNY DOLL

FULL-LENGTH FEATURE CARTOON IN TECHNICOLOR
GULLIVER’S TRAVELS

A PARAMOUNT PICTURE PRODUCED BY MAX FLEISCHER

PARADISE VALENCIA LEXINGTON 710GELD OLYMPIA 2nd ST 83rd ST 17th ST WESTCHESTER NEW YORK MT VERNON W. PLAINS YONKERS

METROPOLITAN PICTURE SOY ORY

Nelson Eddy Balalaika

A Paramount Picture

3rd WEEK ‘GONE WITH THE WIND’

Can you imagine a lug who’d leave his bride flat on her wedding night?

MELVYN DOUGLAS as the little groom who wasn’t there

JOAN BLONDELL as the blushing bride who tore her hair

THE AMAZING Mr. WILLIAMS

Gone with the Wind

Nelson Eddy

HONA MASSEY

FRANK MORGAN

VICTOR HERBERT MELODIES

In a glowing, glorious love story of Victor Herbert’s own Broadway, told to his unforgettable music!

All New Romantic Adventures

THE GREAT VICTOR HERBERT

The Secret of Dr. Kildare

Low Ayres Lionel Barrymore Helen Gilbert

P.S. It’s a Hap-Hap-Happy Day at the NEW YORK PARAMOUNT too, for they’re plowing through snow-drifts on the sidewalks of New York to pile in to see the “SIDEWALKS OF LONDON” starring CHARLES LAUGHTON and VIVIEN LEIGH with REX HARRISON Screen play by Clement Dane Directed by TIM WHELAN Produced by ERICH POMMER A Pommer-Laughton “Mayflower” Production A Paramount Release
New Goldwyn Suit Over U.A. Contract

(Continued from page 1)
plaintiffs by sanctioning the organization of the Alexander Korda Film Productions, Ltd., as an associate producer.

The key charge made is that U. A. failed to make a payment of $34,559 and interest under the Silverstone Plan to Goldwyn and compelled him to accelerate payments.

Finally, the complaint contends that U. A. "maliciously and wrongfully" compiled the list of creditors, driving these plaintiffs out of business. In this respect, Goldwyn sets forth about 14 examples of tactics employed by U. A. to effect this result, such as discriminating
against the plaintiffs in the distribution and advertising of their films, the issuance of unfavorable press releases and efforts to obtain resignations by Goldwyn employees.

The complaint describes frustrated attempts to distribute the release of "The Westerner" by Paramount or Warner Bros. After release by these companies to distributors of the film because of threatened litigation, Goldwyn failed to obtain the release by any other company and was forced to turn the film over to U. A. in the complaint allegations.

Calls Educational Creditors Meeting

Revere John E. Joyce yesterday ordered a first meeting of creditors of Educational Pictures, Inc., for Feb. 29 at 10 A.M. Under terms of the order, creditors will elect a trustee, present their claims and examine company officials at that meeting.

Earle Hammons, former president of Grand National Pictures; Bruno Weyers, vice-president; John R. Munn, director, and Walter Duke, attorney, were examined yesterday by the attorney for the trustee of G. N.

Duke and Munn both defended a transaction under which Educational Pictures, Inc., received 1,100,000 shares from G. N., its subsidiary, in return for Educational assets. Hammons testified to a series of transactions through which Weyers, D. McGuire, a creditor, received an assignment of G. N. rights to 10 films now being distributed to Twentieth-Century-Fox Film Co.

Molina Here to Sell Native Cuban Film

Luis R. Molina, head of Royal News studio in Havana, is in New York to negotiate a release for the latest feature produced there. Its title is "La Cancion del Regreso" ("Song of the Return"), and it runs nine reels.

Royal News is primarily a newsworthy organization, representing all Americans except Universal.

Flying South to Film Fashion Forecast

Vvyvan Donner, producer of fashion shorts for 20th Century-Fox, will head a large party of persons who will leave tomorrow by plane for Miami Beach where the next "Fashion Forecast," color one-reeler, will be made.

London Review

"Dr. O'Doud!" (Warner)

London, Jan. 22 (By Mail).—Homely character dramas such as this, with a domestic flavor and a breath of humanity, are all too rare. This one gets over without any extravagance of singing or narrative. To English audiences in wartime it should be a solace in its freedom from melodrama and over-problems, which indicates appeal, too.

Shaun Glenville, an Irish actor with no screen experience, offers an ingratiating performance in the character of L. A. G. Strong's toping Irish doctor, a lovable old soul whose only weakness is fondness for the bottle. Glenville gets under the skin of the character in a quaintly black-eyed but knowing way, makes a close study of the medical register and his retirement to the quiet waters of the Shannon with a rod and a never empty bottle. Eventually he comes again across the son who has disowned him, because he let his wife die under an anaesthetic, and fighting against his emunty and the iron attitude of the medical register, saves him from death by lithotomy.

With its quiet sentiment and its well timed passages of drama, its emphasis on character and its exactness of atmosphere, the film holds interest and commands sympathy throughout.

Running time, 76 minutes. **A.**

AUDREY FLANAGAN

Korda is Arrival; New Coast Company to Use Paris Stars

(Continued from page 1)
Hollywood, will direct the sequences with three members of the cast. These include June Duprez, who also arrived yesterday, Sahn, who is on the Coast, and John Justin, who will arrive from England soon.

Korda will confer on the Coast with William Sisler, executive head of United Artists, regarding his future plans. He is said it certainly whether "Easy Money" or Sahlis, will be made in Hollywood as he had contemplated.

Korda's plans to produce another British war propaganda film have been dropped. This was to have been "The Huntling of the U-Boat," a Navy sequence to "The Lion Has Wings."

Regarding British production, Korda said that while the situation is uncertain there are at present between six and eight pictures in work at London studios and that the Denham studio is busy with Gerald Pascal and other producers.

Ben Goetz, in charge of M-G-M's British production, is scheduled to start "Busman's Honeymoon," with Robert Montgomery, in a week or two at Denham. "The war is forcing the British companies to make smaller pictures," he said, "Big pictures from England will be few and far between."

Klein Wins Verdict

Julius Klein, film salesman, has obtained a Municipal Court jury verdict for $733, the full amount of his claim against Producers Laboratories, Inc., 251 West 115th Street, and Zuman, less payments made on account. Klein sued for commission on the sale of "Small Town Tryout" to the Vitaphone Corp. Harry G. Kosch and Harry Lewis represented Klein.

Banned Third Time

Chicago, Feb. 15.—Chicago's censor today for the third time banned the showing of "Hitler, Beast of Berlin," despite cuts and a change in the title of the film.

Bill for Sunday Films

PROVIDENCE, Feb. 15.—Sunday films would be permitted in the town of Smithfield, R. I., under the terms of an act introduced in the General Assembly by Senator Raymond E. Adams.

Grosses Drop 50% in Storm Through East

(Continued from page 1)
completely cut off by huge drifts, inumerable cars abandoned on the roads and snow piled high on roadsides with houses "strung out" by a state trooper. The officer warned him that he might travel another 260 miles of "his own will," but urged him to turn back. In the city, transit service was crippled.

Fellow pastor, with houses in Pennsylvania, Ohio and New England, reported business off approximately 35 per cent. As an example, a house with an average intake of $200 took in barely $40.

The New York picture—slippery streets, skidding traffic and pedestrians, freezing temperatures, snow power failures and erratic surface transit—was duplicated or surpassed in nearly all rural communities the situation, of course, was worse.

Film Deliveries Delayed

Providencve stores were forced to close; Boston transportation was virtually brought to a standstill; Upstate New York towns were snowed under, film deliveries delayed and in many cases houses were forced to close.

The Broughton, Pittsburgh suburban theatre, closed in that city's worst snowfall in 27 years. The harbour's busy docks and harbours, on the other hand, was anemic. Trolley service was suspended at 5 P.M., and many theatres were unable to report for shows at all.

Although the weather cleared yesterday as the storm swept out to sea, the belief is that it will be several days before business returns to normal.

Dies Threatening Hollywood Probe

(Continued from page 1)
beginning of the political campaign, during which the committee should "fold up."

He charged that the film industry has been fighting against the committee and has hired the "highest priced" publicity service in the world to "turn heaven and earth" in an attempt to stop the investigation.

"They have a lot of political influence, and they are going to start one of the dankest campaigns of ridicule you ever saw." The campaigns, he added, might include a trip to the committee, and which he said he "understood" was to be made.
NINE out of the Ten Best Pictures chosen in the *Film Daily's* 1939 critics' poll were made on Eastman Negative Films. Two of the Ten Best Pictures were made in England, and both were on Eastman—striking evidence of the world-wide recognition of this film's excellence. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)
Hollywood Review

The Man from Dakota

Hollywood, Feb. 15.—A story about the Civil War, "The Man from Dakota" resolves into what is primarily a vehicle for the display of the comedy abilities of its star, Wallace Beery. As a Union sergeant escaping against his will from a Confederate prison camp, Beery caused great merriment on the part of the preview audience with his emphasis on satisfying his stomach's demands at all costs. His companion in the escape is depicted by John Howard, with Dolores Del Rio enacting a Russian girl who travels with them after murdering her alleged brother. Donald Meek and Robert Barrat are excellent in smaller characterizations. Produced by Edward Chodorov, the picture was directed by Leslie Fenton, the latter's third feature since graduating from the direction of short subjects.

Laurence Stallings wrote the screen play from a book by MacKinlay Kantor.

Running time, 74 minutes. "G." *WALTER SELDEN*

Frances Gives Wind Big Lead at $3,500

San Francisco, Feb. 15.—"Gone With the Wind" is making $3,500 in its second week at the Warfield. Estimated takings for the week ending Feb. 9th:

"The Saint's Double Trouble" (RKO) $14,700:
"Little Accident" (Univ.) $15,400:
"Four Sons" (Capad.) $17,500:
"The Invisible Man Returns" (Univ.) $17,600.

"His Girl Friday" (Col.)$2,700.
"The Light That Failed" (Para.) $1,500.
"Little Old New York" (20th-Fox) $2,700.
"Phonograph" (W. B.) $1,500.
"The Invisible Man Returns" $2,500.

Watermelon Smack Hit in Chicago With $7,000

Chicago, Feb. 15.—"Gone With the Wind" topped the first week's all-time gross at both the Woods and Oriental theaters in Chicago, with a gross of $7,000. Loop business was good. Dorothy Lamour, in person at the Woods, is due here March 1st. The "Fighting 60th" over the top in a second week that hit the $3,670 mark.

Estimated takings for the week ending Feb. 7th:

"Slightly Honorable" (U. A.) $2,400:
"The Fighting 60th" (W. B.) $2,400:
"Little Old New York" $2,400.
"My Little Chickadee" (Univ.) $2,800:
"State-Lake" $2,800:
"The Fighting 60th" $2,800.

Evelyn Harriman, in person at the Woods, is due here March 1st. The "Fighting 60th" over the top in a second week that hit the $3,670 mark.

Estimated takings for the week ending Feb. 7th:

"Slightly Honorable" (U. A.) $2,400:
"The Fighting 60th" (W. B.) $2,400:
"Little Old New York" $2,400.
"My Little Chickadee" (Univ.) $2,800:
"State-Lake" $2,800:
"The Fighting 60th" $2,800.

"My Little Chickadee" (Univ.) $2,800:
"State-Lake" $2,800:
"The Fighting 60th" $2,800.

Mary at $53,000, St. Louis Record

St. Louis, Feb. 15.—Grossing $53,000, "Gone With the Wind," playing its second week at the Loe's State, broke all existing records. Estimated grosses for the week ending Feb. 7th:

"Gone With the Wind" (M-G-M) $15,000:
"Red River" (20th-Fox) $13,000:
"Death of a Gunfighter" (Film Classics) $12,000:
"Hollywood" (Univ.) $11,000:
"Eight Million Ways to Die" (Para.) $10,000:
"Happy Days" (20th-Fox) $9,000:
"Under the Knife" (Univ.) $8,000.

"The Front" (Warner Bros.) $7,000:
"The Northwest Mounted Police" (20th-Fox) $7,000:
"Maria Antoniette" (M-G-M) $7,000:
"Shadow of the Eagle" (Capad.) $7,000:
"Autumn Leaves" (M-G-M) $7,000:
"Men of My Heart" (M-G-M) $7,000:
"How to Talk to Girls" (Univ.) $7,000:
"The Ten Commandments" (Para.) $7,000:
"The Great Sebastian" (M-G-M) $7,000:
"Raffles" (U. A.) $7,000:
"The Little Colonel" (Para.) $7,000:
"The Daring Mr. Lincoln" (Film Classics) $7,000:
"Theodora Goes Wild" (20th-Fox) $7,000.

Mississippi Tax May Hit Theaters

Jackson, Miss., Feb. 15.—With a measure in the state Senate hopper to impose a heavy tax on operation of circuits in Mississippi, theatre operators are fearful that they will not be exempt. In addition to the circuit levy, the bill also calls for a gross revenue levy with money for both returns going to old-age pensions in the state.

The Ford bill provides for a graduated license tax based on the number of establishments operated by a chain company, regardless of location. A minimum of 20 units calls for an annual levy of $20 per establishment; $100 on chains of 20 to 40; $250 from 40 to 50; $500 on 50 to 100; $1,000 on 100 to 250; $800 on 250 to 500 and $1,000 per unit on chains of more than 500 anywhere in the country.

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Legion Approves Eight New Pictures

National Legion of Decency has approved all eight films reviewed for the current week for general patronage and six for adults. New films and their classification follow:

Class A-1, Unobjectionable for General Patronage:
"Blonde Giovanna" (M-G-M) "City for Conquest" (20th-Fox) "Special Inspector," Class A-2, Unobjectionable for Adults—"Broadway Melody" (1940) "Dead Women," "Manhattan Melodrama" (M-G-M) "Murder News," "Side-walks of London," "Typhoon,"

Addes Course On Films

Cleveland, Feb. 15.—Cleveland College of Western Reserve University has added a course on the art of the motion picture, with Milton S. Fox, lecturer in English, directing.
Coast Parley Fails On Wage Question

(Continued from page 1)
sistance and use all means at our command to assist all locals of the A. F. of L. affiliated with the Con-
tactos, in all their dealings with the Hollywood film studios. We hope to be held.

Conferees made an agreement among
themselves to release no information
other than the joint statement regarding
the paraclaves. However, in the learned
that two additional locals, one composed of studio craft workers and
their representatives, and another of
studio first-aid workers, joined the Con-
ferees today and negotiators were to ask
for recognition for them as well as for automobile
mechanics, now members of Cinema
Lodge No. 1185 of the Machinists

Involved in current discussions, in
addition to I.A.T.S. crafts, are plasterers, utility workers, machinists,
plumbers, millers, metal polishers,
blacksmiths, sheet metal workers, sign
and picture painters, and building
service employees.

Wireless Operators To Fete CBS Chief

William S. Paley, CBS president,
and the chief engineers of the major
networks will be honored by the Vet-
eran Wireless Operators Association
in their annual banquet in the Hotel
Astor Wednesday evening.
The Marconi Memorial Service Award
will be given to Dr. Robert H. B.

Paley will be elected to honorary
membership for his contribution to
radio. The engineers—E. K. Cohan,
CBS; O. B. Hanson, NBC, and J. R.
Popele, Mutual, will receive the Mar-
coni Gold Medal of Achievement.
The award to the industry, a bronze
plaque, will be accepted by an offi-
cial of the National Association of Broad-
casters.

Awards Are Planned For Montague Drive

Plan for a series of awards for
Columbia sales personnel during the
Montague 15th anniversary sales
during drive has been completed by
Rube Jackter, assistant sales manager
and chairman of the drive.

Awards based on billings will be
made to managers, salesmen,
office managers and bookers of the first
12 branches to show the greatest
improvement in billings at the end of
the 12-week period from Feb. 17
May 10. And the national awards,
special territory awards will be
made to managers of the leading
branch in each division and to book-
ers of the six leading branches which
show the greatest billings records
on short subjects and serials.

Disney Art Display For 100 Galleries

About 100 art galleries throughout
the country will exhibit the original
drawings from Walt Disney's "Pino-
cho," which are currently on display
in the lounge of the Center Theatre.
Simultaneous showings in New York
will be held at the Julien Levy,
the Harlow and the Kennedy Galleries.

Radio Brevities

PROFESSIONAL hockey will be
added to NBC's list of telecasts
on Sunday, Feb. 25, when the New
York Rangers meet the Canadians at
Madison Square Garden. Ordinary
fans, supplemented by special spot
lights, to follow the players, will be
used. Wrestling, box and soccer
are now regular weekly features and
hockey may be added for Sunday
nights.

Personalities in the News

Jimmy Fidler starts a personal ap-
pearance tour of Eastern theatres on
Feb. 23 . . . Roy A. Pencz, former
executive secretary to Gov. John
Honolulu of South Carolina, has
been appointed general manager of WGO, Columbia, to succeed Hugh A. Deudney who
joined a Charlotte advertising
agency. . . . Benny Friedman, WMC-
sportcaster, moves to a new time on
Sunday. He will be heard at 7 P.M.
instead of 10 A.M. . . . Henry L.
Menchin, editor and author, will be
present at John F. Friedland's "Of
Leaves and Books" program over CBS
Tuesday . . . Louis Sabol, Broadway col-
umnist, starts a weekly series over
CBS beginning Wednesday at 9:15 P.M.

Wins General Electric Plaque

WML, Washington, has been
awarded the General Electric
Plaque, which is given annually to
the station which loses the least
amount of time on air through
technical difficulties or personnel
errors. WML also won last year.

Program News

"Song Pluggers," a new CBS pro-
togram to describe the work of
the men who popularize the musical hits,
starts Friday, Feb. 23 at 3:15 P.M.
Ed Cashman who conceived the
idea, goes on the air as accom-
panied by Jack Leonard singing and Roy Rock lead-
ing his band. The history of a song will be
described on each show.

Paramount has purchased daily 50-
word announcements on "Breakfast in
Bedlam" over WFTZ for "Sidewalks of
London." . . . Campbell Soup has re-
named its two-minute news periods
over WEAF for an additional 26
weeks. "Campbell Condensed News" is
heard at 9 A.M. and 12:45 P.M.
Mondays through Saturdays.

Civic Concert 10 Years Old

Celebrating 10 years of affiliation
with NBC, the Civic Concert Asso-
ciation, founder of the organized
concert audience plan, has con-
vened the nation's leading
organization in a special one-hour
concert over NBC-Blue on Sunday,
Feb. 25, at 3 J. R. Engels, vice-presi-
dent in charge of the NBC
artists bureau and president of Civic
Concert, and Lenox R. Lohr, NBC
president and chairman of the board
of Civic Concert, will be heard on the
program.

MCA Brochure Out

Music Corp. of America has sent
a brochure to the trade listing its con-
tributions to radio. Theme of the
brochure is that MCA programs re-
sult in higher Crosley ratings with
lowered costs "per Crosley point."

Fox Signs Up 11,000 Feature Contracts

A total of 11,000 feature contracts for 1939-40 has been
sold by 20th Century-Fox, according to the distribution
department.

This is 260 more than last
year's total in the same period and
is said to be an all-time record for
the company in the period. The distribution de-
partment expects more than
12,000 feature contracts by the
end of the selling season.

Asks Station License Under Havana Pact

WASHINGTON, Feb. 15—First appli-
cation for a new broadcasting station
in which advantage is taken of the North American Regional broadcast
agreement which will require a re-
allocation of some 700 United States
stations next Summer, has been filed
with the Federal Communications
Commission.

The application was filed by Gen-
eral Broadcasting, Inc., Miami, and
asked a construction permit for WSH
or 1,350 kilocycle station when the
Havana treaty goes into effect, to
have 500 watts power, night, 1,000
watts day.

Form Metro Club

ALBANY, Feb. 15—Local employees
of the Metro-Loew exchange here
have formed a "key club" and elected
Sidney Stockton, office manager, as
their first president. Ralph Pielow,
branch manager, is honorary president.
Other officers are Jane Breen, treas-
urer and Josephine Lasky, secretary.

Banks, Duce's Son To Produce Films

pictures at Cicicotta in English and
French for the international market,
with an Italian dubbed version.

The company, he disclosed, also
plans to build a 4,000-seat theatre in
Rome and houses in other key cities.
Banks said A. C. I. is capitalized at
$3,000,000, all of which is private cap-
ital, with no Government subsidy.

Others in the company are Silvano
Balboni as technical director, and Dr.
F. I. R. G. as producer and man-
age director. Banks will be the pro-
ducer and in charge of deals with for-
eign countries, which will include the
import of talent for the films, he said.

Two pictures planned by A. C. I.
are "The Life of Liszt" and "Lair
Byron." Banks said he is seeking
Leslie Howard to play the Liszt role.

Banks added that the Rome studios
are among the most active in Europe,
with nine companies shooting at pres-
ent. Among the films in work, he
said, are one in Spanish for South
America, one in French, one Ger-
aman and two English versions.

Television Revival Favored in Britain

LONDON, Feb. 15—British Govern-
ment Television Advisory Committee
will meet Monday for the first time
since the war. The possibility of re-
viewing BBC television service, prob-
ably with the land line system, will be
studied.

Manufacturers, who are urging re-
sumption, will be satisfied with even
two skeleton schedule, it is understood.
Once the drum-roll was the signal that something BIG was going on....

Advertising is the drum-roll of TODAY!

Something big IS going on... and the Prize Baby is behind it!

Some of the finest advertising and exploitation brains in this business are now listed under one banner... the NATIONAL SCREEN banner.

They work in co-operation with the producers of your pictures to give you Lobby Displays... Accessories...Trailers which cram every last ounce of selling power into those products... made available to you through one great distribution system... NATIONAL SCREEN SERVICE... Best Ticket Seller in the Business!
Majors Reply to U. S. Trust Suit Questions

With the filing of answers to the Government's interrogatories in the New York anti-trust suit by four majors Friday and Saturday, it remained for only four other defendants to submit their replies, which they intend to do today.

Paramount, Metro-Goldwyn-Mayer, Twentieth Century-Fox and Universal are scheduled to file their answers today. RKO filed on Saturday while United Artists, Warner Bros. and Columbia presented their answers on Friday.

Seven RKO companies, including the parent organization, Radio-Keith-Orpheum Corp., filed answers to the first 24 Government queries. None of these replies were confidential in nature. The companies covered included, besides the parent corporation, RKO Radio Pictures, Inc., Pathé News, Inc., Marion Reiner Corp., RKO Proctor, RKO Midwest and Keith-Albee-Orpheum.

Among the revelations in the RKO answers were the gross and net profit figures for Radio-Keith-Orpheum for the following years:
- 1935—Gross, $1,212,389; net profit, $315,434.
- 1936—Gross, $2,234,423; net profit, $1,611,169.
- 1937—Gross, $1,679,437; net profit, $711,878.
- 1938—Gross, $1,402,062; net profit, $273,497.

United Artists Corp., Warner Bros. Pictures, Inc., Columbia Pictures Co., Inc., and their subsidiary companies filed answers to the Government interrogatories on Friday. U. A. answered all questions except one which referred to net income of the company for four years. Warner Bros. and Columbia's answers covered the first

"Pinocchio" Enjoy Capacity Business

Grossing approximately $30,000 for four days ending Sunday, "Pinocchio's" second week at the Center theatre appears certain to better its opening week's mark. It garnered about $45,000 for the initial week, after being hit by last Wednesday's snowstorm. As were all Broadway attractions, business on Friday and over the weekend was at capacity at the Center with extra shows having to be added.

Schaefer Appoints J. J. Nolan as Chief Of Studio for RKO

J. J. Nolan was appointed vice-president of RKO in charge of the studio by George J. Schaefer, president, prior to the latter's departure for New York over the weekend.

Nolan's duties will be executive and administrative in nature. He is a former Paramount man, a graduate of Harvard Business School, and Columbia presented their answers on Friday.

United Artists, Warner Bros. and Columbia presented their answers on Friday.

Goldwyn Seeking Korda Examination

Motion for a pre-trial examination of Alexander Korda on Feb. 23 in connection with Samuel Goldwyn's action to have his United Artists releasing contract terminated was filed in U. S. District court here Friday. Schwartz & Frohlich, United Artists counsel, will oppose the motion.

California Orders Bioff's Extradition

Eollywood, Feb. 18.—It was announced today in Sacramento that Gov. Olson, prior to his departure for Oregon, had signed extradition papers returning William Bioff, I. A. T. S. E. leader, to Chicago to complete his reported unfinished jail sentence on a charge dating back to 1922.

Chicago Parley Set By National Allied

Chicago, Feb. 18.—Jack Kirsch, president of Allied of Illinois, has accepted the invitations of Allied States and National Allied producers in Chicago early next Summer.

The national board of directors recently voted to hold the convention in Detroit, but Michigan Allied subsequently decided to relinquish it to a city where a greater attendance would be assured.

Producer Schulberg Returns to Columbia

B. P. Schulberg will return to Columbia as a producer under a contract signed over the weekend.

U. S. Films Suffering New Jolts in Foreign Markets

Foreign market complexities, encouraging both the total loss of foreign outlets for American films and the imposition of restrictions reducing the revenue to be derived from markets which are still open, continue to increase rather than diminish in number.

At least eight leading foreign markets either have adopted or have proposed serious restrictions on American film trade. These are in addition to the almost total loss of all of central Europe and Italy as markets for American films.

The situation is becoming increasingly serious in South America, where some industry executives have looked to for increased business to offset European losses.

Argentina has proposed several serious tax measures which have been protested as "discriminatory" by American distributors. The situation was made doubly serious by the apparent breakdown of negotiations between that country and the United States on a reciprocal trade treaty.

Brazil and Peru followed the lead of Argentina with recent proposals for increased taxation of American films, and Chile enacted new restrictive legislation last fall.

The imponderable by Great Britain of 15 per cent of American film revenue is the most serious current restriction in Europe. New decree legislation proposed by France would subject film revenue to new taxes. One of which would be applied to the production of propaganda films.

The industry has protested the proposed legislation and observers here feel that France may not risk the possible loss of American good offices at

Wage Parley Fails; Unions Won't Budge

Hollywood, Feb. 18.—With both sides clinging steadfastly to their individual positions, the 10 per cent wage increase controversy between the producers and I.A.T.S.E. unions remained in a bog over the week-end.

Negotiators met for three hours Thursday and continued their discussions Friday, but neither meeting yielded any evidence of an agreement over the wage dispute. Friday's meeting was with the producers' representatives signing a statement signed by the producers' committee, headed by Stanley Warner.

"Meeting adjourned until such time as both groups have prepared more detailed data for the next meeting."

Another side provided any indications as to the date of the next meeting.

William Bioff, I.A.T.S.E. leader and chairman of the Conference of American Federation of Labor Studio Unions, said that the unions are determined not to

IA's Membership Raised to 40,000

Membership of the I. A. T. S. E. has increased to 40,000 in 840 locals in the United States and Canada, it was reported at the annual executive board meeting in Miami last week.

The biennial convention will be set for the week beginning June 2 in Minneapolis. About 900 delegates and officials will attend. The executive board will meet during the preceding week to arrange the convention program.

Louis Krame, general secretary-treasurer, will leave for Minneapolis this week to arrange for convention headquarters.

George E. Browne, president, and other officials are remaining in Miami for a few days. Among those who attended the executive board meeting were seven vice-presidents, including John P. Nick, St. Louis; William P. Covert, Toronto; Harland Holmden, Cleveland; Richard P. Walsh, Brooklyn, N. Y.; Floyd M. Billingsley, San Francisco; James J. Brennan, New York city; and Roger M. Kennedy, Detroit; and D. D. Basson, president of New York Local 306, and other local heads also attended.
Trade Chief's Give Catholic Drive Aid

Additional names of those who have accepted the Motion and Amusement Industries Committee to aid the 1940 drive for refinement of the New York architecture were announced over the weekend by Chairman J. J. O'Connor as follows: Mr. Brandt, Universal Studios; Jack Alcott, Film Daily; Max Cohen, Cinema Circuit; Maurice Cohen, Columbia Pictures; Koshibiana Pictures; John Murphy, Loew Theatres; Jack O'Connell, Republic Pictures; Phil Reisman, RKO Pictures; William Rodgers, Screen Service; W. F. Rodgers, MGM; George J. Schaeffer, RKO Pictures; George Skouras, Stamos Theatres, and others.

To the Rescue

Albany, Feb. 18.—John Cooney's Union Square, Pittsfield, Mass., has been released from Boston exchange, was saved from a dark theatre because of the storm that swept the Eastern seaboard.

Needed the weather could not get prints through by truck or even through the usually reliable trains, so Stanley Goldberg, Columbia's agent here, drove over Thursday afternoon through the heavy drifts, with the needed film.

March 16 Premiere For 'Virginia City'

"Virginia City," the Warner Bros. color film, which co-stars Errol Flynn and Miriam Hopkins, will have its world premiere simultaneous with two Nevada towns, Reno and Virginia City, on March 16.

The Southern Pacific train will carry 250 Hollywood stars, newspaper correspondents and executives from Los Angeles to Reno where they will be treated to a reception by Governor Carville.

A Western parade will follow the train into both Reno, Virginia City, 22 miles away, to be present at the initial performance of "Virginia City" in the town's single theater, the "Virginia City Comstock Ball" to be held in the State House Auditorium in Reno.

Monogram Advance Playdates at Record

Advance playdates for Monogram product for the next eight weeks, which include five weeks of the "March for Monogram" drive, surpass the company's all-time figures for a like period, according to W. Ray Johnston, president. The figure is $2,100, the record established last May.

On the Coast, Monogram has added 12 titles scheduled in the Fallon studio to house the Paul Malvern unit.

Paramount Board's Meeting on Feb. 29

Monthly meeting of the Paramount board of directors has been scheduled tentatively for Feb. 29, due to the fact that the customary meeting date falls on Washington's Birthday. Barney Balaban, Paramount president, is expected back from a Florida vacation in time for the meeting. Spuntino, the chairman of the executive committee, will leave for a month's vacation in Florida.

Review Board Files

Albany, Feb. 18.—Membership in corporation papers have been filed by the National Board of Review of Motion Pictures. Three concerts licensed were: Randolph Enterprises, Inc., Buffalo, by Harry Halsey; Herman & James Dunrige; Youngstown Theatre Corp., New York, by Gertrude Scherr, Marian Schoen and Lillian Manaia, and Kay Theatres Corp., Manhattan, by Aaron W. Hoeing, Rebecca Rodoff and Blanché Weiss.
**First Runs Raise Chicago Quarel**  
BY WILLIAM F. CROUCH

CHICAGO, Feb. 18.—An effort is being made to get additional first-run shows for the Organized Motion Pictures. "Come With the Wind" completes its run. Aaron Jones of Jones, Leinick & Schaeffer, has been in New York confering with major company officials in the hope of getting "Grapes of Wrath," "Pinocchio" and other such product for showing hereafter. Also the Selznick-M-G-M picture completes the Loop run. Under favorable circumstance, a red-headed difficulty may be encountered, however, as Balaban & Katz have penciled in "Grapes of Wrath" for showing at the Chicago Theatre March 1. Palace is expected to play "Pinocchio" when the local release date is announced.

The Telenews is the latest addition to the ranks of Allied Theatre circuits of Illinois, according to word from Jack Kirsch, president of the organization. The Telenews is Chicago's only newsreel theatre.

"Abe Lincoln in Illinois" goes into the RKO Palace here some time in April. The stage play, also starring Raymond Massey, is showing currently at the Grand Opera House.

Balaban & Katz plan to remodel the screening room in their offices in the Chicago Theatre Building.

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**Majors Answer Interrogatories**

(Continued from page 1)

24 questions interposed by the Government.

The group of questions answered by Warner Bros. and Columbia covered the financial set-up of the companies, their interest in other concerns and the names of their bondholders or creditors. Several questions which referred to the names of creditors, gross and net profits, and whether bondholders were not filed but were to be given to the Government for its confidential use.

A. stated that 20,000 shares out of an authorized issue of 32,000 shares are held by five companies and individuals equally. Its gross income for the fiscal years of 1935 through 1938 was listed as follows: 1935—$10,534,521; 1936—$9,707,990; 1937—$12,907,149; 1938—$13,740,908.

An itemized statement of the 19 films distributed by U. A. during the 1930-37 season with Paramount, and exhibitions of each picture and the amount grossed also was set forth.

United Artists also revealed that it had no outstanding fixed indebtedness nor current loans against it. It further reported that the only company it had ever owned was the Motion Pictures Corporation under Wanger Productions. U. A. holds 12,500 out of 15,000 shares of preferred stock and 1,200 Class B common stock.

Columbia stated that its fixed indebtedness totaled $1,050,000 while the quantity of the company's stock owned by major United Artists was 15,000 shares in which it holds a financial interest in response to a question to which Columbia and U. A. stated that they had none.
‘Wind’ Holds Denver Pace
With $20,000

DENVER, Feb. 18.—“The Wind,” in its third week, drew $20,000, according to estimates.

Feature Reviews

“Free, Blonde and 21” (20th Century-Fox)

HOLLYWOOD, Feb. 18.—Second in the “Hotel for Women” series, this film provides highly melodramatic material patterned after the lives of a group inhabiting a girls’ hostel. The girls themselves are appallingly pretty and the story, the storyless.

As “Nellie,” the maid, Joan Davis provides the comedy and a great deal of the film’s pace. Sol Wurtzel, as executive producer, has given the picture production value in the form of settings designed to indicate luxury of sorts. The story involves a selfish young woman, portrayed by Mary Beth Hughes, another girl more amiable to the social niceties. Lynn Bari, romance and murder.

Henry Wilcoxen is cast as the doctor in love with Miss Bari, Robert Lowery as his assistant, infatuated with Miss Hughes, and therefore in trouble from the time she simulates suicide to gain publicity and shame a married man of her acquaintance. Also seen are Alan Baxter, as a murderer, Katherine Aldridge, Helen Ericson, and Chuck Chandler.

The original screenplay was the work of Frances Hyland, with Ricardo Cortez directing.

Running time, 75 minutes. “A.”

“Outside of the 3-Mile Limit” (Columbia-Darnour)

HOLLYWOOD, Feb. 18.—Larry Darnour’s “Outside of the Three-Mile Limit” is a rapidly moving action melodrama based on the Secret Service’s attempts to find the trail of counterfeit money being released through a gambling barge off Southern California. The film presents the veteran film star in a well-rounded role, calling for action as well as acting, as a Government man who works his way into the confidence of the gambling boat operator and manages to live through a mutiny and other adventures.

Supporting roles are Harry Carey, Sig Ruman, Eduardo Cianelli, Donald Briggs, Irne Ware, Dick Purcell, Ben Weldon, Paul Fix and George Bertleigh.

The motion picture was directed by Lewis D. Collins, who stressed a swift pace in the screen play of Albert DeMond. It is from a story by Eric Taylor and DeMond.

Running time, 64 minutes. “B.”

Bill Attacks FCC’s Rule on Programs

WASHINGTON, Feb. 18.—Legislation depriving the Federal Communications Commission of all authority over broadcasting programs was introduced in the House Friday by Cong. Helena G. Nix, D-Rep., and in the Senate by Sen. Warren G. Magnuson, D-Wash.

The bill would amend the communications act in a number of respects. The measure also would limit the President’s authority to take over stations in times of emergency to cases of imperative military need.

The minimum license period for broadcasting would be fixed at three years, and a five-year maximum adopted, and revocation of license would be permitted only after a hearing, reversing the present procedure.

220 Pre-Releases Fixed for ‘Wrath’

Total of 220 pre-release dates have been set for “Grapes of Wrath,” 20th Century-Fox film, expected to be shown in about 100 bookings, in addition to the three-theatre engagement in Los Angeles. It will be the most widely advertised production ever released by the company, according to Charles E. McCarthy, advertising and publicity chief.

End Plagiarism Suit

Trial of a $100,000 plagiarism suit of Edward B. Lang against Warner Bros., First National Pictures and Joe E. Brown ended Friday without a verdict. A reserve judgment was set on the basis of a prior reservation wise suit. Claims infringement of plaintiff’s book, “When Homer Comes Marching Home,” in the film “The Son of a Sailor.”

RKO to Film ‘Carrie’

RKO has purchased the screen rights to Theodore Dreiser’s best selling novel, “Pucker Carrie.”

Radio

Brevities

ONE of the principal problems of television unions will be securing adequate payment for rehearsal time, according to Ruth Richmond, executive secretary of Charity Affiliates.

“From 30 days to two weeks rehearsal is usually allowed for $15 or $20 minute telecast, so we feel we are field in which rehearsal time and rehearsal conditions are of immense importance.” Miss Richmond also stated that some employees are injured by the powerful lights and suggests that some allowance should be made.

Publication of the official text of inter-union agreement providing for a six-month truce in the jurisdictional fight reveals that A.F.R.A., as well as Equity, has reserved its right for future claims to jurisdiction. All agreements with television stations must be signed off and closed shop, the text also discloses.

Films in Classrooms

Methods of classroom teaching by motion pictures will be described by Prof. Lena Beyer, of the New York College on Wednesday at 3:30 P. M. over WHOM.

Personalities in the News

Herbert B. Swope, CBS trade news editor, is in Palm Beach for a two-week vacation. Maurice Hur- lineman on WMA’s “World’s Fairest Music” show, is doing the continuity and commentary on “The Wind” in a film being produced here by Hoff- berg. Vincent Hart, chairman of the M.P. Division of the Finnish Relief Fund, is heard on the program Saturday...

B. S. Bercovici, WINS commentsman, has the week off for a one-week vacation. . . A. A. Schetter, NBC news and special events director, steps before a joint meeting of the Poor Richard Club and the Philadel- phia Club of Advertising Women tomorrow in Philadelphia. . .

George Heller, executive secretary of the Atlanta A.F.R.A., returned from San Francisco over the weekend. Louis Hall, of the Philadelphia, last week, was mar- red Friday to Miss Kay Collins.

Film Spots Noted Radio Team

One of radio’s oldest names, Jones & Hare, will disappear next month when Marylin Hare goes to the Coast to make a film for Republic. Billie Jones and Ernie Hare have been known to vaudeville for about 25 years and to radio since its earliest days. Miss Hare last year stepped in for her partner when the death of her partner, Auditions will be held for three weeks at WMCA to pro- vide a new partner for the team under 25 years with ability to sing both ballads and swing.

NBC Affiliates at New High

WSAV, Savannah, has joined the NBC network as a supplementary station in the southeastern group to become its 18th affiliate, the rest total in the NBC history. WSAV operates at 100 watts, full time, on 1,310 kc. Arthur Lucas is president and Harben Daniel, general manager.
Rain Storm Jars Boxoffices After Strong Week-End

The second storm in seven days jarred the Broadway boxoffices yesterday but did not create the same damaging effect caused by the blizzard. Business along Times Square was moderately good during the day as many sought shelter from the storm but evening grosses slumped. The weekend gross, aided by good weather, was excellent.

"Of Men and Women," with a stage show, opened strongly at the Roxy with 50,812 paid admissions for the first three days and the film is set for at least three weeks. It grossed an estimated $350,000 in that time.

At the Music Hall, "I Take This Woman," plus a stage show, garnered an estimated $50,000 in the first four days. "The Lincoln in Illinois" opens Thursday. At the Paramount, "Sidewalks of London," with a stage show headed by Dorothy Lamour and Barry Wood, took an estimated $17,000 over the week.

Barrett Services Set for Tomorrow

Funeral services for Wilson Agnew Barrett, 54, executive secretary of the National Board of Review of Motion Pictures, will be held tomorrow at the Riverside Memorial Chapel. He died Sunday of a heart attack.

Barrett joined the staff of the Board shortly after its organization by the Peoples Institute in 1909. He graduated from the University of Pennsylvania in the same year. He was appointed executive secretary in 1925.

Barrett organized the review committee work of the Board. He also organized and directed the Committee on Exceptional Photoplays of the National Board.

Surviving are his widow, Mrs. Frances W. Casonne Barrett, and a daughter, Mrs. Rivard Smith.

Studies in Spirited Bidding For Stories, Reports Wallis

There is spirited bidding among the film companies for plays, novels and even unpublished stories that might make outstanding films, said Hal B. Wallis, Warners' associate executive in charge of production, who arrived yesterday from the Coast.

Wallis mentioned several recent Warner acquisitions on which the bidding was highly competitive. Among them he included "The Mal Animal," comedy by James Thurber and Elliott Nugent, which reportedly was paid $20,000; "Cheap Thrills," novel by Evelyn Ascar off, which was bought in galley proof form, and "Captain Horatio Hornblower," novel by C. M. Forrester, English writer, who will prepare the screenplay.

Wallis will see "The Mal Animal" besides other plays which are under consideration as possible purchases.

Warner's will make the following number of films next season as is scheduled for this year, Wallis said. This season's program includes 48 pictures.

Product will continue to be diversified, with action the keynote. Warner's have found biographical and realistic themes successful and will continue to make them, said Wallis. "City for Conquest," forthcoming film starring James Cagney and Franchelle Lane, will have realism in the plot, which shows the impact of big city life on a group of New Yorkers.

Wallis plans to remain here 10 days or two weeks. He is accompanied by his wife, Louise Fazenda.

Rush Majors' Trust Replies To Washington

Experts to Study Papers Brought by Farnsworth

William P. Farnsworth, head of the N. Y. Anti-Trust Division, hurried to Washington yesterday immediately upon receipt of the majors' replies to Government interrogatories for a conference with officials which is expected to last one week.

Farnsworth speeded the replies personally to Washington to submit them to an assembled staff of Government experts and statisticians for their study of figures revealed by the answers.

Government attorneys at previous court hearings showed a strong desire to compare the majors' figures with those privately gathered by field men.

Answers were confined to the Government's first 24 interrogatories which, in the main, to the financial structure of the companies.

M-G-M, Paramount and Twentieth Century-Fox served their answers yesterday with a request by the first two companies that the answer be withheld from the public until March 10. United Artists, Columbia, Warner Brothers and RKO filed their answers late last week.

Universal today is expected to complete the list of defendants required to file with a similar temporary confidential treatment. 

Repulbic Business

25% Up—Grainger

Hollywood, Feb. 19.—James R. Grainger, Republic president, here for a regional sales meeting, today said a system of quarterly meetings in various parts of the country would be continued because it gave the studio a better opportunity to keep in touch with Western division managers and dealt Republic business as of February 1 is 25 per cent over last year's figure at that time and by the end of May 8,500 minimum contracts will have been signed. The present number of contracts is 7,635, he said.

"Our system of quarterly meetings," he added, "has given us many advantages in laying plans for subsequent quarter-year periods. Instead of meeting once a year and thrashing
Raid Jars Grosses After Fine Weekend

(Continued from page 1)
the weekend and should finish its first week at an estimated $45,000. It holds over.
At the Astor, "You Went With the Wind" continued to play at capacity through its ninth weekend, with an estimated take of $22,000 while the Capitol with the same film on a continuous policy grossed an estimated $60,000.
Fourth week of "The Grapes of Wrath" should bring an estimated $35,000 at the Rivoli. At the Strand, the continuing Western featuring Paul Whitman's band on the stage drew an estimated $21,000 over the weekend and winds up its fourth week on Thursday. The film should end its fourth week with an estimated total gross in the neighborhood of $175,000.
"The Story of Dr. Ehrlich's Magic Bullet" goes into the Strand on Friday. At the Globe, "British Intelligence" drew an estimated $5,000 last week.

4-A Aids Vaudeville Show Union Drive

(Continued from page 1)
they book a stage show as a unit from independent contractors and that the circuit has no control over labor negotiations.
However, the resignation of Dorothy Bryant as executive secretary of the A.G.V.A. caused the preliminary negotiations to be abandoned.
Four-A branches also will be requested to instruct their members not to employ talent agencies which refuse to sign an A.G.V.A. licensing agreement. All agencies which hold licenses from other 4-A branches will be required to sign with A.G.V.A.

Sclanger to Be Honored

Philadelphia, Feb. 19.—Local Variety Club honored Ted Sclanger, the circuit house was gone on Feb. 24. Sam Stiefel is head of the arrangements committee.

Sheldon Ross, Jack Geist, Jack Hely, Joshua Logan, Tom Loach and Ken Dolan lunching at Bob Goldstein's Tavern yesterday.


Russell Holman, Charles Sonin, Ed Saunders and Max Dreyfus at Nick's Hunting Room in the Astor for lunch yesterday.

Alexander Korba left New York over the weekend on a brief business trip and will return in a few days before leaving for the Coast.

W. G. Van Scothorpe, managing director of the Music Hall, arrived from the Coast yesterday.

S. Charles Finney, Warners' director of advertising and publicity, plans to return to the studio Friday.

Harry Kalmine, Warner circuit zone manager in Pittsburgh, conferred at the home office yesterday.

Adolph Haas has returned from Boston.

Town's Merchants To Build Theatre

St. Louis, Feb. 19.—Merchants of Shelbyville, Mo., small village 100 miles north of St. Louis, have announced that they have resources and have formed the Shelbyville Theatre Corp. The company will build an auditorium house. The object is to keep residents at home instead of going to a town eight miles distant for a show. The building will be leased to an exhibitor.

Boise Today Sees 'Passage,' Its Stars

Boise, Idaho, Feb. 19.—This city is prepared for a rousing celebration tomorrow. It will be climaxcd with the world premiere of M-G-M's "Northwest Passage" at the Plane Theatre.
A crowd of several thousand persons is expected to turn out for the premiere at 7:30 A.M. tomorrow of a special train bringing Iloa Massey, Isabel Jewell, Charles Duryea, George Grey and Alan Curtis, M-G-M players.
Governor Bottolfson, state officials and mayors of Idaho cities will be present.
The program includes the Governor's luncheon, a parade by high school students, the President of the Governess and then the premiere, which will be broadcast over KIDO and NBC's Western network.

Eleven New Pictures Approved by Legion

National Legion of Decency approved all 11 films reviewed and classified for the current week. Six were found unobjectionable for general patronage and five unobjectionable for adults. New films and their classification follow:

Buys Ellery Queen Right

Hollywood, Feb. 19.—Larry Dorfman has purchased the film rights to the popular detective novels of Ellery Queen and the CBS continential radio program. He may produce two feature films a year for probable Columbia release.

Ostler's Wife Dies

London, Feb. 19.—Karen Peterson, actress and wife of Mark Ostler, producer-director, died yesterday from the weekend of gastric infarction. She had been appearing in the road show of "The Woman."
*From page 1*

**Patrons in Theatres Give Finn Aid Cash**

Largest sum received by the Finnish Relief Fund as a result of theatre collections last Saturday and Sunday was $3,160 from the Roxy on Broadway.

**First contribution received by the theatre division was $640.00, representing collections at four Trans-Lux houses in New York City.**

**Department store estimates that between 4,000 and 6,000 theatres sponsored collections throughout the country.**

California theatres have put the drive to next Saturday and Sunday. Kentucky and West Virginia theatres plan to start their drive next Thursday.

**Universal Explains Film Shown in Italy**

"Three Smart Girls Grow Up," which opened to exceptional business in Rome over the weekend, was not sold to the Italian film monopoly by Universal, company officials said yesterday.

The film was delivered to the company's former Italian agent last summer in line with an agreement in settlement of the agent's distribution contract. Due to the current scarcity of American films in Italy, release of the picture was held up for months by the agent while other pictures on hand were being played off, it was said.

**Rites for Shalita**

**Philadelphia, Feb. 19—Funeral services were held yesterday for Gerson Shalita, manager of the Bromley, who died suddenly on Saturday. He was a cousin of Joseph Berlitz, general manager of Warner theatres.**

**Seattle Gives 'Wind' Lead With $27,000**

**M-G-M Signs Friedman**

**Hollywood, Feb. 19—Charles Friedman, co-author and director of "Sing Out the News!" and contributor of sketches to "Pins and Needles" on Broadway, today was signed by M-G-M as writer, director and producer.**

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**Providence Albee Signs Union Deal**

**Providence, Feb. 19—RKO Albee has signed an agreement with the Local B-129 of the A.F.T.F.E., affecting front-of-the-house employees and the second Providence house to do so.**

**The agreement, which runs from Feb. 15, 1940 to Nov. 1, 1941, provides for raises, work hours, doormen, the assistant staff chief and theatre firemen.**

It was signed by Albert Byrnes, president, and James Tartaglione, business agent, for the union, and Major Leslie E. Thompson, RKO Theatres executive, for the house.

**Release Finnish Short**

Hollywood Review

“Women Without Names” (Paramount)
Hollywood, Feb. 19.—Associate Producer Eugene Zukor’s singularly practical approach to the vital business of furnishing direct, widespread appeal entertainment on a commonsense budgetary scale accounts here, again, for an hour of plain story-telling in which a cast more competent than famous responds alertly to Robert Florey’s businesslike direction. The screenplay by N. R. Lippman and Howard Way, from a play by Ernest Booth, is a compact piece of straight-line writing. The film is not big, neither is it offered as such, but it is good.

Ellen Drew, favorably received in several previous pictures under the Paramount trademark, is the top name and plays the principal role, that of a transient woman sentenced to prison for life when her likewise innocent husband, Robert Paige, is sentenced to death on circumstantial evidence. Judith Barrett, John Miljan, Fay Helm, John McGuire, Louise Beavers, James Sney, Esther Dale and Marjorie Man are other members of a well chosen cast. Much of the action transpires in the women’s section of a penitentiary, inclusive of a hair-pulling match between two of the girl convicts which generates considerable violence. Later on, an escape, flight and pursuit furnish a thrilling windup.

Running time, 62 minutes. "G."* Roscoe Williams

Northwest Showmen
In Meeting Today
Seattle, Feb. 19.—A meeting of all Pacific Northwest exhibitors has been called for tomorrow at the Film Club here to discuss the newly-formed Allied Exhibitors group and its affiliation with the Pacific Coast Conference of Independent Theatres. James M. Howe, executive secretary, will preside. A similar meeting of Eastern Washington exhibitors is being planned by Hone to be held in Spokane on Feb. 27.

CEA to Meet Labor
Unit on Wage Rise
London, Feb. 19.—National Association of Theatrical and Kin

Win Fox West Contest
Hollywood, Feb. 19.—Charles Hall of the San Francisco metropolitan district; Richard Dickson, Southern district division director, and Harry Turner, Northern division district manager, for Fox West Coast Theatres have been awarded $100, $75 and $50 respectively, as winners in the circuit’s current new business drive. Herman Kerster and George Watters hold first place in the accompanying exploitation contest.

Ban Insurance Plan
St. Louis, Feb. 19.—The Prosecuting Attorney’s office in St. Louis County has ordered all county theatres to discontinue the insurance plan in connection with the Pot of Gold drawing. If theatres plan to enter, an insurance plan, which provides for payment of an additional $1,000 if the winner is in a theatre instead of at home, may come under the Missouri lottery laws.

Radio Brevities

CBS will lead the networks this summer in play-by-play broad-
casting of the National football games against Mutual in second place. Of the 16 teams, CBS affiliated stations will carry the games of i.75.

The station lineup for the season will be: WABC, Yankees and Giants; WOR, Dodgers; WBBM, WGN, WLS, the Mayo White Sox; WCAU, WIP, Phillies and Athletics; WJSV, Senators; KMOV, Cardinals; WBBM, Browns; WCPO, WSAI, Cincinnati Reds; WWJ, Tigers; KDKA, WWSW, Pirates; WCLE, Indians, (days); WNK, (night games, Sundays and holidays); WAB, Bees and Boston Red Sox.

Prof. Quiz Aids Sidewalks
In a tieup with Paramount’s "Sidewalks of London," Prof. Quiz will have as his contestants on this CBS show from Feb. 26, mayors of postmasters of nine cities in the United States and Canada which will be in London, England on that day to see the Paramount film.

Personalities in the News
Philip L. Barbour, in charge of foreign press and foreign station relations for NBC, will discuss "Are We Good Neighbors in South America" Feb. 22, at a meeting of the National Com-

Philadelphia Strike
Extension Demanded
Philadelphia, Feb. 19.—A special membership meeting has been called for next Friday by Local 77, A.F.M., to act on a resolution introduced today by a rump meeting, which de-

Delay 1A Benefit Show
Hollywood, Feb. 19.—Because of the conflict with the Armstrong-Garcia float, "Gambol of the Stars," of the Associated Actors and Artists of America, originally scheduled to be held Feb. 27, has been postponed un-
til March 14 and will be held at the Cocoanut Grove of the Ambassador.

"Windy" Return Dates To Start on March 2
"Windy" return dates will play in a few cities, beginning March 2 at the downtown Majestic, Boston, where it ran simultaneously at the State and Symphony house. Date of good

CBS Scores Altmark Beat
NBC scored a one-hour beat Saturday, with the first broadcasts by Altmark survivors. CBS also inter-

Program News
"Adventures of Sherlock Holmes" will make its last broadcast of the season over NBC-Blue on March 11 and then will take its customary lay-

Ginsberg Riles Today
Film services will be held at 11 A.M. this morning in Paterson, N. J., for Jack Ginsberg, 46, manager of the Majestic in that city. Ginsberg is the son of Max Ginsberg, who operates the Majestic and the Beacon in Beacon, N. Y.
**MOTION PICTURE DAILY**

Vol. 47, No. 37

New York, U.S.A., Wednesday, February 21, 1940

Ten Cents

**Film Writers Direct Attack On Neely Bill**

Resolution by Guild Hits Synopsis Clause

Hollywood, Feb. 20.—Board of directors of the Screen Writers Guild last night passed a resolution condemning the Neely bill as inimical to the industry.

In the expected formal protest against the measure, the Guild placed itself on record as favoring free and open competition in the business. After tallying the ballots of members, the directors passed the following resolution:

"Resolved, that the Screen Writers Guild go on record as opposing the Neely bill on the ground that the synopsis clause is inimical to the best interests of writers, the motion picture industry and the public at large.

"It is further resolved that because the Neely bill has posed the question of monopolistic practices within the industry, the Screen Writers Guild takes this occasion to go on record as ready to support any proper legislation and judicial action which will demonstrate factually the existence of a monopoly, and second which has (Continued on page 2)

**Vaude Union Drive Goes To Roxy First**

American Guild of Variety Artists will bring a delegation representing all branches of the Associated Actors and Artists of America to a conference Friday with Irving Lesser, manager of the Roxy. Negotiations for unionization of performers in Roxy stage shows will be started.

This will represent the first time that all 4-A unions have united to aid the organization of motion picture presentation houses. It follows the resolution of the 4-A board calling upon all branches to instruct their members not to work in A.G.V.A.-jurisdiction except with paid-up A.G.V.A. members.

Heading the delegation will be Paul Dullzell, executive secretary of Actors Equity; Emily Hult, executive secretary of American Federation of Radio Artists; Florence Marston, Eastern representative of Screen Actors Guild; Ruth Richmond, executive secretary of Chorus Equity; and Hoyt S. Hardick, A.G.V.A. executive secretary.

"Wind" Will Leave Capitol March 6; Gross at $700,000

"Gone With the Wind" will leave the Capitol on Broadway March 6 after an 11-week run. The total gross for the period, it is estimated, will be more than $700,000.

The film will continue its two-a-day run at the Astor indefinitely.

"Northwest Passage" will be the next picture at the Capitol. Advertising on this booking will start this week.

"Gone With the Wind" started its two-theatre run on Broadway Dec. 19, four days after the world premiere in Atlanta. By the time it leaves the Capitol, it will have grossed somewhat less than $1,000,000 at the Astor and Capitol combined, it is estimated.

The film leaves Loew's in Jersey City today after a four-week run, continuing at Loew's Newark for a fifth week and probably a sixth.

The picture will get a total of four weeks at Loew's Metropolitan in Brooklyn, ending next Wednesday.

These are the only runs set up in Greater New York until late March.

Winkler Is Named To RKO Studio Post

Hollywood, Feb. 20.—Don Winkler, former executive of the Myron Selznick Agency, on Monday will join RKO as executive in charge of all studio commitments. He will take the post vacated by J. J. Nolan, named vice-president in charge of the studio. Sidney Rogell, RKO studio manager, has been given a new two-year contract. RKO has extended its reigning contract with Stephens-Lang Productions, and the company will make three "Dr. Christian" pictures, starring Jean Hersholt, for the 1940-41 season.

U.S. Quizzes Work on Universal Data; Hears Balaban Next

UNIONS TO KEEP 10% BOOST, SAYS BIOFF

That Universal's studio operations are conducted on a business-like basis was the substance of information which the Government elicted yesterday from Cliff Work, Universal studio head, in an examination of defendant executives before trial of the Government's New York anti-trust suit.

Work came to New York from the Coast for two hours of questioning by George Wright, special assistant to the U. S. Attorney General. He provided the Government with information on how talent loans are made and how production schedules planned.

Elementary Information

As was the case in previous examinations by the Government of United Artists and Columbia executives, the questioning of Work yielded only such information as the film industry regards as elementary.

Work's examination ended on the Government's stock query as to whether, in his opinion, it was advisable for a producer to own or have an interest in theatres. Defense attorneys objected to the question and the witness plans to be taken in the coming examinations of executives, it went unanswered.

Work was represented by Edward C. Rattery and Benjamin Pepper of O'Brien, Driscoll & Rattery, in addition to Charles D. Prutzman, Universal vice-president and general counsel.

Late Flashes from the Coast

Hollywood, Feb. 20.—Suspending all negotiations with producers in behalf of extra players, directors of the Screen Actors Guild today granted complete self-government to atmosphere players and provided them with a local chapter from which to conduct their own collective bargaining negotiations with producers. Extras have been seeking a 15 per cent wage increase and improved working conditions.

Twentieth Century-Fox today announced the suspension of Don Ameche for failure to report to Paramount on a loan-out to appear in "The Night of January 16." Paramount was compelled to release Barbara Stanwyck who was to appear opposite Ameche.

James Roosevelt today signed Horace Heidt and his band to appear in a picture based on the musician's "Pot o' Gold" radio program, which is now under U. S. investigation as the result of exhibitors' protests.

Won't Yield to Producers, IA, Leader Promises; Held in Chicago

By WILLIAM F. CROUCH

Chicago, Feb. 20.—Smarting with bitterness against the "CIO, Communists and moneymen interests" whom he blames for his extradiation, William Bioff, I.A.T.S.E. leader, late tonight won his freedom on a writ of habeas corpus.

Bioff arrived this morning following a suddenly decided overnight flight from Hollywood, using an assumed name to dodge publicity. However, when he arrived at the airport he was greeted by reporters and police.

Bioff was promptly taken into custody and brought to the Bridewell jail to which he was sentenced in 1922 to serve a six months' term. For some unexplained reason the sentence was never completed.

Hearing on Friday

Judge Prystalski released Bioff on a $500 bond and set Friday morning for the hearing on the habeas corpus writ.

In an exclusive interview with this Motion Picture Daily reporter, Bioff said that he and George Brown, I.A.T.S.E. president, were to go into a huddle tonight to decide the next step to be taken in the court negotiations with Hollywood producers on the 15 per cent wage increase.

During the day Bioff telegraphed Joseph Toddy, secretary of the Conference of American Federation of Labor Studio Unions, resigning as chairman of the negotiating committee.

Won't Give Up Increase

Bioff said:

"Studio unions have no intention of surrendering the 10 per cent wage increase which they won last November.

Bioff declared that at the conference with producers later last week, they presented audits showing that they did approximately $68,000,000 worth of business during the past 13 weeks at a cost of $69,200,000, thus suffering a $1,200,000 loss.

"We asked for a breakdown of these (Continued on page 5)

No Paper Tomorrow

Motion Picture Daily will not be published tomorrow. Washington's Birthday, a legal holiday.

(Area, Intelligent and Indispensable to the Motion Picture Industry)
**Warner-RKO Fight Over Franklin Film**

Warner Brothers will go ahead with its plans to produce a film on the life of Benjamin Franklin despite the intention of RKO to make a similar picture.

Hal B. Wallis, associate executive producer of Warners, made this statement last night at a cocktail party honoring him and his wife, Louise Fazenda, at the Waldorf Astoria. Warners will sign Edward G. Robinson, while RKO announced that it will use Charles Laughton. Wallis said that Warners has priority rights since it registered a title with the M. P. Producers Association on the Coast last year.

RKO recently purchased Carl Van Doren's biography of Franklin. Warners contends biographical material on Franklin is public domain. Among those at the cocktail party were Gradwell L. Sears, Charles Leserman, S. Charles Einfield, Paul Manzi, Eric O'Flah-Moore, John Garfield, Ed Hatrick, Mort Blumenstock, Louis Sobel, Cobina Wright Jr., Robin Reardon, Warden Lewis E. Lawes, Kyle Chicon, Rade Harris, Marion Hopkins, Jake Wilk, A-Mike Vogel, J. P. McEvoy, Sidney Redechnik and Kelsey Allen.

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**Purely Personal**

**Charlie C. Moskovitz**

Lowan theatre executive was given a birthday dinner by his family last night at the Moskovitz home in Kew Gardens.

Gradwell Sears, Clayton Boat, Albert Howson, Eddie Granserg, Ben S. McCarthy, Robert Fitzgerald, A. P. Waxman, Owen Davis, Jay C. Flippin and Russell Holman at Nick's Hunting Room in the Astor for lunch yesterday.

Harry Buxbaum, Jr., of 20th Century Fox, who is home from the movie sales staff, was tendered a dinner at Dinty Moore's yesterday, his 23rd birthday, by co-workers, his father, Harry Buxbaum, Sr., and Chicago manager, presided.


Freeman Waugh, former manager of the Capitol, Kitchener, and Hollywood, Toronto, has joined the Canadian overseas services as an artillery officer.

William Karber of Republic has been elected president of the Motion Picture Association, Philadelphia organization of exchange employers.

John Justin, Alexander Korot, a route manager, is en route from England on the West Limited to appear in final sequences of "Thief of Baghdad."

Leon Rosenblatt, head of the Rosenthal & Welt Circuit operating on Staten Island and in New Jersey, has recovered from a long illness.

Irving Mintz, 12th floor projectionist at the Paramount home office, will leave for Florida Friday for a three weeks' vacation.

Harold Orlow, Robert Weitman, Tony Green, Louis Phillips, Ben Born and Martin Beck launched at Sardi's yesterday.

Wesley Ruggles has been appointed a member of the Motion Picture Advisory Board of the National Education Association.

David Wesher, Warner Theatres zone manager in Philadelphia, has returned with Mrs. Wesher from a Florida vacation.

**Ampa Will Honor Nugent on Feb. 29**

Frank S. Nugent, film critic of the New York Times, who leaves next month to join 20th Century-Fox as a scenarist, will be given a "farewell luncheon" Feb. 29 by the Ampa at Jack Dempsey's restaurant.

A number of New York newspapers have been invited to be the Ampa's guests on the occasion. There will be no meeting this week.

**Hall Joins Filma**

Donovan Hall, who resigned recently as head of advertising and publicity for Ross Federal Service, joined Filma in Chicago as director of sales and advertising.
Advertised to the nation in magazines and newspapers! They’re waiting!

LEO

proud papa of a

TRIO

of Great New Hits!
**Los Angeles Gives $23,800 To 'Pinocchio'**

**Los Angeles**, Feb. 20.—"Pinocchio" was strong here, with a total of $23,800, taking $9,800 at the Hillsig and State and $14,000 at the Paramount in only five days. "Go With the Wind" continued at a fast pace at the Carthay Circle and United Artists.

**Feature Review**

The following takings for the week ending Feb. 14:

- **"Go With the Wind" (M-G-M)**
  - CARRIED OUT—(75c-80c-35c) 7 days, 2nd week Gross: $2,200. (Average: $314). $75,000.
- **"Little Old New York" (20th-Fox)**
- **"Pinocchio" (RKO)**
  - CHINESE—(3c-75c) 7 days. Gross: $300. (Average: $43). $2,250.
- **"Abe Lincoln in Illinois" (RKO)**
- **"Little Old New York" (20th-Fox)**
  - HIGH SCHOOL—(20c-25c) 5 days. Gross: $6,000. (Average: $1,200). $30,000.

**"East Side Kids" (Monograph)**

A story of the rejuvenation of a gang of East Side New York boys, pointing in the wrong direction, who are led back to the right path by one of their own. This is routine action material with a fair measure of entertainment.

Directed by Bob Hill from an original story and screenplay by Robert Lively, the film has its quota of excitement. Leon Ames, detective in love with Joyce Bryant, seeks to learn the identity of the murderer which he believes to be his ex-girlfriend. He then plans to keep the brother's prodigal from her younger brother, one of the gang of boys.

As the boys become involved in the counterfeiting activity of a former New York gangster, and Ames himself is implicated by casual evidence, the film reaches its fastest pace, including an automobile chase, a running gun fight and a roof battle which results in the death of one of the boys.

Running time, 62 minutes. **G.**

**w"G" denotes general classification.**

**W'wind' Holds Pace In Loop With $64,100**

**Chicago**, Feb. 20.—"Go With the Wind" continued to keep the record pace of previous weeks and gardening week. In all, the loop, the "Light That Failed," at the Apollo, did an excellent $11,800. "The Light That Failed," at the Apollo, did an excellent $11,800.

Estimated takings for the week ending Feb. 14:

- **"The Light That Failed" (Para.)**
  - 7 days, gross: $11,800. (Average: $1,693). $35,000.
- **"Little Old New York" (20th-Fox)**
  - 7 days, gross: $7,200. (Average: $1,030). $10,000.

**significant points**

- **"W'wind" at $14,000**
  - **New Haven's Best**
  - **New Haven**, Feb. 20.—"Go With the Wind" swept past all other grosses in town for the third week at the College, with $14,000. While holiday prices were helped by bingos, blizzard kept many customers away as the week finished.

Estimated takings for the week ending Feb. 15:

- **"Go With the Wind" (M-G-M)**
  - **COLLIE—(80c-95c) 3 days, 2nd week. Gross: $4,600. (Average: $1,533). $14,000.
- **"Music in My Heart"**
  - (Col.)
  - **LOEV-FOLI—(35c-40c) 7 days. Gross: $3,000. (Average: $429). $14,000.
- **"Little Old New York" (20th-Fox)**
  - **HARLEM—(75c-60c-35c) 5 days, 2nd week. Gross: $2,500. (Average: $500). $12,500.
- **"The Light That Failed" (Para.)**

**Film Council Elects Wilbur President**

**San Francisco**, Feb. 20.—Dr. Ray Lyman Wilbur, Stanford University president, who is the new president of the Motion Picture Research Council. Others are from the motion pictures, Calvin Coolidge and Stephen P. Cabot, honorary vice-presidents; Mrs. Vernon Sleeves, executive vice-president; Mr. McLaughlin, vice-president; Mrs. William Cava- lier, executive vice-president, and Allen W. Weldenham, treasurer.
U.S. Quizzes Work on Universal Data; Hears Balaban Next

(Continued from page 1)

and Adolph Schimel of the home office legal department.

Complied interspersed only two objections, other than to the final question. The first came after Work had testified that in making the legal examination of what the company had been doing, he was told that it was necessary to have the wage and hour situation arbitrated, but we said we wouldn’t do that. We intend to keep our wage income up.

Blew that added, that union will consent to a wage cut, workmen will have to sign contracts and petty fines and elderly contracts for the month of March. We believe it is. Walker supports Mayor LaGuardia’s move to revive production here and plans for that in a week or two, if you will, on the subject. During the years that Walker was Mayor there was considerable production in New York by the major companies and others.

The former mayor, who has been talking about the film business, believes it is feasible to create a strong national organization of exhibitors, such as we held years ago. Walker said. He was referred to the M.P.T.O.A., of which he was general counsel in its early days.

'Legal Bicycling'

"Legal bicycling" will be used by M-G-M to show "Gone With the Wind" at the Naval Academy at Annapolis on Feb. 25. With the only legal run for the regular run at the Circle Theatre, each reel of the 24-reel film will be "bicycled" to the Academy auditorium as it is run off at the theatre’s matinee performance.

Walker Goes Views On N.Y. Film-Making

Former Mayor James W. Walker believes that not more than 10 per cent and probably less, of the industry’s total production can be centered in New York.

"We cannot expect a 200 million dollar industry to be moved bodily from Hollywood to New York," he said. "But a small part of it can be set up here, and I believe it is the Walker supports Mayor LaGuardia’s move to revive production here and plans for that in a week or two, if you will, on the subject. During the years that Walker was Mayor there was considerable production in New York by the major companies and others.

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'Remember' Scores $21,500 in Buffalo

BUFFALO, Feb. 20—"Remember the Night,"' aided by Martha Ray and her reprise on the stage, did $21,500 at the Buffalo, second only to the $25,500 made by "Gone With the Wind" in its third week at the Great Lakes.

Estimated takings for the week ended Feb. 19 were as follows:

"Remember the Night" (Para.)
BUFFALO—$3,000 (26c-35c-55c) 7 days, Bette Davis and Artie Arent and orchestra. Gross: $1,250. (Average, $181.57).

"Gone With the Wind" (M-G-M)
GREAT LAKES—$3,000 (50c-55c) 7 days, Hal Mohr, president of Photographers Local No. 691, C.A.E. was added to the negotiating committee.

One spokesman for the Committee said: "We want Bette Davis to negotiate for her and her family to use the long distance telephone to do it." The resolution hailed Bette Davis to negotiate for Davis and her family to use the long distance telephone to do it.

Rules Games Illegal in North Carolina

RALEIGH, N. C., Feb. 20—Attorney General Harry McMullan of North Carolina has ruled that theatre Bank Night is illegal in the state.

In response to queries as to the legality of various forms of theatre games, where prizes are given to holders of certain numbers, the attorney general declared: "The attorney general’s office has taken the position that all forms of theatre Bank Night are in violation of the state laws on lotteries and inquirers have been so informed, but Bank Night continues to be held in many localities of the state. The attorney general can only issue rulings, the enforcement of laws being in the hands of local officials and prosecutions in the hands of district solicitors."

Roosevelt, Argosy

Set First U. S. Films

Hollywood, Feb. 28—James Roosevelt, president of Glove Productions, today disclosed that his first film for United Artists release will be The Long Voyage Home, which will be directed by Ford from a screenplay by Dudley Nichols on the Walter Wagner play and with Wagner facilities. The film will be distributed in 1940-41 as one of the Wagner releases for United Artists.

DRUMS OF FU MANCHU
Suggested by stories by SAK ROHMER

HARRY BRANDON, WILLIAM ROYLE, ROBERT KELLARD, GLORIA FRANKLIN

"Good work, Allen. If we hadn’t trapped his leader, Dr. Fu Manchu would have thrown all Asia into war."

A Republic SERIAL IN 15 CHAPTERS

On the screen, she is Michael"
### 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>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
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<td>Jan. 26</td>
<td>The Lone Wolf Strikes (G-D)</td>
<td>Warren William</td>
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<td>Feb. 2</td>
<td>Pioneers of Frontier (C) Convicted Women (D)</td>
<td>Edith Fellows</td>
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<td>Feb. 9</td>
<td>Five Little Peppers at Home (A) Edith Fellows</td>
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<td>Feb. 16</td>
<td>Man From Dakota (G-D) Del Rio-Beery</td>
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<td>Feb. 23</td>
<td>Outside the Three Mile Limit (G-D)</td>
<td>Jack Holt</td>
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<td>Mar. 1</td>
<td>Blondie on a Budget (C) Arthur Lake Penny Singleton</td>
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<td>Mar. 8</td>
<td>Outside the Three Mile Limit (G-D)</td>
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<td>Mar. 15</td>
<td>Men Without Souls (D) Rochelle Hudson</td>
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<td>Mar. 22</td>
<td>Too Many Husbands (C) Arthur -MacMurray</td>
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<td>Mar. 29</td>
<td>I Married Adventure (D) Mrs. Johnson</td>
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<td>Apr. 5</td>
<td>Blazing Six Shooters (O) Starrett</td>
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<td>Apr. 12</td>
<td>Covered Wagon Trails (O)</td>
<td>Jack Randall</td>
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Cinderella Stunt Planned for 'Wind'

ROXIE, N.Y., Feb. 20.—Joe Kallet has worked out a tie-in for advance exploitation of "Gone With the Wind," which opens at the Capitol here Feb. 28. Kallet, in conjunction with Jack Walsh, M-G-M exploiter in the Northwest, has one of the devices used by Vivian Leigh in the picture on display in a department store. The Rogers group is holding a contest in conjunction with Kallet, to find the girl who can best fit the measurements of Vivian Leigh. contestants must measure up to the film's star at the opening performance with Rome's sole Confederate soldier, one of the few left North of the Mason and Dixon line.

National Guard Unit Aids '69th' Opening

MIDDLETOWN, N.Y., Feb. 20.—Harry C. Stowell, manager of the Paramount, arranged with the local National Guard company for two missions in the vicinity of the square in front of the house at the opening of the "69th Fighter."
The company paraded to the house, accompanied by their drum and bugle corps.

Contest Plugging "Passage" Opening

In connection with the world premiere of "Northwest Passage" at the Pinney, Boise, Idaho, yesterday, a contest was held to find a local girl whose physical measurements most nearly approach the one modeled by Ruth Hays, who plays Elizabeth Browne in the picture. The winner served as official hostess at the opening, wearing a costume used by the actress in the role.

'Edison' Advance Campaign in Seattle

M-G-M's advertising campaign on "Young Tom Edison" includes reference to "Edison the Man," second film in the inventor's life, now showing at the Paramount Theatre. First of a series of advance ads appeared in papers Feb. 11, anniversary of Edison's birth. Ads are being run in 13 newspapers with a combined circulation of 25,000,000. Full-page ads will appear in 17 magazines.

Niagara Falls Tieup On 'Many Hands'

Exploitation on Columbus's "Too Many Hands" features a tieup with Mayor Ernest Merrington of Niagara Falls, capitalized in the 24-sheet campaign as the "honeymoun heaven."
The city is sending out circulars and other material to attract honeymooners, in a tieup on the film.

Paramount Sponsors Song Writing Test

Paramount has closed a deal with Fawcett Publications for a song-poem contest in True Confessions Magazine. The winner will be paid regular royalties for copyright royalties and other income. In addition to radio and sheet music publication, the song will be featured in a forthcoming Hugh Sherman production for Paramount.

Griffith Opens House

OKLAHOMA CITY, Feb. 20.—The Griffith Amusement Co. has opened a new theatre, the Seminole, in Seminole, Okla., with Foster Lyman as manager. A masterpiece acquired from the Petit from Fred Vincent at Hominy, Okla.

Closes One, Reopens Another

KANSAS CITY, Feb. 20.—The Lyric at Marysville, Kan., has been closed by Lee Spradie, and the Isis there reopened by the company. Spradie has installed new booth and projection equipment and otherwise remodeled the house.

Manages in Philadelphia

PHILADELPHIA, Feb. 20.—William F. G. Sprill, publicity director for William C. Hunt's theatres in southern New York, has taken over the management of Hunt's Rockland here. He will stay here until the regular summer season starts.

Sells Black Hills Interest

DENVER, Feb. 20.—Leo Peterson has sold his interest in the Black Hills Amusement Co., to Charles Klein and John A. Bertalero, the other partners. Also manages the company houses in Rapid City, S. D.

Plans Iowa Theatre

DES MONES, Feb. 20.—The Pioneer- Theatre Corp. has leased a building at Spencer, Iowa, which is being remodeled for theatre. The new theatre will give the company three in Spencer.

Sells Oklahoma House

PERRINS, Okla., Feb. 20.—Charles Hudgens has sold the Lyric here to W. J. Martin, operator of theatres in the city, and Oklahoma, Okla. The Lyric is a 300-seat house.

Altec Contract Repealed

The Schine Circuit has renewed service contracts with Altec for 110 theatres in New York State, Ohio, Maryland, and Kentucky. Bert Sanford negotiated for Altec.

Austin Back in Denver

DENVER, Feb. 20.—Vern Austin has returned to Denver after resigning as manager of the State, a Robert Mapel house, at North Platte, Neb. He was succeeded by his brother, Lee Austin.

Building in Illinois

ST. LOUIS, Feb. 20.—Harry Tanner, theatre owner at Pana, Ill., is building another house there, to be named the Rockeland.

Buy House in Iowa

ALLISON, la., Feb. 20.—C. L. Spence, of Waterloo, la., has purchased the Dixie and O'Hara, Okla. The theatre is being remodeled.

Renew Altec Contract

THEATRICAL MANAGERS, Inc., have renewed contracts for Altec service for 14 theatres and have added the Strand, in Muncie, Ind., to the service contract. F. C. Dickely and E. C. Shriver negotiated for Altec.

Plan Drive-In Theatre

MILWAUKEE, Feb. 20.—A building permit has been let for the construction of a $30,000 drive-in outdoor film theatre just west of the city to accommodate light traffic. The theatre will be the first of its kind in Wisconsin.

Malco Buys Theatre

HOT SPRINGS, Ark., Feb. 20.—The Malco Theatre Corp. has purchased the Star here from J. G. Blachly, and has already remodeled. C. H. DuVall will manage.

Open Vancouver Theatre

VANCOUVER, B. C., Feb. 20.—Formerly opened only a few weeks of the year for presentation of stage plays, the Little Theatre has been completely renovated and re-equipped as a suburban motion picture house.

Milady's Losses

SAN FRANCISCO, Feb. 20.—A late model, streamlined corsage is among lost articles of last year's collection still available at the Fox here. Total losses for the year exceeded 1,000 articles. Ninety per cent below of those women and 63 per cent of these feminine losses were gloves!

Three Join Warners

Cleveland, Feb. 20.—Nat Wolf, division manager of the Warner Ohio theatres, has made three additions to the advertising department. Emanuel C. Pearlstein will be in charge of all publicity and advertising in Warner's houses in Ohio. David Bachner is his new first assistant and publicity director for the Hippodrome with Arnold Nathanson, his assistant.

Evergreen Circuit Changes

SPARKLE, Wash., Feb. 20.—Evergreen Circuit has re-equipped several manager changes. J. C. Ewing, recently with the Seattle office of Universal-Theatre circuit is now in charge of the Hippodrome, Willard R. Scalf moved from the Orpheum to the Liberty, replacing E. A. Rose, resigned.

Heads Theatre Company

SPARKLE, Wash., Feb. 20.—Mrs. Edna Wilma Simons, Missoula, Mont., was elected president of the Dream Theatre Circuit, following the resignation of stockholders in Coeur d'Alene, Idaho, E. K. Taylor was named vice-president, and Fred Ketch, secretary-treasurer.

Howard Replaces Wahl

OKLAHOMA CITY, Feb. 20.—Ross Howard has replaced Don Wahl at the 20th-Century-Fox exchange here as assistant ad salesman. Wahl recently went to the Memphis exchange as ad salesman.

Reno Altec Contract

THEATRICAL MANAGERS, Inc., have renewed contracts for Altec service for 14 theatres and have added the Strand, in Muncie, Ind., to the service contract. F. C. Dickely and E. C. Shriver negotiated for Altec.

Gainty to Be Demolished

The Gaiety, 600-seat Cocalis unit in Elizabeth, will be demolished.

Charter Cinema Club

CINCINNATI, Feb. 20.—Articles of incorporation have been filed by John V. Harris and J. V. Brodkin, operators of the Cincinnati Cinema Club, No. 1, which is described as purely social in character. Incorporators are: Fred R. Osborn, and accessory salesmen serving the industry. Incorporators are: Roy Knopfle, Republican salesmen, Pete Ni- lsson, Columbus; H. A. Pacheco, and John M. Allen, M-G-M salesman.

Commandment' Remake

HOLLYWOOD, Feb. 20.—Tyrove Power will make a new version of "Ten Commandment," which 20th Century-Fox will remake from a film produced by Irving Pichel and directed by the original, will guide the remake.
RCA Awaiting FCC’s Signal
For ‘Telet’ Sets

RCA will abandon efforts to market television sets on a large scale unless the F.C.C. grants permission for limited commercialization for the new medium, briefs submitted to the Commission yesterday indicate.

Construction of facilities for network telecasts will be begun if such permission is granted, the briefs state.

“Thus, RCA is seeking a decision on the subject of the permitting of broadcasting of standards but asks for the present adoption of RMA standards.

“Of course, receiving sets will be improved from year to year as automatics are improved from year to year, but there is nothing now upon the technical horizon which gives any indication that the demand for such a change is imminent,” the briefs stated.

“Hundreds will be given employment in the manufacture of new sets, and thousands will find new ways to earn a livelihood in this new industry.

Without limited commercialization, RCA will not engage in the large-scale manufacture of television receiving sets (with the resulting employment of hundreds of workers), and we believe this same thing is true of others in the industry.

“If limited commercialization is permitted, RCA will begin the construction of facilities for the automatic relay by radio televisions programs between New York and one or two other cities.

If limited commercialization is used, there will be no support for such an undertaking.”

Warners Are Sued
Over First Run Pact

NEW HAVEN, Feb. 20.—Seeking $25,000 damages and an injunction restraining performance of second-run contracts in Connecticut, the Lampert Theatre of Windsor, Inc., has brought suit against Warners, returnable March 4, to the Superior Court for New Haven County.

The complaint, signed by Herman M. Levy, alleges that the plaintiff, operator of the 600-seat Windsor, Conn., purchased a first-run contract from Warners in September, 1939, with the understanding that the company would not sell a second-run in Windsor. Subsequently, it is claimed, Warners sold second run with a clause of 14 days to the competitive Plaza Playhouse, operated by Max, Maurice and Joseph Shulman of Hartford.

Newark Suit Names Majors, M. P. P. D. A.

An anti-trust suit naming the M.P.P.D.A., its officers, and in addition, to eight major distributors was filed in Elizabeth, N.J., at Newark by Wester Theatres and Janteb Amusement Corp., present and former operators of the A.B.O., West Orange.

The action alleges violation of the Sherman and Clayton anti-trust laws and monopolization of a trade.

Defendant companies have not been served in the action yesterday, and, unaware of its existence, declined to comment.

Finnish Relief Fund is offering exclusive rights to broadcast the All-Star baseball game at Tampa, Fla., to the major networks, and is seeking competitive bids for the rights. Any funds received will be used for relief purposes. No appeal for contributions will be made over the air, but the Fund will be mentioned. Gate receipts at the game also will go to the Fund.

More Stations Drop Coughlin

Stations carrying the Sunday talk-broadcast of Coughlin have dropped from 60 to 45, according to the N.A.B., as the result of the adoption of the broadcast's new series of three-ring Quota as of today. Coughlin’s contracts with N.A.B. stations will expire on Sept. 1 and will not be renewed, it was said.

Personalities in the News

John E. Finerman, formerly vice-president of Benreel, has joined Warner & Legler as vice-president.

Milton Katims, Mutual’s conductor, will be soloist at a Virginia Grey and Alan Curtis, Hall on Sunday, March 3.

Bea Wain will be interviewed by Rosalind Russell over WNEW tonight at 7:30 P.M.

“Lone Wolf” in Air Show

“Good News of 1940” will dramatize a scene from the Columbia film, “The Lone Wolf Strikes,” over NBC-Radio tomorrow evening. Warren William and Eric Blore, who appear in the film, and Iris Meredith will be heard.

Program News

Bill Starr will be sponsored by Axton Tobacco Co., in a series of sports commentaries for 52 weeks over WJZ, starting Monday, March 20. Starr will be heard Mondays through Fridays for 10 minutes at 6:15 P.M. Bond Stores return as sponsors of the 7:15 to 7:30 A.M. program. Phil Cooke, “Passing Man” over WABC, starting March 4. Edgar Bergen is reported to be considering bringing his show to television in the not too distant future. More than 2,000 applications have been received by WHN, since a proposal to this effect was announced. It is reported he would present the “Original Opportunity Hour.”

Northwest Passage
Opens in Idaho City

BOISE, Idaho, Feb. 20.—For M-G-M’s “Northwest Passage” was given its world premiere at the Fox Theatre here tonight. Airing from the studio were Ilona Massey, Isabel Jewett, and Andrew Cuney, producers.

At the opening were Gov. C. A. Botts, Idaho, Mayor J. L. Straight of Boise, officials of the state and other Idaho cities. The opening was broadcast over KID and a western NBC network.

RKO Claims Hearing

Hearing on an application to fix three claims against RKO was set for next Tuesday by the Federal Trade Board yesterday. Claims are those of RCA for $18,856, Lehman Bros. for $9,998 and Lehman Corp., for $4,511. They are based upon an agreement made by RKO in floating an $11,000,000 loan in 1931 to pay for transfer taxes.

262 in Broadcast Music

Sixteen additional stations have joined Broadcast Music. Inc., during the past week, bringing the total to 262. Neville Miller, president, stated yesterday. Miller also disclosed that Milton Rottenberg, composer and arranger, and Robert B. Sour, lyricist, have been added to the BMI staff.

Fashions via Television

A three-ring fashion parade will be presented by NBC’s television station, WNBC, today, sponsored by RKO’s Roxy stores on Friday from 2:30 P.M. to 3:30. Receivers will be installed at Franklin Simon’s, Loew’s in Brooklyn, and Shumen’s in Newark. Fashions editors will be taken aloft in a United States plane in which a television set has been installed.

Honor WOR’s Staff

The technical staff of WOR’s transmitter will be honored by Western Electric Co., at luncheon today at the Hotel Astor when F. R. Lack, representing W.E., will present a plaque to Hal Pontecorvo, WOR chief engineer, for flawless performance during 1939. WOR operated 8,221 hours last year without a single power failure.

English Bank Credit
Only for Quota Films

LONDON, Feb. 20.—The Films Council today determined that only films fulfilling the stipulations of the present Quota Act may be financed by the British Film Companies. The decision followed a long argument over the demand of labor that films financed on the fact that the show used 100 per cent English personnel.

The Cinematograph Exhibitors Association executive council today completed its views on new film legislation for submission to the Board of Trade. It is understood that the memorandum will suggest a maximum of 10 per cent exhibitor quota. Exhibitors claim they need 30 to 40 American-sponsored films and a reserve of independent productions. British producers are urging British films subsidized by the Credit Bank and to be distributed through an independent Government organization.

W. B. Loses Equity Plea over ‘Romeo’

Actors Equity council yesterday denied the request of Warner Bros. for five weeks of rehearsal time of the production of “Romeo and Juliet,” which will star Laurence Olivier and Vivian Leigh. Warner based its request on the fact that the show would be a spectacle and therefore came under Equity’s rules relating to spectators.

Theatres Rely More on Radio
To Aid Grosses

Broadway film and legitimate stage theatres have turned to spot announcements that are to be heard over radio and local television stations. Radio stations have shown a marked increase in revenue from these sources in the past six months, a survey file.

WNEW yesterday announced the signing of two one-year contracts with RKO on behalf of the Radio and the Roxy. Paramount will sponsor three quarter-hours per week on the “Three Believe Ballroom” program for films of their release at the Paramount. 20th Century-Fox has signed for 251 spot announcements to be used during the year for films at the Roxy and other houses.

WQXR also has a one-year contract with Fox for spot announcements.

Principal users of spot announcements in the legitimate field are the WQXR, “Streetcars of Paris,” and “Folies Bergere.”

Hartman Shulmin and the Playwrights Guild have also used spot announcements on local stations.

The Duane Theatre Corp. sponsors “Harlem Amateur Night” over WMCA from the Apollo. M-G-M, Columbia and United Artists have also used spot announcements for their films, but Paramount and Fox are the most consistent advertisers.

WNEW is the station used most, followed by WABC, WOR, WQXR, WMCA and WNY in close order. WHN is used considerably by Loew’s, which owns the station, but other film companies and stage producers have also purchased time.

Six Pre-Releases
Set for ‘Cyclops’

Paramount has scheduled six pre-release test engagements of “Dr. Cyclops” and “Romeo” for assigned special exhibition to handle each engagement.

The “tests” will be conducted in New York March 6, with Maxwell Joyce and Leon Benson, respectively, handling the exploitation; at Hartford and Providence, March 7, with Thomas Jefferson on exploitation; Altoona, March 8, with Charles Perry on exploitation, and Nashville, March 9, with Bud Gotschall on exploitation.

National release has been set for April 5.

Clarity New York’s Admissions Tax Law

ALBANY, Feb. 20.—Senator Thomas C. Rye, chairman of the Senate investigating subcommittee, has reported that Little Albatross, New York, has made a compromise with the municipalities’ permissive tax on tickets to help defray housing costs. Under the terms of the bill, the city will collect a tax of one cent on admissions up to 50 cents and two cents on tickets from 51 cents to 99 cents. In the existing law it was not clear whether 50-cent tickets were liable to one or two-cent tax. As yet no municipality has levied an admission tax.
Fox Discloses
Profits, Para.
Guards Facts

Companies File Answers
To Trust Suit Queries

Twentieth Century-Fox Film Corp. and Paramount Pictures on Wednesday filed answers in U. S. District Court to the first 24 Government investigators covering details of their financial structure and that of their affiliated companies.

Paramount treated 11 of these questions as being confidential in nature, refusing to reveal its figures on profits, grosses and financial obligations. Twentieth Century-Fox, on the other hand, filed answers to all 24 questions.

Twentieth Century-Fox set forth a complete list of its stockholders. Of those holding common stock, the largest are Chase National Bank, 223,157 shares; General Theatres Equipment Corp., 183,000 shares; William Goetz, 184,476 shares; Darryl F. Zanuck, 122,129 shares; and Joseph M. Schenck, 12,542 shares.

The three principal holders of preferred stock of the company are stated to be Chase National Bank
(Continued on page 11)

Sign 200 Publicists
To Studio Contracts

Hollywood, Feb. 22—One year and five days after the start of negotiations, individual studio yesterday began signing of Screen Publicists Guild contracts. Approximately 200 publicity department members in 14 studios are affected. Contracts cover wages or working conditions, or both.

The contract was signed by the Guild on Tuesday and sent to the studios yesterday morning from the office of Pat Casey, producers' labor contact. Only the SoL Lesser Productions and Selznick International are not parties to the contract.

The contract will take effect as
(Continued on page 11)

Ross Executives Set
Miami Beach Parley

Executives of Ross Federal Service Corp. will hold a conference in Miami Beach next week. Harry A. Ross, president, is already at the Southern resort, and other executives are expected to leave here over the weekend.

Chicago Drive Hits Free Tavern Films

Chicago, Feb. 22—Police have started a campaign to halt the showing of 16 mm. sound pictures in taverns, claiming that keepers do not have film permits. Breweries have been supplying equipment and films. Pictures shown are usually fight films and travelogues.

Roosevelt Decides
To Produce Films
For Slot Machines

Hollywood, Feb. 22—James Roosevelt, president of Globe Productions, has decided to begin production of a short subject designed for automatic projectors. The plan was disclosed with the signing of a contract yesterday between Globe and Mills Novelty Co., the largest distributor-manufacturer of automatic entertainment machines.

Roosevelt will produce one short subject in sound each week at the United Artists Studio, in either 16 mm. or 35 mm., to meet the needs of various models of automatic machines. The average length of the subjects will be two and a half to three minutes, but the lengths will vary.

The contract calls for the immediate incorporation of a separate company owned jointly by Globe and Mills, for the leasing of equipment and the distribution of the subjects.

There have been various plans in the past for the creation of a "cocktail lounge circuit," through the use of automatic projectors which would project a short film for a nickel or a dime, but this is believed to be the first deal calling for actual production. Globe will make the shorts in addition to its regular feature releases for United Artists release.

‘Wind’ Surpasses
$9,000,000 Gross;
Atlanta Run Ends

Hollywood, Feb. 22—"Gone With the Wind" has passed the $9,000,000 gross mark. This was the figure reached at the beginning of the current week and is computed on actual theatre receipts, according to William F. Rodgers, Metro-Goldwyn-Mayer general sales manager, currently here confering with studio officials.

"The surface hasn't even been scratched," said Rodgers in reporting that the sum represents receipts at slightly more than 200 theatres.

A total of 517 bookings have been set on 'Gone With the Wind' in 477 cities. In some of these cities, the film has already terminated its initial run.

At the 70 per cent figure not as rent
(Continued on page 11)

Biggest Production
Year for Republic

Hollywood, Feb. 22—Republic's heaviest production program in its history will be effected during the next four and a half months, Herbert J. Yates, chairman of the board, announced in disclosing that 16 features and 11 westerns will be finished and released by July 1.

Here with James R. Grainger, Republic president, for conferences with Western division sales managers and studio executives on the forthcoming quarter, Yates said that two features, "Women in War" and "Wagon Westward," would have high budgets. Republic's top budget release for the Spring will be "The Dark Command," now nearing completion. Another feature
(Continued on page 8)

Tabloid Plays Revived But
Film Houses Doubt Vogue

Broadway houses on a stage show policy are not enthusiastic about the practical advantages of presenting one-hour condensations of stage plays in connection with film programs.

Such a condensation of "Kiss the Boys Goodbye" is being offered currently at the Palace, Stamford, Conn., where it was booked for one week on a test basis through the offices of the NBC Artists Service.

Operators of leading Broadway
(Continued on page 4)

Studio Unions
To Arbitrate,
Say Leaders

Ask Producers for Early Resumption of Talks

Hollywood, Feb. 22—Studio unions will carry out their Nov., 25 agreement concerning arbitration of the 10 per cent wage increase issue, spokesmen for the Conference of American Federation of Labor Studio Unions said today.

This is in contradiction to statements made to the press in Chicago by William Bioff, I.A.T.S.E. leader, who tomorrow morning will have a hearing on a writ of habeas corpus under which he was released pending disposition of his case involving a 1922 unfinished jail sentence.

Bioff said that the unions would now surrender the wage boost until producers first showed that they had reduced production cuts and
(Continued on page 4)

New Air Contracts
Drafted by Ascap

Ascap's new contracts for radio broadcasters, to replace current pacts expiring next January, will be discussed by the music licensing society's board of directors on Feb. 29.

Formula for the new contracts as developed by Ascap's radio committee, was discussed recently by Buck Ascap president; John G. Paine, general manager, and Charles Schwartz, Ascap counsel, in Phoenix, Ariz., where Buck is recovering from an illness. Paine will return to New York on Monday with Buck's recommendations, and the proposals will go to the board next Thursday. The board may
(Continued on page 11)

B. & K. Plans Test
Of Single Features

CHICAGO, Feb. 22—Balaban & Katz, starting Sunday, will experiment with single features in three of its largest suburban theatres to learn the public reaction.

Balaban & Katz has had a double feature policy for the past three years. In view of B. & K's experiment, 11 independent houses, also on Chicago's West Side, have declared that they will follow suit and continue on
(Continued on page 11)
Present Quigley Awards March 12

HOLLYWOOD, Feb. 22—Presentation of the 1939 Quigley Grand Awards to Roach, Lubin, Lithgow & Lubin will be held here March 12. The ceremonies will follow a luncheon to be given by Martin Quigley at the Beverly for Hugo Resta.art, executives, stars and directors will attend.

The winners, who will arrive March 11 as guests of Quigley Publications, will be entertained in a program arranged by a committee of staff publicists.

Members of the committee are: Russell Birdwell, Russell Birdwell & Associates; Harry Brand, 20th Century-Fox; Walter Compton, Republic; J. Leroy Johnston, Wanger Production; John Joseph, Universal; Jack Lawrence, Goldwyn; Cliff Lewis, Paramount; Billy Lesyer, Fine Arts; Perry Lieber, RKO; Murphy McHenry, Edward Small Productions; William Pierce, Monogram; Tom Pettry, M. P. P. D. A.; Lou Smith, Columbia; Howard Statrick, M-G-M; Frank Seibert, Hal Roach Studios; Robert Taplinger, Warners; Al Vaughn, Principal.

Bell, publicity director, Louis McLavinski of Warners and Brown, manager of Warner’s Prince Theatre, Ambridge, Pa., were voted their honors at the judging for the 1939 Awards in New York on Feb. 30.

Berta Snyder succeeds Kathlene Gannon as secretary to D. C. Kennedy, manager of the M-G-M exchange in Des Moines. Miss Gannon resigned.

Norman Elson, general sales manager of Film Alliance of the U. S. and Mrs. Elson are the parents of a new baby born at the Huntington Long Island Hospital.

J. S. Harrison, manager of Monogram’s film exchange, sales department, confers with F. E. Judo today at the company’s branch in Des Moines.

A. H. Blank, head of Tri-States Theatres, Des Moines, and Mrs. Blank have returned after a mouth’s vacation in Florida.

Edward M. Saunders, M-G-M Western division manager, leaves today for three weeks in Ft. Lauderdale, Fla.

John Robert Ruben, vice-president of M-G-M, and Mrs. Ruben are in Pasadena.

Grabwell L. Sears, Warners general sales manager, is in Florida for a few days.

H. M. Richley of RKO will attend the L.T.O. of Ohio convention in Cleveland next week.

Morris Sanders, office manager at the 20th-Century-Fox exchange here, was married.

Paul Terry, producer of Terrytoons, is recovering from the flu.

Malcolm Ames of British Technicolor has arrived from England.

Frank C. Walker has gone to Palm Beach for two weeks.

Britain Preparing Report on Industry

London, Feb. 22.—The British Government, early in March will publish a white paper exhaustively analyzing conditions in the film industry, and dealing critically with the new legislation affecting the industry.

Pinocchio’s Crosses Fight Weather Odds

Second week of “Pinocchio” at the Center ended with a gross of just under $40,000, after adverse weather conditions which affected at least three days of the week’s business.

After-effects of last week’s blizzard were felt on Thursday, the first day of the second week, but with capacity business over the weekend, the house seemed in a fair way to overcome this, only to be hit by an all-day snowstorm on Monday that affected weather conditions throughout most of Tuesday.

The theatre was at capacity again throughout Washington’s Birthday holiday yesterday and with any sort of weather “break” over the weekend should stand a good chance of bettering in its third week the first week’s gross of $4,500.

Take this Woman,” with stage show, at the Music Hall grossed an estimated $62,000. Abe Lincoln in Illinois opened here yesterday. At the Strand, “The Story of Dr. Ehrlich’s Magic Bullet” opens today with Tommy Tucker and his band heading the stage show.

Hearing on Goldwyn Korda Plea Tuesday

Samuel Goldwyn’s application for leave of absence, an Allied General Council,22,23, prior to trial of the Goldwyn action in U. S. District Court here to be returned by his United Artists contract has been postponed to next Tuesday. The motion originally was scheduled for argument today. Scherbert, chairman of the council, will oppose the motion. Korda would not be prevented from leaving the Coast while the motion is pending.

Einfeld Going West; Plans Chicago Stop

S. Charles Einfeld, Warners advertising and publicity director, leaves for the Coast today after more than a month in New York.

In route he will stop over in Chicago to confer with Balaban & Katz concerns on the local campaign of “The Story of Dr. Einsteins Magic Bullet.”

Hal R. Wallis, executive producer for Warners, and Einfeld yesterday attended the Albany opening of the Ehrlich film at the Strand Theatre.

MacIntyre on New Tour

Herb MacIntyre, head of the New Dominion slate, left New York last Wednesday for his second tour of this country and Canada. He will be accompanied by Harry Michalson, short subject sales manager. They will be gone about five weeks.

Newsreel Parade

There are no outstanding events in the newsreels. Reels and their contents follow:


Quigley in Film Talk

At Loyola University

Los Angeles, Feb. 22—Before a convocation of 600 members of the faculty and student body of Loyola University yesterday, Martin Quigley discussed current trends and influences in motion pictures.

George Sussman Feted

George Sussman of the 20th Century-Fox print department was given a luncheon at the Central Hotel Wednesday on his transfer to Buffalo as booker. He is succeeded at the home office by Irving Mills. Sussman, 29, of the Central Hotel, has been Sussman, 29, of the Central Hotel, has been

Syraucuse Allied Meets

SYRACUSE, Feb. 22.—Syracuse regional unit of Allied Theatre Owners of New York will meet here tomorrow.

WANTED

Salesmen acquainted with exhibitors in the box office business. A constructive box office stimulus. Veteran men preferred. This offer endorsed by the National Committee for Education, Write National Committee for Education, Write 122 East 42nd Street, New York City or phone Murray Hill 5-5190.
Watch Broadway Today for

ANOTHER "ZOLA!"

"Advance talk is that it's a walloping hit. New Yorchids to Eddie Robinson's excellent acting!"

"A carillon of praise to Warner Bros!"

"Edward G. Robinson's is a truly great performance!" says PAUL MUNI

"A performance to make audiences stand up and cheer!" says BETTE DAVIS

"Robinson hits the bull's-eye for an Academy Award!" says ED SULLIVAN

"Greatest performance Edw. G. Robinson has ever given!" says SIDNEY SKOLSKY

"It's even greater than 'The Story of Louis Pasteur'!" says LOUELLA PARSONS

"Robinson is terrific! As important a performance as I ever have seen!" says JOHN GARFIELD

"Everyone who admires superb acting should see 'The Story of Dr. Ehrlich's Magic Bullet'!" says MERLE OBERON

SHOWMEN! FOR YOUR ADVANCE CAMPAIGN! These raves belong in your ads and lobby, just the way they're doing it at the N.Y. Strand
Tabloid Plays Revived But
Film Houses Doubt Vogue

(Continued from page 1)

ne Xeyl Bill Scored
By L.A. Chamber

Los Angeles, Feb. 22.—Describing
the Neely bill as “censorship at its worst,” directors of the Los Angeles
Chamber of Commerce have gone
on record as opposing it, and it was announced today.

Sol Lesser is the only film industry
representative on the board.

Following a report of a special com-
mitee, none of whom is connected with
the industry, the Chamber’s officers ordered
in Washington to “do all in its power to
defeat the Neely bill.” President Doherty, chairman of the special committee, after describing
the synopsis clause, said:

“This is censorship at its worst.”

The motion was made to consider a
special type of business. No produ-
cer can tell in advance whether or not
a picture in production is going to be
a financial success or failure...

“If production is to be limited to
pictures which must be certain in ad-
dvance, in the estimation of the
industry, it is a special type of business.
No producer can tell in advance whether or not a picture in production is going to be a financial success or failure. . . .

“Likewise, production will result in
excessive costs and ultimately in
reduced employment...

“When you attempt to regulate mat-
ters by law in the field of censorship,
you enter a field where legislation has no
business.

“The proposed Neely act is an at-
tempt to put the Government into
business in the film industry, and it cannot
destroy the film industry, but on the contrary will place
such restrictions upon industry as to
effectively smother it in that area of
entertainment, news and education.

“We have plenty of laws now to
take care of unscrupulous persons who
may attempt to make and distribute a
picture offensive to good taste and good morals. Our sense of public decency is our best protection.

“If block booking or blind selling
results in monopoly, we have ample
laws to prevent such monopoly.”

Tax Collections
Drop in January

Washington, Feb. 22.—Admission
tax collections in January touched the
low point for the year since last April,
dropping almost $500,000 from the
December total of $1,974,534 to
$1,474,835. It was ascertained by the In-
ternal Revenue Bureau.

Receipts for the month were $77,000
under the $1,564,134 reported for Jec-
uary, 1939.

Despite the drop in January, the bureau reported, admission tax collec-
tions for the first quarter of the current fiscal year were nearly $328,-
000 above those for the corresponding
period of 1938. From Jan. 1, 1939, to Janu-
y 1, 1939, it was stated, reve-
ues were $12,206,019, compared with
$11,878,708 from July, 1938, to Janu-
ary, 1939.

The greater part of the loss in reve-
 nue in January was in the Third New
York (Broadway) District, where colle-
tions reached the abnormally low
figure of $192,233, compared with
$101,099 in December and $447,840 in
January, 1939, as announced last week.

The drop in box-office collections from January was particularly
bad, falling by $278,792 to $447,644, but ad-
missions to roof gardens and cabaret-
ists were down nearly 75 per cent, from
$6,000,000 to $2,250,000.

Other collections in the district were $2,256 from free or reduced rate
admissions, against $5,414 in December;
$12,670 on tickets sold by brokers at
$11,172; $307 on tickets sold by proprietors in excess of established
prices, against nothing; and $8,20 from
a bill on record on lease or use of boxes and seats against $1,039.

Associates to Ask
Aid of Relief Fund

Motion Picture Associates will make formal request for a contribu-
tion from the Motion Picture Relief Fund and ask a renewed effort for welfare work. This was decided Wednesday at a meeting of the board of directors.

The Associates will also ask the major film companies to assist it in its charity work. The move for an Associates' relief fund is being held in abeyance.

At the meeting were Moe Stromer, chairman of the board; William Stein, Leo Brecher, Dave Levy and Jerome Wilson.

S. O. S. Takes Over
Superior Projector

All interests in the Superior Pro-
jector, product of Coxackie Manu-
facturing Co., which has been acquired
by the S. O. S. Cinema Supply Corp.,
Manufacture of the projector will be
continued in New York following the re-
moval of all equipment from its plant in
Coxackie, N. Y.

It has recently absorbed the Con-
solidated Theatrical Supply, and Inter-
national Theatre Accessories
Corp., in similar deals.

Lawrence Holthus Dies

CINCINNATI, Feb. 22.—Lawrence
Holthus, 36, manager of the Hiland
in nearby Ft. Thomas, Ky., unit of
Associated Theatres, was found dead
in his garage Wednesday. Working
on his car, he was apparently a victim
of carbon monoxide poisoning.
FLASHED TO THE NATION!
Postal Telegraph Special Preview Service sent the rave comments below to leading publications.

THE GOVERNOR OF IDAHO said:
"The finest I have ever seen. Outstanding picture of the age!"
—Gov. C. A. Bottolfsen

THE POSTMASTER said:
"Perfect portrayal of Rogers' Rangers. Marvelous."
—Harry L. Yost

THE EDITOR said:
"One of the grandest shows I ever saw."
—Irving Hart, Daily Statesman

ANOTHER EDITOR said:
"Spencer Tracy's strongest role. Most beautiful Technicolor job ever."
—Max G. Funke, Capital News

THE MAYOR said:
"Wonderful. Real treat for all."
—Mayor James Straight

SENATOR CARL BROWN said:
"Inspiring. Wonderful."

THE PUBLIC said:
"We'll tell the nation—it's a sensation!"

It was noisy in Boise—stars, celebrities, parades.

Thousands came from far-distant towns—

Another big M-G-M Showmanship Premiere—

To launch another socko box-office attraction!

The National Ad Campaign is starting. Get ready!

ALL RECORDS GO AS SECOND WEEK AT NEW MIGHTY CENTER THEATRE ZOOMING AHEAD OF THE IN SPITE OF SNOW, SLEET & LINES ALL THE WAY TO 5TH AVE! LINES DOWN 49TH ST! AROUND

This is an actual photograph taken at eleven o'clock in the morning of the

11th DAY

WITH THE THEATRE PACKED! AND THE LOBBIES FILLED!

Distributed by RKO RADIO Pictures, Inc.
NYC'S FIRST RAIN!

Disney's The CENT

42ND AVE. AND JAMMED AROUND THE BLOCK!
**Los Angeles**

Feb. 22. "Pinocchio," the Disney cartoon and Pantages, grossed $25,100. In the eighth week, "Gone With the Wind" drew $19,000 at the Carthay Circle and $9,500 at the United Artists.

Estimated takings for the week ending Feb. 21:

- "Gone With the Wind" (M-G-M) CARTHAY CIRCLE—(3,250) (30c-35c-42c) 7 days, Gross: $19,000. (Average, $2,714.00)
- "Pinocchio" (RKO) HIGHLAND—(2,200) (30c-65c) 7 days, Gross: $14,400. (Average, $2,057.14)
- "For Me and My Gal" (20th-Fox) CHINESE—(2,500) (30c-75c) 7 days, Gross: $13,000. (Average, $1,857.14)
- "Peg o' My Heart" (M-G-M) PANTAGES—(1,400) (30c-65c) 7 days, Gross: $13,500. (Average, $1,928.57)

**Biggest Production Year for Republic**

(Continued from page 1) nature is finished is "Forgiven Girls" with Don Ameche and Elissa Landi.


Three of the Westerns—"Pioneers of the West" with the Three Mesquitos—"Bandits," and "Mountain"—are nearing completion. Others are "Young Buffalo Bill," "Carson City Kid" and "Days of 49." all with Roy Rogers; "The Old Mill Stream" and "Caro-Una Woman" with Gene Autry; "Covered Wagon Days" and "Rocky Mountain Rangers." The Three Mesquitos and "Go Get ’Em Cowboy" with Donald Barry.

**Feature Reviews**

**"Knights of the Range"**

Hollywood, Feb. 22—Done in the best Harry Sherman production style, "Knights of the Range," from the one western specialists the veteran producer delivered to Paramount this season. Russell Hayden, the "Lucky" of the Hopalong Cassidy series, is a fine find by Victor Jory, Jean Parker, Morris Ankrum, Britt Wood, J. Farrell MacDonald, Ethel Wales, Rod Robbins, Raphael Bennett and The King’s Men.

Dealing with rustlers and outlaw ways as well as a feud between a rustler chief and a rancher who is carrying on with the girl of the cowboy and an Indian, it is one of the better outdoor action dramas. Five songs, all of the range variety, are interspersed without slowing down the movement.

Lesley Selander, who directed the film, did a masterful job in producing values.

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

"G" denotes general classification.

**"The Human Beast"**

This Emile Zola novel, the pathological study of a multiply-sinned man, has been made into a French film which is adult screen fare with an appeal for those who lean toward such brutal psychological material.

Produced by Hahkin Productions in Paris, the film stars two fine performers, Jean Gabin and Simone Simon. Jean Renoir, who directed, has built his production with the utmost concentration and a complete lack of waste motion.

The film is one example of the use of the screen technique in the portrayal of intense emotional stress and its use of the photographic facility is of the best. However, it is unraveled tragedy.

Miss Simon’s jealous husband murders her godfather when he discovers she has been in love with him. Gabin, engineer on a train, is the plot, a pessimo. Miss Simon goes to him, the two fall in love, and once again succumbing to an inherited mental disorder, Gabin murders her, then leaps from his train to death.

Running time, 80 minutes. "A"* CHARLES S. AARONSON

"A" denotes adult classification.

**"Wind" at $27,000**

**Indianapolis Lead**

Indianapolis, Feb. 22—"Gone With the Wind" took top grossing with $8,400 at the Loew’s. Dick Powell in person heading a stage show and "The Return of Dr. X" made $12,000 at the Loew’s.

Estimated takings for the week ending Feb. 16:

- "Fighting 69th" (W. B.) APOLLO—(1,100) (25c-40c) 7 days, Gross: $1,000. (Average, $142.86)
- "A Man Who Wouldn’t Talk" (20th-Fox) EXHIBITOR (Univ.)—(2,500) (30c-75c) 7 days, Gross: $13,000. (Average, $1,857.14)
- "Vigil in the Night" (RKO) CIRCLE—(2,800) (30c-45c) 7 days, Gross: $2,500. (Average, $357.14)
- "Little Old New York" (20th-Fox) INDIANA—(3,300) (30c-65c) 7 days, Gross: $1,500. (Average, $214.29)
- "Gone With the Wind" (M-G-M) PALACE—(3,800) (30c-65c) 7 days, Gross: $2,700. (Average, $392.86)
- "The Return of Dr. X" (W. B.) YVORY—(1,000) (30c-65c) 7 days, Stage: Dick Powell and vaudeville. Gross: $12,000. (Average, $2,000)

**"Girl Friday" Leads In Montreal Slump**

Montreal, Feb. 20—"Girl Friday" was top grossing with $7,000 at the Loew’s, while "The Light That Failed" took $7,000 at Loew’s.

Estimated takings for the week ending Feb. 13:

- "Destry Rides Again" (Univ.) ORPHEUM—(919) (25c-35c-45c) 7 days, Gross: $1,500. (Average, $214.29)
- "His Majesty’s Right Hand" (RKO) LOEWS—(2,800) (30c-45c) 7 days, Gross: $7,000. (Average, $2,142.86)
- "Slightly Honorable" (Univ.) LOEWS—(2,800) (30c-65c) 7 days, Gross: $1,000. (Average, $142.86)
- "Tropic Fury" (Univ.) ORPHEUM—(1,919) (25c-35c-45c) 7 days, Gross: $7,000. (Average, $2,142.86)
- "His Girl Friday" (Col.) PALACE—(2,000) (30c-65c) 7 days, Gross: $2,000. (Average, $285.71)
- "Destry Rides Again" (Univ.) PRINCESS—(372) (25c-35c-65c) 7 days, Gross: $2,000. (Average, $285.71)

**"Wind" Grosses Big $27,000, Cleveland**

Cleveland, Feb. 22—"Gone With the Wind," drawing another good $27,000 in its third week at the Stif-land, continued in an otherwise dull week here. The weather was icy and driving treacherous most of the week.

Estimated takings for the week ending Feb. 13:

- "Charlie McCarthy, Detective" (Univ.) WARNERS—(1,000) (30c-45c) 7 days, Gross: $5,000. (Average, $714.29)
- "Egyptian Queen" (M-G-M) LOEWS—(2,800) (30c-65c) 7 days, Gross: $4,000. (Average, $1,000)
- "The Fighting 69th" (W. B.) WARNERS—HIPPODROME—(3,000) (30c-45c) 7 days, Gross: $8,500. (Average, $1,214.29)
- "Linda Lovelace" (Univ.) RKO PALACE—(3,000) (30c-45c) 7 days, Gross: $13,000. (Average, $2,333.33)
- "The Return of Dr. X" (W. B.) SHERRY—(2,000) (30c-65c) 7 days, Stage: Dick Powell and vaudeville. Gross: $12,000. (Average, $2,000)
- "Gone With the Wind" (M-G-M) LOEWS STILLMAN—(1,000) (30c-65c) 7 days, Gross: $2,700. (Average, $392.86)

**"Wind" Hits $8,600 In Oklahoma City**

Oklahoma City, Feb. 22—"Gone With the Wind" took $8,600 in its third week at the Tower. With rain and warm weather other grosses were negligible.

Estimated takings for the week ending Feb. 15:

- "The Hunchback of Notre Dame" (RKO) MIDWEST—(1,919) (25c-35c-45c) 7 days, Gross: $4,500. (Average, $642.86)
- "Big Boy" (Univ.) SHERIDAN—(3,000) (25c-35c-45c) 7 days, Gross: $2,300. (Average, $328.57)
- "Raffles" (M-G-M) THEATRE—(2,000) (25c-35c-45c) 7 days, Gross: $5,000. (Average, $714.29)
- "Blondie Brings Up Baby" (Col.) TOWER—(1,000) (25c-35c-45c) 7 days, Gross: $1,500. (Average, $214.29)

**Building Is Limited In San Francisco**

San Francisco, Feb. 22—Legislation virtually limiting future construction of theatres here to Class A buildings was approved by the Board of Supervisors, over charges that small operators were being "leg-" isolated from the business.

The ordinance was supported by large downtown theatres and neighborhood courts, who emphasized that a small operator would hurt the entire industry. Representatives of small theatres appeared in mass at the Board meeting to oppose the vote, which carried 10 to 1.
The Grapes of Wrath — first opening outside N.Y.—biggest in history of Lincoln Theatre, Miami, with simultaneous opening at Surf Theatre to handle overflow. First 2 days (Tues., Wed.) equal full week for "Rains Came", "Suez", "Drums Along the Mohawk", "Stanley and Livingstone."
Critics' Quotes...

“DR. EHRlich’s MAGIC BULLET” (Warners)
Warners again display courage, teamed with finesse and good taste, in daring to photograph the life story of Dr. Paul Ehrlich, who discovered a cure for social diseases. . . . They can win an Academy Award for the film as Dr. Ehrlich—Jimmy Starr, Los Angeles Herald and Express.


Both Ehrlich and the production are successes. . . . A dignified, introspective film with a dark voice. . . . It is the restrained tone of this work which stands out above all other considerations. . . . Robinson was never better.—Philip K. Scheuer, L. A. Daily Express.

A worthy successor to “Louis Pasteur.” . . . In many ways it is infinitely better, and is, when all has been said and done, one of the best pictures this reviewer has seen many a long day.—L. A. Examiner.

“NORTHWEST PASSAGE” (M-G-M)
“Northwest Passage” can be applauded as a picture which stands practically alone in film history as heroic in theme and accomplishment—Edwin Schallert, L. A. Times.

A red-blooded, man adventure story, a picture without compromise, and with a genuine feeling that is impressive. . . . No parlor story with a romantic love interest. It is a somber, realistic, almost grim document.—L. A. Examiner.

A significant adventure story. The realism is shocking, spine-chilling. . . . Spencer Tracy (as Major Rogers) has just won himself another Academy Award, as far as I am concerned.—Jimmy Starr, L. A. Herald and Express.

“PITTSBURGH NEW YORK” (20th-Fox)
We could hardly ask for more action, yet the rather slow pace gives somewhat the impression of a lack of action.—Dorothy Guinan, Philadelphia Daily News.

History could teach many a lesson. . . . Good natured but inconsequential.—Mildred Martin, Philadelphia Inquirer.

Only a mean, cantankerous soul would refuse to admit the entertainment in “Little Old New York.” It is attended by much comedy. . . . It adds up to a good show.—Henry T. Murdock, Philadelphia Ledger.

“March of Time, No. 6” (RKO)
An inspiring and stimulating reel, the present issue of “March of Time” is a reversion and interesting picturization of Vatican City. Entitled “The Vatican of Pins XII,” the reel takes for its theme the peace efforts of Pope Pius XII. The present high interest in peace moves makes the reel timely as well as pertinent and timely.—Ontario’s Sunday Leader.

Interior scenes showing the art masterpieces, ancient libraries, crypts, grottoes and grottoes are mingled with shots revealing every-day activities of the Vatican City population. To these are added views of the radio station, railroad, postoffice and offices of the civil government. Running time, 18 mins.

“Jimmy Dorsey and His Orchestra” (Paramount)
Jimmy Dorsey, one of the leading exponents of modern swing music, here performs on his saxophone and with his band, aided by Helen O’Connell and Bob Eberly, the band’s vocalists. Followers of modern music should enjoy this with a subject. Running time, 10 mins.

“Popular Science, No. 39-F” (Paramount)
There is wide general appeal in this number of an excellent series in color. Pictured are scientific poultry raising in midwestern Chicago, the accidental discovery of an anti-lysine, the scientific aids in the kitchen, and the manner in which salmon are added over Grand Coulee dam in their annual travel to spawning grounds. Running time, 10 mins.

“Way Back When a Triangle Had Its Points” (Fleischers-Paramount)
The title of this cartoon is nearly as long as the subject. The clever touches, it recounts the story of the stone age business man who dines with the stonemonger, until his wife laughs about it. Running time 7 mins.

“Human Fish” (Paramount)
One of the Granland Rice Spotlight subjects, this features the almost incredible underwater feats of Newton Perry, 200-pound Florida lad. Perry propels himself in any direction under water with the grace and ease of a fish. With the expert Ross Allen, he goes swimming with several seals and his skill is more clearly demonstrated. Running time, 10 mins.

“Paramount Pictorial” (Paramount)
The rudiments of plane operation are shown here, as a novice flyer undertakes his first solo flight, banks his plane, and makes a perfect landing. The subject also treats, in interesting fashion, of the manufacture of men’s felt hats, following the material from the raw fur stage to the finished product. Running time, 10 mins.

Ontario’s Revenue For Year $201,000

Toronto, Feb. 22—During the current fiscal year ending March 31, next the revenue of the Ontario Government from film censorship and the licensing of motion pictures will total $20,000, according to preliminary figures presented by Premier M. F. Hepburn in the financial matter in connection with the 1942-43 budget. The revenue from this branch of the Government service for the last fiscal year totalled $200,000 and the decline is apparently due to the reduction in pictures examined by the Ontario censors because of the war situation, a ban having been placed on all pictures from Continental Europe with the exception of France.

Estimated expenditures for the current fiscal year were placed at $43,331, against $50,000 for the year ending March 31, 1941. The budget for 1942-43 provides for expenditures for censure and theatre inspection at $45,000 of which $15,000 is the principal item at $8,000 with travelling expenses at $6,000.

Seek Sunday Film Vote
Ana, Okla., Feb. 22—A petition has been filed with the Ada city commissioners asking that a special election be held on March 11 for an ordinance prohibiting operation of motion picture shows in Adas on Sunday. The question has been defeated at the polls three times previously.

Tips on Exploitation

‘Wreath’ Campaign
To Use 6,000 Sheets
Avalon, Calif., Feb. 21—The campaign on “The Grapes of Wrath,” 20th-Century-Fox film, will include 6,000 24-sheet posters in advance of pre-release engagements throughout the country. This will supplement the more than 500,000 line cooperative newspaper advertising already run over 300 engagements. This is in addition to the increased space which theaters have taken for the pre-release runs.

Box-Office on Wheels
Songs & Posters
The Walter Keeler circuit used a box-office on wheels to sell reserved-seat tickets for the engagement of “The Magnificent Adventure” at Mayfair, Ashbury Park, N. J. Accompanied by a cashier, a box-office mounted on a truck travels 42 surrounding towns. Newspaper ads are announced where it would stop in each town. Tickets were delivered to customers on the spot.

Cartoonist Out Front
In ‘Sidewalks’ Stunt
Spokane, Wash., Feb. 22—Howard D. McBride, who operates the Granada, had Walley Overman, clown cartoonist, roll cartoons at 42 stores in the downtown area and have them drawn by cartoonists of the star players in “Gone” and “Little Accident,” playing with this campaign. McBride also said the cartoonist would carry any Spokane person’s picture free. All cartoons were given away, including 500 Overman made especially for children.

8th Street Playhouse
Plays Art Galleys
A miniature art gallery where artists may display their work, will be built next week at the Eight of the Eight, 8th Street Playhouse in Greenwood Village, which is being renovated. Irving Ludewig, manager, plans periodic exhibits by members of the neighborhood. The Playhouse is operated by Rudoff & Becker.

Mayors Coming Here
In ‘Sidewalks’ Stunt
Chief executives of eight of the nine American and Canadian cities named London have announced the Paramount invitation to be guest stars in New York on a radio program tonight, in an exploitation stunt for “The Sidewalks of London.” The visiting officials will be Paramount’s guests over the weekend.

U. S. Wins Coated Paper Ad Contest
First prize in the annual competition of the Martin Cantine Co. for “outstanding skill” in the use of coated paper in film trade paper advertising during 1939 has been awarded to United Artists.

Use Wired Preview
Service in ‘Passage’
M-G-M used the Postal Telegraph Picture Service on the opening of “Northwest Passage” at the Pinney Theatre in Boise, Idaho, on Tuesday. Shortly after the show film editors in Los Angeles and other editors throughout the country received a story on the opening and comments of the film from the celebritites who attended.

Friday, February 23, 1940
Fox Bares Profits; Para. Facts Secret

(Continued from page 1)

with 487,215 shares; William Goetz, $5,283; and Joseph M. Schenck, 26,983.

The answers disclose that Twentieth Century-Fox owns 42 per cent of National Theatres Corp., with stock held by the company 50 holding 61,756,692 of $2,577,281-$2,469,341, or 62.7 per cent of the common, and 33,919,771 or 76.4 per cent of the preferred. The board of directors, in voting on the recommendation of the chairman for the distribution of the surplus, has determined that the distribution be limited to holders of the common stock only.

The additional net profits of subsidiaries for the years 1935 through 1938 were as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Gross</th>
<th>Net Losses</th>
<th>Dividends from Exhibitors</th>
<th>Net Profit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1938</td>
<td>$51,148.75</td>
<td>$1,532.50</td>
<td>$256,817</td>
<td>$769,442.50</td>
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<td>$336,193.75</td>
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<td>$828,261</td>
<td>$274,002.50</td>
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<tr>
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<td>$737,002</td>
<td>$701,132</td>
<td>$20,999.97</td>
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<tr>
<td>1935</td>
<td>$343,120</td>
<td>$510,980</td>
<td>$632,120</td>
<td>$16,140.97</td>
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</table>

Twentieth Century-Fox Distribution Corp. itemized its total gross and net profits as follows:

<table>
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<tr>
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</thead>
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<td>$2,577,281</td>
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<tr>
<td>1937</td>
<td>$2,263,281</td>
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<tr>
<td>1936</td>
<td>$1,898,363</td>
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<tr>
<td>1935</td>
<td>$1,503,383</td>
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Movietone, Inc. estimated its net worth to be $2,634,687. Its figures on total gross and net losses were listed as follows:

<table>
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<td>$1,503,383</td>
<td>$1,503,383</td>
</tr>
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Sign 200 Publicists To Studio Contracts

(Continued from page 1)

either approve the proposals or send them back to committee for reconsideration by the board of directors, a result of the changes made in the motion picture industry. The board has also recommended that the new contracts and those of other employees be submitted to the committee for review and approval.

This suggests a formula based on station's billings. It would not necessarily produce more revenue for Ascap but it would correct what the society now believes to be an inequitable apportionment of music fees between network and non-network stations.

Concern over the new Ascap contracts is regarded as the principal factor behind the recent organization of the network of their own Broadcast Music, Inc., which is designed to develop a source supply of music independent of Ascap.

Open 'Bay' in Frisco

The premiere of Walter Wanger's "House Across the Bay" will be held in San Francisco Feb. 28. Co-starring George Raft and Joan Bennett, the film is a United Artists release.

Fox Sets Chicago, New York Parleys

A program of 52 features, including four to be made in England, and 52 one-reel shorts will be announced to 280 delegates at the national sales convention of 20th Century-Fox in Chicago early in April. Date of the meeting is yet to be announced.

Herman Wobber, general distribution manager, has called an annual meeting of district managers to be held March 1 and 2 at the Park Central Hotel here. Home office executives will attend.

An increase is planned for next season in the number of Territory one-reel cartoons in color, 10 of which are being released this season.

Dinner Here Sunday
For Jewish Hospital

A large number of film industry leaders have made reservations for the 40th anniversary celebration dinner of the National Jewish Hospital at Denver, to be held Sunday night at the Hotel Astor.

The dinner will honor Paul Felix Warburg, noted philanthropist. The hospital, which is non-sectarian, is the oldest institution in the United States for the free care of tubercular poor.

Jack Cohn, vice-president of Columbia, is chairman of the banquet picture committee, and Louis Nizer, attorney, vice-chairman. Nizer will be toastmaster.

Other exhibitors in the city intend to abandon double features if the experiment proves a success, a canvass indicated.

"Mr. Smith Goes to Washington" will be the first single feature, going over the Central Park, Berwyn and La Grange B. & K. houses.

Theatre at Ford Exhibit

Additional wing to the Ford Motor Co. exhibit at the World's Fair will house an air conditioned theatre with the latest acoustic and lighting developments. Admission will be free.

Warner Doubles Mexico Business

Hollywood, Feb. 22.—Warner's has doubled its investment in Mexico during last three years, Oscar Brooks, assistant manager at Warner's branch in Mexico City, told today on his first visit to Hollywood. Brooks is here for ten days inspecting new Warner pictures.

Not only has Warners business increased but that of other majors operating in the territory have made amazing leaps and bounds and disclosed details on gross and net profits of these companies for the years 1935 through 1938. The parent company's figures were detailed as follows:

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'Bwind Surpasses $9,000,000 Gross

(Continued from page 1)

The contract sets straight time pay for the first 40 hours worked each week, $2,500 for the fourth week's work, and $3,000 for the fifth week. KKO and Universal have already signed the contracts.

B & K. Plans Test Of Single Features

(Continued from page 1)

a single feature policy as long as it is maintained by B & K.

Theatres dropping doubles are At- lantic, United, Roxy, Century, Circle, Douglas, Gold, Grand, Lindy, Marshall Square, Road, Twentieth Century, and White Palace.

Other exhibitors in the city intend to abandon double features if the experiment proves a success, a canvass indicated.

"Mr. Smith Goes to Washington" will be the first single feature, going over the Central Park, Berwyn and La Grange B. & K. houses.

Theatre at Ford Exhibit

Additional wing to the Ford Motor Co. exhibit at the World's Fair will house an air conditioned theatre with the latest acoustic and lighting developments. Admission will be free.
Radio Brevities

POPULARITY of radio programs which have no visual appeal will be tested for television by NBC next week. Last Thomas, whose nightly news commentaries are sponsored by Smooco, will be televised while broadcasters who have relied on Thursday night shows are those who are not.

The principal difficulty at present is that most popular programs, if a studio audience and NBC is not yet equipped to televise from a studio large enough to accommodate such an audience. However, when the new portable cameras are ready, they may be used in the regular studios.

Personalities in the News
William S. Hedges, NBC vice-president in charge of stations, and Leo Walleis, manager of Managed & Operated Stations, return today after a short tour of New England, Donald Cook, famous player in "Skydollar," joins the cast of "Life Begins," heard over CBS at 11:15 A.M. Monday, who will be in the studio for the holiday weekend are Richard Bradben, one of the owners of WTMJ, Charlotte, Howard Hall, manager of WIVY, Schenectady; and Herbert Hollister, manager of KANS, Wichita. Robert P. Myers, of the NBF, is going on a week's leave in the United Hospital, Fort Chester, N. Y., for an appendectomy.

Collaborate After 32 Years
Joe Howard, William Hough and Frank Adams are again collaborating on a musical comedy. Their last show, "Miss Nobody from Starland," had a long run in Chicago in 1938. Howard, now aged 73, is creator of "The Gay Nineties Review," heard over CBS.

Program News
"Columbia Workshop" will present Erellay Queen in "The Strange Case of the Leap Year Broadcast" on Thursday, Feb. 29, at 10:15 P.M. The broadcast will be in its new half-hour format preparatory to the Queen going commercial under the sponsorship of Gulf Oil when the Screen Guild Theatre discontinues for the Summer. George Meredith, Dave Ross, Ted Husing, Kenneth Roberts, Bob Trout and Howard Barlowe will participate in the show. "Radio Workshop of N.Y.U.", will present a weekly series of dramatizations over WMC at 4.30 P.M. Saturdays. The plays will be based on case records of the Salvation Army.

Opera Stars on Telecasts
Stars of the Metropolitan Opera Co. will appear on NBC's television station. W2XBS, on March 10 in connection with the network's drive to raise funds for the opera.

Telecast Basketball Games
Inter-collegiate basketball games will be telecast from Madison Square Garden starting Wednesday evening of next week. NBC disclosed yesterday, no extra lighting will be necessary.

New York Review

"Chump at Oxford" (Roach-United Artists)
A combination of typical Laurel and Hardy slapstick and some more subtle touches of comedy, this latest feature of the comedians offers a good portion of laughs and generally good entertainment.

With Hal Roach, Jr., as associate producer for his father, and under the direction of Alfred Goulding, the yarn does not lag.

As the original story and screenplay by Charles Rogers, Felix Adler and Harry Langdon has it, the two "chumps," down and out, accidentally apprehend a stickup man and go to Oxford. This is preceded by a hilarious episode wherein the two act as butler and "maid" at a swank dinner party.

Their thirst for an education results in merciless and amusing hazing by Oxford students. The highlight sequence concerns Laurel's transformation of an Oxford student, a lord, following a blow on the head, during which period he is the lord and Hardy his servant. A second blow restores him to his rightful lowly place and ends the film.

Running time, 63 minutes. "G."**

*G* denotes general classification.

British Television

Rule Out for War
London, Feb. 22—The British Postmaster General declared in the House of Commons Wednesday night that there is little likelihood of a commercial television station being licensed in this country for the duration of the war. Television falls under the jurisdiction of the Postmaster General, as do all other communication services in England.

The decision was taken despite the meeting this week of the Television Advisory Committee. Television equipment manufacturers plan a meeting shortly with the committee to discuss the possibility of television reception in the distant future.

Philadelphia Unions Settle Controversy

Peace was effected Wednesday night between two warring vaudeville and night club unions when the United Entertainers Association of Philadelphia joined the American Guild of Variety Artists as the Philadelphia local of the A.G.V.A.

The U.E.A., with 375 members, refused to join A.G.V.A. after the Associated Actor and Artists of America revoked the charter last Fall of the American Federation of Actors. A jurisdictional fight in the Philadelphia area was threatened for several months but was avoided by Wednesday's agreement. A membership meeting of the U.E.A. on Tuesday is expected to ratify the pact, negotiated by officers of the union.

Ex-Para. Executive Trust Suit Plaintiff

W. E. Smith, one of the plaintiffs in the anti-trust suit filed in Federal court at Newark early this week against the eight major distributors and the M.P.P.D.A., is a former district sales manager for Paramount.

After leaving Paramount several years ago, Smith took over the Wind- sor at West Orange, the theatre in which he tested the complaint, and operated it until recently.

Distributors named in the complaint had not been served up to Wednesday.

Ascap Writ Fights Tennessee's Law

NASHVILLE, Feb. 22.—A three-judge Federal statutory court yesterday granted Ascap's application for a permanent injunction restraining Tennessee authorities from enforcing the state's anti-Ascap law.

The application was heard by Judges Taylor and Davies of the U. S. Circuit Court of Appeals and Judge Higginbotham of the U. S. District court in Knoxville Monday. The final decree was entered yesterday. Schwartz & Frohlich, Ascap's New York counsel, represented the society.

Ascap obtained a temporary injunction against enforcement of the state law, which would have barred it from operating within Tennessee, in 1938 and this retrimmed has been in effect since.

The court's action is regarded as final since state authorities have indicated no disposition to appeal the ruling to the U. S. Supreme Court. Ascap attached the state law on the grounds of unconstitutionality. It recently won a similar decision in Nebraska.

First RKO Claim Filed

Petition for a $14,500 final allowance for services rendered to RKO during reorganization proceedings, the first application to be filed in U. S. District Court, was made Wednesday by Florence J. Sullivan, attorney. Under a court order petitions for final allowances must be filed by all parties by Feb. 29. Sullivan asked for a hearing on his application on Feb. 27 at 10 A. M.
Majors Keep Trust Replies Confidential

Advantage of the confidential clause was taken by Paramount, Warner Brothers, Twentieth Century-Fox and Metro-Goldwyn-Mayer in filing their answers to the Government interrogatories Saturday in the New York antitrust suit.

These answers cover questions numbered 25 to 39 and refer entirely to the production activity of the major companies.

RKO filed its answers to these queries on Friday, Columbia and Universal are expected to submit their answers today. It is expected that they, too, will insist that the Government respect the confidential nature of their replies.

Answers labeled as non-confidential will not be revealed until March 1, the date when the complete set of Government interrogatories must be answered by the film companies.

The first 25 questions, already answered, deal with the financial structure of the companies, the financial relationship between the various firms and their subsidiaries and the motion picture divisions, Nos. 40 to 59 concern the distribution and exhibition methods as well as the history of the companies.

Studio Unions Watch Bluff's Chicago Fate

Hollywood, Feb. 25.—With principals representing the producers and the studio unions of New York, entitled to resume negotiations over the 10 per cent wage increase were stymied over the weekend.

Both A. H. Peterson, acting chairman of the negotiating committee for the Conference of American Federation of Labor Studio Unions, and Y. Frank Freeman, head of the producers' group, were reported out of the city.

Labor circles are watching the Chicago proceedings against William Bluff, I.A.T.S.E. leader, should Bluff, due in court Monday following his release on a writ of habeas corpus, be given his freedom pending a review of his 1922 unframed jail sentence by Illinois courts, he is expected to return to Hollywood to direct the unions in their discussions with producers.

Unions on Monday are likely to renew demands for an early meeting with the producers.

Korda Will Request Court to Drop Him From Goldwyn Suit

Alexander Korda and London Films Production Ltd. on Saturday filed notice in U.S. District Court that they will apply to Federal Judge Cox for an order dismissing the suit of Samuel Goldwyn and Samuel Goldwyn, Inc., against them.

Goldwyn is suing Korda and United Artists, seeking an injunction to restrain them from interfering with the distribution of his pictures. Goldwyn contends that his releasing contract with U.A. is cancelled.

Korda's motion does not affect the suit against United Artists. He claims that the complaint fails to state a cause of action and that it does not ask for any relief against the defendants.

The application of Goldwyn to examine Korda before trial is also scheduled to be heard tomorrow before Judge Cox.

The Chancery Court of Delaware recently dismissed Goldwyn's suit against United Artists on the grounds that his suit did not include Korda as defendant.

AGVA Opens Vaude

Parleys This Week

American Guild of Variety Artists will meet this week with representatives of all Broadway houses and circuits which use stage presentations in film houses, it was decided on Friday after a conference with Irving Lesser, manager of the Roxy.

A committee representing Screen Actors Guild, American Federation of Radio Artists, Chorus Equity and Actors Equity joined Hoyt S. Haddock, A.G.V.A. executive secretary, when he called upon Lesser to start negotiations for a contract at the Roxy. After a short discussion, both sides agreed that the issue should be settled on an industry-wide basis. A tentative appointment was set for tomorrow but it is expected that this will be postponed until later this week.

Wobber West Soon

For Studio Parleys

Herman Wobber, general distribution manager of 20th Century-Fox, plans to leave next week for production conferences with Darryl F. Zanuck, at which the 1940-41 program will be set.

Plans for next year will be discussed at the district managers' conference with home office officials in New York next Friday and Saturday.

Hamilton Appointed

To Succeed Barrett

James Shelley Hamilton has been appointed executive secretary of the Production Board of Review, succeeding the late Wilton Agnew Barrett, Secretary of the Committee of Exceptional Photoplays of the Board since 1930. Hamilton had been associated with Barrett for a number of years. He is the author of juvenile books, short stories and critical articles.

Grosses on Holiday

Enjoy Smash Power

Smash grosses were recorded at Broadway boxoffices on Washington's Birthday as vacationing school children and out-of-town visitors crowded the theaters.

Fair weather, after a blizzard and a rain storm, encouraged business which continued at a steady pace throughout matinees and evening shows.

"Pinocchio," at the Center, started its third week with its best day's business thus far, an estimated $9,500 for the day. At the Roxy, "Of Mice and Men," in a stage show, completed its first week on Thursday with an estimated $56,500 for the first week. It is being held over.

The Strand drew an estimated $8,000 on the holiday with "The Fighting '69ers" and Paul Whiteman's band, bringing the fourth week's gross to an estimated $39,000. "The Story of Dr. Ehrlich's Magic Bullet" opened strong there Friday, with Tommy Tucker's band on the stage.

At the Music Hall, "Abe Lincoln in Illinois," with stage show, drew long lines all day Thursday, and grossed an estimated $20,600 for the day. The Paramount, with "Sidewalks of London," on the screen and Dorothy Lamour, Jerry Wood and Dick Stabile's band on the stage, took an estimated $10,500 for the day.

January Sees Boom

In Theatre Building

Theatre construction started the year with an optimistic pickup of more than $500,000 over the total reported for the first month in 1939, according to a summary by Dodge Reports for the 37 states East of the Rockies.

January, 1940, contracts for new houses and major alterations made 37 states and involved 37 projects at a valuation of $1,340,000. They include 165,000 square feet of space.

In 1939, January contracts were for 47 theatre projects with 153,000 square feet, totaling $811,000.

Disney Plans

Stock Issue

Of $3,800,000

First Public Financing: Confers with Bankers

First public financing for Walt Disney Prod. will be undertaken this Spring with the offering of a $3,800,000 issue of six per cent convertible first preferred stock, if negotiations now under way here are consummated.

Roy Disney, business manager of Disney Prod., is in New York completing negotiations with bankers on the new stock offering. He stated over the weekend that he does not expect the negotiations to be completed during his current visit. He plans to leave for the Coast at the end of the week.

Disney said that the projected new financing was made necessary by the transition of Disney Prod. from "a little business to big business." He pointed out that the company's new Burbank studio is being completed at a cost of $3,000,000 and that production, including new feature cartoons, are under way now on a scale which will keep the company busy for the next five years.

The company has ample cash for current needs, it was said, but the studio expansion and long-range production plans make the new financing advisable.

Disney declined to divulge details of the new financing, stating that with negotiations still incomplete and with the approval of the Securities & Exchange Commission to be obtained thereafter, discussion of the financing at this time would be pointless.

CEA to Ask for 40

U. S. Films Annually

Los Angeles, Feb. 25.—Cinematograph Exhibitors Association has asked the British Board of Trade to insist on at least 40 American-sponsored films a year and 40 independent productions.

The exhibitor group also asks that new legislation call for an exhibitors quota not to exceed 10 per cent, and a prohibition on the acquisition of British film theatres by foreign interests.

American interests here are expected to ask the Board of Trade to fix a definite figure to serve as the film quota with a monetary basis, in stead of the present footage arrangement.
Theatres Continue
Finn Aid Drive

So great has been the demand from theatres throughout the country to continue the drive to assist the Finnish Relief Fund, requests have been received from headquarters from hundreds of them requiring a permanent presence of the drive. In many instances theatre owners themselves have extended the period of collections for a full week. We would welcome a drive from any theatre that did not participate in our current campaign.

"Any theatre may obtain coin collection boxes and banners for the drive by applying to Vincent G. Harman, 20th Century-Fox, Motion Picture Art, 420 Lexington Ave., Room 426, New York City.

It was announced yesterday that Jay Emanuel of Philadelphia and John H. Harris of Pittsburgh accepted Hoover's invitation to serve as chairman of the Motion Picture Drive in their respective cities. More than 500 prints of the short subject "Finland Fights," now in circulation, will be sent to the exchanges to be spliced in the film. The error caused the national release date of Feb. 10 to be postponed.

Zanuck Stock Shift
Reported by S. E. C.

WASHINGTON, Feb. 25—Filing of a related report by Harry G. Zanuck, 20th Century-Fox, vice-president, showing the transfer in October, 1939, of 30,000 shares of common stock to irrecoverable trusts, was disclosed in the final December summary of the Securities and Exchange Commission. The transfer was made by Zanuck and reported were the acquisition by J. Chee-

Wanger's $1,000,000
Libel Suit Dismissed

Appellate Division of the N. Y. Supreme Court Friday reversed a decision which had upheld the $1,000,000 libel suit against Walter Wanger and Walter Wanger Productions, Inc., against the News Syndicate Co., Inc., publisher of the "Daily News," and Ed Sullivan, columnist, and dismissed the complaint.

The high court ruled that Sullivan, in a "Daily News" article which had discussed the Goldwyn dispute with United Artists, did not libel Wanger without proof by libel of damages caused by it. The suit claimed that the article implied that Wanger produced inferior pictures.

Arthur Israel, assistant to Barney Balaban, Paramount president, is confined to his home with influenza.

Harlan Thomas, Paramount producer, is in town from the Coast for a three-week vacation.

Rooney Bush, 20th Century-Fox exploitation and publicity manager, returns from Florida today.

William D. Kelly, head of the M-G-M film department, observed a birthday yesterday.

Joe J. Lee, 20th Century-Fox branch sales manager here, returns from Miami today.

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Paramount Officials
To Combat Neeley Bill

No definite plans for combating the Neeley Bill at Washington were de- veloped by Paramount theatre associates who met with the home office executives in Miami, according to Leonard Goldenson, home office manager. But, it was stated, this will be worked out later, and it will be done locally, within the confines of individual partners' opera-
tions, with the individual operators believing best adapted to their locality.

The meeting was attended by Paramount theatre operators from virtually every section of the country and was conducted by Barney Balaban, Paramount president, from his office, in addition to Goldenson, Nei-

Barney Balaban
Is Due Tomorrow

Barney Balaban will return to New York tomorrow following a much-needed vacation in Florida. Balaban went to Palm Beach from Miami for the weekend and returned yesterday.

His return assures a meeting of the Paramount board for Thursday, after the postponement of last week's meeting.

Stanton Griffis, chairman of the Paramount executive committee, plans to leave for Florida at the end of the week for a month's vacation.

Rites for Weber

Funeral services were held Friday in New York and district managers and other theatre executives attended the conference this week in Miami Beach. A "discussion of general policies" will be held.

Roosevelt in Philly

PHILADELPHIA, Feb. 25—James Roosevelt, son-in-law and exhibitors here prior to leaving for the Coast. He refrained from mentioning his plans to produce films for automatic machines in public places.

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WANTED
SCRATCHED FILMS

You can get extra revenue out of your prints by returning them to your motion picture supplier and getting new prints. A recent Philadelphia supply house is going to try the new idea. Telephone C-6-7677 for your new prints.

AMERICAN RECONO, INC.
245 WEST 55TH ST., NEW YORK, N. Y.

Motion Picture Daily
Monday, February 25, 1940

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Paramount officials

Barney Balaban

Paramount Officials

Robert T. Kane, in charge of British production for 20th Century-Fox, plans to return to England about March 15.

Dean Banker, M-G-M manager in Colombia, returned to his post Friday from the Santa Elcove after a vacation here.

Arch Herzoff of the B & K publicity office in Chicago is in the Michael Reese Hospital for a physical checkup.

Harry Ham, managing director of Myron Selznick, Ltd., sailed on the Manhattan for his post in London.

E E. Kirkland, of Columbia's foreign public relations department, and Angela Elmgard were married on Thursday.

E. B. Hatrick, vice-president of Contemporary Productions, leaves for Coast for conferences this week.

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Finn Aid Drive

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"It Happened One Night"....

"Mr. Deeds Goes To Town"....

"The Awful Truth".........

"You Can't Take It With You".

"Mr. Smith Goes To Washington"

...proudly presents one to rank with its distinguished predecessors!
WESLEY RUGGLES' 

Too Many Husbands

starring

JEAN ARTHUR
FRED MACMURRAY ★ MELVYN DOUGLAS

Directed by WESLEY RUGGLES • Screen play by CLAUDE BINYON
Based on the play by W. Somerset Maugham
Hollywood Review

“Mystery in Swing” (International Roadshow)

HOLLYWOOD, Feb. 25—Excellently contrived entertainment for the Negro theatres for which it is intended, “Mystery in Swing” contains just what the title implies, being a murder mystery based on the use of a poisoned mouthpiece in a trumpet belonging to a swing musician.

The screenplay by Arthur Hoerl, with additional dialogue by F. E. Miller and William Werckentheim, handles the mystery element more than adequately, while the comedy relief and musical sequences, the latter contributed by “The Four Toppers” and Ceepee Johnson and his New York Venture.

In the all-colored cast, F. E. Miller and Buck Woods, as a police sergeant and the valet-friend of the murdered man, respectively, are responsible for the majority of the humor, while Monte Hawley, Marguerite Whitten, Tommie Moore, Edward Thompson and Jess Lee Brooks are effective in leading roles.

Arthur Dreifuss, as producer and director, and Rudolph Brent, as associate producer, have balanced the mystery and comedy elements well, and retained pace and showmanship throughout.

Running time, 75 minutes. “G.”

WALTER SEDLEN

Urges Trade Donate Ambulance to British

JACK Davis, head of Monseigneur News Theatres, Ltd., of England, has written Will H. Hays, president of the M. P. D. A., suggesting that the sale of film stock to the film industry in Great Britain, donate an equipped field ambulance to the British Red Cross.

David, who is residing temporarily in the United States, wrote Hays that this would be “a gesture in the promotion of goodwill as well as in the service of humanity.”

His letter continued: “It is felt by a number of people in the business here who are from England or who deal with Great Britain that this would be graciously accepted by the British people and might serve the purpose of a generous contribution in this time of stress and that it would serve greatly in cementing relations between the industries of the two great democracies.”

Rockefeller Grant To Study Film Music

A grant of $30,000 for a two-year study of music in film production has been made to the New School for Social Research by the Rockefeller Foundation. Conducted by Professor Hans Einder, German composer, with the cooperation of the RCA and the Philharmonic Orchestra, the study is the first of its kind. Einder plans to examine the possibilities of new musical forms in film production, the relationship between music and dialogue, and the use of music and choruses.

A final report will be published.

Photography Nominees

HOLLYWOOD, Feb. 25—“Wuthering Heights” and “Stagecoach” have been nominated for the Academy Award for outstanding black-and-white photography. "Stagecoach" and “Gone With the Wind” and the “Private Lives of Elizabeth and Essex” have been nominated for the color category. Directors of photography of all studios participated in the voting for the nominations.

N. J. Allied to Meet

Allied Theatre Owners of New Jersey will convene tomorrow in its offices in the Sardi Building. A buffet luncheon will precede the meeting.

Ascap Undisturbed By Arrest of Buck

Ascap officials here said they felt no concern over the outcome of charges against Gene Buck, Ascap president, by Montana officials and resulted in Buck’s arrest in Phoenix, Ariz., late last month.

The music society has been engaged in litigation with Montana state officials since the enactment several years ago of an anti-Ascap law there. A previous attempt by Montana officials to cause the arrest of Ascap officers here in New York did not result.

The warrant was sent to Phoenix where Buck is recuperating from an illness and has served by local police. The Ascap president was released on $10,000 bond.

Gov. Ayers of Montana tomorrow will render his decision on the request for extradition of Buck. Ayers indicated Friday that unless the County Attorney here finds evidence he probably would deny the request.

At Phoenix, Ariz., meanwhile, Peace Justice Henry Westfall has set March 5 as the date for hearing on the fugitive warrant. He also reduced Buck’s bond from $20,000 to $750.

Movie Ball of TTO Set for March 23

Seventh annual “movie ball” of the New York I. T. O. A. will be held May 15 at the Hotel Astor. David Weinstock, vice-president, is again chairman of the committee on arrangements. It has been decided to hold only the inception of these affairs.

Plans for the ball will be discussed at the next meeting of the organization March 6 at the Astor.

Start Drive on Bingo

COLUMBIA, Pa., Feb. 25—Acting on orders of District Attorney K. L. Sharp, a notice was served on operators of Bingo games that they would be prosecuted if they advertised their games. Although none of the local film houses uses Bingo, local newspapers have been running advertisements of Bingo games. The district attorney’s office announced that a number of complaints had been received by the state Motor Police from Harriburg about Bingo games here.

Republic Copyright Suit

Copyright infringement suit against Republic Productions, Inc., Republic Pictures Corp. and Republic Theatre Exchange, Inc., was filed Friday in U.S. District Court by Marquita James, author of “The Raven,” a biography of Sam Huston. Plaintiff claims that Republic’s film, “Man of Conquest” infringes upon his biography.

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Plans for the ball will be discussed at the next meeting of the organization March 6 at the Astor.

Start Drive on Bingo

COLUMBIA, Pa., Feb. 25—Acting on orders of District Attorney K. L. Sharp, a notice was served on operators of Bingo games that they would be prosecuted if they advertised their games. Although none of the local film houses uses Bingo, local newspapers have been running advertisements of Bingo games. The district attorney’s office announced that a number of complaints had been received by the state Motor Police from Harriburg about Bingo games here.

Republic Copyright Suit

Copyright infringement suit against Republic Productions, Inc., Republic Pictures Corp. and Republic Theatre Exchange, Inc., was filed Friday in U.S. District Court by Marquita James, author of “The Raven,” a biography of Sam Huston. Plaintiff claims that Republic’s film, “Man of Conquest” infringes upon his biography.
Radio

Brevities

WILLIAM S. PALEY, active head and largest individual stockholder in the newly organized Mutual Broadcasting System, which signed a new five-year contract to serve as the network's president, it was revealed yesterday by Mr. Paley in a registration statement filed last week with the S.E.C. Friday, Paley declared his intention of selling 29,000 shares of his Class A stock and 80,000 of B stock.

The sale will reduce his holdings from 448,636 shares, or about 26 percent of the firm's total, to 348,630, or about 20 percent.

The registration statement also sets forth that the total wages of the network's 119 stations is $917,700,000 as compared with $99 stations with $27,700,000 five years ago.

Personalities in the News

Jennings Pickering, director of education for the NBC western division, speaks tomorrow during the celebration of the 50th anniversary of the Home Economics Department of Oregon State College.

Mississippi School Board next Sunday on "Fifth Row Center" in a dramatization of "Lincoln, the President" over Mutual. Arturo Godoy, heavy weight prizefighter, will be guest at Al Pearce Wednesday at 8 P.M. over CBS. . . Kate Smith has signed an exclusive contract with Columbia Records. The agreement calls for 24 sides to be made during the year.

"Town Meeting" for Educators

Responding to the request of the American Association of School Administrators, NBC is not only taking its "American Town Meeting of the Air" to the St. Louis convention of the 16,000 educators but is also putting on special school shows from NBC. On Wednesday, Feb. 26, a recording of the "Town Meeting" which discussed the American youth problem will be played before a special audience of 20 Missouri high school students. The educators will watch the proceedings and will have an opportunity to discuss at the end of the recording.

Program News

Don Ameche's new show for Old Gold cigarettes will be carried by 62 NBC-Red stations when it starts Friday, April 5, at 10 P.M. The program will originate from Hollywood with a guest star policy. Lumen & Mitchell is the agency. . . Sterling Products will add six more stations for "Court of Missing Heirs" tomorrow to bring the total to 67 CBS stations. . . Studiosmoker Corp. will sponsor a twice-weekly transcription series over WJZ beginning Tuesday, March 5. Richard Himber and his Studebaker Champions will be heard Tuesdays and Thursdays from 6:30 to 6:45 P.M. . . Bally's is adding four stations for "Special Edition" to bring the total to 54 CBS stations.

American Home Products will switch "John the Other Wife" and "Just Plain Bill" from NBC-Red to NBC-Blue on Friday, March 22. Both will be heard Mondays through Fridays with "John the Other Wife" heard from 3:30 P.M. to 3:45 and "Just Plain Bill" following it for an additional 15 minutes.

Theatrical Seeds

Albany, Feb. 25.—George Seed, manager of Fabian's Harmanus Beebe, home of games, has come over from a motion picture and theatrical family. His brother Harry is a Warner exchange manager. Dave Seed was in vaudeville for many years with Gus Edwards, and his cousin, Phil, is a motion picture hit maker.

Two cousins, Ben Miggins and Mike Miggins, Continental managers for 20th Century-Fox in Europe and studio manager for M-G-M respectively.

Asks Weber Action In Warner Strike

PHILADELPHIA, Feb. 25.—A resolution serving an ultimatum on Joseph N. Weber, President of the American Federation of Musicians, to take action "at once" against Warner Theatres was passed Friday at a special member-ship meeting of Local 77, A.F.M., which has been on strike against the Warner circuit for almost four months now. The original intention was to demand a national strike against Warner's under threat of bolting the Federation and possibly joining with the CIO. However, local administration frowned upon such a drastic measure and advised the membership that a petition giving expression of the temper of the members would have the desired effect.

Films as Education Aid Are Emphasized

ALBANY, Feb. 25.—Bureau of Radio and Visual Aids of the State Education Department held open house conferences here Friday and Saturday to bring home to school administrators, supervisors and teachers from all over the state the value of films as an educational aid. State education officials displayed several films as part of the campaign.

Buy Story for Laughton

HOLLYWOOD, Feb. 25.—Half a Rogue," Garrett Fort original, has been purchased by RKO as a vehicle for Charles Laughton. Erich Pommer will be in charge of production. "One of Six Girls" is Laughton's current film.

Warner Explains Drama Financing

Warner's backing of such plays as "Romero and Juliet" is purely a financial venture and has no relation to its film producing activities, said S. J. Einfeld, Warner's director of advertising and publicity, before leaving for the Coast Friday night.

The company's legitimate production department is preparing to stage the Shakespearean drama on the Coast with Laurence Olivier and Vivien Leigh as the leads, while the producer himself will be in charge of production.

"Irene" Ad Agency

Barrett McCormack, RKO director of advertising and publicity, has named Buchanan and Co., advertising agency, to handle the RKO ad campaign on "Irene."
Critics Vote ‘Chips’ Best 1939 Picture

Donat, Bette Davis Win Performance Awards

HOLLYWOOD, Feb. 26. — “Goodbye, Mr. Chips” was voted the best picture by 600 newspaper critics in the annual poll conducted by the Newspaper Film Critics of America. Only films generally shown before the New Year were included in the seven classifications.

Best performance by an actor was that of Robert Donat in the winning film, and the best actress was Bette Davis in “Dark Victory.”

Second and third choices in each of the three classifications were: “Mr. Smith Goes to Washington” and “Wuthering Heights,” in that order, in the first group; Jimmy Stewart in “Mr. Smith Goes to Washington” and Spencer Tracy in “Stanley and Livingstone” in the second group, and Greta Garbo for “Ninotchka” and Rosalind Russell for “The Women” in the third classification.

Results of the poll were announced here by Merle Potter, film editor of the Minneapolis Timer-Tribune. Awards will be presented to the winners shortly, according to Harry Martin of the Commercial-Appeal, Memphis, president of the critics’ organization.

Best performance by a male sup.

(Continued on page 9)

AGVA Wins Strike
At Harlem’s Apollo

First strike of the American Guild of Variety Artists against a New York theatre was called. Saturday night against the Apollo, in Harlem, and was settled Sunday night with the signing of a 10-month contract. Leo Broder owns the Apollo.

The contract provides that all performers in the stage show must be AGVA members; chorus girls are guaranteed to receive $30 weekly as minimum with minimums for principals fixed at $40. Rehearsal hours are limited to 14 hours per week, and extra pay is provided when there are more than 30 shows in a week. Chorus girls may not be discharged without consulting the union. The contract expires on Dec. 31.

Hoyt S. Haddock, AGVA executive secretary, declared yesterday that negotiations with representatives of all Broadway presentation houses

(Continued on page 2)

Week-End Grosses
Firm on Broadway;
Hold-Overs Strong

New films and holdovers drew strong grosses across Broadway over the weekend. At the Music Hall, the first four days of “Abe Lincoln in Illinois,” with stage show, took an estimated $30,000, and the film will be held for a second week.

“The Story of Dr. Ehrlich’s Magic Bullet,” with Tommy Tucker’s band on the stage, started big at the Strand where it grossed an estimated $28,000 for the first three days.

“Seventeen” will open Wednesday at the Paramount after two weeks for $40,000, the biggest allowance given Dorothy Lamour, Barry Wood and Dick Stabile’s band on the stage. The latter film drew an estimated $16,000 over the weekend and should finish its second week tonight with an estimated $37,000.

Ending its fifth week at the Kivoli, “The Grapes of Wrath” should produce an estimated $38,000, about $5,000 ahead of the fourth week. “Gone With the Wind” grossed an estimated $60,000 for its 10th week at the Capitol while it continued at capacity at the Astor for an estimated $22,000. “Northwest Passage” will move into the Capitol on March 7 while “Gone With the Wind” remains at the Astor.

A big matinee trade on Washington’s Birthday helped swell the third week gross for “Pinocchio” at the Roxy, which should pass an estimated $44,000 for the third stanza.

At the Roxy, “Of Mice and Men,” with a stage show, grossed an estimated $27,000 for Friday, Saturday.

(Continued on page 2)

Current Plays Offer Scant
Film Material, Says Wallis

Hal B. Wallis, Warner executive producer, before leaving for the Coast last night, said that Broadway at present offers little play material suitable for films. He mentioned “Life With Father” as one that would be adaptable to films, but did not say whether Warners are seriously considering purchasing the rights.

Wallis was here a week during which he saw plays and conferred on other story material. He said conferences on next season’s product will start in about three weeks when Gladwell L. Sears, general sales manager, will arrive at the studio.

Wallis will return East in May for further conferences and a vacation in Maine and Quebec prior to the annual sales convention.

This season’s production will be completed by June, said Wallis, “Life of Freud” is being written for Edward G. Robinson, to go into production after “Brother Orchid.”

By next fall the studio will have six or eight of next season’s pictures completed, said Wallis, “The Male Animal” will not be made until after the run of the play. Wallis conferred with Elliott Nugent, one of the authors and principal actors, about directing the picture for Warners, but nothing was decided because the film is not expected to be made for another year at least.

Coast Union Chiefs
Fly to Meet Boff


Boff today won a nine-day postponement of his hearing, scheduled today, on the writ of habeas corpus under which he is free pending disposition of his 1922 conviction. His hearing is scheduled March 5.

UA Schedule Same
With Stahl Deal Set

John M. Stahl’s deal for the production of three pictures to be released by United Artists is scheduled to be closed this week in Hollywood.

Stahl, detailed in New York for several weeks by an illness, will leave for the Coast today to close the deal with Maurice Silverstone, United Artists chief executive, who has been there for several weeks on production conferences.

Addition of Stahl to the United Artists producer ranks will give the company approximately 28 or 30 pictures for release next season, about the same number as are scheduled for the current season.

Final details of the new production schedule are being worked out this week in Hollywood by Silverstone.

Plans for the company’s annual sales meetings are being arranged there by Harry Gold, vice-president and Eastern sales manager. Indications are that the meetings will be held in Chicago and New York the first week of May.

Government Must Offer
Bills of Particulars

NASHVILLE, Feb. 26. — Defendant film companies’ motions for bills of particulars from the Government in the latter’s anti-trust suit here against Crescent Amusement Co. and the major film industry were granted in large part in decisions handed down today by U. S. District Judge Eimer Evans.

Further action in the local suit is deferred for at least three months due to the fact that Judge Davies’ orders give the Government 45 days in which to furnish the particulars ordered and give the defendants 45 days thereafter to which to file answers to the Government’s complaint.

In addition to their victories in the motion for more definite statement and bills of particulars from the Government, the defendants also won a motion to exclude one section of the Federal government. This related to exhibition practices in this area such as cut-rate admissions, moveable theaters, and the effect of which, the Government alleged, was to put competitors out of

(Continued on page 4)

Trust Rulings Favor Majors
At Nashville

Trust Suit Replies
Face Court’s Study

The Government’s answers to defendant companies’ interrogatories in the New York anti-trust suit, which are scheduled to be filed here Friday, may be subjected to an appraisal by the Federal court thereafter if they fail to provide the information sought by the defendants.

The same is true of defendants’ answers to the Government’s interrogatories, the last of which are scheduled to be in the Government’s hands also by Friday.

Some industry attorneys hold that any application for court review of the answers will provide the first definite indication of whether or not the trial of the suit actually can be begun on May 1. Any extended contest over the answers, they said, would unduly delay start of the trial.

Columbia yesterday was given until March 8 to file its objections to the Government’s interrogatories, which originally were due today. That is the same date on which the Government is slated to file its counter objections to Columbia’s interrogatories.
More Time Allowed To File RKO Claims

Time for filing petitions for allowances for services performed in the reorganization of RKO will be extended by Federal Judge Bowly from March 10 to March 12.

The extension was asked by Irving Trust Co., RKO reorganization trustee, and Alis Co., president of the reorganization plan, which with their counsel, Donovan, Newton, Lebanon & Shack, respectively, were unable to complete their seven-year service records on which their applications for allowances will be based, within the time originally prescribed.

Alas may ask for compensation in the form of new RKO common stock in an amount to be approved by the court. Provision for this was made in the RKO reorganization plan.

Irving Trust will file its final report as RKO trustee in conjunction with its application for allowances. Interim payments have been made from time to time during the reorganization to both Irving Trust and its counsel.

AGVA Wins Strike At Harlem's Apollo

(Continued from page 3)

would have to start this week. If no appointment can be arranged within that time, Haddick said, the union would insist that the Roxy negotiations be started separately.

AGVA received pledges of support from the Hotel and Restaurant Workers International Union and the N.Y. Hotel Trades Council, in the organization of the night life and hotel field. The drive against hotels is scheduled to start later this week.

the coast with his mother and his teacher, FLETCHER CLARK.

MARTIN QUIGLEY leaves Hollywood today on the Super Chief after a stay of three weeks on the Coast.

H. M. Richey of RKO has left for Columbus, where he will address the I.T.O. of Ohio convention tomorrow.

WILMA FREEMAN of Warners publicity department is confined to her home with a fractured ankle, suffered while leaving a taxi-cab.

TRUMAN H. TELFORD, general manager of Movietone News, returns Thursday on the Coate de Savigny from an extended European visit.

AL ROSEN, manager of Loew's State, is recuperating from a relapse and expects to be back on the job in a few days.

NATE J. BLUMBERG, Universal president, will arrive in New York today.

JAMES R. GRAINGER, Republic president, left Hollywood yesterday for San Francisco on a business trip.

GEORGE STEVENS, director, arrived from a vacation last week for the short stay.

Mr. and Mrs. Hugo Mayer are vacationing in Havana.

Sacrilegious Laugh

London, Feb. 16 (By Mail) — WESTON super-Marle, populous coastal resort in the West of England, must not laugh at its films on Good Friday.

It appears there, while agreeing that film houses might open in the town on that day, asked one exhibitor to find another film to replace the one he intended showing, "The Day the Bookies Died". They had previously banned a comedy for Christmas Day showing.

Equity Plans Drafts For Changes in 4A

Recommendations for specific changes in the setup of the Associated Artists and Artists of America were made at a special meeting of the Artists Equity Council Thursday but no announcement of the changes demanded was made. The statement after the meeting said: "The National American Federation of Radio Artists, and Screen Actors Guild "would be given an opportunity to answer the . . . amendments and studies on the 4-A internal difficulty is far from settled.

The Equity council has had a special committee to work out relations with the 4-A for several months as a result of considerable dissatisfaction with the operations of the parent body. Recently the S.A.G. threatened to sever its relations with the 4-A because of delay in formulating a plan for "one big union." After conferences on the coast, it was reported that the differences had been settled.

Equity is not satisfied with the high cost of operations in the 4-A and the manner of allocation of the debt incurred during last Summer's jurisdictional battle with the I.A.T.F.S., union sources said.

Week-End Grosses Firm on Broadway

(Continued from page 1)

and Sunday in its second week. "The Blue Bird" will open there on Friday.

A house that opened at the 55th St. Playhouse on Washington's Birthday when "The Human Beast" (June) grossed an estimated $1,000 on its opening night "The Long Islander" at Oxford" drew an estimated $8,300 for the week and was replaced by a revival of "Hell's Angels." The Globe drew an estimated $6,500 with "East Side Kid.

New Times Square Theatre Opens Soon

Construction of the new 600-seat New York Theatre, latest addition to Times Square, is expected to be completed in time to open during Easter Week. It occupies the site of the old George M. Cohan Theatre, whose lease has been leased by Consolidated Amusement Enterprises, Inc.
“Let Junior tell them!”

“It’s the best short subject idea in years. I’m proud of Junior!”

PETE SMITH’S newest
fun specialty is audience joy!

“WHAT’S YOUR I. Q.?”

It’s a brand new twist on audience participation in a Screen Quiz. They won’t care whether they know the answers or not because the gags and surprises come thick and fast. It was previewed on the West Coast and it left the audience limp. Here’s how to put the folks in a happy mood for the entire show. Another Pete Smith showmanship coup for M-G-M. (No wonder Leo Junior, was voted best producer of Shorts in the industry in M. P. Herald and Showmen’s Trade Review poll. And Pete Smith’s Shorts led Leo Junior’s success parade.)
Motion Picture Daily

Ohio ITO Parley Tomorrow To Study Television Threats

COLUMBUS, Feb. 26—There are 18,000 restaurants and bars in Ohio which are potential receivers of television programing. The Ohio ITO, in concert with the Public Utilities Commission, will study the present possible future competition to the, according to Martin G. Schrader, president, CTT.

In a bulletin outlining subjects to be discussed at the seventh annual convention of the ITO, at the Neil Hotel on Wednesday and Thursday, the statement is:

"With the announcement that commercial television is coming to the American market, it creates a vast new field of competition to motion picture theaters. He suggests that the theater people are being told that will "place theatres on at least an equal footing" with prospective television competitors.

A Abram F. Myers, general counsel of Allied States, and H. M. Ritchey, director of exhibitor relations for RKO, will address the speakers.

Charles L. Casasone, vice-president and general manager of Advertising Accessories, Inc., will discuss the aims of the new National Screen Service subsidiary.

The practice of Ohio authorities in permitting "charity bingo" while prohibiting cash giveaways in theaters will be debated. Smith declares that the 1939 bingo parlor licenses issued by the City of Cincinnati took in $2,000,000 with a consequent loss in business to theatricals. He believes that this licensing feature is likely to spread to other cities in the State.

Carlton S. Dargusch, counsel to the ITO, will discuss the need of the taxpayer to force the collection of a sales tax from exhibitors. This subject involves about $3,000,000 in back taxes.

Among other subjects selected for open forum discussion are: "Forcing of Sunday playing time on percentage pictures; cancellation privileges and the "non-forcing" of shorts and newsreels; possible effects of passage of the Needy bill on independent exhibition; growth of 16mm. exhibition, and advertising.

Justice Arthur H. Day of the Ohio Supreme Court will be toastmaster at the banquet Wednesday night. Officials and directors will attend the final session Thursday. Ten companies will exhibit theatre equipment and accessories.

Harriscolor Films Reorganization Set Harriscolor Films, Inc., has been organized through the initiative of creditors and stockholders, according to Emil K. Ellis, attorney.

Ellis says that a decree will shortly be issued by the bankruptcy court at Wilmington, Del., to discharge the company from receivership. The company, with the color film release and the Coast about eight years ago and discontinued operations four years ago continues receivership.

Harriscolor was organized by Joseph B. Harris, Sr., who died last December. J. B. Harris, Jr., is now president.

Vancouver May Cut Building of Theatres VANCOUVER, B. C., Feb. 26—Vancouver's City Council is considering whether to limit construction of theaters by assigning per capita quotas on maximum number of seats to be allowed in any district in the city.

The president of the British Columbia Theatre Association spoke for suburban owners in recommending such a measure pointing out that there is now one seat for every seven persons in the Vancouver area. New theaters are continually being built in spite of the fact that the city is already over-seated, he said.

Dismiss Mississippi Action on Bank Night GULFPORT, Miss., Feb. 26—Chancellor D. M. Russell in Chancery Court has dismissed the suit of J. L. Whall, patron, against the Saenger Theatres, Inc., challenging the legality of Bank Night as conducted by them in its Gulfport theaters.

Whall brought suit to recover $3,000 in admissions allegedly paid by himself and 'others' and sought to have Bank Nights stopped on the ground that it is a "public nuisance."

Canada Plans Films On Activities in War TORONTO, Feb. 26—With the appointment of G. Herbert Lash, former newspaperman, as director of public information, the Canadian Government has launched a film production program under the sponsorship of the Board of Information and the National Film Board.

One picture will be released each month dealing with Canada's wartime activities. The official series will include "Private Lives," depicting the activities of Canadian troops now in Europe; "Atlantic Patrol," dealing with naval and air forces along the Atlantic Seaboard; "Canadian Women in War," "Empire Air Mail in Canada." Various companies dealing with industries and Government bureau operations.

Protection Is Asked On Drive-In Theatre MILWAUKEE, Feb. 26—Local exhibitors will press protection on clearance over the new $30,000 drive-in theatre being erected in the town of Brookfield, it was indicated following a zone meeting of the I.T.P.A. of Wisconsin at the Hotel Hilton in Beloit.

The meeting was attended by independent exhibitors operating in the area affected by the new project, and the general opinion was that the theatre be prohibited because the product until it had cleared Milwaukee.

Reuben Samuels Buried Funeral services were held yesterday for Reuben Samuels, 62, head of the film insurance concern bearing his name, who died Friday in Atlanta. Burial was at Union Field Cemetery, Queens.

34 New Films Now Shooting On Coast Lots

Hollywood, Feb. 26—Thirty-four pictures were before the cameras this week as started and seven finished. Nineteen were in final preparation stages, two being edged. 


Finished—"40 Little Mothets."


Started—Andy Hardy Meets a Debutante."

Monogram

Finished—"Covered Wagon Trails," "Son of the Navy."

In Work—"Salt Loser,"

In Work—"Our Town." PARAMOUNT

In Work—"Destiny," "The Ghost Breakers."

RKO

In Work—"You Can't Fool Your Wife," "The Saint Takes Over."

Finished—"Rancho Grande," "The Dark Command," "Ghost Valley Raiders."

Roach

Started—"Turnabout."

Small

In Work—"Sword and Scapego."

20th Century-Fox

Finished—"Earthbound," "Star Dust," "Charlie Chan's Cruise."

In Work—"Lillian Russell, "On Their Own."

Started—"Maryland."

In Work—"It's a Date."

Small

In Work—"The Sea Hawk," "All This and Heaven, Too," "An Angel From Milwaukee." Started—"Flight Eight."

RKO Disputes Facts In Article on Welles

Representatives of RKO's legal department have advised the Saturday Evening Post that certain parts of that magazine's story about Orson Welles, carried in the issue of Feb. 17, were erroneous. Not only is the Orson Welles contract in effect but RKO has not "bought itself off for $1,000,000" and "no budget of over $1,000,000 on Welles' picture has ever been submitted."

The article to which RKO takes exception was written by Alva Johnston and Fred Smith.

Critics at Ampa Meeting

Kate Cameron, film critic of the News, on occasion of the meeting, will wish Frank S. Nugent of the Times goodspeed on his forthcoming departure to the Coast, at the Ampa meeting at Jack Dempsey's restaurant Thursday noon. Nugent leaves short for the 25th Century-Fox studio where he will start on a writing contract.

UA Schedule Same With Stahl Deal Set (Continued from page 1)
WHEELING, W. VA.
Opening gross "My Little Chickadee" surpasses all previous record holders including "My Man Godfrey" "Magnificent Obsession" "Showboat"!

"A fantastic burlesque of the Westerns... delightfully absurd!"—Chicago Daily News

ROCHESTER
A smash week at the Palace and holding over for 2nd week!

"Chickadee" "Fields and West run riot in 'My Little Chickadee'!"
—Washington Times Herald

MIAMI
"Chickadee" held over at Keith's... heading for third smashing week!

"A hefty package of lusty humor that will click for surprising grosses...!"
—Variety

WASHINGTON
"Chickadee" tops "Destry Rides Again"! at the Indiana Theatre by better than 25%!

"Box office power!... West-Fields combination can't miss!"
—Daily Variety

ROCKFORD, III.
"Chickadee" tops "Destry Rides Again"! at the Fox Theatre!

"Sure fire for audience reaction!"
—Boxoffice

SPRINGFIELD, III.
"Chickadee" tops every Universal picture ever played at Loew's Theatre!

"... Chicks... always a box office natural!"—Chicago Daily News

HARTFORD
"Chickadee" tops every Universal picture ever played at Loew's Theatre!

"Chickadee" "Dusty" business at Proctor's!

"A lusty comedy of high order...a film that makes you chuckle with joy!"
—Washington Post

"Mae West, blonde and curvacious... Fields uproariously funny!"
—Chicago Times
Triumph!

"BRILLIANT... a grand picture. We have no hesitation in calling the film the play's superior, in calling Raymond Massey's screen Lincoln better than his play's Lincoln."
—Frank S. Nugent, Times

"SUPERB, all of it... all the superlatives which were justifiably lavished on the stage production of Robert E. Sherwood's 'Abe Lincoln in Illinois' may justifiably be heaped on the screen version of this memorable drama."
—William Boehmer, World-Telegram

"UNFORGETTABLE screen impersonation... Massey's acting transcends mere make-believe... a profoundly stirring motion picture experience." —Howard Barnes, Herald-Tribune

"RICH IN HUMOR, as any true picture of Lincoln should be... Massey makes the character a shining figure... a picture that can be seen again and again." —Eileen Creelman, Sun

"MASTERPIECE—Such beauty, such simplicity, honesty and truth, that 'Abe Lincoln in Illinois' joins the small company of American films that merit the label of masterpiece."
—Life Magazine

"A SCREEN TRIUMPH... a picture with a heart and soul... Massey gives one of the greatest performances we have ever seen on the screen... the great play greater as a film." —Kate Cameron, News

"GREATER than the play... no matter what
great movie which should be seen by every American."—Archer Wisten, Post

"INSPIRED performance ... in its movie version 'Abe Lincoln in Illinois' is every bit as fine and beautiful as the Pulitzer Prize winner ... fashioned from the flesh and blood of Lincoln."
—Lee Mortimer, Mirror

"IMPRESSIVE ... reverent picture, directed with straightforward simplicity." — Rose Pelswick, Journal-American

ROBERT E. SHERWOOD'S

Abe Lincoln in Illinois

starring

RAYMOND MASSEY

with Gene Lockhart, Ruth Gordon, Mary Howard

Produced by Max Gordon • Directed by John Cromwell

An RKO Radio Picture

ON THE GREAT STAGE

"Curtain Time"—all the magic of the world across the footlights ... produced by Russell Markert, settings by Nat Karson ... featuring Paul Haakon, Loper and Barrat, Three Oxford Boys, Nicholas Daks, Hilda Eckler, Leda Anchutina, Louise Fornaca, Robert Regent, Earl Lippy, with the Music Hall Rockettes, Corps de Ballet, Glee Club. Symphony Orchestra, under the direction of Erno Rapee.

Doors Open Today and Tuesday 10:30 A. M.


FIRST MEZZANINE SEATS RESERVED • Phone Circle 6-4600

Ample Parking Space Rockefeller Center Garage, 48th to 49th Sts., between 5th and 6th Avenues
Notes from Coast Studios

Hollywood, Feb. 26.—With the purchase by Darryl Zanuck of "I Married a Nazi" Liberty Magazine serial story, the early upheaval and confusion last week was centered upon films of topical events in Europe, M-G-M is shooting "The Mortal Storm," the Phyllis Botton novel with James Stewart and Margaret Sullavan, heading a name cast, and is preparing "Escape," written by Erich Vanez, both deals with current conditions in Germany.

Paramount for some time has been paring "Polonaise," which deals with the siege of Warsaw. The same studio also has a property called "Blackout."

"Three Way Justice," original story by Arnold Belberg and Jack Roberts, has been bought by RKO for a George O’Brien western. Myles Connolly has been signed by Charles R. Rogers to prepare the screenplay of "Senate Page Boys," for Columbia release. Gay Patrick and George Metaxa have been added to the cast of Charlie Chaplin’s "The Record Doctor Takes a Wife," starring Loreta Young and Ray Milland.

Ralph Bellamy and Virginia Bruce, the latter newly signed to a term contract, will be starred in "Flight No. 8" at Warners. Ruth Terry has been borrowed from Walter Wanger for Watters’ "Angel from Texas." Paramount has cleaned up the title of "The End of the Road" for Faye Dunaway and "Hell" to "Queen of the Mob." M-G-M has put Jonathan Latimer and Joseph Fields on the script of "Nick Carter in Panama," second of a proposed Nick Carter series. The first one starred Walter Pidgeon.

Paramount has changed the title of "At Good Old Siwash" to "Those Who Dared." The title of Max Brand’s "Hold Your Horses" to "Stagecoach War." Hattie McDaniel has been borrowed from David Selznick for 20th Century-Fox’s "Maryland," whose cast is headed by Brenda Joyce, John Payne, Walter Brennan, Charles Ruggles, Fay Bainter and Marjorie Main.

Preston Sturges has been assigned to adapt his original, "A Cup of Coffee," at Paramount. Virginia Hill has drawn the screenplay of "There’s Always Juliet" at the same studio. Samuel Goldwyn has extended the contract of James Dunn after a"terrible feud led in "The Westerner." M-G-M has given Robert Young a new contract.

Wendy Barrie will produce the film version in "The Sand Street Back to RKO. ... Clarene Muse will star in "Broken Strings," all-Negro film being produced and directed by B. R. Kay for International Roadshows. Muse wrote the original story which was adapted by Earl Kruzic, Muse and David Arlen. Garry Marshall is supervisor, the director. Maureen O’Hara, Lucille Ball and Barbara Stanwyck will be cast in the role of "One of Six Girls," original by Vicki Baum. James Dunn draws the further lead in "Sir Galahad" for the opposite Jean Parker. Grant Withers will produce the film for Monogram, and William Nigh will direct.

May McAvoy has been given a term contract at M-G-M. ... John Amsden, "The Frenchman," will produce "Queen of the Yukon," from the Jack London story. Howard Bretherton will direct. "The Man Who Would Not Die," Columbia, which Nick Grinde will direct. Florence Enrique has been signed by Paramount as dramatic coach.

May McAvoy has been given a term contract at M-G-M. ... John Amsden, "The Frenchman," will produce "Queen of the Yukon," from the Jack London story. Howard Bretherton will direct. Florence Enrique has been signed by Paramount as dramatic coach.

Tips on Exploitation

Extensive 'Erewhon' Exploitation

ALBANY, Feb. 26—Charles Smikowitz, Warner Theatres district manager, and Jules Curley, advertising manager, personally have handled exploitation on a large-scale campaign for "Dr. Ehrlich’s Magic Bullet," there. Smikowitz arranged that Assemblyman Harold B. Ehrlich, Republican of Buffalo and chairman of the Assembly Claims Committee, was a real life character. They also arranged an interview with Ehrlich by a film critic, with attendant ballyhoo.

Preceding the picture’s run, Smikowitz held in screenings for 40 health officers, headed by the State Commissioner of Public Health, Dr. Edward Good and the chief surgeons and doctors in all hospitals within a 25-mile radius.

Radio, Film Tieup Set

On "Fu Manchu" Stall

has arranged a nationwide cooperative promotion tieup on the radio drama, "The Shadow of Fu Manchu," and the "Revenge of Fu Manchu" and the "Republic serial, "Drums of Fu Manchu." Theatres playing the serial will publicize the program, and the tieup will involve use of tieup spot announcements on the film serial.

$300 in Prizes Offered

For 'Capture' of 'Raffles'

In conjunction with the run of "Raffles" at local Loew theatres, the New York "Journal and American" will offer $300 in prizes for a "Capture" of a man roaming about the town and posing as the elusive crook. Fifty dollars is paid daily for six days, the person who identifies the "Raffles."

'They're At Home Again' Premiers

"Headless' Ushers Plug Invisible Man"n

ALBANY, Feb. 26.—The premiere of "The Invisible Man" at the roxy was played up when the picture played Warners’ Ritz. Ushers walking about town in contrivances of books and adopt their masks and costumes to provide an eerie headless effect. The sandwich men stalked into the newspaper offices and made the stunt good for pictures and stories.

"Jury" Decision Used on 'Remember'

OKLAHOMA CITY, Feb. 26.—For the motion picture, "Under the Night," Spencer Pierce, manager of the Mid- West, appointed a jury of 12 as critics to determine whether the picture rated a "Jury" award. The Citizens Magazine gave it four and one-half stars, which Pierce said he felt the picture was worth.

Tieup with Libraries

Aids 'Swiss Family'

PROVIDENCE, Feb. 26.—George French, manager, and William Morris, assistant manager, of the RKO-Albee, stressed the book angle in selling "Swiss Family Robinson," planting it proficiently in the Providence Public Library and its seven branches, in school libraries and made tieups with bookstores.
Motion Picture Daily

Critics of U.S. Vote 'Chips' Best Picture

(Continued from page 1)

porting player was Thomas Mitchell in "Stage Coach." Brian Aherne was second in "Juno," and Akim Tamiroff was third in "The Last可 Passage."

Best performance by a female supporting player was Greer Garson in "Grapes of Wrath." Rosalind Russell was "The Women" was second, and AL Brady in "Young Mr. Lincoln" was third.

Young actor most likely to win greatest fame in 1940 was Aileen Prout. Elizabeth McAlister was second, and John Howard was third.

Young actress most likely to win greatest fame in 1940 was Maureen O'Hara. Linda Darnell was second, and Lara Turner was third.

Those winning honorable mention for young actor most likely to win greatest fame in 1940 were: Richard Carlson, Robert Cummings, William Holden, Victor Mature, Edmund O'Brien, Robert Preston and Robert Stack. Young actresses receiving honorable mention were: Betty Field, Susanna Foster, Helen Gilbert, Gloria Jean, Brenda Joyce, Mary Martin, June Preisser.

Sidewalks, $7,000 Leads Providence

PROVIDENCE, Feb. 26.—Bad weather cut grosses, the Strand's double, "Sidewalks of London" and "Money to Burn," brought in $7,000, the only above-average tale in town.

Estimated takings for the week end-

Feb. 20-22:

"Vigil in the Night" (RKO)

The Marines Fly High" (RKO)

STAND ALONE, $2,500 (25-30c) 7 days,

WORLD'S STATE, $2,100 (30-35c) 6 days,

LITTLE OLD NEW YORK, $1,800 (25-30c) 6 days,

WORLD'S STATE (Arms), $1,700 (25-30c) 6 days,

Easy Money to Burn" (Rep.)

STAND, $2,000 (25-30c) 6 days,

Oh, Johnny, How You Can Love" (Univ.)

FAYS, $1,000 (25-30c) 7 days, Stage-

show with Harry Race, Variety Gamble,

Beverly Han, & Co., and the

Romano Brothers.

Great Victor Herbert (Paras).

Barricade" (20th-Fox) (3 days)

Froe Wife" (W.B.) (4 days)

Two-Faced Man (20th-Fox) (4 days)

EMPIRE, $2,200 (25-30c) 3 days, Gross :

$4,500, (Average.

$1,500)

Fighting 6th" (W.B.)

Danger On Wheels" (Univ.)

CARLTON, $1,500 (25-30c) 7 days,

3rd week. Gross: $2,000. (Average.

$3,000)

The Great Victor Herbert (Paras)

Barricade" (20th-Fox) (3 days)

Froe Wife" (W.B.) (4 days)

Two-Faced Man (20th-Fox) (4 days)

EMPIRE, $2,200 (25-30c) 3 days, Gross :

$4,500, (Average.

$1,500)

Hudson' at $4,300

In Omaha's Slump

OMAHA, Feb. 26.—"Castle on the Hudson" grossed $4,300 at the Brum-

deis, Generally quiet business combined with adverse weather to keep box office down.

Estimated takings for the week ending

Feb. 22-23:

"Castle on the Hudson" (W.B.)

Mariners Fly High" (RKO)

"Castle on the Hudson" (W.B.)

"Capital and in Love" (25-30c) 6 days, Gross:

$4,200. (Average

$7,000)

"I Take This Woman" (M-G-M)

"Kid Nightingale" (M-G-M)

OMAHA, $2,300 (25-30c) 7 days, Gross:

$4,600, (Average

$6,600)

"Greeneville" (Para.)

Seventy," (Para.)

ORPHEUM — $1,000 (25-30c) 4 days, Gross:

$4,600, (Average

$1,150)

Hollywood Review

"The Castle on the Hudson"

(Warners)

HOLLYWOOD, Feb. 26.—A grippingly tragic story of an East Side

New York youngster who, lacking proper environment, turned to crime, is told in Warners' "The Castle on the Hudson," the title referring to a large island in the Hudson Bay. John Garfield, Ann Sheridan and Pat O'Brien top a cast which includes Burgess Meredith, Henry O'Neill, Jerome Cowan, Guinn Williams, John Litel and Margot Stevenson.

The story has Garfield committed to Sing Sing for the commission of a felony. Hardened by environment, he changes under the super-

vision of the hardened warden who permits him a tur-

bough when Miss Sheridan, the youngster's sweetheart, is believed to be dying. Suspected of a murder she commits, Garfield returns to prison only when the warden is censured by his superiors for permitting him to leave. Convicted of the murder despite the girl's confession, Garfield makes a hopeless bid to clear himself.

The screenplay by Seton I. Miller, Brown Holmes and Courtney Terrett, one of the several taken from the non-fiction book of Warden Lewis E. Lawes' "20,000 Years in Sing Sing," is a stark play on the emotions. Anatole Litvak directed the

running time, 76 minutes. "G."
Motion Picture Daily
Tuesday, February 27, 1940

**'Windy' Holds Pace in Loop**

With $62,800

CHICAGO, Feb. 26.—'Windy' in the form of the four-week gross of $62,800 at the Oriental and Woodville, the weather was unsettled.

Estimated takings for the week ending Feb. 21-24:

- **The Light that Failed** (Para.)
  - APOLO—(1,100) (15c-35c-55c) 7 days. Gross: $2,500. (Average, $357.)
  - "His Girl Friday" (Col.)
  - CHICAGO—(1,100) (15c-55c-75c) 7 days. Stage: Jane Withers and revue. Gross: $17,500. (Average, $2,500.)
  - **Little Old New York** (20th-Fox)
  - GARRETT—(1,200) (25c-35c-55c) 7 days. Louis-Godoy Flight Film. Gross: $4,600. (Average, $650.)
  - **'Windy'** in the form of the four-week gross of $62,800 at the Oriental and Woodville, the weather was unsettled.

Estimated takings for the week ending Feb. 21-24:

- **Broadway Melody of 1949** (M-G-M)
  - RKO PALACE—(1,300) (35c-45c-55c) 7 days. Gross: $14,000. (Average, $2,000.)
  - **The Front Page** (Fox)
  - RKO PALACE—(1,300) (35c-45c-55c) 7 days. Gross: $1,000. (Average, $125.)
  - **Our Neighbors, the Carters** (Para.)
  - RKO PALACE—(750) (37c-45c-55c) 7 days. Stage: Johnnie Davis and orchestra and revue. Gross: $5,000. (Average, $714.)
  - **Raiders of the Lost Ark** (M-G-M)
  - RKO PALACE—(1,200) (35c-45c-55c) 7 days. Gross: $13,000. (Average, $1,857.)

**Cincinnati Gives**

**'Melody' $14,000**

CINCINNATI, Feb. 26.—'The Broadway Melody of 1949' took $14,000 at the RKO Albee, and "Windy" pulled $12,500 in its ninth and final week at the RKO Capitol.

Estimated takings for the week ending Feb. 21-24:

- **Broadway Melody of 1949** (M-G-M)
  - RK PALACE—(1,670) (35c-45c-55c) 7 days. Gross: $11,500. (Average, $1,643.)
  - **Raiders of the Lost Ark** (M-G-M)
  - RKO PALACE—(1,670) (35c-45c-55c) 7 days. Gross: $11,000. (Average, $1,638.)
  - **Our Neighbors, the Carters** (Para.)
  - RKO PALACE—(300) (35c-45c-55c) 7 days. Gross: $3,000. (Average, $429.)
  - **Raiders of the Lost Ark** (M-G-M)
  - RKO PALACE—(1,670) (35c-45c-55c) 7 days. Gross: $11,000. (Average, $1,638.)
  - **Raiders of the Lost Ark** (M-G-M)
  - RKO PALACE—(1,200) (35c-45c-55c) 7 days. Gross: $13,000. (Average, $1,857.)

**Musicians End Strike**

PHILADELPHIA, Feb. 26.—Local 77, of the American Federation of Musical Instruments, ended its 14-week strike against the independent Cincinnati Theatre, signing an agreement with George Graves, manager, running a double feature the last week of March 1. In returning vaudeville to the house, the musicians' union is able to return to work, as the orchestra's 12-week "vacation" between now and the end of the season, as against the straight 52-week contract upon which the union originally insisted.

**'Winds' Westbound Stage**

PHILADELPHIA, Feb. 26.—Tightly spun and presented against magnificent outdoor backgrounds, the story of "Westbound Stage" provides every opportunity for its star, Tex Ritter, who takes full advantage of those opportunities in the departures of riding and singing.

In preventing a stagecoach shipment of money from being stolen, and in the preliminaries leading up to the action, is a story of a fast pace throughout.

Spencer Bennett's direction, in combination with the screenplay of Robert Emmett, have made of the film an outstanding example of western material, with no lags or letdowns. Produced by Edward Finney, the picture's case, besides Ritter, includes Nelson McDowell, Marjorie Van Hyden, Steve Clark and Tom London. WALTER SEDLEN

**Hollywood Review**

**'Windy' Pulls Big $55,000 In Twin Cities**

SEATTLE, Feb. 26.—'Windy' grossed $23,000 at the Fifth Avenue in the fourth week. His "Girl Friday" drew $10,000 in the third week at the Liberty. The weather was fair and cool.

Estimated takings for the week ending Feb. 21:

- **'Windy'** in the form of the four-week gross of $62,800 at the Oriental and Woodville, the weather was unsettled.

**Minneapolis**

MINNEAPOLIS, Feb. 26.—'Windy' led in its third week in the twin cities, taking $35,000 at the Orpheum here and $22,000 at the Orpheum in St. Paul.

Estimated takings for the week ending Feb. 21:

- **Little Old New York** (20th-Fox)
  - STATE—(3,300) (25c-45c) 7 days. Gross: $7,800. (Average, $2,200.)
  - **'Windy'** in the form of the four-week gross of $62,800 at the Oriental and Woodville, the weather was unsettled.

**San Francisco**

FRISCO GIVES 'Windy' Good $30,000 Lead

SAN FRANCISCO, Feb. 26.—'Windy' grossed $30,000 in its fourth week at the Warfield. "Green Hell" drew $15,000 at the Golden Gate.

Estimated takings for the week ending Feb. 20-23:

- **Green Hell** (Univ.)
  - ORPHINUM—(1,400) (25c-55c-75c) 7 days. Stage: Vaudeville. Gross: $15,000. (Average, $2,143.)

**'His Girl Friday' (Col.)

- **His Girl Friday** (Col.)
  - ORPHINUM—(1,400) (25c-55c-75c) 7 days. Stage: Vaudeville. Gross: $15,000. (Average, $2,143.)

**'Windy'** in the form of the four-week gross of $62,800 at the Oriental and Woodville, the weather was unsettled.

**'Windy's' 'Wind'**

**High School** (20th-Fox)

- **High School** (20th-Fox)
  - RIVIERA—(750) (35c-45c) 7 days. Stage: Vaudeville. Gross: $15,000. (Average, $2,143.)

**'Windy'** in the form of the four-week gross of $62,800 at the Oriental and Woodville, the weather was unsettled.

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**'Windy'** in the form of the four-week gross of $62,800 at the Oriental and Woodville, the weather was unsettled.
Gigantic! Stupendous! Colossal! One solid year in the making!

3 - Soul-Stirring, Eye-Filling, Heart-Warming Days - 3

COME! Enjoy the frivolities of the Pioneer Days Celebration with the Southwest's far-famed Peace Officers, Cowboys, Indian Chiefs.

RIDE in the famous Deadwood Stage Coaches, the Pioneer Prairie Schooners, on the backs of snorting, bucking Texas Bronchos!

DRESS UP in cowboy chaps and sombreros! YOU furnish the physique - WE, the clothes!

GO HAP-HAP-HAPPY at the Pioneer Days Village (in Athletic Club on floors 7 and 11). 'Mebby it's your Lucky Day!

EAT right out of the Chuck-Wagon - the kind of food that built an Empire - Frijoles! Corn Pone! Hot Biscuits! Chicken in the Rough! Enchilladas! Tacos! Chili con queso and Tamales!

ENJOY the sights and festivities of the Frontier Frolic! Colorful! Thrilling! Joy-Packed! Your grandchildren will talk about the Mexican Fiesta!

All this and more! . . . Plenty more!
**Hollywood Reviews**

"Road to Singapore" (Paramount)

**Hollywood, Feb. 26.—**Exhibitors will find Paramount's "Road to Singapore" a notable piece of film merchandise which combines the talents of Bing Crosby, Bob Hope, Dorothy Lamour in as bitingly a romantic comedy with music as has appeared on the screen in a long while. Producer Harlan Thompson and director Victor Schertzinger have a "natural" in the teaming of Hope and Crosby, popular on the radio, on the screen and otherwise, as two youthful merchant marine men in search of adventure who find love in a South Seas island.

Seldom have preview audiences registered such whole hearted approval of a picture as the one which witnessed the screening of this. The screenplay of Don Hartman and Frank Butler, from a story by Harry Hervey, is an admirable framework, studded with sparkling dialogue and music.

Supporting the trio are Jerry Colonna, of radio fame, Charles Coburn, Judith Barrett, Anthony Quinn and others.


Crosby and Hope run away from the former's home following a disastrous society party which is announced the betrothal of Crosby, a scion of a shipping family, to a wealthy debutante, and flee to a Sea Island, vowing to ignore women. They rescue a dancing girl from her brutal partner, and she moves into their house to work for them. Crosby's father arrives to get him, and the girl, played by Miss Lamour, is the only one who finds him back by the expenditure of saying that she is in love with Hope. However Crosby escapes and returns to a carefree life with the girl and Hope.

Running time, 85 minutes. "G"*  

VANCE KING

"The Ghost Comes Home" (Metro-Goldwyn-Mayer)

**Hollywood, Feb. 26.—**This is not a spooky picture, as the title might suggest, the word "ghost" referring to a character who returns to his family after they have collected and spent life insurance money in the belief he has perished at sea. This situation is used as the principal source of comedy in a picture compounded solely for amusement purposes. The film was warmly received at the Hollywood preview.

Frank Morgan, Billie Burke, Ann Rutherford, John Shelton, Reginald Owen, Donald Meek, Nat Pendleton, Frank Albertson, Harold Huber and Hobart Cavanaugh are the players principally engaged. Direction by William Thiele accentuates action and dialogue, striving always for humorous effects. Richard Malmaun and Harry Ruskin wrote the screenplay from a play by George Kaiser. It's an Albert L. Howie production.

Morgan portrays a well meaning individual dominated by selfish relatives who, returning after they have received and expended insurance money in the belief he is dead, imposes his will upon them under implied threat to expose them to the insurance company. After amusing complications, he tells the true story of his absence and clears up prevailing misunderstandings.

Running time, 77 minutes. "G"*  

ROSCOE WILLIAMS

*"G" denotes general classification.

**Radio Brevities**

A FOUR-STATION hookup of frequency modulation stations without the use of telephone wires will be demonstrated for the press by FM Broadcasting, which organization of stations interested in FM, Thursday evening at the Ritz Towers.

Tom O'Brien of W2XAM, Alpine, thence to W1AXF, Hartford, Conn., has been termed "a WIXOJ Paxton, FM receivers will be installed at the hotel and engineers will explain the technical details.

**Personalities in the News**

Bertha Brainard, NBC commercial program manager, is expected back in New York on March 4 after a trip to Hollywood. . . . Ernest M. Werner, formerly with Young & Rubicam, has joined WJSY. . . . Kenosha, Wis., has been announced as the jump off point for a group of all Columbia record catalogues by Patrick Donan, director of sales promotion. . . . James A. Alverston, representing the NBC continuity staff in Chicago. Peto, a former advertising promotion manager of the Chicago Evening American, become operations director of WNAC station. Dorothy, Patricia Morrison and the piano team of Vronsky & Babin will be Bing Crosby's guests on the "Kraft Music Hall" Thursday evening. . . . Alfred H. Morton, NBC vice-president in charge of television, will speak on "Radio and Telecasting" in the Illinois Federation of Women's Clubs in Chicago.

**Broadcasts for Troops**

British Broadcasting Corp. started a special daily 12-hour broadcast for troops in France and England last Wednesday. The broadcast consists mainly of lighter items such as music, dance bands, variety and organ recitals.

Program News

CBS will televise its telephone show Saturday afternoon with Ed Drew and his orchestra. Called "Time to Take It Easy," the program will originate from WOR at 1:30 P.M. . . . F. W. Hitch Co. has added two more stations to its Radio Tower, bringing the total to 76 NBC-Red stations. . . . WOR will start its broadcasts of pre-season Dodger baseball on March 7. Red Barber and Al Helfer will cover the 34 exhibition games.

**WJSV Week March 4-9**

March 4 to 9 has been designated "Radio Appreciation Week," by District of Columbia Board of Commissioners in celebration of the fact that the station boosts its power from 10,000 to 50,000 watts. A. D. Willard, jr., general manager, who was the first to speak over the station when WJSV took the air in 1932, will make the first speech after the power is increased.

**Propaganda Broadcasts**

Canadian stations carried the heaviest load of propaganda in many weeks last Wednesday. Winnipeg's 3XWW and 3XWH, Churchill and the officers commanding H.M.S. Exeter and Ajax polo, with the City Improvement League and Municipal Service Bureau sponsoring "The Story of Neville Chamberlain." On Saturday, Prime Minister Chamberlain spoke on the progress of the war.
Screen Directors Fight Neely Bill

Hollywood, Feb. 27.—Passage of the Neely bill will be strenuously opposed by the Screen Directors Guild. Formal action was taken by Guild directors last night.

Opposition to the bill, it was explained, is based on the synopsis and blind selling clauses, and not on the anti-bookking phase of the measure.

The Guild will send two representatives to the House committee hearing on the Neely bill. They will be selected at the March 11 meeting of the entire Guild membership.

Conciliation Boards Enjoy Strong Success in Canada

Revival of U.S. Campaign For Similar Machinery Considered Probable

Local conciliation boards in Ontario and Nova Scotia, the first to be established in the industry, have proved so successful in handling trade practice complaints within the two provinces that they no longer are considered to be "experimental" agencies but are assuming a permanent industry character, according to the first report on the operations of the boards completed recently by the Canadian film industry.

The report is viewed in New York as likely to become an incentive for exhibitor groups in the United States to renew their campaign for the establishment of conciliation machinery here, entirely independent of a trade practice code as they are in Canada.

The M.P.T.O.A. actively sponsored the setting up of conciliation boards, in preference to arbitration boards, for the purposes of the trade practice code for the industry. However, arbitration was preferred by Allied.

Film Writers Deny Dies 'Red' Charges

Hollywood, Feb. 27.—Refutation of Congressman Dies' accusation that Communism flourishes in Hollywood was ordered by the Screen Writers Guild board of directors last night. A statement embodying this refutation will be drafted and sent to the Speaker of the House of Representatives.

Korda, Ill., Postpones His California Trip

Illness has compelled Alexander Korda, United Artists producer, to postpone indefinitely his trip to California. Emanuel Silverstone, his business representative and member of the U.A. board, will represent Korda in the producer discussions, now in progress in Hollywood, with Maurice Silverstone and Harry Gold. The older Silverstone leaves today for the Coast by train. He will probably be there for two weeks.

Majors Ban Shorts Forcing Score Charge, ITO Reveals

COLUMBUS, O., Feb. 27.—All major distributors have granted exhibitors the right to buy features without shorts and newsreels and have eliminated score charges, according to replies to a questionnaire issued by the I.T.O. of Ohio.

Distribution policies of individual companies will be discussed at the organization's annual convention, which starts here tomorrow. The questionnaire was circulated as a basis for the discussion.

The eight major companies also detailed their cancellation policies, handling on the purchase of the entire output, as follows:

- RKO: Exhibition contract carries a 10 per cent cancellation for the first 100 per cent cancellation when rentals average less than $100 per picture; 15 per cent for those whose average is $100 to $250; 20 per cent for those whose average is more than $250.
- United Artists: Product for each producer sold individually.
- Warners: 20 per cent cancellation if average price is not more than $100 per picture; 30 per cent if the price is less than $100 per picture.

Swedish Order 'Freezes' U.S. Industry Cash

All Withdrawals Stopped From Strong Market

Complete cessation of currency withdrawals from Sweden has been ordered by the government following that nation's abandonment of the gold standard early this week, home office foreign departments were advised yesterday.

Details of the order have not been received here yet but while it remains in force, foreign distribution authorities say, it means the complete stoppage of revenue from this highly important European market.

Second Biggest Foreign Market

Sweden is ranked by most film distributors as the second most important European market for American films, being exceeded only by Britain. Some companies place it second or third among world markets, equaling or surpassing, in these instances, Australia or Canada.

Foreign heads of the M.P.P.D.A. said that no report had been received from Stockholm yet but that it was hoped that industry representatives there would make representations.

Kent Doubts Studios Banning Stars on Air

Appearance of film stars on the radio must be governed by individual company policy and no industry agreement on the matter is feasible as it might be construed as illegal, Sidney K. Kent, president of 20th Century-Fox, has advised Abram F. Myers, chairman of the board of Allied States.

The policy of 20th Century-Fox is to bar its stars from radio appearances except in exceptional cases in which broadcasts would help the promotion of picture, Kent states in his letter.

Kent wrote Myers after receiving copies of resolutions adopted at the annual meeting of national Allied directors in Washington last month. All company heads were similarly asked for their expression.

With regard to other resolutions adopted, Kent said in his letter that he is and always has been in favor of arbitration of industry disputes and that he is opposed to the distribution of 16 mm. versions of films.
Purely

WALTER E. GREEN, president of National Theatre Supply Co., has left for a three-week visit to company branches across the country, including a stop at Hollywood.

Sooch Conlon, publicity representative for talent, has arrived from the Coast for a week's visit. He accompanied George Stevens, RKO director, and Gregory LaCava. Stevens returned yesterday to the studio. LaCava will remain until March 15.

A. A. Ward, Altec inspector in New Jersey; E. J. Towsey, inspector in New York, and M. O. Overmeire, inspector in Seattle, have all undergone appendicitis operations.

Robert Kilgore of the Bedford Theatre is pinch-hitting for Berrie Zelenko, manager of Loew's Valenica, who has been ill five weeks.

William F. Rodgers, M-G-M general sales manager, is returning today from the Coast en route to New York.

Morris A. Gebbys, managing director of Bermuda National Theatres, is in New York from Hamilton for a two-weeks' visit.

Darrell F. Zanuck leaves Hollywood over the weekend for a stay of approximately a month at Sun Valley.

Murray Miller, exhibitor of Pas- saic, N. J., is visiting in Detroit.

Gene Murphy of Loew's publicity staff has returned from Miami.

Personal

NATE J. BLUMBERG, Universal president, delayed his departure from Miami one day. He will arrive in New York this evening.

HARRY BRANDT, William Orr, Art Schenck, Sidney Phillips, Maurice Bergman, Sam Shain, Bob Weitman, John Royal, Russell Holman, Endo Rapke, Tom Robinson, Owen Haggerty, Wally Smith and St. Fabian lunching at Nick's Hunting Room in the Astor yesterday.


Clyf Work arrived at the studio yesterday following his return from New York.

E. K. (Ted) O'Shea, M-G-M eastern district manager is in Miami.

'My Son's Preview, Reception Tuesday

A private preview of Edward Small's United Artists production, "My Son, My Son," was held in the studio of Radio City Music Hall next Tuesday evening. Guests of honor at a reception following the screening will be Madeleine Carroll, Jack Aherne and Henry Hull, three of the film's stars.

Miss Carroll is scheduled to arrive tomorrow from a European visit on the Conte di Sovilla. Aherne will return from a Southern vacation in time to attend and Hull has some East from Hollywood.

From-Making Speed

Mexico City, Feb. 27—Mexican producers and directors are going in for speed. Raul de Anda completed "El Charro Negro" ("The Black Cowboy") of 325 scenes and 30,000 feet in 11 consecutive working days.

Majors Abandon Forcing of Strongs

(Continued from page 1)

$100; 10 per cent if average exceeds $100.

Columbus: "Our sales force has been informed that they are to deal with each account, where we sell 100 per cent of our product, so that the individual theatre will be thoroughly satisfied with the privileges granted him.

Universal: 10, 15 or 20 per cent cancellations scaled according to film rentals.

M-G-M: 20 per cent elimination where average rental is $100 or less, 15 per cent where average rental exceeds $100 up to $250, and 10 per cent where average is more than $250.

20th Century-Fox: "If any exhibitor desires it he may have the cancellation privilege as set forth in the proposed trade practice code of last Spring."
Raffles’ Beats Boston Snow With $28,400

Boston, Feb. 27.—Theatre grosses sagged as Boston struggled through two severe snowstorms, but for Saybrook and Somas, the theatre of Harry Hinkle, before 8,516 people in six days, Loew's State and Orpheum, with “Raffles” and “Slightly Honorable,” the three-week average was estimated at $54,000.

Estimated takings for the week ending Feb. 21:

“Hidden Enemy” (M-G-M)

“Money to Burn” (Rep.)

“Witness Vanishes” (Univ.)

“Yankee Doodle Dandy” (M-G-M)

“Vigil in the Night” (RKO)

“Oh, Johnny, How You Can Love” (Univ.)

KEITH BOSTON — (2,300) (25c-35c-46c) 6 days, Gross: $7,000. (Average, $1,166.67)

Saybrook

“Vigil in the Night” (RKO)

“Oh, Johnny, How You Can Love” (Univ.)

KEITH MEMORIAL — (2,907) (25c-35c-46c) 6 days, 2nd week, Gross: $13,000. (Average, $2,166.67)

Saybrook

“Slightly Honorable” (M-G-M)

“End of a Century” (M-G-M)

FENWAY — (1,132) (25c-35c-46c) 7 days, 2nd week, Gross: $5,500. (Average, $785.71)

Saybrook

“Vigil in the Night” (RKO)

“Oh, Johnny, How You Can Love” (Univ.)

KEITH MEMORIAL — (2,907) (25c-35c-46c) 6 days, 2nd week, Gross: $13,000. (Average, $2,166.67)

Saybrook

“Slightly Honorable” (M-G-M)

“End of a Century” (M-G-M)

WATERSTON — (2,300) (25c-35c-46c) 6 days, Gross: $7,000. (Average, $1,166.67)

Saybrook

“The Fighting 69th” (W.B.)

“Sons of the Desert” (M-G-M)

FENWAY — (2,907) (25c-35c-46c) 6 days, Gross: $7,000. (Average, $1,166.67)

Saybrook

“Slightly Honorable” (M-G-M)

“End of a Century” (M-G-M)

LOEW’S STATE — (3,000) (25c-35c-46c) 7 days, Gross: $12,000. (Average, $1,685.71)

WIND" Hits $28,100
To Lead Pittsburgh

PITTSBURGH, Feb. 27.—“Gone With the Wind” headed the Theatre Grosses of $28,100 in its fourth week at the Warner. Estimated takings for the week ending Feb. 22:

“His Girl Friday” (Col.)

ALVIN — (1,726) (25c-35c-46c) 7 days, Gross: $7,000. (Average, $1,000)

“Little Old New York” (20th-Fox)

FULTON — (2,450) (35c-46c-55c) 4 days, 2nd week, Gross: $2,500. (Average, $625)

“Slightly Honorable” (M-G-M)

LOWE’S PENGUIN — (1,100) (25c-35c-46c) 7 days, Gross: $6,000. (Average, $857.14)

Saybrook

“Slightly Honorable” (M-G-M)

LOWE’S STATE — (3,000) (25c-35c-46c) 7 days, Gross: $12,000. (Average, $1,685.71)

British Extras Sign Contract With Studios

By AUBREY FLANAGAN

LosAngeles, Feb. 10 (By Mail)—A new standard contract to govern the employment of extras in British Studios has been signed by the British Artists Association after negotiation with the British Film Production Association.

The agreement covers hours, wages, locations, special allowances, travel, and transport.

A steadily growing improvement in films is hailed by the Public Morality Council, English body, in its report on the year 1939.

“The sexy film has disappeared,” says the Council, “and a larger proportion of films are being shown. Murder dramas are decreasing to some extent and Westerns are increasingly popular.”

A dividend of six per cent was paid by the London Pavilion—in the main a United Artists show—last year, but independently owned—for 1939.

Spendings about $5,000 on the process, the Ministry of Information, in October, November, December, staged film shows in Scotland for war excitement to bring in $25,000.

The shows—mainly silent films—were given by traveling units and wireless multicasts of feature films, news and comedies.

Julius Hagen, pioneer British producer and for many years associated with the Twickenham Studios, died recently. Producer of many British films, he launched his own distributing organization four years ago, but it proved unsuccessful.

Military authorities in the Bristol area in the west of England have commissioned the loan of local picture houses to operate stage shows of any kind unless they have fireproof provision, for war purposes. The shows would be of technical films. A rental is offered.

Connecticut’s Fire Rules Hit Vaudeville

NEW HAVEN, Feb. 27.—State Police have notified Connecticut exhibitors that they will not be permitted to operate stage shows of any kind unless they have fireproof provisions.

As a result of the ruling, Leo Bonoff has been obliged to discontinue vaudeville at the Bybrook and Madison and Michael Daly at the Plainfield. About six other houses in the territory running vaudeville and amateur shows will be affected. Loew’s, however, will be able to continue stage shows at the older Post houses in New Haven, Bridgeport, Meriden and Waterbury.

Quiz Shot at NYU

“Whant’s Your L. Q.? 7—M-G-M short which, for the motion picture course conducted by Dr. Frederic M. Thrasher at New York University tomorrow night. Teams picked from faculty and students will compete in answering the questions asked by Pete Smith on the screen.
"What does box-office mean, papa?"

"That's easy son. It's when you've got Metro-Goldwyn-Mayer Pictures!"
CLARK GABLE
JOAN CRAWFORD
"STRANGE CARGO"

with
I AN H UNTER • P ETER L ORRE • P AUL LUKAS
Albert • J. Edward • Eduardo
Dekker • Bromberg • Clennelli

A FRANK BORZAGE PRODUCTION
Screen Play by Lawrence Hazard • Based on the Book "Not Too Narrow, Not Too Deep" by Richard Sale • Directed by Frank Borzage • A Metro-Goldwyn-Mayer Picture
Produced by Joseph L. Mankiewicz
Singles Unpopular
In Chicago's Test

(Continued from page 1)

to get a line on public reaction to single features here.

Julu Balaban, head of the B. & K. circuit here, has left for California to spend a month at Arrowhead Springs. Balaban has been taking treatments in Rochester, Minn., at the Mayo Clinic for the past six weeks.

William G. Bishop, M-G-M exploiter, is the latest flu victim on Film Row.

Most popular film playing in the burlesque theatres on South State St. is "This'll Make You Whistle." An English picture starring Jack Buchanan, its title for the present engagement is "Streets of Paris After Dark." Several sequences account for the picture's popularity in the burlesque houses.

Warner theatres collected $721 for the "Help Finland" fund. Reports from other theatres have not been filed as yet but it is expected that close to $5,000 was collected for the fund by Chicago theatres last week.

Earl Carroll's "Vanities" has been booked into the Erlanger for a week starting March 3.

Ampa to Hear Mayer

Arthur Mayer, managing director of the Rialto Theatre, will be one of the speakers at the Frank S. Nugent "farewell luncheon" sponsored by Ampa at Dempsey's restaurant tomorrow.

Theatre, Personnel Notes

(Continued from page 1)

Blake Buys Theatre
KANSAS CITY, Feb. 27.—Harry Blake, manager of the Orpheum, Joplin, Mo., for eight years, has purchased the DeRay, Joplin, from W. D. Fite, and is changing the policy from 10 and 15 cents to straight 10 cents. Ray Widders, who has been with Barbo in Springfield, Mo., the past five years, will take over management of the Orpheum and Electric in Joplin.

Named Universal Salesman
OKLAHOMA CITY, Feb. 27.—Cliff White, Jr., of the booking department of the Universal exchange here, has been appointed salesman for Universal in the western half of Oklahoma. He was selected at the booking position by Harold Plumlee, formerly ad sales department manager at the Paramount exchange here.

Fire Damages House
CHARLOTTE, N. C., Feb. 27.—Fire originating in the boiler room at the Colonial, North Kannapolis, caused damage estimated at $60,000 to the theatre and the entire building. House, unit of the Maurice Legrende circuit, will be rebuilt, according to Sam Trencher, manager.

Altec Closes Service Deal
Altec Service Corp. has closed a deal with Martin B. Ellis for servicing the five Ellis houses in Camden, N. J., and Philadelphia. E. O. Wilischke and Warren Conner handled the deal for Altec.

Form Pittsburgh Company
PITTSBURGH, Feb. 27.—Articles of incorporation for the Shadyside Amusement Corp. have been filed by Aaron Rosenzweig, Louis Symons and Frank C. Rugh. The Shadyside district in Pittsburgh, residential area, has no theatre now.

Ipson-Basil Build House
BUFFALO, N. Y., Feb. 27.—Ipson-Basil Theatres, Inc., plans new 96-seat theatre to replace the present Star in Tonawanda, Buffalo suburbs. The new house, to cost $75,000, will seat 1,200.

Takes Kansas City House
KANSAS CITY, Feb. 27.—D. F. Fulton, who operates the Southtown and Strand, has taken over the Vogue, suburban house, which he formerly operated. George Mode is house manager.

Miami House Opens March 9
MIAMI, Feb. 27.—The Center, new Wometco circuit house seating 750, will open March 9 with Flynn Stubbefield, former manager of the Strand, as manager.

Anderson Takes Theatre
SALVATION ARMY, Ky., Feb. 27.—A. A. Anderson, who operates four theatres in this area, has taken over the 300-seat Star from Howard Sheldon, the only house in the town.

Mamond Leases House
SHAWNEE, Okla., Feb. 27.—A. B. Mamond, owner and operator of the Odeon here, has leased the house to Jack Smith, formerly of the State, Pawhuska, Okla.

Kansas House Bought
KANSAS CITY, Feb. 27.—Earl Kerr, who operates theatres at Albany and Bethany, Mo., and in Iowa, has taken over the Sunflower at Peabody, Kan., from L. O. Ringer.

UK 30,000 Viewers
Finland Drive Film

The extent to which theatres throughout the country cooperated in the drive to aid the Finnish Relief Fund is indicated in a release on the showing of the film, "Finland Fights," shown in connection with the theatre collections. It is estimated the subject was shown to an aggregate audience of 10,000,000 persons. Six hundred prints were used.

The film was produced by the Emerson Yorke Studio, and distribution was handled by Al O. Boardy, in conjunction with Jack Connolly of the staff of Major L. E. Thompson, head of the film division.

U.S. Industry Cash
‘Frozen’ by Sweden

to the proper authorities and that some solution might be worked out.

Whether or not American distributors will consider cessation of film shipments to Sweden while the ban on currency withdrawals is in effect is not likely to be determined until a full exchange of views has been received from industry representatives there, it was said.

Major foreign sources reiterated recent denial that there is any likelihood at this time of a rapprochement with Italy being effected which would permit resumption of business in that country by American distributors. Reports to the contrary were used.

It was stated that the situation in Italy, insofar as American distributors are concerned, is regarded now as "more hopeless than ever."

Nazi Officials Fight
‘Cavell’ in Americas

Protests by German consulates and other official Reich sources against the exhibition of "Nurse Edith Cavell" have been met with numerous denials in South and Central America, it was learned here yesterday.

RKO and its sales representatives in Latin America, in some instances with the aid of the State Department, have successfully opposed official German protests. As a result of American objections, the two Governments concerned agreed to review the picture which resulted from Nazi protests.

Recent instances cited were in Chile and Costa Rica, where the picture was banned following German protests. As a result of American objections, the two Governments concerned agreed to review the picture which resulted from Nazi protests.

Negotiate With Labs

Laboratory Technicians Union Local 702, has called upon the I.A.T. S. E. for aid in negotiations with D.W. Griffith Laboratories and E. R. Salyers, of D.W. Griffith Laboratories. Negotiations are pending with Ace and Paramount News laboratories, according to The Magazine, offset and general union.

Files RKO Claim

Neil P. Cullom, attorney for the U. S. National Bank of Denver, which acted as trustee for holders of the Denver Orpheum Co., filed a petition yesterday for a $1,500 final allowance in the RKO reorganization proceedings.
Bermuda Cuts Cash Withdrawal by 50%

Bermuda has enacted a war emergency law reducing by 50 per cent the currency withdrawals of foreign creditors, home office foreign departments being informed yesterday.

The measure is similar to that in force in Great Britain. American distributors are permitted to withdraw only 50 per cent of their revenue in Bermuda, the remaining 50 per cent being maintained by law as a “frozen” credit.

Annual business of American distributors in Bermuda is estimated at $50,000. Half of this will now be retained in Bermuda. There are eight or 10 theatres on the island, some of which operate only part time.

Segal Sues Standard

Standard Pictures Distributing Co. and George Legans were named defendants yesterday in a $32,400 breach of employment contract suit filed by Harry Segal in N. Y. Supreme Court. Plaintiff claims the defendant failed to carry out a contract in which Segal was allegedly hired as general sales manager for three years with a compensation of five per cent of the company’s gross.

“U” Stars to Chicago

Hollywood, Feb. 27—John Joseph, Universal’s publicity and advertising director, left last night for Chicago with Bela Lugosi, Vincent Price and Margaret Lindsay for the double premiere of “House of Seven Gables” and “Black Friday” on Thursday night.

Conciliation Boards Enjoy

Strong Success in Canada

(Continued from page 1)

States and the distributors. It was written into the code and dealt with the code when the Department of Justice and Allied refused to approve it. The code was approved by the board as recently renewed a provision for arbitration boards, but distributors now are “cold” to the suggestion.

The conciliation method proposed by the C.T.A. as a result, was adopted by the Canadian industry and was given its first trial with the exhibition of a local board at Toronto in May, 1938, to hear grievances of exhibitors throughout the Province of Ontario. In April, 1939, a second local board was established at Halifax for exhibitors in Nova Scotia.

The first report on the activities of the two boards covers 30 cases, all except one of which were settled or otherwise disposed of by the boards.

The report states that “the problems dealt with are those which cannot be made subjects of litigation in the courts, and cannot be dealt with by arbitration boards whose duties are confined entirely to the interpretation of written contracts.

“They are problems of fair trade practice which usually arise from competition between exhibitor companies, or between competitive theatres, which can only be solved by a ‘give and take’ method.”

We commend a study of the cases handled,” the report declares, “to all who are interested in this new method of solving problems on a purely friendly basis within the industry itself.”

The conciliators who serve on the boards are drawn from panels nominated by exhibitor organizations and the Film Boards of Trade (distributors). Two representatives of each group serve in rotation for specified terms. Whether a conciliator is ‘affiliated’ or ‘independent’ is of little importance since the boards do not vote and their decisions are not enforceable. The success of their work depends entirely upon their ability to adjudicate disputes and adjust grievances amicably.

Complaints handled include overcharging, inability to obtain product, unfair clearance and all forms of cut-rate admissions and unfair competition in exhibition practices, including games, giveaways, double and triple feature and two-for-one admissions.

Of the cases handled by the Toronto board, the only one not settled involved a two-for-one complaint made by the Famous Players Canadian Paramount against the Royal George, Toronto.

In a case involving the Circle and Beverly theatres on a priority complaint, which was settled after the priority had been written into the contract involved. Another case, the feud against the United Artists involving a contract run, had to be returned to arbitration, since it involved contractual provisions. All other Toronto cases and all cases handled by the Halifax board resulted in settlements.

Some of the settlements involved reductions of clearances by 14 days, relinquishment of some product to the complaining opposition, adjustment of distribution problems, provisions of unfair advertising by opposition, adjustment of priority and admission of different forms of cut-rate admissions.

In one case, Famous Players agreed to the reduction of clearance in all suburban runs on some clearances pictures.

55% of Canada Complaints

Are Successfully Arbitrated

Toronto, Feb. 27.—The records of the Canadian Film Boards of Trade since the inauguration of the arbitration system in 1926 show that 4,365 cases have been filed during the 14 years while the number of awards during that time by the six arbitration boards has reached a total of 2,420, or more than 55 per cent of all applications. At the same time, the number of settlements before arbitration hearings is probably in excess of one-third of all complaints and the number of cases dismissed is very small, the dismissals in recent years ranging from four to eight per year.

The peak year for claims was 1930 when 533 complaints were filed, of which 323 resulted in awards, and the volume continued heavy until 1932, with 469 cases, after which the number of applications has tapered off to an average of 230 per year.

These facts are brought out in connection with the report of the Canadian Film Boards of Trade in which the number of cases filed was 225, with 106 awards and 74 settlements before arbitration.

Awards Made

For Mexico Film Leaders

By JAMES LOCKHART

Mexico City, Feb. 27.—“La Noche de los Mayas” (“The Night of the Mayas”) has been selected as New-Mexican-made film of 1939 in the first awards of the recently organized Academy of Cinematographic Arts and Sciences in Mexico.

Leading director was Fernando de Fuentes; actor, Fernando Soler; actress, Isabella Varela, supporting actress, Emma Roldan; supporting actor, Joaquin Pardave; scenarist, Fernando de Corral; adapter, Juan Bustillo Oro; cameraman, Gabriel Figuero; sound, Roberto Rodriguez; settings, Jose Rodriguez Granada; music, Silvestre Revueltaz; producer, Gomez Muriel. Gold and silver medals and statuettes were awarded the winners.

Mexican producers and distributors are now the targets of labor demands for higher wages, shorter hours and other concessions, following a similar drive recently against American distributors here. At least three major companies face a shutdown unless the unions ease their demands. The producers have sought the aid of the Federal Government on the situation.

Miguel Zorratas, prominent producer, is making a national census propaganda film for the Federal Government. It is being made in Chapultepec Castle, historic residence of the presidents of Mexico.

New Jersey Allied

Debates State Bills

Legislation pending in the New Jersey Legislature at Trenton was discussed yesterday at a meeting of New Jersey Allied in its Sardi Building offices.

Several labor bills and an anti-discrimination measure are in the upper house. One bill would prevent the issuance of temporary injunctions in labor disputes without hearings. George Gold of Newark presided in the absence of Lee Newbury, president, who is vacationing in the South. The next meeting will be an all-day affair on March 21 in Passaic, with a beetle dinner at the Ritz restaurant in the evening.

‘Pinocchio’ by Puppets

Starting Saturday, March 9, the Sussex Marionettes, world-famous family of puppets, will present “Pinocchio” for an extended run at the Belmont Theatre on 48th St. Arnold Van Leer is the sponsor. “Pinocchio” will be presented three days nightly. A program of shorts will be included on the program.

Weyer Joins Horalcher

Philadelphia, Feb. 27—Fred Weyer, secretary of National Film Carriers, Inc., will join Horalcher Film Delivery Service here in an executive capacity. He will divide his time between here and New York, where the insurance division and home office of National Carriers are located.
Ascap's New Air Contract Delayed

Final formula for Ascap's new contracts with radio broadcasters will not be completed in time for submission to the Trumow's meeting of the music licensing society's board of directors.

Changes in the formula resulting from the discussion of the Ascap radio committee's report by Gene Buck, Ascap president; John G. Paine, general manager; and Charles Scherl, solicitor, make it necessary to send the report back to the committee for revision. This new report will be sent to the board for other week or 10 days, following which a special meeting of the Ascap board will be called to receive the final form of the contract.

It was indicated also that the recent Montana move, resulting in the arrest and attempted extradition of Buck, was responsible for some of the delay in completing the new contracts for broadcasters.

Para. Plans Detroit Stage Show Policy

DETROIT, Feb. 27.—Paramount is contemplating putting on a large stage show or band policy in the Michigan on a limited basis. Sam Dembrow, the circuit's house office executive in charge of Paramount's own operated theatres and Leonard Goldenson, also of the home office, have been here since the weekend checking over the situation.

Theatre owners are of the opinion that the success which the band show policy has achieved at the Paramount, New York, over the past several years, has prompted this latest move.

How far Paramount will go with the idea is dependent on the unions, it was said. Putting shows back into the Michigan will create more employment for musicians and stagehands, providing Paramount gets the right kind of a labor deal, officials said.

'Windy' Deal Closed By Saenger Circuit

(Continued from page 1)....have been involved in the 'Windy' deals in doubt until Conners went to Florida two weeks ago. He renewed negotiations there, combining business with a vacation. He will remain South two more weeks.

The Saenger circuit will open the picture in eight cities March 7 to 8, including Shreveport, Mobile and other situations.

Schlaifer Returns; Set Honolulu Deal

L. J. Schlaifer, vice-president and Western general sales manager for United Artists, has returned from an extended western trip, during which he was in San Francisco, Denver and Chicago.

During the trip, he closed a deal for U. A. product with the Consolidated Amusement Co. of Honolulu.

‘Gulliver' Aired Heavily

Music from “Gulliver’s Travels” has been used in the different broadcasts in England, according to a letter received by the Paramount home office from T. C. Reddin, Param-...
1,200 at Academy Banquet Tonight; Balloting Is Close

HOLLYWOOD, Feb. 28.—Elite of Hollywood and representatives of publications all over the world will gather tomorrow night in the Cokoanut Grove of the Ambassador Hotel for the 12th annual macOS of the Academy of Motion Picture Arts and Sciences when winners of one of the most spirited balloting contests in the history of the event will be announced.

Nearly 1,200 persons, including 65 newspapermen and companions, have covered tickets which sold at $25 and $10 each. They were sold out many days in advance. Guy Lombardo and his orchestra will furnish the music.

The program will be opened by Frank Capra, past president of the Academy, who will introduce Walter Wanger, his successor. Wanger, in turn, will present the persons who will announce the winners of the various divisions of competition and present the awards, consisting of either a gold statuette, plaque or scroll.

Dr. Ernest M. Hopkins, president of Dartmouth, will present the award to the winner of the Irving G. Thalberg memorial trophy which is given to the producer adjudged as the most outstanding of the year.

Darryl F. Zanuck will preside over the board's decision to give the extras a separate charter and complete autonomy. (Continued on page 5)

22 Havana Houses Close

HAVANA, Feb. 28.—Film inspectors who charged that wage demands had not been met today caused a shut-down of 22 Havana film theatres and several in the provinces. The labor department refused to intervene and the theatres were forced to close due to a lack of inspected film. (Continued on page 4)

City Can't Ban Film if Passed by State

HOLLYWOOD, Feb. 28.—A circuit court has given a motion picture which has been approved by the State Division of Motion Picture Censorship, the State Supreme Court of Appeals has held here.

The opinion, concurred in unanimously by the court, was in the case of the City of Lynchburg against Dominion Theatres, Inc. A decree of the Lynchburg Corporation Court permitting the theatre company to show "The Birth of a Baby" was affirmed.

Bitter Split in SAG Over Extras Issue

HOLLYWOOD, Feb. 28.—Bitterness developed today between the Screen Actors Guild board of directors, composed of top members, and the Class B Council, composed of extra and bit players.

Both are at odds over the board's decision to give the extras a separate charter and complete autonomy. (Continued on page 8)

U.S. Has Fear Witnesses Will Be Intimidated

Even before the witnesses have been called to testify, the Government has undertaken legal steps to "protect" prospective U.S. witnesses in the New York anti-trust suit.

The Government yesterday served notice on the eight major defendants that legal action is in contemplation to restrain them from any possible attempts to "intimidate and coerce" such witnesses.

A similar order was requested by the Government when the bill of particulars issue arose, but Judge William W. O'Conor indicated the Government was prepared to move on its own.

Two Allied leaders are among those who have submitted affidavits to the Government, precipitating the appeal for the order to "protect" witnesses against intimidation.

The application, signed by Federal Judge Alfred C. Cose, will be heard by Judge Henry W. Goddard on March 5 at 3:30 P.M. in the chambers. The motion is based on strong fears of pressure on witnesses by the defendants, and demands the imposition of a restraining order. (Continued on page 8)

English Exhibitors Ask Lower Rentals

LONDON, Feb. 28.—First shots have been fired in a united campaign of English exhibitors to bring about reductions in film rentals. Provincial branches of the Cine-

marth Photographers Association already have considered the matter, and the Scotch Branch has appointed a committee to study the matter. (Continued on page 5)

Dies Coast Probe Early Next Month

WASHINGTON, Feb. 28.—Hearings on alleged participation of Hollywood Figures in Communist activities are expected to get under way here early next month before the Dies commit-

tee, it was said today.

Decision to make a further investiga-
tion of the situation in the film colony was reached by the Committee last night after two days of stormy executive meetings at which the whole program of the group was laid out. Much of the discussion revolved around the question of securing Mrs. Zuckerman as a witness. (Continued on page 8)
Purely Personal

HARRY ALEXANDER, president, and N. A. TAYLOR, vice-president of the Independent Theatres Association of Toronto, are in California.

Arthur Krim, Marc Blitzstein, Austin Kedig, J. E. Lopez, Al Green, Mrs. Michael C. Lo, Jean and Eddie Dowling at Sardi's for lunch yesterday.

Madeleine Carroll arrives today from abroad on the Conte di Savoia. Turman H. Talley, general manager of Movietone News, is also a passenger.

Among the Toronto exhibitors on vacation in Florida are Sam Firestone, Abe Polakoff, Mr. and Mrs. Sam Ulster.

J. M. Franklin, head of the Franklin & Herschorn Circuit, St. John, N.B., and his family are in Maine.

Philip Griffin, M-G-M New Haven booker, has returned to his desk after an appendicitis operation.

Joseph O'Sullivan is handling special feature publicity for Walt Disney on "Pinocchio."

Jack Goldberg, M-G-M salesman in Washington, observes his birthday tomorrow.

Constance Bennett is in town for several weeks.

Balcon Quits British Production Group

London, Feb. 28—Michael Balcon has resigned as president and a member of the British Film Production Association, claiming that its procedure is unconstitutional. He is not the best interests of the British industry, ... The permit the basis of his decision is a disregard of the preparation of a memorandum by the Motion Picture Producers and Distributors of America. The Board of Trade, Balcon's studio company also has resigned.

Metro Extends Contest

M-G-M has extended its $10,000 independent exhibitor exploitation contest to include all the company's 1939-40 releases. Original closing date of the contest was March 1, and included films released from Sept. 1, 1939, to Dec. 31. There will be identical prizes for first run and subsequent run exhibitors.

Kaiser Wins Verdict

A verdict for the defendant has been rendered by a City Court judge in the suit of the Esco Operating Corp. against William Kaiser. Filed in the suit alleged that Esco, a subsidiary of the Cocalis Circuit, as part owner of the Manhattan Theatre, was overcharged by Kaiser, also an owner, on alteration costs.

Ampa Meeting Today

New Anti-Trip Suit Started at Newark

A new anti-trust suit has been filed against the Esco Operating Corp., a subsidiary of the Cocalis Circuit, by the Netcong Amusement Co., operating the Netcong Theatre, Netcong, N. J.

The action seeks $330,000 damages, charging unfair pricing against the company in Newark, N. J., under federal court, by the Little Rock Amusement Co., operating the Netcong Theatre, Netcong, N. J.

The action is brought by Fred Falkner and William E. Smith, who have five other houses in Upper New York State and in New Jersey.

F & M. Sues, Wants Legal Fees Returned

St. Louis, Feb. 28—Trial lawyer, Friday, rendered a suit filed by Fanchon & Marco, Inc., and two of its subsidiaries to regain $42,500 allegedly paid in legal fees to John S. Leiby, former partner of the firm, and his partners.

The action is an outgrowth of an anti-trust action in 1936. (Attorneys for F & M. alleged that Leiby insisted on the filing of an anti-trust suit even after he had learned that F. & M. had effected a deal with his major companies. The anti-trust suits subsequently were dismissed. The suit also asks cancellation of $42,000 in notes given the defendants.

Pool to Distribute Yiddish Films Seen

Sydney Singerman, general manager of Maynoff Films, is discussing with other distributors of Yiddish films a move to pool the distribution of Yiddish pictures for Yiddish cinema reasons. The plan includes the individual production of films but with distribution and processing done centrally. There are about six producers of Yiddish films in the United States.

Hollywood, Feb. 28—The Film Publicists Guild has established a bureau to assist members who are out of work. The bureau will explore employment in other fields as well as films. Known as the Guild Publicity Bureau, Inc., the bureau operates under the supervision of Cabe Yorke as a completely equipped and organized free lance publicity service. It will render, without charge, publicity to films and film industry outside the film industry.

The bureau's activities will not be permitted to conflict in any way with the work being done by the studio publicity bureau or free lance publicity agencies already established.

The enterprise is regarded as the first undertaking by a Hollywood guild to provide consistent employment for its members during periods of transition or while at liberty. It is understood the bureau will conduct activities with a sufficient number of accounts to meet overhead and the prospects of an immediate increase.

Publicists Organize Employment Bureau

Motion Picture Daily

Published daily except Saturday, Sunday and legal holidays. 

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Mar. 1940, Volume X, Number 32

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LEAVE A BIG SPOT IN YOUR MARCH PROGRAM!

For Easter go West-a! Last Easter 'DODGE CITY,' this year 'VIRGINIA CITY' - and bigger!
Watch THE VIRGINIA CITY SPECIAL roll to Virginia City March 16!

WARNERS, the Showmen!

TERRIFIC TEAM-WORK BY
ERROL
FLYNN • HOPKINS
Miriam

Randolph Scott • Humphrey Bogart
Frank McHugh • Alan Hale • 'Big Boy' Williams
Directed (for action!) by Michael Curtiz
Film Writers
Reveal Wage
Survey Facts

(Continued from page 1)
an average salary of almost $2,000
weekly, which could hardly be called
a true picture. Therefore, the method
employed by the I.L. of which Govern-
ment and all reputable statistical
agencies find most accurate, medium
or median figure.

The method considers complete salary range and boles for exact cen-
ter point from which 50 per cent of
check or under went from 24.5 per
cent above and 50 per cent are
below.

This survey is made on the basis
of reports of salaries of the last three
years, that there has been definite
lowering of salaries during that time,
despite the fact that there has been
no industry-wide salary cut, is shown
by the following figures:

Medial Wage of $120

"Medial weekly wage for 1937
was $174, for 1938 it was $151,
and for 1939 it was $120. Agents' fees
are fixed expense. Deduct at least 10 per
cent from above table for actual earnings.

"Not only has medial salary
dropped, but number of weeks employ-
ment per year has diminished and
there has been increase in total un-
employment as well.

"Average number of weeks worked
per year in 1937 was 26.5; for 1938,
it was 25; and in 1939 it was 19.5.

"Unemployment as used in these
figures refers specifically to screenwriters,
and many of them are in fact still
on the go; they are still making a living
in other ways and have viable lives.

Lower Salaries Prevail

"Lower salaries are becoming more
prevalent. Writers averaging $50 per
week or under went from 24.5 per
cent in 1937 to 24.3 per cent in 1938
and to 31 per cent in 1939. Higher
salaries have always been few and
arrogant on the deck.

"Writers averaging over $2,000
weekly in 1937 were 1.2 per cent of
the total, decreasing in 1938 to nine-
thousandth of one per cent and in 1939
eight-eighths of one per cent. Per-
centage of writers averaging over
$1,000 per week in 1937 dropped from
seven per cent in 1937 to 6.5 per
cent in 1938 and 6.6 per cent in 1939.

Get's AGVA Charter

Philadelphia, Feb. 28—Member-
ship of the Screen Actors Asso-
ciation, organization of vaudeville
and night club entertainers here, unan-
imously voted to cooperate with the
American Guild of Variety Artists
and accepted a charter as A.G.V.A.'s Phil-
adelphia local, Philip Irving, presi-
dent of the New York local, formally
presented the charter after affiliation
was approved. A nominating com-
mittee will meet to select new officers.

CRITICS' QUOTES . . .

"NORTHWEST PASSAGE" (M-G-M)

For the most part the film described the hazards of the trip and
the return as vividly as the book. . . . Tracy can get ready to
accept wholesale the advice of Chicago Daily Times.

Thrilling. . . . It is adventure, high wide and handsome.

Presents Tracy in what is perhaps his finest characterization.

The picture has sweep and is also rich in detail—Chicago
Times.

A stunning, almost unbarably exciting production, one that
sets a new high in movie realism. . . . A grim statement of horri-
fication that no one will accept in sense of the world. . . . One of
the principal reasons for the film's force is Spencer Tracy—Philadelphia Record.

A stirring, heroic, nerve-stirring drama of pre-Revolutionary
day America. . . . A mighty adventure story, superbly played—Philadelphia
Inquirer.

Adventure—juicy, red and raw. . . . is punch-packed entertain-
ment. . . . A good show in the fresh supply of laurels. . . . One of the best jobs of his career is turned in by
Robert Young—Philadelphia Ledger.

One of the most virtuous and arresting historical melodramas
to come out of Hollywood. The performances are entirely con-
vincing. . . . Maintains a high pitch of excitement and suspense.

Newsweek.

Myers Sees U. S. Victory
In Industry Trust Suits

(Continued from page 1)
flow of product resulting threatens a
serious film shortage in some sections.
Viewing the current situation caused
by departures in distribution and ex-
hibition, Myers warned of "breakers
ahead" and urged independent exhibi-
tors to take protective measures.

"The industry as a whole no
who does not want in
rentals, said Myers.

Myers reiterated that Allied is ready to
renegotiate terms on arbitration of trade
disputes, but that all, not only a few,
guises must be included. He suggested that the distribu-
tors would be willing to discuss prob-
lems with Allied.

Urges Quick Adjustment

"Unreasonable clearance, arbitrary alloca-
tion of pictures, slowing, stock,paying,
withholding of product—all these call for amicable adjustment
within the industry, now," Myers as-
serted. "The larger issues may not
be finally settled for a number of
years. In the meantime, Rome is burn-
ing."

Before the approximately 75
exhibitors present, representing 101
theatres in the state, President
G. Smith vigorously assailed the an-
nouncement of the Dies Committee in
Washington that a new investigation
would be undertaken of the industry
in Hollywood. He said:

"It is gross injustice to point an
accusatory finger at our industry. There
are no more un-American individuals
in this industry than in other pro-
counsel. If the investigation
izes the public should not be led to
believe that this industry is dominated
by un-American factions.

He asked that a resolution that
effect be adopted.

Strong State Organization Needed

Smith stressed the need for a strong
state organization because of the "ad-
vent of many new forms of competi-
tion."

Charles L. Casanave, head of Ad-
vertising Accessories, Inc., National
Screen Service subsidiary, referring to the
accessories set up, said:

"We have worked on this plan for
six years. We are not a monopoly.
Our purpose is to reduce accessory
rentals, and representatives have been author-
ized under a national policy to make five-year agreements guaranteeing no
price increase.

"Industry Losing 15 Millions a Year"

Darrell Greek, I.T.O. attorney, ex-
plained the status of the taxpayer ac-
tion to force the state of Ohio to col-
tect a tax on film rentals, which had been declared exempt by state author-
ities.

In his speech Richey declared that
"destructive criticism is costing the
ind ustry $15,000,000 a year minimum."

He added that the industry will ex-
citement of its "most prosperous era
in history" when it finally achieves
peace, as it must soon.

He based his estimate of loss on the
basis that 5,000 theatres oper-
ing in the United States would in-
crease their gross $3 or more a day
and certain adjustments were accom-
plished.

Richey deplored the airing of
industry grievances in public and urged
retroactive to the fundamentals of show-
manship. The film business, he said,
depends on selling glamour, and any-
things which detracts public attention
from the main purpose is destructive.

Theatres Push Modernization

In comparison with the caliber of
films and exploitation in the last five
years, the present season has reached a
peak Richey charged.

Furthermore, he continued, film
theatres are keeping abreast of the
new developments. In the last two
years more of this has been done than
in any previous comparative period,
Richey said.

Striking at double billing, Richey
declared it to be "bad salesmanship,
prevents proper exploitation of worth-
while pictures and discourages the public from being frequent attendants and encourages them to wait for the big combination bills.

30 Percentage
Films for Next Year—Balaban

Paramount next season will make 30
top pictures—the same number as this year. This includes all rental
films, Barney Balaban, president of
Paramount, said yesterday.

Because of the 25 to 35 per cent de-
cline in foreign grosses, and because
increasing restrictions have been im-
posed on export trade and currency around the world, Balaban may have
to make the kind of pictures that will
be able to retrieve 90 per cent of their
revenue, he said from the North American continent, Balaban declared.

Balaban has just returned from Mi-
ami Beach, while in Florida he mixed
business with pleasure. He was in
constant touch with company and in-
dustry conditions by telegraph and telephone and had further conferences
with visiting Paramount partners, ex-
hibitors and industry chieftains, such
as Jack Isensee, Chicago; Louis
Balaban & Katz, in Chicago, Para-
mount's chief theatre subsidiary, is
among those who have made applica-
tion for a television license from the
Federal Communications Commission.

When asked about reports that ex-
hibitors were protesting the entry of
16 mm. film competition, Balaban
stated he was "looking into that prob-
lem."

AltermanWinSuit

Over L. I. Theatre

Supreme Court Justice Lockwood
decided in favor of the defen-
dants in a $250,000 suit filed by
William J. Isensee against Louis Alter-
man, Jack Isensee, Long Island Motion
Picture Co., owner of the building in
which the Savoy Theatre is housed, and
the Coney Operating Co., charging that
Isensee, a majority stockholder of the
Long Island Motion Picture Co., charged
Jack Alterman, minority stockholders, had leased the theatre to themselves in the name
of Coney and have been operating it
since 1929 without stockholder's knowl-
edge. He charged that insufficient rent
was paid the realty company. Louis
Nizer represented the defendants.

Lloyd Suit Up Monday

Plagiarism suit of William Rapo-
and Lowell Branteno against Harold
Lloyd and the Harold Lloyd Corp.
concerning "Professor Beware," be-
be heard in the New York Federal
Court March 5. Lloyd is en route here
from the Coast.
Hollywood Reviews

“The House Across the Bay” (U. A.-Wanger)

Hollywood, Feb. 28—George Raft and Joan Bennett, supported by Lloyd Nolan, Gladys George, Walter Pidgeon and others, are starred in Walter Wanger’s “The House Across the Bay,” a slow moving drama of an underworld character’s wife who sends him to prison in order to save his life from a rival racketeer. Her plan misfires when her husband’s attorney, desiring her love, puts up such a poor defense that the racketeer gets ten years in Alcatraz.

From there on, the story sags until its final moments. The lawyers hound the wife who has fallen in love with an airplane inventor, and finally tells Raft of her actions. Raft escapes from Alcatraz, kills the attorney, after hearing his wife and the inventor’s stories, and is killed returning to “The House.”

Archie Mayo, who directed such pictures as “They Shall Have Music,” “You Take a Fling,” and “The Adventures of Marco Polo,” guided this production. Kathryn Scola receives credit for adapting the original story by Myles Connolly.

Miss Bennett has her best role. She is a unique achievement to date, sings two songs, “Chula, Chiluha!” by Jules Styne, Nick Castle and Sidney Clare, and “I’ll Be a Fool Again,” by Al Siegel. The latter has possibilities of becoming popular.

Included in the cast are June Knight, Peggy Shannon, Edward Fielding, Miki Morita, Eda McDaniel, William Wayne, Joseph Sawyer, George Knight, Joseph Cribian, William Halligan, Kenneth Harlow, Ed Marr, Norman Willis, Georges Renavon and Mack Gray.

Running time, 85 minutes. “A.”

* * *

“Apache” denotes adult classification.

“The Showdown” (Sherman-Paramount)

Hollywood, Feb. 28—The “Hopalong Cassidy” created by Clarence Mulford and brought to the screen by William Boyd under the production aegis of Harry Sherman, is here instrumental in seeing that a shipment of horses is safely made. That shipment, and attempts to sidetrack it, provide the main action ingredients of the story by Jack Jungnieder, with screen play by Harold and Daniel Kussel.

Romantic elements are supplied by Russell Hayden and Jane Clay- ton, the latter cast as a girl who hopes him to a ranch. Morris Morakhan, as a bogus Baron, supplies the villainy.

Howard Bretherton’s direction keeps the emphasis on action, with backgrounds of the picture properly scenic for the outdoor subject.

Running time, 63 minutes. “G.”

“Millionaire Playboy” (RKO)

Hollywood, Feb. 28—This is a farce, having as its principal protagonist Joe Penner, whose role is that of a scion of a wealthy family who gets hiccups when a girl kisses him. Reminiscent of earlier Harold Lloyd vehicles and laden with slapstick, it was written by Bert Granet and Charles E. Roberts, from an original story by the former. Robert Sisk produced under the guidance of executive producer Leo Marcus.

Supporting Penner are Linda Hayes, Russ Brown, Fritz Feld, Tom Kennedy, Granville Bates, Arthur Q. Bryan, Adele Pearce, Diane Hunter, Mary Milford and Mantan Moreland.

Penner is taken on a vacation resort through a plot of his father, who wants him to be cured of hiccups when he is kissed. The beautiful girls there harass him, he falls in love with the proprietor of the resort. Penner manages to outwit his father’s agents, desiring of pursuing the establishment, and all ends happily.

Running time, 64 minutes. "G."

“G” denotes general classification.

Hold Rites for Marrs

Metro Buys Article

Thursday, February 29, 1940

MOTION PICTURE DAILY

Tips on Exploitation

College Queen Contest

Planned by Paramount

All-American college queen, chosen from 462 colleges in the country, will be picked by Paramount in national competition in connection with the world premiere of "Those Were the Days," in Galesburg, Ill., on May 21. One girl will be selected from each state in the U.S. Twelve will be selected to attend the opening, and a final winner will be given a screen test in Hollywood.

‘Brain Twister’ Stunt

Is Used on ‘Balalaika’

Toronto, Feb. 28—Manager Ray Tubman of the Capitol, Ottawa, secured three full pages of cooperative advertising in the Journal in a tieup with 24 merchants in a “brain twister” contest for the run of “Balalaika.” Reades were invited to identify the slogan or other characteristic of each store, which were first published in the Journal without names or addresses. Several days later the complete advertisements with names of merchants were published in the Journal. Merchants provided eight merchandise prizes while the cost to the theatre was 10 pairs of passes.

Women’s Wear Section

Plugs ‘Thief of Bagdad’

Women’s Wear Daily, leading trade publication devoted to the women’s clothing field, on Tuesday issued a special section, arranged as a tieup by Monroe Greenhal, head of exploitation of United Artists, on Alexander Korda’s film, “The Thief of Bagdad.” Several articles and advertising stress the merchandising possibilities of the so-called ‘Thief of Bagdad’ dress patterns, in Oriental designs.

Warner’s Issue Short

‘Virginia’ Invitation

Warner’s has sent out what the press department calls a “lusty appeal” to be present at the opening of “Virginia City” at the town of that name in Nevada on March 16. Described in an accompanying letter as the “harbinger of a formal invitation, the appeal is a large, attractive poster, hand-lettered, with small, color illustrations pertinent to the text describing the nature of the town in its mining heyday.

English Exhibitors

Ask Lower Rentals

(Continued from page 1)

C. E. A., 1940 General Council will hold its first meeting on March 13. The London Branch today tables a resolution, which has unanimous support, calling on the General Council to take immediate action. The exhibitors contend that rentals were too high, even before the war. Representatives of the London Branch tomorrow will discuss with C. E. A. the idea of having a court, its plan to show films in Leicester Square free on Sundays for members of the armed forces. The plan was vigorously opposed by local exhibitors.
MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action

<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>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>Feb. 2</td>
<td>Pioneers of Frontier (O) Convicted Women (D)</td>
<td>I Take This Woman (G-D) La Marr-Tracy</td>
<td>Chasing Trouble (G-D) Frankie Darro</td>
<td>Parole Fixer (G-D) William Henry</td>
<td>Village Barn Dance (G-M) Cromwell</td>
<td>The Marines Fly High (G-D) Ditz-Ball</td>
<td>The Man Who Wouldn't Talk (D) Lloyd Nolan</td>
<td>Danger on Wheels (D) Arlen-Devane</td>
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<td>Feb. 9</td>
<td>Five Little Peppers at Home (D) Edith Fellows</td>
<td>Broadway Melody of 1940 (G-M) Astaire-Powell</td>
<td>East Side Kids (G-D) Vincie Barnett</td>
<td>Light That Failed (G-D) Colman-Houston</td>
<td>Sidewalks of London (G-D) Laughton-Leigh</td>
<td>Swiss Family Robinson (G-D) Bartholomew</td>
<td>Young As You Feel (C) Jones Family</td>
<td>My Little Chickadee (A-C) West-Fields</td>
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<td>Feb. 16</td>
<td>Man From Dakota (G-D) Del Rio-Berry</td>
<td>Cheyenne Kid (G-O) Jack Randall</td>
<td>Knights of the Range (G-O) Jean Parker</td>
<td>Pinocchio (G)</td>
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<td>They Came By Night (D) Will Fyffe</td>
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<td>Granny Get Your Gun (C) May Robson</td>
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<td>Feb. 23</td>
<td>Northwest Passage (G-D) Tracy-Young</td>
<td>Murder on the Yukon (G-O) James Newell</td>
<td>Seventeen (G-D) Field-Coope</td>
<td>Pioneers of the West (O) 3 Mesquiteers</td>
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<td>Chump at Oxford (G-C) Laurel-Hardy</td>
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<td>House Across the Bay (D) Joan Bennett George Ral</td>
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<tr>
<td>Mar. 1</td>
<td>Blonde on a Budget (C) Arthur Lake Penny Singleton</td>
<td>Strange Cargo (D) Clark Gable Joan Crawford</td>
<td>Rhythm of Rio Grande (O) Torpedo Raider (D)</td>
<td>Showdown (O) William Boyd</td>
<td>Isles of Destiny (D) Gargan-Ford</td>
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<td>Framed (D) Constance Moore Johnnie Downs</td>
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<td>Mar. 8</td>
<td>Outside the Three Mile Limit (G-D) Jack Holt</td>
<td>Ghost Comes Home (D) Frank Morgan</td>
<td>Human Monster (G-O) Bela Lugosi</td>
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<td>Zanzibar (D) Lola Lane</td>
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<tr>
<td>Mar. 15</td>
<td>Men Without Souls (D) Rochelle Hudson</td>
<td>Young Tom Edison (G-D) Mickey Rooney</td>
<td>Midnight Limited (D) John King</td>
<td>Forgotten Girls (D) Donald Woods</td>
<td>Millionaire Playboy (C) Joe Fannes</td>
<td>Grapes of Wrath (A-D) Fonda-Durwell</td>
<td>My Son, My Son (D) Aherne-Heywood</td>
<td>Ma He's Making Eyes at Me (M) Tom Brown</td>
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<tr>
<td>Mar. 22</td>
<td>Too Many Husbands (C) Robert Young</td>
<td>Florian (D) Robert Young</td>
<td>Midnight Limited (D) John King</td>
<td>Road to Singapore (M) Crosby-Lamour</td>
<td>Rancho Grande (O) Gene Autry</td>
<td>Primrose Path (A-D) Rogers-McCrea</td>
<td>Free, Blonde and 21 (A-D) Bari-Davis</td>
<td>It's a Date (D) Deanna Durbin</td>
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<td>Mar. 29</td>
<td>I Married Adventure (D) Mrs. Johnson</td>
<td>Dr. Kildare's Girl (D) Lew Ayres L. Barrymore</td>
<td>Road to Singapore (D) Raye-Ruggles</td>
<td>Ghost Valley Raider (O) Donald Barry</td>
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<td>Virginia City (O) Flyn-Hopkins</td>
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<tr>
<td>Apr. 5</td>
<td>Blazing Six Shooters (O) Starrett</td>
<td>Tomboy (D) Jackie Moran</td>
<td>Son of the Navy (C) Jean Parker</td>
<td>Farmer's Daughter (C) Raye-Ruggles</td>
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<td>Black Friday (D) Karloff-Lugosi</td>
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<tr>
<td>Apr. 12</td>
<td>Covered Wagon Trails (O) Jack Randall</td>
<td>Adventure in Diamonds (D) Brent-Miranda</td>
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<td>House of Seven Gables (D) Lindsay</td>
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<tr>
<td>Apr. 19</td>
<td>Phantom Pilot (D) James Neill</td>
<td>French Without Tears (C) Drew-Milland</td>
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<td>Enemy Agent (O) Cromwell</td>
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"Biggest Help"

"FOR THE PAST EIGHT YEARS I HAVE RECEIVED YOUR MOTION PICTURE HERALD AND I WISH TO EXPRESS MY THOUGHTS THAT IT IS THE BIGGEST HELP THAT I HAVE HAD IN THE SHOW BUSINESS. IDEAS, AD COPY, ETC., WHICH I HAVE RECEIVED FROM IT HAVE SURPASSED THE ANNUAL COST MANY, MANY TIMES."

VICTOR G. GEISEL
Manager

ORPHEUM THEATRE
GREEN BAY, WISCONSIN

MOTION PICTURE HERALD
ROCKEFELLER CENTER NEW YORK
Protection Sought For U.S. Witnesses

(Continued from page 1)
in, a number intimate or attempt to intimidate witnesses, or to influence their testimony by threats of annoyance or oppression adversely affecting a witness or his family or place of business. The motion, which the Government will make, is that the affidavits of Cole, Yamin and Conaway, which the defendants contend, in his affidavit, that witnesses, "even without threats by the major companies," will not testify unless the court safeguards their business interests.

Majors Deny Intimidation

Two of the affidavits attempt to prove this assertion by citing alleged examples of intimidation. The majors have on a number of occasions viciously denied charges of intimidation. In February

Answers to Government interrogatories numbering 40 through 59 are being filed by the majors tomorrow.

On the same day the Government is expected to file its answers to a consolidated list of interrogatories submitted by the majors.

Majors BOWES will celebrate the sixth anniversary of his "Anateur Hour" on Thursday, March 21 over CBS. The last three years have been with Columbia. During the past six years, about 1,500 amateur actors have been carrying the program on the air and appearing on the stage in film houses.

Since his association with CBS, applicants with about 3,000 actually getting their chance before the microphone.

Kaltenborn Going to NBC

After having been heard on CBS during the organization of the network, H. V. Kaltenborn is scheduled to transfer his activities to a position with NBC. Kaltenborn was on CBS on May 28. His sponsor, Pure Oil Co., will continue to act as sponsor after the switch. The new contract will be for 52 weeks. Kaltenborn will be heard Tuesdays, Thursdays and Saturdays from 7:45 to 8 P.M.

Personalities in the News

Phil Spitalny, the bandleader, has been booked into the Stanley theatre, New York, where he will follow his brother, Maurice Spitalny, who appears there the preceding week. Also appearing will be: WJEU, Erie, arrived in town yesterday. The Ritz Brothers will be guests of the George's College of Mutual on Wednesday at 2:45 P.M., Ralph Foster and John Pierson, manager and sales manager, respectively, of KGBX, Springfield, Mo., returned home yesterday after a week's stay here. Betty Grable will recall forty hits of the Hollywood great as the guest of Bill Stern on March 10.

Pittsburgh Night Tonight

Westinghouse's "Musical Americana" will celebrate Pittsburgh Night over NBC-Blue today at 8 P.M. Included tonight will be: Art Shy, William S. Hedges, Charles W. Horn, I. E. Showerman, Keith Kiggins, Mr. and Mrs. Walter E. Myers, and Mr. and Mrs. A. J. Ghisalbert.

Program News

American Tobacco Co. has renewed the George's "College of Mutual Knowledge" over NBC-Red for an additional 13 weeks. April 3 will start "Ayers Third year on the network for the same sponsor,... Raymond Gram Swing, now heard on Mutual stations, is scheduled to go Coast to Coast in the near future... NBC has recorded four fifteen-minute programs for the Rexall Stores and will ship the scriptpilot to the sponsors to be used locally for promotion of the annual one-cent sale.

Song Star Gets Screen Test

Yvette, the singing discovery at NBC, who is heard Sundays at 3:45 P.M. on Mutual Monograms, has a new sponsor. The majors have on a number of occasions viciously denied charges of intimidation. In February Answers to Government interrogatories numbering 40 through 59 are being filed by the majors tomorrow.

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Academy Winners

Hollywood, Feb. 29.—Winners of the various awards, announced tonight at the annual dinner of the Academy of Motion Picture Arts and Sciences, follow:

Most outstanding picture of the year—"Gone With the Wind," Selznick International.


Best performance by an actress—Vivien Leigh in "Gone With the Wind," Selznick International.


Best performance by an actress in a supporting role—Hattie McDaniel in "Gone With the Wind," Selznick International.

Best achievement in direction—Victor Fleming in "Gone With the Wind," Selznick International.

Best written screen play—Sidney Howard for "Gone With the Wind," Selznick International.

Best original motion picture story—Lewis R. Foster for "Mr. Smith Goes to Washington," Columbia.

Best achievement in art direction—Lyle Wheeler for "Gone With the Wind," Selznick International.

Best achievement in film editing—Hal Kern (supervisor) and James Neuman for actions "With the Wind," Selznick International.

Best achievement in sound recording—Bernard Brown for "When Tomorrow Comes," Universal.

Best achievements in cinematography—Black and white, Gregg Toland for "Wuthering Heights," Samuel Goldwyn; color, Ernest Haller for "Gone With the Wind," Selznick International.


Short subjects—Caricatures, "The Ugly Duckling," Walt Disney; 1,900 feet or less, "Busy Little Bears," Paramount; 1,000 to 3,000 feet, "Sons of Liberty," Warner Bros.


Selznick to Preside

At Quigley Awards

Hollywood, Feb. 29.—David O. Selznick, Thalberg award winner at tonight’s Academy dinner, will be toastmaster at the Quigley Grand Award presentation at the Victor Hugo Restaurant here on March 12.

The presentation will be made during a luncheon to be given by Mr. Quigley for studio heads, stars and directors, in honor of Ray Bell and Ege Brien, winners of the 1939 Motion Picture Herald- Managers Round Table competition.

Headquarters of the Awards party, directed by A-Mike Vogel have been established at the Hollywood Knickerbocker Hotel, where the visiting theatremen are to arrive on March 12, as guests of Quigley Publications. A program of entertainment for the winners has been arranged by the welcoming committee of studio publicity heads.

Robert Donat, advertising manager of Loew’s Theatre, Washington, D. C., and Brien, manager of Warners Prince Theatre, Ambridge, Pa., were chosen for the year’s honors by a voting committee of 35 industry leaders at the Hotel Astor in New York on Jan. 30.

Academy Honors ‘Wind,’

Robert Donat, Vivien Leigh

Hollywood, Feb. 29.—Highest awards of the motion picture industry were heaped tonight upon David O. Selznick and his precedent-breaking "Gone With the Wind."

The Academy of Motion Picture Arts and Sciences, holding its 12th annual dinner-dance in the Coconut Grove of the Ambassador Hotel, not only gave Selznick the Irving G. Thalberg Memorial trophy but also voted his production as the year’s most outstanding film.

Robert Donat, star of the British-made "Goodbye, Mr. Chips," was acclaimed for the best acting performance among male stars while Vivien Leigh won the trophy as the queen of actresses for her work in "Gone With the Wind."

Nearly 1,200 persons, jamming every inch of space in the Coconut Grove, saw one award after another bestowed upon the Selznick picture. It won the following other distinctions:

Best performance by an actress in a supporting role, best achievement in directing, best written screen play, best achievement in art direction, best achievement in film editing, best-color cinematography, and a special trophy for the use of color in enhancing dramatic mood.

Selznick was heavily applauded as he received the Thalberg Award, having been voted the outstanding producer of 1939. Darryl Zanuck won the Thalberg trophy the first year and Hal Wallis last year.

Walt Disney continued his domination of the cartoon field, winning this class for the sixth consecutive year. The assemblage at the Academy dinner-dance included practically every executive of the industry.

Europe Will Relax

Bars on Newsreels

By AL FINESTONE

Belligerent governments in Europe, after six months, have promised to relax censorship of newsreels and facilitate the transportation of news- reel films to the United States, according to Truman H. Talley, vice-president in charge of production of Motion- tone News, who returned yesterday from the Conto di Savoia from Europe where he spent more than two months.

Talley surveyed the newsreel coverage situation there with High Government officials in Italy, France, England, Holland, Belgium and Switzerland.

Talley went to Europe in an attempt to ease the restrictions imposed on newsreel coverage and the export
Talent Agents Ready to Sign With A.G.V.A.

Talent agents who book vaudeville acts will effect a licensing agreement with the American Guild of Variety Artists within the next few days after present negotiations are successful, according to I. Robert Broder, attorney for Artists Representatives Association.

The agreement is expected to aid in a standardization of practices among agents who operate in the vaudeville field. In addition, the union will be aided in its organization drive by the provision that some of the agents may handle any performer who is not an A.G.V.A. member.

The A.R.A. has more than one hundred members, including most of the larger agents. It was organized four months ago and will be recognized as the only legally constituted body if a convention is held in nine months. The new agreement would provide for a monthly fee to be charged with a downward scale if certain services are not rendered by the agent.

The agents will hold a membership meeting Monday night at the Hotel Edison to consider the proposals.

Ampa Honors, Also 'Ribs' Critic Nugent

Frank Nugent, retiring as film critic of the New York Times to join 20th Century-Fox, was honored by the Ampa yesterday at Jack Dempsey's Restaurant.

With Paul Lazarus, Ampa president, as toastmaster, Arthur Mayer, operator of the Radio, acted as chief ribber, aided by various New York critics present. About 125 comprised the large turn-out of the organization. Kate Cameron of the Daily News spoke for the Film Critics Circle, and Bosley Crowther, Ben Crisler and Tom Prior, Nugent's associates on the Times, took a hand in the verbal lambasting.

Other New York critics present were: William Booth, Echelon Creedman, Howard Barnes, Irene Thier and Lester Mishkin. Burgess Meredith spoke briefly.

Bitzer's Condition Same

The condition of B. W. Bitzer, who was injured in the Over There's of the American Cameraman in the silent days, remains unchanged at the St. Luke's Hospital where he is recovering from his injuries. Among pictures he filmed was "Birth of a Nation."

20th-Fox Sets Dividend

Board of directors of 20th Century Fox yesterday declared a dividend of 37½ cents per share on the outstanding preferred stock, payable March 30, to stockholders of record on March 15.
WHICHEVER WAY YOU SPIN IT, YOU HIT THE JACKPOT!

ROAD TO SINGAPORE

JACK-POT

JUDITH BARRETT

BING CROSBY

DOROTHY LAMOUR

BOB HOPE

SPIN OVER to the next page...
Paramount's GIVING US THE AIR ... AND DO WE LIKE IT!

Yessir, Paramount's really bombarding the ether from coast to coast with those five hit parade leaders from "Road to Singapore." And, what's more, those three money stars, Bing Crosby, Dorothy Lamour and Bob Hope, are appearing on three of radio's biggest programs (just look at their Crossley ratings and you'll see what we mean) to sell "Road to Singapore" to each and every movie customer in the land!

Here are three of the opening guns in what promises to be the biggest radio build-up any picture ever received . . .

ON THURSDAY, March 14, from 10 to 11 P.M. over 77 NBC Red network stations, Bing Crosby will sing those hit tunes, with a big plug for the picture!

ON TUESDAY, March 19, from 10 to 10:30 P.M. over 63 NBC Red network stations, Bob Hope (assisted by Jerry Colonna) goes to work to sell those hit songs. And from then until release date, Bob will keep punching home the songs and "Road to Singapore!"

ON MONDAY, February 26, from 8 to 8:30 over 65 CBS stations, Dorothy Lamour guests with Tony Martin and Andre Kostelanetz to sing the hits from her biggest hit!

TUNE IN ON THESE PARAMOUNT SALESMEN . . . HEAR THEM GO TO WORK FOR YOU AND YOUR BOXOFFICE!

"ROAD TO SINGAPORE" Bing Crosby • Dorothy Lamour • Bob Hope
Charles Coburn • Judith Barrett • Anthony Quinn • Jerry Colonna • Directed by VICTOR SCHERTZINGER
Screen Play by Dan Hartman and Frank Butler • Based on a Story by Harry Hervey • A Paramount Picture •
**Hollywood Stars Massing Upon Broadway For Record Spring Rush in Drama Field**

**Ohio ITO Reelects Officers**

COLUMBUS, O., Feb. 29.—Officers and directors of the I.T.O. of Ohio were re-elected today at the closing sessions of the annual convention here. Those reelected follow:

Martin G. Smith, Toledo, president; Frank W. Huss, Cincinnati, and Robert Menches, Akron, vice presidents; Roy Simons, Washington, president, and approved by the directors. Also, associate memberships will be accepted from non-active members.

Max Rosenberg, president of the Western Pennsylvania Allied, spoke in favor of many members contended that the majors are not living up to their sales policy promises and that most companies are forcing short and newsreels despite claims to the contrary.

The I.T.O. adopted a resolution to inform the major companies that the exhibitors' disapprove any deviations from promised policies.

P. J. Wood is scheduled to be re-appointed secretary of the I.T.O. by the board.

**Deny Trust Charges in Philadelphia Suit**

PHILADELPHIA, Feb. 29.—The Warner Theatre Circuit and the management of the Lasky Theatre yesterday denied any connection with a suit filed in the United States District Court, alleging that they have been seeking to reduce the admission prices of the theatre. The suit was filed by an attorney who claimed that the defendants had been conspiring to reduce the admission prices of the theatre. The suit was filed by an attorney who claimed that the defendants had been conspiring to reduce the admission prices of the theatre.

The prayer for the rehearing was filed by Rubin Shapiro and Harum Affiliated Theatres Corp., asking for triple damages of $225,000. No date has been set for a rehearing.

In the latter's show, the suit has not been doing big.

William Saroyan whose "The Time of Your Life" has kept Eddie Dowling and Julia Haydon busy all season, has a new play soon going into rehearsal. Jessie Royce Landis has the principal role.

Broadway is excited over Dwight Wiman's production of Rodgers and Hart's "Higher and Higher," which is now in rehearsal. But the play, a hit, will be a hit, and Jack Haley, Merta Engert and Shirl Ross to the Smith April 3. This is the piece which was originally intended for Zorina and concerns the American Butler's Ball.

Another exciting piece of news is that Alfred Lunt and Lynn Fontanne are on their way to town in a new play, a hit, and the play "Revelation" is being reviewed by Robert Sherwood.

Also that Jimmy Durante, Ray Bolger and Jack Carson, as well as Alexander D'Arcy will be in "Louisiana Purchase," a new musical with music by Irving Berlin.

It has been announced that Joe Cook and Patsy Kelly will be in Leonard Sillman's "New Faces."

**Walls, Warner Talk On Spring Schedule**

HOLLYWOOD, Feb. 29.—Stories, associate producer and directorial assistant at Warner, has been announced. Production of Spring production will be set at a series of conferences between Hal B. Wallis, Mervin R. Willson and Jack L. Warner, which started today upon Walls' return from New York.

**Theatre Notes**

Elton to Reopen Soon

The Elton in Brooklyn will reopen in four weeks under Brandt supervision.

**Bricus Acquires Circle**

Harry Brandt has acquired the Circle from now being constructed at Utopia Parkway and 166th St., Long Island.

Brooklyn House Closes

The Comet, 600-seat theatre at 856 Gates Ave., Brooklyn, has closed.

**Catholics Pick Full Committee Of Film Chiefs**

The 1940 Catholic Charities Drive will begin on Sunday. The Motion Picture Board and Committee of which John J. O'Connor, operating head of RKO Theatres, is chairman, has been completed. The full personnel of the committee will meet on Saturday.

Jack Alicate, Film Daily; Nate J. Blumberg, Universal Pictures; Major Howard Boardman, Brandt Theatres; Harry Buckley, United Artists; Pat Casey; Max Cohen, Cinema Circuit; H. C. Doherty, Warner Brothers Co.; William J. Donovan, Donovan, Leis-ure, Newton & Lubard; Si Fabian, Fabian Pictures; J. H. Gilmore, Variety; J. R. Grainger, Republic Pictures; Al Hovel, Century Circuit; State George Joseph, Modern Pictures; John Kaue, Columbia Pictures; Maurice Kam, Barborie; Austin C. Keyhoun, Paramount Pictures; Joseph P. McLaughlin, Columbia Pictures.

Also Charles B. McDonald, RKO Theatres; Willard S. McKay; Joseph P. McLaughlin, Paramount Pictures; Joseph E. McMahan, Consolidated Film Industries; William C. Michel, 20th Century-Fox; William M. Morris, William Morris Agency; John Murphy, Loew's, Inc.; Senator William J. Murray, Harry Brandt; Co.; Paramount Pictures; Phil Reisman, RKO Radio Pictures; Sam Rinzler, Random Force Amusement Co.; Herman Roh-ling, Samuel Goldwyn, Inc.; J. B. Rosenberg, Metro-Goldwyn-Mayer Pictures; George J. Schaefer, RKO; William A. Seigle, Seigle, & Co.; Jack V. Seigle, RKO; William Sears, Warner Brothers; George Skouras, Skouras Theatres; Spyros Skouras, National Theatres; Norwood; Officers; George Stowell, Palace, Comerford Theatres, and George Walsh, Netco Theatres.

**Council Reconsiders Support of Neely Bill**

LOUISVILLE, Ky., Feb. 29.—The Better Films Council of Louisville and Jefferson County today voted to reconsider its earlier action in endorsing the Neely bill, now pending in the House.

The council's action was taken after Mrs. Harry Camp, president, heard George S. Shiley, president, of the Board of Loeu's, present the opposition's views on the measure.

**Date Garfiled Play**

"Heavenly Express," Albert Bein play which will star John Garfield, Warner contract player, will open March 23 in Princeton, N. J. and will remain on the road. The play, "Barbara Bloomender, business manager of the Group Theatre, producer, plans a Broadway opening next Fall."
Walters are planning a national sales convention for early in June, and M-G-M plans to forego a national convention in favor of regional meetings of district and branch managers late in March.

Plans of both companies are indefinite at present, and are being held up pending future developments. Gradwell L. Sears, general sales manager of Warner Bros., will be examined March 11 in the Government anti-trust suit and Harry M. Warner, president of the company, will arrive from the Coast late in March. A definite date for the convention is expected to be arrived at by then.

Distribution of "Gone With the Wind" will have a bearing on the dates for the T-G-M sales meetings. William F. Rodgers, general sales manager of M-G-M, who is expected from Chicago, plans to attend on Thursday a regional sales meeting in San Francisco early this week.

Those attending were George Fleischer, general sales manager of Warner Bros.; branch managers from Los Angeles, San Francisco, Portland, Seattle and Salt Lake City.

Kuykendall Sees Industry Harmony Via Conciliation

COLUMBUS, Miss., Feb. 29—Ed Kuykendall, president of the M.P.T.O.A. has reiterated today his organization in favor of conciliation machinery to settle industry differences.

His statement follows the disclosure that conciliation boards have been successful in Ontario and Nova Scotia.

Kuykendall told MOTION PICTURE DAILY: "The M.P.T.O.A. has long been on record as favoring conciliation. It must eventually come about if we are to have peace in this industry."

"I hope that the small minority which has opposed everything conciliatory, including the proposed trade practice code, will express their desire for it now," Kuykendall referred to the resolution adopted at the annual meeting of national Allied directors in Washington in January which urged the industry to adopt an arbitration system.

Kuykendall continued: "The M.P.T.O.A. will cooperate with all elements of the industry in an effort to bring about trade practices that are beneficial to all exhibitor interests."

"Lawsuits and Government prosecutions and interference will wreck us. Let's do something," he said.

Europe to Relax Newsreel Censorship, Reports Talley

(Continued from page 1)

of film. As a result, he said: "Censorship will be less strict in France, and England been major obstacles for the newsreels since the start of the war last September.

As one of the results of his conferences, Movietone News will not be obliged to provide the other newsreels with its films, Talley said. Hereafter, the wire service representatives in the warring countries have been compelled by the Ministries of Information to prepare prints for censored material.

A definite arrangement will be worked out here, Talley said.

Premier Daladier of France arranged for Talley and Russell Muth, Central European representative of Movietone News to tour the Western Front. Talley saw much action and brought back considerable film which will be incorporated in Movietone releases. He also brought back about 200 stills of Maginot Line action.

What he sought to impress on the Government officials, Talley said, was that the newsreels are interested in factual coverage and not propaganda. He said Sir John Reid, recently appointed British Minister of Information, was entirely sympathetic to this viewpoint and agreed that newsreels must be objective, with "sultans" favoring either belligerent side being avoided.

Audience With Pope XII

Talley had private audiences with Pope Pius XII at the Vatican and Mussolini of Italy. He will also inform Sidney R. Kent, president of Century-Fox, of the American industry's position generally in Europe.

Talley crossed the English Channel four times by air and once on a British troop ship. He reports that Bonney Powell, Movietone cameraman on the Finnish front, suffered injuries in last week's attack. Edmund Reck, general manager of Movietone News; Tony Muto, Washington representative, and A. A. Brown of Talley's staff boarded the ship down the bay to greet their chief.

Mexico Notes

MEXICO CITY, Feb. 29—Mexico's first sound studio, La Nacional here, which has been functioning since 1931, has been condemned by the Municipal Government because it needs the land upon which it is situated for a boulevard. The owners have been compensated for the property. The studios are to be razed next month.

Convinced of the advantages of education, the National Cinematographic Union is establishing a general and technical school in its headquarters here for its members and their kin.

Government to Use 'Almanac' at Trial

The Government yesterday cited the use of "Almanac" as the basis for certain of its statistical charts which were presented at the trial of the anti-trust suit. Notice was given to attorneys for the majors that the charts should be admitted in evidence. Notice was also given to attorneys for the majors and the independent producers as evidence.

The proposed stipulation calls for discussion and agreement upon such statistics as the number of pictures released by each distributor for some of the recent seasons and the name and location of first run houses of the five producer-exhibitors in key cities.

Attorneys for the majors will be asked to specify that the evidences are engaged in legitimate commerce; that the majors have under contract the most valuable stars and technical men; and that the defendants have not competed with each other in the same areas.

Admissions will be sought that the majors are engaged in legitimate commerce, distribution and exhibition branches of the industry; that independent exhibition is impossible; that a New York anti-trust suit will out major product; and that first run houses require quality pictures.

The long arguments between majors and alleged discrimination in the set of product of product are covered. Long term franchises among the majors in the exhibition field and the percentage of films used in affiliated houses by major producers are included in the stipulation's provisions.

Sales Parleys Set by Metro And Warners

Walters are planning a national sales convention for early in June, and M-G-M plans to forego a national convention in favor of regional meetings of district and branch managers late in March.

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Novels Lead as Film Material

Hollywood, Feb. 29—Hollywood appears to be turning more to the novel as a source of material. Already released in 1940, or planned for release during the year, are about 60 pictures based on novels, from 10 studios. Heading the list is RKO, with 18, followed by Warners, with 11, M-G-M, nine, and Paramount, eight.

Pre-Trial Talk On Trust Facts Sought by U.S.

Fixing of a pre-trial conference date for attorneys to simplify issues and to substantially shorten the trial of the Government's antitrust suit against the five major exhibitors will be asked of Federal Judge Goddard on March 5 by the Government, a notice served upon attorneys on the case stated.

The application will be made simultaneously with one by the Government for an order regulating interviews of Government witnesses by the defendants.

A comprehensive stipulation covering trade conditions, practices and statistics in the industry which attorneys for majors will be asked to sign at the pre-trial conference was announced.

The 49-page stipulation also sets forth a history of the suit and alleged general conditions in the motion pícures industry. The Government contends in the stipulation that admitted facts on organization and operating practices could be agreed upon at the conference.

The Government will seek to discuss with the majors a description of the defendants and their organizations;
They're off... in a cloud of GOLD DUST!

In its first engagements, Paramount's SEVENTEEN proves it belongs right up there with the big ones!

If it's a PARAMOUNT PICTURE... it's the best show in town!

Little Rock: SEVENTEEN runs ahead of "Remember the Night"

Dallas: SEVENTEEN runs ahead of "Victor Herbert" and "Geronimo!"

Salt Lake City: SEVENTEEN runs neck and neck with "The Great Victor Herbert"

New York Paramount: SEVENTEEN crashes through with record-breaking business... in spite of snow and sleet!

Memphis: SEVENTEEN runs even with "Beau Geste"

Houston: SEVENTEEN runs ahead of "Jamaica Inn"

Phoenix: SEVENTEEN runs ahead of "Remember the Night"

Jackie Cooper and Betty Field in "SEVENTEEN"

with Otto Kruger - Betty Moran - Directed by Louis King - Screen play by Agnes Christine Johnston and Stuart...
Creditors Fight Over Trustee Of Educational

Creditors of Educational Pictures, Inc., clashed over the election of a trustee for the company at a first meeting held yesterday before Referee John B. Sargent.

Selection of a trustee, which carries with it the control of the liquidation of Educational, was postponed to March 5 by Referee Joyce to allow him time to pass on an objection to a claim of $64,000 filed by Harry Fronberg as trustee of Grand National Pictures.

Fronberg, on the strength of his claims, non-commercial sales, contended that G.N. had violated its agreement with G.N. under which it had purchased 1,100 shares of G.N. stock in return for Fronberg's major share of Educational's assets.

Proof of claim filed by Fronberg, which came as a surprise to creditors, was based on a charge that Educational had violated its agreement with G.N. totalling $46,000 in value. The claim seeks the difference between the nominal value of the stock and the value of its assets transferred to G.N., as it was.

A hearing on G.N. bankruptcy proceedings was also held yesterday before Referee Peter B. Olney, Jr., when the attorney for the G.N. trustee questioned Harold Saxe, George Blake, Edmund V. Halley and Sidney Abrams on loans made to the company.

Britain to Drop New Rules for Industry

(Continued from page 1)

The decision on the quota situation, the interim period will find either the retention of the present quota or some sort of retroactive legislation. The latter would take care of unfilled quotas as a result of the virtual cessation of British production because of the war.

It is believed that the latter method is the more likely, especially in view of the recent Films Council decision that only films fulfilling the stipulations of the present quota could be financed by the proposed Film Credit Bank.

Swing in Church
Youngstown, O., Feb. 29.—
The solemn silence of the congregation listening to the pastor's sermon at dawn at Trinity Methodist Church was rudely shattered when the church's electric organ began emitting swing music.

Investigation developed that the instrument had been turned on by the music from Station WMJF, whose antenna is located near the church.

New Films Open Strongly

New films along Broadway opened strong this week despite several days of bad weather.

"The Story of Dr. Ehrlich's Magic Bullet," with Tommy Tucker's band on the stage got off to a good start with an estimated $49,000 for its first week. It is held over and is looked upon as a hit.

At the Music Hall, "Abe Lincoln in Illinois," with stage show, drew an estimated $82,000 and is also remaining. The opening day of "Seventeen" at the Paramount, with Glenn Miller's band on the stage, grossed an estimated $32,000.

"The Blue Bird" starts a popular price run at the Roxy today. "Of Mice and Men," plus a stage show, drew an estimated $33,000 in its second week.

"Captain from the Hudson" opens tomorrow at the Globe. "The Marines Fight High" is due at the Rialto on Monday. "It's a Date" is scheduled to follow "Grapes of Wrath" at the Rialto late this month while "Three Cheers for the Irish" is booked for the Strand for either this or next week.

After an 11 and a half week run for "Gone With the Wind" at the Capitol, "Northwest Passage" bows next Thursday.

Academy Honors 'Windo,'
Robert Donat, Vivien Leigh

(Continued from page 1)

Winners of special awards other than Thalberg trophy are as follows:

Commemorative trophy for Douglas Fairbanks, Sr., first president of the Academy, awarded to his family. The statuette was accepted by Douglas Fairbanks, Jr., Sunday by Col. Victor Co. for bringing three-color feature productions to the screen.

Plaques to the following for their services to the Motion Picture Relief Fund: Joan Heruhl, president of the Fund; Ralph Morgan, chairman of the executive committee; Ralph Block, first vice president, and Conrad Nagel, who presides at the Gulf Oil Corporation radio show which benefits the Fund.

Miniature trophy to Judy Garland, judged as the most outstanding screen personality of the year.

Trophy to William C. Menzies for his contribution in the use of color to enhance dramatic mood in "Gone With the Wind."

Eighteen individuals and eight corporations were honored for technical and scientific achievements. No major award calling for a gold statuette, which has been bestowed only five times since inception of the academy, was given.

Winners of various achievement awards follow:

George Anderson of Warners for improved positive head for sun area.

Barnd of O.M.W. for mobile camera crane.

Thomas T. Moulton, Fred Allen and sound department of Goldwyn Studios for originality and application of Delta dodec test to sound recording.

G. R. Hines and Ralph B. Atkinson of Eastman Kodak for their research for chemical analysis of photographic developers and fixings.

Fairchild Ednart, Joseph E. Robbins, William L. Jones and Varanov for design and construction of quiet portable treadmill.

Harold Rye of Warners for miniature incandescent spot lamp.

John C. Wood of Warner's for design and manufacture of improved sound track equipment.

In unanimous citation for contributions in cooperative development of new improved projection equipment, the following were named:

Lewis Elkins, Hubbell Hall, Alan Cook and Louis Optical Co. for faster projection head.

Mitchell Camera Co., for new type process projector.

Mole-Richardson Co., for new type automatically controlled projection lamp.

Charles Handley, David Joy and National Carbon, for development of more stable high intensity carbons.

Winston Hodge and Technicolor Motion Picture Corp., for auxiliary optical systems.

Don Mosgrove and Setrach International for placing in use the coordinated equipment in "Gone With the Wind."

Wellman

Wellman Today

Hollywood, Feb. 29.—Producer-director William A. Wellman today celebrated his eleventh birthday by attending the Academy Awards dinner at the Biltmore Hotel. He was born on Feb. 29, 1896, and, being a "leap year" baby, gets a birthday only every four years. But since he finished "The Light That Failed" Wellman has been clamoring for the start of his next Paramount picture, "The City That Never Sleeps."

Open 20th-Fox District Sales

Parley Today

Annual conference of district sales managers for 20th-Fox begins today at the Park Central Hotel, with Herman Webber, general manager of distribution, presiding at the meeting.

The company's sales policy for the 1940-41 season will be discussed at the two-day meeting. Preliminary details of the annual sales convention, which will be held at the Congress Hotel in Chicago early in May, will also be discussed.

Among those who will attend the meetings are the following: District Manager Tom H. Bailey of Boston, Edgar Moss of Philadelphia, George A. Roberts of Cleveland, J. P. O'Loghlin of Canada, A. Levy of Minneapolis, Harry G. Ballance of Atlanta, and Ward E. Scott of Kansas City; Branch Managers Harry H. Buxbaum of New York, Clyde W. Eckhardt of Chicago, Lester Sturman of Detroit, George Landis of Indianapolis, and Jack Lorents of Milwaukee and Branch Sales Manager Joseph J. Lee of New York.

The home office delegation will include O. Ray Snider, Sales Manager Western, J. Hutchinson, Division Sales Manager; Charles W. B. Kupper, W. C. Gehrig and William Susan; Charles E. McCann, director of advertising and publicity; Will E. Clark, short subject sales manager; Jack Bloom, contract manager; Martin J. Fromberg, assistant to Moskowitz, Jack Stilheimer, Roger Ferri, editor of the Dynamax; C. A. Hill, H. Collins, Ted Shaw, Irving Mans, Leslie Whelan, Harvey Day and others.

Use Films to Better Farming

Dalton, Ga., Feb. 29.—Education of farmers through the use of motion pictures and exhibits is being tried out in 13 northern Georgia counties. The novel means to improve farming practices attracted some 30,000 spectators in Whitfield County alone last year after it had been introduced by B. M. Drake, Whitley agent.

This widespread interest and similar results in Walker and Catoosa Counties prompted the extension service to provide better equipment, more films and put Drake in charge of the expanded project which will include the three counties, plus Upson, Dade, Gordon, Chattooga, Floyd, Murray, Tawors, Fannin, Rabun and Gilmer.
Beats "Boys Town" in Philadelphia
Beats "Boys Town" in Harrisburg
Beats "Boys Town" in Hartford
Beats "Boys Town" in Boston

Beats "Boys Town" in Bridgeport
Beats "Boys Town" in New Haven
Beats "Boys Town" in Waterbury
Equals "Boys Town" in Springfield

Beats "The Women" in Spokane, Seattle, San Francisco
Equals "The Women" in Minneapolis, Chicago
Beats "The Women" in Reading, Canton, Worcester, Columbus


(Extra Time, of Course!)
Trapped in a tropic wilderness of ages... Dark Secrets! A lark that stirs up hornets' nest... and it's MARINES to the runners...
ISLE OF DESTINY

with

WILLIAM GARGAN • WALLACE FORD
JUNE LANG • GILBERT ROLAND
ETIENNE GIRARDOT • KATHERINE
DE MILLE... A FRANKLYN WARNER
PRODUCTION
Directed by Elmer Clifton
Screen Play by Arthur Hoerl, M. Coates Webster,
Robert Lively. From original story by Allan
Vaughn Elston. Distributed by RKO RADIO PICTURES, Inc.
A FINE ARTS PICTURE
Photographed in
COSMOCOLOR
Leaders Urge Industry Back Exhibit at Fair

A residue of $70,000 remaining from the Motion Pictures Greatest Year campaign of last year has been suggested by industry executives as a nucleus for a fund to be used for a motion picture industry exhibit at the World's Fair, which will reopen May 1 for a second year.

However, executives of film companies which participated in the campaign have been advised that the money remaining will be returned to the participants in the ratio to which they contributed.

Harvey D. Gibson, chairman of the board of New York World's Fair Corp., has presented a plan to the Hays office whereby the major film companies would sponsor an exhibit at the Fair this year. A committee consisting of five of the companies has been formed to study the suggestions and report to the Hays office.

Rites for Finestone

Funeral services are to be held at 2 P. M. today at the Riverside Memorial Chapel for David Finestone, 55, theatrical man associated with the Shuberts for the past 35 years, who died on Wednesday. Burial follows at the Fairview Cemetery, New Jersey. Among those serving as a daughter, Emily Maud Finestone, a secretary at the film booking department of Warner Theatres,

‘Go Ahead’ Signal Given Television

(Continued from page 1)

A frequency modulation. These hearings start on March 18.

In declining to establish the standards for telecasting at 441 lines, the F.C.C. declared that the “evidence before the Commission reveals a substantial possibility that the art may be on the threshold of significant advantage.”

Two classes of television stations are created. Class One stations will be purely experimental and may be assigned more than one channel. Class Two stations will produce programs and will operate on one channel only.

Television Officials in N. Y. Hail F.C.C. Decision

Television officials in New York have enthusiastically received the news of the “go ahead” signal from the Federal Communications Commission.

Officials, however, preferred not to be quoted on the matter until they had studied the full text of the decision.

It was recalled that RCA had recently declared that it would build relay stations for a television network in the East if limited commercialization were granted by F.C.C.

Officials of the Allen B. Dumont Laboratories, who fought the fixing of standards at 441 lines, commented on the F.C.C. order as follows:

“It is a fine thing for television not to have an art of established until the art is more fully defined and until commercialization is possible.”

Sport Events By Television For Theatres

By EDWARD GREIF

Madison Square Garden Corp., is permitting the telecasting of its major sports events on an experimental basis, aiming at the eventual use of the telecasts in the theatres of the country.

Reed Kilpatrick, president of Madison Square Garden Corp., who has opened the Garden to NBC for the six-day telecast Chase & Sanborn in Florida, is quoted as saying: Eric Sevaried and Thomas Grandin, Paris; Larry LeSeuer, with the Royal World's Fair in France; J. Edwin Breckenridge, Amsterdam; Edwin Hartrich, Helsinki; Frank Stevens, Bucharest; W. R. Wells, Tokyo; Albert Warner, West Vernon; and William Davis and Bob Trout, New York.

Personalities in the News

Secretary of Agriculture Wallace and Postmaster General Farley will join President Roosevelt in a radio message to farmer groups over the networks next Friday. Myrtle F....of “Myrt & Margy” has flown to Detroit for the opening session of the Michigan Crippled Children’s Convocation. Gene Ansley will be guest of Al Pearce on NBC next Wednesday.

Ario Show is reported to have been offered a new radio spot by a soft drink company, Rudy Val, who will be unable to attend the coming convention of the National Dairy Products Association.

Broadcasting is on the lookout for a short film for use at the meeting.

Beau V. Venute ends two years as conductor of a variety show over Mutual on Sunday with her final program featuring Stedman Speach, the newly appointed director of radio for NBC.

Telecast of “King of Kings”

One of the most discussed films of the silent era, Cecil B. DeMille’s “The King of Kings,” will be presented to the nation in Easter Day. NBC has purchased the right to telecast the film from Cinema Corp., of America. A sound score has been added.

Program News

Andrew L. Jergenson renewed the “Hollywood Playhouse” effective April 3. 60 NBC-red stations.

The show will continue to feature Charles Roderick with guest artists each week. ... Edgar Bergen brings his Charlie & Spot show to New York for the March 17, 24 and 31 programs.

Pickpocket’s Kindness

The pickpocket who stole Milton Cross’s wallet Wednesday took the $20 and kept the $1. He returned the cash and returning the rest of the contents.

After Cross became aware of his loss, he appealed to the light-fingered gentleman to return a prized crayon portrait of Cross’s daughter, Lillian. The gentleman returned it the next day, but kept the $1 in cash in 1935. Yesterday, postal authorities notified Cross that his wallet had been returned in a letter box. Contents were intact—minus the cash!
UNRIVALED
PERFORMANCE

NO wonder cameramen place full confidence in Eastman’s three negative films. They know that each offers specialized ability to meet modern production demands. Even more important, they know that every foot will have the same high quality, the same unvarying dependability. Eastman Kodak Co., Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
"The gentleman in front of us at the Rialto literally laughed himself into the aisle, with a resounding thump!"—reports Irene Thirer in the New York Evening Post as she reviews HAL ROACH'S

ACHUMP AT OXFORD
Television to Spend Millions Building Its New Audience; ‘Full Speed Ahead’ is Order

Development of the television audience—the newest component of the amusement field—will be launched immediately by the television industry, which is prepared to spend millions of dollars on an advertising and sales promotion campaign.

Having been formally given the “go ahead” signal by the Federal Communications Commission, television manufacturers are eager to develop this new and fertile field of theirs so that commercialized programs will be inaugurated Sept. 1, the date set by the F.C.C.

RCA will launch an approximately $1,000,000 sales promotion drive next month; it will install television receivers in the metropolitan and up-state New York areas, it was learned over the weekend.

Sets Can Be Easily Altered

No direct comment on the F.C.C. decision of last Thursday could be obtained, but it was learned authoritatively that RCA regards the ruling as approval of its efforts thus far and the provision for limited commercialization is sufficient to warrant expenditures for developing a television audience. An official announcement will be forthcoming early this week, it was said.

Although a trifle disappointed by the refusal of the Commission to set 441 lines with 30 frames per second as a temporary standard, it was pointed out that receivers sold now could be adjusted with a small expense if the F.C.C. altered the standards in the future.

First on the sales program is a slash of about 35 percent in set costs, in accordance with a successful test made.

Ascap Assails Smearing

Ascap, representing musical composers, authors and publishers, over the week-end denounced antagonistic maneuvers of broadcasters and condemned the “smearing campaign” being waged against its president, Gene Buck.

Extradition proceedings against Buck were launched in New York when Gov. Ayers of Montana refused to sign an extradition warrant. The test took place Feb. 12 on a charge of attempted extortio by J. M. Mosby, president and operator of KGVO, Missoula.

Ascap asserted that no commercial enterprise in Montana had paid anyting to composers for the use of music during the past three years.

“The fight between Ascap and a few broadcasters had its roots in an issue which has already been successfully litigated all the way to the U. S. Supreme Court with complete vindication for Ascap’s claims at every step,” a resolution adopted at a special meeting on Saturday declared.

Referring to agreement with broadcasters, an Ascap spokesman asserted: “The existing agreement expires at the end of this year, and with a view to initializing and commercializing the industry, the broadcasters have inaugured a campaign of anti-Ascap legislation in the several states and...

(Continued on page 7)

Action Due Thursday In Fair Film Exhibit

Presidents of the major companies have been invited to be present at the Hays office Thursday to receive a report from a special committee headed by L. E. Thompson on RKO regarding the industry’s participation in the 1941 World’s Fair, which opens May 1.

The special committee meted at the Hays office Friday and discussed various plans that have been presented, referring to the idea for a theatre at which new product would be screened.

Stanton Griffis, chairman of the executive committee of Paramount, and Harvey D. Gibson, chairman of the board of the World’s Fair, have urged industry participation in the Fair this year. Gibson is on the board of Paramount Pictures.
**Purely Personal**

**JOSPEH HUMMEL, Warner for-
gen sales manager, arrived in New York Friday after a four-month trip to Central and South America, during which time he visited all of the company's branch offices in that terri-

**TYNE NUTT, Moviestore News re-

resentative, has returned to his Washin-

**E. C. CAHILL, division manager for

RCA Photophone, RALPH AUSTIN, executive, at the company's New York office, and MAX C. BATZEL, chief en-

**WILLIAM GRODY, head of the M-

G-M talent department, is in Jackson-

ville, Fla., on a talent hunt for a boy lead for the picturization of the novel, "The Yearling."  

**PAUL BINSTOCK, former manager of the Warner Lyric in Hartford, Con-

nected with Quigley Award, winner, has joined Premium Promotion Sy-

**TOM JEFFERSON of the Paramount home office is in Providence handling exploitation with EDWARD L. REED, manager of the Strand.  

**EDWARD M. SAUNDERS and THOMAS J. CONNORS, M-G-M division managers, are due back in a week from Florida.  

**MARY MARTIN has returned to the

Paramount studio from New York.

**OSCAR A. DOOB, advertising and publicity director for Loew's Theatres, returns from a Coast vaca-

**CV BARRETT, Warner Theatres dis-

trict manager at New Haven, is re-

cuprating from pneumonia at the New Haven Hospital,  

**WILLIAM F. ROGERS, general sales manager of M-G-M, returns to his desk today after a trip to the studio,  

**LANGDON C. WINGHAM, San Frank-

isco branch manager for M-G-M, to-

day observes his birthday,  

**JACK KIRSCH, president of Allied of Illinois, is due back in Chicago this week from Miami Beach,  

**J. ROBERT RUTEN, vice-president and general counsel for Loew's, Inc., ob-

serves a birthday today,  

**MIRIAM HOPKINS returned to the

Corin over the weekend after a three-

week vacation here.  

**LEE KUGEL of the United Artists home office is in Providence on explo-

itation work.  

**RUBE JACKER, assistant sales mana-

ger of Columbia, has left for a Miami vacation,  

**MAX ROYTH, formerly district mana-

ger for Republic in Chicago, is in town.  

**JORE WEBER is expected to leave Mi-

ami for California next week.

**It's Still Illegal**

Raleigh, N. C., March 3—  

Two years ago, the state at-

torney general's office declared that theatre Bank Night was illegal.  

At that time, Assistant Attorney General T. Wade Bruton said, requests for opinions on the legality of certain varieties of Bank Night have been received on an average of one every two weeks. The opinion has not changed.

**Three Majors File

Trust Replies Today**

Answers to the Government's inter-

rogatories in the New York anti-trust suit are expected to be filed today by Paramount, Columbia and Universal. Complete answers to the Government's 20 interrogatories, for the most part confidential, were filed Friday by Twentieth Century-Fox, M-G-M, RKO and Warner Bros.

The Government's replies to the majors' interrogatories will be filed tomorrow. They run over 200 pages in length. These answers, in the form of a list of Government witnesses, have reached New York, but will not be disclosed until the Government app-

**Previewing 'My Son' On Coast Tomorrow**

Hollywood, March 3—A preview of the picture "My Son! My Son!" will be held today at the Chinese Theatre. There will be a simultaneous showing at the Music Hall in New York.

Among those who are scheduled to attend the screening here are: Maurice Silverstone, Charles Schwartz, George Calhoun, Richard A. Rowland, Madeleine Carroll, Louis Hayward, Charles Vidor, Charles Chaplin, Eddie Cantor, Dr. A. H. Giannini, Henry Ginsberg, Samuel Goldwyn, Arthur Hornblow, Jr., Vivien Leigh, Sol Lesser and others.

**Kreisler, "U" Drive Winner, on Coast**

Hollywood, March 3—As winner of the recent "Exhibitor-Sponsored Testimonial to New Universal" drive, B. Bernard Kreisler, head of Univer-

**Bland Johansen III**

Bland Johansen, film critic on the Daily Mirror, is ill at home. She has been under the doctor's care since the first of the year. Lee Mortimer is punch-hitting for her.

**RKO Claims Filed By Stirm Attorneys**

Applications for allowances and disbursements in the RKO-Organi-

zation proceedings totalling $97,786 were filed in U. S. District Court today by the attorneys and five attorneys who represented Stirm.

No application has been filed by John S. Stover, New York attorney, who represented Stirm in his appeal to the Supreme Court from an order confirming the plan of reorgani-

**Wall Crashes, Kills Two on Theatre Job**

BUFFALO, N. Y., March 3—Two men were killed and two others hurt in a Canandaigua Friday when a brick wall in a building being reconstructed for a theatre fell on them. The dead: Theodore Meittdi, 43, and Samuel Alimo, 28, both of St. Bonaventure. The building was being remodeled for a theatre for Schine Enterprises.

**Frank Murphy Dead**

Hollywood, March 3—Frank Murphy, 55, head studio electrician for Warners for 15 years, is dead. Murphy played a leading role in the de-

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CALLING NAMES .......

Wesley Ruggles
Jean Arthur
Fred MacMurray
Melvyn Douglas
W. Somerset Maugham

Claude Binyon

All Brought Together....
WESLEY RUGGLES'*

Too Many Husbands

starring

JEAN ARTHUR
FRED MACMURRAY * MELVYN DOUGLAS

Directed by WESLEY RUGGLES • Screen play by CLAUDE BINYON
Based on the play by W. Somerset Maugham
An impression of "Too Many Husbands"
by the noted illustrator
BRADSHAW CRANDELL
A GRAND COMEDY ADDING NEW LUSTRE TO COLUMBIA'S TRADITION OF DISTINGUISHED COMEDY PRODUCTIONS!

PRE-SOLD IN THESE NATIONAL MAGAZINES:

Watch it take a place high up in this notable list of hits:
"It Happened One Night"
"Mr. Deeds Goes To Town"
"The Awful Truth"
"You Can't Take It With You"
"Mr. Smith Goes To Washington"

Too Many Husbands

RELEASED MARCH 21st
Big Drive Will Build Audience For Television

(Continued from page 1)

last year. Meetings of dealers will be called in an effort to stimulate their business. Larger efforts are expected to encourage sales further. An advertising campaign in newspapers and perhaps over the air will give impetus to the drive.

The present programs over W2XBS will be augmented by the addition of telecasts of pops and events. Two such programs, Lowell Thomas news broadcasts and "Art for Your Sake," are now carried, but others will be added.

Development of the portable camera units will permit the telecasting of such shows as "Information, Please," Fred Allen's "Town Hall, Tonight" the NBC Symphony broadcasts and similar topnotch shows.

Unless set sales are substantially increased this Spring and Summer the provision for limited commercialization on Sept. 1 will mean very little, as little could hardly be obtained with the present limited audience of about 2,000 sets.

The Allen B. DuMont Laboratories, another distributor of sets here, will also push set sales, it was said Saturday. Allen B. DuMont, head of the company, said that "DuMont has made it possible for receivers to be designed and sold which will be sufficiently flexible to be used 20 and 30 years from now rather than becoming obsolete."

The DuMont receiver features a device which makes it a simple process to switch from 441 lines to 625 or 881.

DuMont declared that the refusal to fix standards will permit investigation of methods of using frequency channels to eliminate overcrowding. "It was also made clear that the adoption of television to the uses of the theatre and all other arts where instantaneous pictures will be valuable, he added.

Coast Station Goes Full Speed Ahead

Hollywood, March 3—The only television transmitter west of Kansas City, Hollywood's W6XAO, operated by Thomas Lee, went ahead full speed the following week that the F.C.C. adopted rules permitting limited commercial operation of television.

Officials of the station indicated they would seek a Class 2 license. Under the F.C.C. ruling, two classes are set up, the first for conducting experimental research for new channels; second, for commercial program stations, which have an assigned channel, as W6XAO already does.

Harry R. Ludden, transmitter's director, pointed out in the report made to F.C.C. recently that limited sponsorship must be scheduled and advertised, as reported in Motion Pictures Daily of Dec. 29. That report stated that low quality sponsorship (commercial announcements made between play-offs of phonograph records) would be impossible through increased cost of programs. Bernard Linden, F.C.C. district inspector, currently here, sent in a report to Washington two weeks ago,

Ascap Assails Smearing

(Continued from page 1)

and reported he was "exceedingly impressed" with the setup of the coast transmitter, which in its nine month period of operation covered over 6,000 program hours in its more than 2,500 telecasts.

Lee executives are pushing work on completion of a new station atop Mount Lee, some 1,700 feet high, with preliminary floor plans now being drawn.

The F.C.C. order is seen as meaning only a sufficient payment by sponsors to cover the cost of the program, and as probably serving to bring Intra-4's dispute as to television jurisdiction into the open.

At present both S.A.G. and Equity claim jurisdiction with the Radio Artists Guild also putting in a claim. Commercialization of television, authorities have said, "would" be declared unconstitutional, a spokesman declared.

He asserted that there are radios in 40,000,000 homes and 8,000,000 automobiles. "In 1939, the broadcasters sold to advertisers, under the free license granted by them the use of the air for the use of the air, more than $171,000,000 worth of time. Manufacturers of receiving equipment sold to the American public some $500,000,000 worth of equipment and several million dollars worth of radio station equipment was sold to broadcast stations."

Music constitutes some 70 per cent of the material used in commercial time on the air, and it has always been conceded by broadcasters that the music is the most important raw material on their program. He also contended that radio has a right to protection by absorption by broadcasters of 50 per cent or 60 per cent of the cost of such music.

"Of $171,000,000 paid by advertisers in 1939, for 'time on the air,' approximately $4,000,000 was paid in royalties to Ascap members and affiliates comprising more than 45,000 individuals in 21 different countries."

Hays Board to Act On U.A. Resignation

Hays office board of directors will act March 25 on the resignation submitted by United Artists six months ago. The resignation has not been withdrawn. While U.A. declared it to be ineffective March 9, it must be officially accepted by the Hays office directors. Producer members intend to continue as members of the Hays office, however.

Latin America Film Market Called Weak

(Continued from page 1)

and other imported films, and unless those that distribute Latin American films. Whether the company will build theatres in Rio de Janeiro and Buenos Aires, as has been reported, as a possibility, depends, he said, on whether the company obtains adequate distribution.

Due to the new restriction in Latin America is a censorship tax levied by Brazil, which said Hummel, will be very expensive to the American company. Currency experts say that the Argentine is expected to be liquid soon, he said. This has been a probably for well-capitalized negotiations with the Argentine Government over the imposition of an income tax. Hummel during his trip covered Brazil, Venezuela, Ecuador, Panama, Cuba, Puerto Rico and Trinidad.

New Film Building

Plans for the construction of a new six-story building to house a film factory, office, film vaults and stores at 332 W. 44th St., were filed over the weekend. The building will cost about $500,000. T. J. Furnman is the architect and Jack G. Leo is owner.

Tips on Explotation

Marriage Broker Stunt Plugs 'Many Husbands'

Columbia won wide local and syndicated newspaper coverage on a stunt patented by the this week with an anti-Schick beauty pageant. A leading marriage broker of the city was the subject of an arranged press interview, during which he said "there are too many husbands available and not enough girls to go around."

Music Broadcasts

Plugs King Victor Film

HAMILTON Ont., March 3—For a showing of the film of the visit of the King and Queen to Canada and the U. S., Len Bishop, manager of the Capitol, Hamilton, spotlighted an amplifier under the front marquee, to broadcast patriotic music from a talking machine. The program was entirely of British and Canadian war songs, old and new.

"Pinchocho" Figures

Draw 8th Ave. Crowds

Crowds along New York's Sixth Ave., near the Center Theatre, were attracted to a novel stunt for "Pinchocho," a play-off and the Army. Wearing big "Pinocho" heads and appropriate costumes, in the manner of puppets from their perch atop the marquee, pointing at the street, at the huge paper head of "Pinocho" mounted above them on the theatre front, and at themselves.

More Film Chief's Incomes Disclosed

Louis B. Mayer, vice-president in charge of production, received $688,369 from Metro-Goldwyn-Mayer, Inc., during 1938, the company's tax figures filed with the Secur-

ities & Exchange Commission.

Mayer's income was divided, $54,119, share of rentals and $147,200, salary. Hunt Stromberg, producer, was next on the M-G-M list with $388,413. Wallace Beery, actor. third, with $355,000.

Profit shares to other executives were: Nicholas M. Schenck, $145,513; David Bernstein, $87,388; J. Robert Rubin, $114,244; E. J. Mannix, $91,757; Sam Katz, $91,757, and Alexander Lichtman, $88,418.

Swedish Remittance On Films Not Halted

Home office foreign business managers have received cable messages from their representatives in Stockholm that remittances on films are not halted, although the Swedish Government has abandoned the gold standard.

One home office chief stated the Swedish film situation is not altogether reassuring. He said the future of the Swedish market is uncertain as the Finnish-Russian war gets nearer Swed- en's borders and the fact that currency restrictions have become stronger.
Hollywood Review

"Black Friday" (Universal)

Hollywood, March 3—Tightly woven entertainment in the field of horror is provided by this Boris Karloff-Bela Lugosi vehicle, which has the former in the role of a doctor crazed by his desire to prove a theory of brain transplantation, with the latter as a gangster and Stanley Ridges as a college professor whose life is saved for a time by using part of a dying gangster's brain. Taking out the Minutes of the dead man, Ridges commits a series of murders before returning to normalcy as a teacher, only to revert unexpectedly to the other role. Never flagging as directed by Arthur Lubin, the screen play was written by Kurt Siodmak and Eric Taylor, with Burt Kelly acting as associate producer.

In general the characters in the specialized field of the horror film, the picture met with a suspenseful and enthusiastic response from its preview night audience.

Running time, 70 minutes. "*G*""devote general classification.

The Real Winner

Hollywood, March 3—Stork trouble stalked the Academy Awards banquet.

Max Steiner, one of the nominees for the music award, was pacing a hospital floor. Lewis J. Foster, who won the original screen story award, was "expecting," and Geraldine Fitzgerald, supporting actress nominee, was "waiting."

To top it all, Donald Gledhill, executive secretary, checking on the lateness of floral decorations, learned that the florist also was about to become a father.

Five New Companies Chartered at Albany

Albany, March 3— Incorporation papers have been issued to five exhibition, distribution and production firms, as follows:


English Office Expansion Set By Warners

London, Feb. 20—(By Mail).—Preparations to develop the provincial offices of Great Britain—have resulted in a demand for a 15 per cent increase in rates being cut to 10 per cent.

The increase is expected to be redirected at once and will be renewed or terminated in three months, according to a decision after a joint review of conditions.

"Singapore" Preview Set

 Paramount will hold a special preview of "Road to Singapore" at the Paramount Theatre tonight immediately following the last regular performance at midnight. The screening, arranged by Lou Diamond, head of the studio's public relations, will be attended by leading hotel and night club orchestra leaders and vocalists, and major network executives.

Five New Films Now in Work

In Hollywood

Hollywood, March 3—Thirty-five pictures were earlier the cameras this week, as seven were started and six finished. Twenty-one are being prepared and seven are in the cutting rooms.

The tally by studios:

Columbia


In Work—"The Man Who Would Not Die."

M-G-M


Monogram

Finished—"Covered Wagon Trails.

In Work—"Son of the Navy."

Paramount

Started—Untitled "Renfew" film.

In Work—"Destiny," "The Ghost Breakers."

Sol Lesser

In Work—"Our Town."

RKO

Finished—"You Can't Fool Your Wife."

In Work—"The Saint Takes Over," "Tom Brown's School Days."

Republic

Started—"Grandma Goes to Town," "Young Buffalo Bill," "In Old Missouri."

Hale Roach

In Work—"Turnabout."

Edward Small

In Work—"South of Pago Pago."

28th Century-Fox

Finished—"On Their Own."

In Work — "Lillian Russell," "Maryland."

Universal

Finished—"It's a Date."

In Work—"Sandy Is A Lady," "If I Had My Way," "La Conga Nights."

Warners

In Work—"The Sea Hawk," "All This and Heaven Too," "An Angel from Texas," "Torrid Zone," "Flight Eight."

Milwaukee Club Party

Milwaukee, March 3—Some 7,000 turned out for the Variety Club's movie ball at the Auditorium here, which featured Ossie Tucker and Bonnie Baker, also appearing of the bill was Martha Raye, who was playing the Riverside theatre. Proceeds go to the club's heart of Variety fund. L. F. Gran, general manager, Standard Theatres, was chairman of the ball.
Have you heard the “SHORT” story of the three “BUSY LITTLE BEARS”* and Oscar?

It seems as if three little bears, Horace, Herbert and Herman by name, got in front of a battery of Paramount cameras and went through “Their Day”...including many amusing and amazing adventures with a badger, a porcupine, a skunk, an experience with an eagle (one of the screen’s photographic high spots) and an hilarious brush with the civilized world.

Frank Crumit did a running commentary...and, Lo and Behold, when it was shown on the screen, why, it was just naturally given the Academy Award for the Best One-Reel Subject of the Year.

And if you ask the “Busy Little Bears” to what they attribute their success, they always reply, “We owe it all to Paramount!”

All of which bears out our theory—“If It’s a Paramount Picture, It’s the Best Show in Town.”

* a Paramount Paragraphic

Paramount’s Short Subject Line-up:

- Popeye Cartoons
- Stone Age Cartoons
- Color Classics
- Paramount Headliners
- Grantland Rice Sportlights
- Popular Science
- Unusual Occupations
- Paramount Paragraphics
- Paramount Color Cruises
- Symphonic Shorts
- and
- Paramount News

100% BOX OFFICE tested
J. E. BRULATOUR, INC.

Proudly Acknowledges
And Congratulates
The Cinematographers
Receiving
Academy Awards
For
Outstanding Photography
In
Black and White and Color
It is significant that each and every
original selection in both classes is
Photographed
With

EASTMAN NEGATIVES
YOU WON!

† Number six in the parade of Disney shorts to win the Academy Award for six consecutive years!

Congratulations, Exhibitors!

The wide acclaim accorded WALT DISNEY'S "The UGLY DUCKLING"* as winner of the ACADEMY AWARD makes this great short a natural to rebook FOR EASTER WEEK!

†† Number six in the parade of Disney shorts to win the Academy Award for six consecutive years!

RUN...don't walk to your nearest RKO Radio Pictures EXCHANGE!
SELZNICK INTERNATIONAL
SIBLE THE FOLLOWING AWARDS OF
ARTS AND SCIENCES FOR

- Best Direction:
  VICTOR FLEMING

- Best Performance by an Actress:
  VIVIEN LEIGH

- Best Performance by Supporting Actress:
  HATTIE Mc DANIEL

- Outstanding Achievement in the Use of Color for Enhancement of Dramatic Mood:
  WILLIAM CAMERON MENZIES

- Cinematography in Color:
  ERNEST HALLER and RAY RENNAHAN

- Art Direction:
  LYLE WHEELER

- Film Editing:
  HAL C. KERN and JAMES E. NEWCOM
THANKS ALL THOSE WHO MADE POSSIBLE THE ACADEMY OF MOTION PICTURE "GONE WITH THE WIND"

All the men and women of the staff who made possible the award for the "best production of 1939"—"Gone With The Wind."

And expresses its debt to the late Sidney Howard, posthumously honored with the award for the best screen play.

From David O. Selznick, great gratitude to the men and women of Hollywood for honoring him with the Irving Thalberg award.
My Sincerest Thanks

VIVIEN LEIGH

BEST PERFORMANCE AWARD
“GONE WITH THE WIND”
The men and women of TECHNICOLOR express their deepest appreciation to HERBERT T. KALMUS for his contributions in successfully bringing three-color feature production to the screen.
RCA's Gross Shows Boost of 10% Million

RCA earned a consolidated net profit of $8,082,811 during 1939, an increase of $670,739 over the preceding year, the annual report to stockholders revealed over the weekend. Consolidated gross income was $110,404,388, an increase of $10,520,88. All subsidiaries, including NBC, RCA Manufacturing, RCA Communications, Radiomarine Corp. of America, and RCA Institutes, operated on a profitable basis for the year, the report said, but gave no breakdown of figures.

The profit was equivalent to earnings of 35 cents per share on outstanding common stock, after payment of all preferred dividends. Manufacturing provided 50.7 per cent of RCA's gross income, broadcasting 36.9 per cent, communications 7.9 per cent, and all other sources, 4.5 per cent.

Total current assets amounted to $44,358,951 at the end of 1939, compared with $41,931,924 for 1938. Liabilities were $18,812,486 as compared with $13,259,860.

The report called attention to two new television programs which are now technically ready for public service. The radio relay system for a television network is the first and largest of its kind in the world. Speaking of the latter, the report states:

"Other new television development is the improved projection of a large screen television image, of a size and clarity suitable for the theater presentation. Large screen television will permit the showing of current events and other programs to large audiences. The relay system described offers a practical means for distributing television programs to theatres, whether in a single locality or in the several cities of a television network."

RCA Report Reveals RKO Stock Holdings

RCA holdings in RKO, after exchange of its old securities for the new ones provided under the reorganization plan, were disclosed by the annual report to RCA stockholders over the weekend. RKO now has 447,757 shares of preferred stock, $16,328 shares of common, and 555,254 option warrants each of which permits the purchase of one share of common stock at $18 1/2 within the next 10 years or one-half share at $10 within the next five years.

Await Master Word In Chicago Action

CHICAGO, March 3.—Attorneys for the Government and the defendants in the suit against Balaban & Katz and the major companies for alleged violation of a consent decree, have not heard from Master in Chancery, E. E. Elsesser, who will render his decision at the end of the week. A final decision on the suit against Balaban & Katz and the major companies for alleged violation of a consent decree has not been heard from Master in Chancery, E. E. Elsesser, who will render his decision at the end of the week. A final decision on the suit against Balaban & Katz and the major companies for alleged violation of a consent decree has not been heard from Master in Chancery, E. E. Elsesser, who will render his decision at the end of the week. A final decision on the suit against Balaban & Katz and the major companies for alleged violation of a consent decree has not been heard from Master in Chancery, E. E. Elsesser, who will render his decision at the end of the week.

Seymour Simon, special assistant to the Attorney General and active in the prosecution of the suit, has resigned. He will go into private practice with Gordon L. Bazelon, Chicago attorney.
France Blocks Withdrawals Of Film Cash

Joins Other Nations with War Restrictions

France has been added to the growing list of countries which, on account of the war, are imposing currency restrictions and blocking film remittances. The restrictions, according to advice received here in official circles, were put into effect last week.

The French business is estimated to amount to approximately five per cent of the total foreign gross of the American companies. Its contributions to the industry's income was once about $4,500,000 annually.

At the same time, the French Government is stated to have undertaken an investigation of the film situation with a view of controlling the "flight of capital," and to make a study of the film industry's requirements in the situation.

The French market has deteriorated considerably in the past few years because of high taxes, extreme labor costs and the high cost of dubbing pictures. Because of the war the possible revenue from France has been reduced by almost 30 per cent, or slightly over.

(Continued on page 5)

Protests Free Film

Exhibit at the Fair

John Manheimer, executive secretary of the New York T.O.A., yesterday sent a telegram to Will H. Hays, president of the M.P.P.D.A., protesting the proposal for an admission-free motion picture exhibit at the World's Fair.

Manheimer's telegram follows in part:

"While we offer our support to the world's Fair last year, the lowered admission prices that will be in effect when the Fair opens May 12 will offer serious competition to us and we therefore are of the opinion that any cooperation in the way of free attractions to the public by this industry is inimical to our interests."

"In discussing any plans for industry cooperation, it is urged that you consider the status of the theatre owners.

"An industry committee headed by L. E. Thompson of RKO is considering a proposal for a film museum at the Fair at which exhibits will ex-

(Continued on page 2)

Industry Asks U.S. For Seven Wagner Labor Act Changes

WASHINGTON, March 4.—Changes in the Wagner Act which would protect the film and other industries from labor trouble arising out of disputes between rival unions were asked today by attorneys for 11 Hollywood producing companies.

Alfred Wright and Maurice Benjamin, Los Angeles attorneys representing the producers, appeared before the House Labor Committee and urged, in all, seven procedural amendments to the Wagner Act, which, they said, are designed to make it operate more fairly.

The principal amendments sought are:

Give employers the right to petition the Labor Board if the first storm are there is a conflict between two or more unions.

If an employer agrees to deal with a union, he shall be protected against demands by a rival union.

Employers should be free to discharge employees for any reason other than union activity.

Findings of the National Labor Relations Board as to facts shall be binding on courts only if supported by "substantial and material" evidence rather than by "some evidence."

Give the Board the power to hand down "consent decrees" where an employer agrees to discontinue unfair labor practices.

Benjamin said film companies find it difficult to discharge employees for legitimate reasons because Labor Boards usually accept the employee's word when he accuses his discharge to union activities.

(Continued on page 5)

Storm Damages Grosses; Broadway Take 35% Off

The third major storm to hit the metropolitan area in recent weeks and the worst in 25 years affected Broadway the past two days, as well as the worst in 25 years. Broadway first got a severe storm, but caused grosses to drop in neighborhood and suburban theatres as well. Business on Broadway was off 45 and 50 per cent for Sunday and yesterday.

Radio stations which had considerable cooperation with the companies were not affected. WABC was off the air for a total of 6½ hours yesterday when its power supply failed.

Circuits operating neighborhood houses were unable to determine the extent of damage suffered at the box-

(Continued on page 2)
**Storm Damages Grosses; Broadway Take 35% Off**

(Continued from page 1)

The 11th week of the same film at the Astor continued on its pace with an estimated $22,000.

At the Roxy, the popular-priced run of "The Blue Bird," plus a stage show, started Friday and drew an estimated $17,910, for the first three weeks. "Pinocchio," in its fourth week at the Center, had its second biggest day last Saturday when it drew an estimated $2,000, but dropped from the $4,000 on the hottest weather on Sunday. It grossed an estimated $16,800 for the weekend with an estimated $4,000 for its fourth week which closes tomorrow.

"Abe Lincoln in Illinois," with a stage show, garnered an estimated $6,800 for the first four days of the second week at the Music Hall. An estimated $600 is indicated for the week. "Too Many Husbands" starts Thursday.

At the Strand, "The Story of Dr. Ehrlich's Magic Bullet," with Tommy Tucker and his band on the stage, drew an estimated $2,500 for Friday, Saturday and Sunday of the second week. "Three Cheers for the Irish" then next film to open.

"Grapes of Wrath" at the Rivoli is still grossing well and should do an estimated $25,000 for its sixth week. "It's a Date" is scheduled for the following "Grapes of Wrath" on March 21.

A revival of "Hell's Angels" brought an estimated $5,500 for one week at the Rialto. "Marin's Fleet" at the Hall and the current attraction. Week-end business at the Globe, where "Castle on the Hudson" was preview Saturday, with "Convicted Woman" for the fourth week, was good for an estimated $7,500. "Convicted Woman," shown singly the previous week, drew only an estimated $5,000.

**Publishers Guests At Ampa Luncheon**

Representatives of publishing houses, book critics and authors will be the guests at Ampa's luncheon on Thursday at Jack Dempsey's Restaurant. Executives of new publishers for the best film taken from a book will be announced. Terry DeLapp, vice-president of Doubleday-Doran, will act as toastmaster for the publishers. Katherine Brown of Selzick International, John Selby, book critic of the Associated Press; Gilbert Seldes, and Annie Laurie Williams, literary agent, also will speak.

**Deals for 'Pinocchio' Made for 20 Cities**

RKO has closed deals for "Pinocchio" with 20 cities, with the result that this studio and rival producers have opened openings have been set for the picture for Easter week, beginning March 23.

Among circuit deals closed are those with Warners, RKO, Publix-Shea, Famons Players Canadian, Jay Emanuel in Honolulu, Tropical, Siegel's, Scrip- ford, Schine, Publix-Netco, Interstate, Butterfield, Maine & New Hampshire, Fabian, Chakat-Katz, S. A. Lynch, Sparks, Malco, Dent and Rialto, Salt Lake City.

**Ontario Bans 'Time' Subject on Canada**

(Continued from page 1)

plain how pictures are made and where screen tests may be given. This would be sponsored by all major companies with the cooperation of equipment companies and others. The committee's recommendations will be discussed at a meeting of major company presidents at the Hays office Thursday.

An appeal for the proposal came from World's Fair officials.

**Protests Free Film Exhibit at the Fair**

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An appeal for the proposal came from World's Fair officials.
Certainly we’re proud, but more important is this:

“The Newspaper Film Critics of America” is an organization
That spans the nation.
More than 600-strong, its voice is the voice of America.
Its annual vote just published throughout the United States
Solidifies the position of M-G-M as the industry’s Leader
And of every M-G-M exhibitor as the Leader in his community!
Here are the results of the national vote:
M-G-M made the Best Picture of the Year (“Goodbye Mr. Chips”)
M-G-M had the Best Actor of the Year (Robert Donat)
M-G-M had 5 of the Ten Best Pictures of the Year ("Mr. Chips", "Ninotchka", "Pygmalion", "The Women", "Wizard of Oz")

Nearest competing companies had 2,1,1,1 respectively!

These results carry prestige that means money and security for you. They confirm many other polls by Exhibitors and the press and in the trade.

The leadership of Leo remains undisputed, unchallenged!

In the box-office headlines all season long, he continues now with "Northwest Passage" in Technicolor (Spencer Tracy); "Young Tom Edison" (Mickey Rooney); "Broadway Melody of 1940" (Fred Astaire, Eleanor Powell); "Strange Cargo" (Clark Gable, Joan Crawford).

These are just a few and they will be followed by

Other great M-G-M attractions such as

"Edison, The Man" (Spencer Tracy); "Waterloo Bridge" (Vivien Leigh, Robert Taylor); "Susan and God" (Joan Crawford, Fredric March); "New Moon" (Jeanette MacDonald, Nelson Eddy); "The Mortal Storm" (Margaret Sullavan, James Stewart) and many other big entertainments.

To the 600 critics of The N. F. C. of A.

Who have honored us, M-G-M says:

"We are grateful for your vote of confidence"

"It is not our habit to rest on our laurels—"

"We go forward at top stride in behalf of"

"Exhibitors and public who have faith in us."

"We hope likewise to merit your confidence"

"Again this year—"

"Thanks!"
British Theatres Conquer War Emergency Obstacles

By AUBREY FLANAGAN

LONDON, March 4.—An early stimulus to British production and the consequent improvement of film supplies is foreseen in the annual report of the Cinematograph Exhibitors Association, just made public.

The report is largely concerned with exhibitor problems arising from the war emergency, including the abolition of bookings, the abolition of advanced admission matrices, new safety regulations, and the effort to bring film employment activity within the scope of so-called "reserve occupations."

The C.E.A. General Council compliments itself on the report on the C.E.A. objectives. Achievements specifically are the development and maintenance of excellent relations with the Home Office of the Government, the settlement of book- ing disputes with distributors, and the "quick and effective work" on the reopening of theatres which were closed following the declaration of war in September.

The blackout is described as the one remaining "unsurmountable" obstacle. The evacuation from Lon- don on the part of distributors shortly after the outbreak of war is criticized in the report as "not a model of organization."

With reference to the pre-war period, the report claims credit for "some excellent accomplishments," notably the removal of the admission tax instituted by Sir John Simon, Chancellor of the Exchequer, an agreement to bring about a reduction of Western Elec- tronic Systems' surcharges, and the prevention of the institution of Bank Night in theatres throughout England.

Roosevelt in Chicago Discusses 5c Films

CHICAGO, March 4.—James Roose- velt is here for conferences with M-G-M officials regarding the low movie machines. Roosevelt said he would handle production of shorts to be used, but M-G-M would arrange locations and promotion.

Roosevelt said that production of shorts would start late this Spring. Roosevelt stated that such machines would not be competitive to theatres in any way. He will set up a special production department for shorts entirely disconnected from his feature production activities.

Plans for nickel machines are looked upon with great interest by the local operators, according to Business Manager John Smith, who will arrange for union maintenance men to handle machines.

Golden Resumes Tour

Following four days of Coast conference with W. Ray Johnston, presi- dent; Scott R. Dunlap, production chief, and Howard Stubbs and K. O. Msedom, of the Los Angeles exchange, Edward A. Golden, Monogram sales manager, has resumed a tour of company exchanges.

Golden expects to arrive at the home office on March 17.

Goodman in Mexico

Morris Goodman, Republic vice- president in charge of foreign distribution, has arrived in Mexico City after the first lap of a four-month tour of Latin America. He will leave Mexico City after the round-up for the second lap, following which he will visit Republic offices in Ecuador, Peru, Chile, Argentina, Brazil, Trinidad, Venezuela, Puerto Rico and Cuba.

Files RKO Claim

J. W. Seligman & Co. depositary company for RKO dearenents during reorganization proceedings, filed an ap- plication in U. S. District Court yester- day for a final allowance of $8,750.

The company acted as depositary from 1935 to 1940.

Coast Flashes

HOLLYWOOD, March 4.—Norman Moray, Vitaphone sales manager, arrived at the Warner studio today from San Francisco for conferences on the 4,200 short subjects program. He will remain about two weeks and then go to Denver, Salt Lake City and Seattle before returning to New York.

Joseph Moskowitz, Twentieth Cen- tury-Fox studio representative in New York, arrived today for a story conference at the studio.

Cherie Robins, Universal employee since 1912, first in New York and then for the past 12 years as secretary to Maurice Pivar, studio head of the editor- ial (cutting) department, died sud- denly at her home in Hollywood to- day. She was 49 years old and is survived by her sister.

Samuel Marx Quits Columbia Story Post

HOLLYWOOD, March 4.—Samuel Marx, for the past two years Colum- bia story editor, has resigned and plans to enter production. Marx has been a story editor for 10 years, having been with M-G-M for six, and a half years and with Goldwyn for a year and a half.

D. A. Doran, Columbia Eastern story editor, has been mentioned to succeed him, but no definite appointment has been made as yet. Marx may continue as a producer with Col- umbia, and Marx has written for the screen and acted as an associate producer.

30% of 'Wind' Houses Take 10% Guarantee

Only 30 per cent of exhibitors who have booked "Gone With The Wind" have taken advantage of the profit guarantee of 10 per cent of the gross offered by M-G-M when negotiating for the film that, according to studio, Rodgers said that about 70 per cent of the playdates were on a straight 70 per cent rental without a guarantee of profit.

With regard to the guarantee, Rodgers said that the great majority of playdates has resulted in profit to the theatre greater than 10 per cent, but that the company has had to make it in a few cases.

In one instance, said Rodgers, a theatre grossed as much on the open- ing day as it usually grosses in a week.

While on the coast Rodgers ordered 50 additional prints from the color laboratories to meet the demand. These are expected in 30 days.

Same Film Delivery Next Year—Skouras

Spyros Skouras, operating head of National Theatres, who returned yester- day from the Coast, reports that the major studios are planning to de- liver next season about the same num- ber of pictures as during the present one.

Skouras and other executives of the circuit conferred with production heads at the studios. He says that information he obtained while there, exhibitors may expect a "fair crop of pictures" in the next few months.

Trust Suit Accuses Republic and Majors

(Continued from page 1) to obtain any product except Warners and Columbia, which, he contends, was insufficient for the theatre. All other major company product and 70 per cent of Republic was sold to Fox Midwest's Rivoli in the same town, according to the complaint.

Hollingsworth asks $234,300 in triple damages.

Among the defendants named are Fox, Beatrice Theatres Corp., Fox Midwest, Elmer C. Rhoden, Loew's, Paramount, United Artists, RKO, Re- public, Universal and 20th Century- Fox.

France Halts Film Cash Withdrawals

(Continued from page 1) $2,000,000 annually, according to the exchange.

Furthermore, the fact that only 175 American pictures were permitted entry into France. By the same token, the government also affected American revenue, as it cut down the possible distribution to each American company only to 12 pictures, 20 per cent of its previous 50 per cent.

As the war menace grows, other countries abroad are expected to meet bars either limiting or altogether prohibiting the withdrawal of funds.

Trust Suit Against B-K Starts Thursday

CHICAGO, March 4.—Trial of the Gary Theatre Corporation suit against B. & K. and Warner Theatres and major companies will get started Thursday in Federal Court under Judge Hodge. Attorneys for both sides refuse to disclose what witnesses they will call. It is understood that circuit executives will be called first.

Zukor on Short Wave

Adolph Zukor, chairman of the board of Paramount, spoke from Rio de Janeiro last night on a short wave broadcast, but the reception in New York City was marked by such severe static that it was impossible to hear his words with any degree of clarity.
Chicago Gives
Big $15,000
To 'Williams'

CHICAGO, March 2—"Northwest Passage" grossed $20,000 at the United Artists. "Amazing Mr. Williams" at the State-Lake grossed an estimated $15,000. The weather was unseasonably warm.

Estimated takings for the week ending Feb. 26—March 2:
"The Light That Failed" (Para.)—$15,000.
"Gone With the Wind" (M-G-M)—$25,000.
"Swiss Family Robinson" (RKO)—$20,000.
"Honeymoon Deferred" (United)—$20,000.
"Mr. Williams" (Col.)—$15,000.
"Northwest Passage" (Col.)—$15,000.
"Orleans" (M-G-M)—$10,000.
"Gone With the Wind" (M-G-M)—$10,000.
"Swiss Family Robinson" (RKO)—$10,000.
"Honeymoon Deferred" (United)—$10,000.
"Mr. Williams" (Col.)—$10,000.
"Northwest Passage" (Col.)—$10,000.
"Orleans" (M-G-M)—$10,000.
"Gone With the Wind" (M-G-M)—$10,000.

Key City Grosses Reach
$1,777,300 in 154 Houses

Theatre receipts from 154 key city houses for the week ending Feb. 23-24 totaled $1,777,300, according to Morton Picturé Daily's compilation of major city box-office reports.

The total was one of the highest for the past year, exceeding by far the takings for the preceding three weeks and the year-end holiday week, ending Jan. 5-6, when 150 houses reported $2,077,200.

For the week ending Feb. 19-25, 157 theatres aggregated $2,171,600; for the week ending Feb. 9-15, the number of houses reporting a total of $2,025,300, and for the week ending Feb. 16-22, the total was $1,785,200 from 155 houses.

Following is a tabulation listing the total gross by weeks and the number of theatres involved, from Jan. 1, 1939:

<table>
<thead>
<tr>
<th>Week</th>
<th>Total Gross</th>
<th>Theatres</th>
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<tbody>
<tr>
<td>Jan. 1-5, 1939</td>
<td>$1,829,822</td>
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<tr>
<td>Jan. 12-18</td>
<td>1,752,140</td>
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<td>Jan. 26-27</td>
<td>1,462,102</td>
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<td>Feb. 2-3</td>
<td>1,409,600</td>
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<td>Feb. 9-10</td>
<td>1,543,715</td>
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<td>Feb. 16-17</td>
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<td>Feb. 23-24</td>
<td>1,417,700</td>
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<td>March 1-3</td>
<td>1,352,050</td>
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<td>March 8-10</td>
<td>1,550,600</td>
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<td>March 15-17</td>
<td>1,439,600</td>
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<td>March 21-23</td>
<td>1,222,225</td>
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<td>April 4-6</td>
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<td>May 4-5</td>
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<td>May 11-12</td>
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Passage' Is Strong Lead
In Twin Cities

MINNEAPOLIS, March 4—"Northwest Passage" opened Feb. 12 at the State in Minneapolis, and $7,800 at the Paramount in St. Paul. "Gone With the Wind" continued strong in both cities.

Estimated takings for the week ending March 1:

Minneapolis:
"Northwest Passage" (M-G-M)—STATE ($2,500), 5th week; Gross: $15,000. (Average: $3,000)
"Gone With the Wind" (M-G-M)—CENTURY ($1,000), 4th week; Gross: $16,000. (Average: $4,000)
"Towers of London" (Univ.)—DANZIG ($1,000), 7th week; Gross: $4,000. (Average: $570)
"Dangerous Business" (Univ.)—DANZIG ($1,000), 7th week; Gross: $4,000. (Average: $570)
"Meet Dr. Christian" (RKO)—WORLD ($1,000), 7th week; Gross: $3,000. (Average: $420)

St. Paul:
"Northwest Passage" (M-G-M)—STATE—$2,500; 5th week; Gross: $15,000. (Average: $3,000)
"Gone With the Wind" (M-G-M)—CENTURY—$1,000; 4th week; Gross: $16,000. (Average: $4,000)
"Towers of London" (Univ.)—DANZIG—$1,000; 7th week; Gross: $4,000. (Average: $570)
"Dangerous Business" (Univ.)—DANZIG—$1,000; 7th week; Gross: $4,000. (Average: $570)
"Meet Dr. Christian" (RKO)—WORLD—$1,000; 7th week; Gross: $3,000. (Average: $420)

Theatre 'Wind' at $20,500
Is Montreal Lead

MONTREAL, March 4—"Gone With the Wind" registered $20,500 for its second week at Loew's, "Broadway Melody of 1940" at the Palace took in $7,800.

Estimated takings for the week ending March 1:
"Broadway Melody of 1940" (W. B.)—CAPITOL—$2,500; 5th week; Gross: $6,000. (Average: $1,200)
"Meet Dr. Christian" (RKO)—STATE—$2,500; 5th week; Gross: $6,000. (Average: $1,200)
"Eternally Yours" (U. A.)—STATE—$2,500; 5th week; Gross: $6,000. (Average: $1,200)
"Broadway Melody of 1940" (W. B.)—ORPHEUM—$2,000; 2nd week; Gross: $5,000. (Average: $1,000)
"Meet Dr. Christian" (RKO)—STATE—$1,500; 3rd week; Gross: $3,000. (Average: $600)

Variety Club Award
To Martha Berry

PITTSBURGH, March 4—Martha Berry, recipient of the Variety Clubs of America second annual Humanitarian Award, was presented with the citation and plaque in person April 20 at the annual Variety dinner in Dallas, according to National Chief R. D. Donegan.

Between 35 and 40 members of the local tent are planning to attend the event in Dallas, double the number that went to Detroit for last year's annual meeting.
Whew!!!!

the big **WIND**

is on the way...
EXCUSE OUR HASTE...BUT...

In your enthusiasm for the coming Paramount hits, "Sidewalks of London," "Road to Singapore," "Dr. Cyclops" don't forget to prepare, now, to play that tropic tornado of love thrills, of action thrills..."Typhoon" and reap a terrific box office whirlwind. It's due May 17... and it's emotional dynamite!
**Grapes of Wrath**

Grosses Revealed

Charles E. McCarthy, director of advertising and publicity of 20th Century-Fox, has announced the following comparative grosses on "The Grapes of Wrath":

In Los Angeles the first five days of the picture's simultaneous run in the Chinese, New, and Arclites theatres the picture grossed $28,835, at the State it topped "The Rains Came" by $1,010, at the Fox in Salt Lake City, its three days gross was $6,763, topping "Rains" by $1,300; the $875 opening day in Fontana was better than "Rains"; the Santa Barbara opening of $833 topped "Rains" by $50 and in Fresno the opening day's gross of $1,587 topped "Alexander's Ragtime Band" by $437, "Jesse James" by $550 and "The Rains Came" by $26.

At the Orpheum in Tulsa, Okla., the only opening in that state, the picture grossed $4,107 in three days, topping "Rains" by $26.

Other grosses reported included: Denver Theatre, Denver, six days $9,214, better than "Rains" by $600; Fox Theatre, Detroit, three days $17,009, better than "Rains Came" by $1,900; Hippodrome, Cleveland, two days $9,680, better than "Rains" by $1,000; Majestic, Providence, three days $5,403, better than "Rains" by $950; Buffalo Theatre; three days $8,500, better than "Rains" by $400; Chicago Theatre, Chicago, three days $22,251, topping "Rains" by $2,000; Indiana Theatre, Indianapolis, opening day $2,750 topping "Rains" by $75; Poli, Hartford, Conn., four days $6,092, better than "Rains" by $800; Poli, Springfield, Mass., four days $5,322, better than "Rains" by $100; Palace, Waterbury, Conn., two days $3,224, better than "Rains" by $124; Lincoln Theatre, Springfield, Ill., three days $3,180, topping "Rains" by $450; and the New Theatre, Baltimore, two days $3,972, better than "Rains" by $180.

Goldenson, Dembow

Going to Minnesota

Leonard Goldenson and Sam Dembow, Jr., Paramount home office theatre executives, will leave for Minneapolis at the end of the week to confer with the officials of Minnesota Amusement Co.

Goldenson and Dembow returned to New York yesterday after conferring with B. & K. officials in Chicago and with Earl Hudson of United Detroit Theatres in Detroit. During their stay in the latter city a deal was approved by which United Detroit acquired the Madison, a subsequent run house there.

On their return to New York from the Middle West about March 18, Goldenson and Dembow will meet here with E. V. Lucas and William Jenkins of Atlanta on a new operating deal for the Paramount houses in the Lucas & Jenkins territory.

Fox Parley on April 15

Chicago, March 4—National sales convention of 20th Century-Fox may be held at the Blackstone Hotel here starting April 15.

**RKO Ready For Big Spurt**

In Production Activities

Hollywood, March 4—RKO is poised for a sudden spurt of production activity, and is engaged in an intensive preparation program. Lee Shelton has been given several important films on 1940-41 schedule and, in turn assigned to associate Clifford "Waltz of Drones," starring Anne Shirley; two of Genn Stratton Porter's stories, "The Man from Little Elm," with Frank Holt, and "Freckles," with Jimmy Lydon, "Man Without a World," and an untitled Peter B. Kyne story. To assist Howard Hawks, written and signed "Men Against the Sky," aviation picture.

JAMES HILTON, noted author, has been signed to write the script for "Water Gypsies," which will star Henry Fonda. The script recently purchased "Wrapped in Celanese," from Vina Delmar and signed Bartlett Cormack to write the story; "Rainy Days" by Maurice Collins, and signed Gene Fowler to write the script; "Two on an Island," Elmer Rice's comedy on "The Unbreakable Mrs. Doll," novel by Grace Perkins, as a vehicle for Carol Lombard.

M-G-M has purchased "Song of Love," story by Robert and Clara Schumann, which was written by Howard Koch and Edward Silva. Paramount has purchased "The Duchess Rides High," M. D. BOYD WEBSTER McGARRAGHY and Betty Field. WILLIAM ANTHONY McGUIRE will produce a picture based on the life of Sergeant Sam Dycha, who because of his war adventures was nicknamed "the Fighting Jew." ARMS has obtained permission to film much of "I Wanted Wings," Paramount, at Randolph and Kelly Fields, by JOAN FONTAINE gets the feminine lead of "The Two of Liberty," whichFrank Lloyd will make for Columbia.

Columbia has purchased for $1,500 a story by 15-year-old JOANNE BENEDICT, of Hanford, Cal., titled "Joan of the Ark." A high school girl, she sent her story to Frank Capra, who submitted it to Columbia executives. IRENE RICHI joins the cast of M-G-M's "The Miracle of St. Louis." Republic will star Judy CANOVA in "Scatterbrain," original by Jack TOWNSEY. DON WILSON, radio announcer, will play "Slim" in "The Round-Up." HARRY SHEARMAN "special" for Paramount. SALLY CARNS draws the feminine lead of William's "Covered Wagon Trails." ROBERT Mcgowan will direct Mondo Chino, Tom鳥 with ACTORS MAE JONES and JACKIE MORAN.

LOUIS WEISS and Shirley Gorges, Yiddish actresses, have been signed by Sid Blake, in charge of production for the Jewish Art Pictures, Inc., to star in "Monkey Business," first of four Yiddish pictures Blake will produce. Blake has also signed a deal with Duo Art Pictures, Inc., of New York, to produce two all-Yiddish pictures during the next two months. FRED KIRK, pioneer film figure, makes a comeback—not as a director, but as an actor. He has been signed for a role in Paramount's untitled "Henry Aldrich" picture.

PATRIC KNOWLES will be Anne Shirley's leading man in "Anne of Windy Poplars." LEELA GEMMELL production for RKO. "And So Goodbye," is retitled "Beyond Tomorrow." DIANA LEWIS has been cast in M-G-M's, "Andy Hardy Meets a Debutante." Paramount has loaned Francis FARMER to EDWARD SMALL for "South of Pago Pago." 20th Century-Fox has retitled "Dance With the Devil" as "Johnny Apollo." The studio has purchased "Rain or Shine," by VINA DELMAR. FLORENCE RICE has borrowed from M-G-M by 20th Century-Fox for the lead in "Allioll Diamond."

**Cosmopolitan Deal With Fox Expires**

Cosmopolitan Productions' one-year releasing deal with 20th Century-Fox has expired and there have been no discussions regarding a renewal.

The deal, made a year ago, called for the release of four features under the Cosmopolitan trademark. The contract was fulfilled with the release of "20,000 Men a Year" last October.

**'Passage' Hits Good $8,800, Leads Seattle**

Seattle, March 4—"Northwest Passage" was strong here with $8,800 at the Fifth Avenue, while "Gone With the Wind" drew $5,800 in its fifth week at the Music Box. The weather was rainy.

Estimated takings for the week ending March 1:

**My Little Chickadee** (Univ.)

Married and In Love (RKO)

BLUE MOOSE—(950) (25c-

$1.15-$1.50)

$4,600, 7 days.

**His Girl Friday** (Col.)

LIBERTY—(800) (25c-40c-

55c)

$4,500, 7 days.

**Gone With the Wind** (M-G-M)

FIFTH AVENUE—(2,500) (25c-

40c-75c-1.00)

$7,600, 7 days.

**Wuthering Heights** (M-G-M)

MUSIC BOX—(950) (75c-

$1.15-$1.50)

$4,100, 7 days.

**The Man From Dakota** (M-G-M)

Young and You Feel (8th-Fox)

PALOMAR—(2,500) (25c-

25c-40c-75c)

$6,400, 7 days.

**Swiss Family Robinson** (RKO)

**The Saint's Double Trouble** (RKO)

PARAKINSET—(4,000) (25c-

40c-75c)

$6,200, 7 days.

Reseat Shea's Hippodrome

BUFFALO, March 4—Shea's Hippodrome has completed installation of two more than 2,000 new seats, according to Vincent R. McFaul, general manager of the Shea circuit.

**DRUMS OF FU MANGAU**

Supported by stories by

HARRY BRANDON • WILLIAM ROYCE • ROBERT KELLARD • GLORIA FRANKLIN

"We're dealing with a murderous madman, and we can't tell who will be the next victim of Fu Mangau!"

A Republic SERIAL IN 15 CHAPTERS
**Hollywood Review**

*Strange Cargo*  
(M-G-M)  

Hollywood, March 4.—Combining a assortment of human and spiritual values, "Strange Cargo" is a production which much too the screen is similar to that of "The Passing of the Third Floor Back" and the film shows the influence of a mysterious stranger on the regeneration and return to religion of a group of hardened convicts from a French prison colony and upon a tarnished family.  

Crawford as the only woman in the cast and Clark Gable as an almost incorrigible thief are the stars of the drama which is based on the book, "Not Too Narrow, Not Too Deep," by Richard Sale.  

The supporting players are also worthy of marquee consideration—Ian Hunter, Peter Lorre, Paul Lukas, Albert Dekker, J. Edward Bromberg, Edward G. Robinson, John Arledge, Frederic Worlock, Bernard Nedell and Victor Varconi.  

The screenplay by Lawrence Hazod and the direction by Frank Borzage play up the supernatural and the occult. The story in brief has Gable escaping from the colony to see Miss Crawford, a dance hall girl. Just as his escape is about to be discovered, when the convicts are counted, a mysterious stranger in convict garb appears and takes his place in line. The girl turns Gable to the guardsmen, but she given 12 hours to leave the island.  

Dekker, bumbling leader of a small group of convicts, has an escape plan, taking along the stranger, played by Ian Hunter, but leaving behind Gable, who has forced himself into the scheme. Gable escapes later, when a violent storm rages through the young convicts.  

They sail in the boat and several die, each being pacified spiritually by the stranger. After a journey made horrible by lack of water, they reach the mainland. The girl agrees to sacrifice herself to a police spy, whom she despises, so that Gable may escape, but he, after a series of battles, turns the adventures including the appearance of the stranger, becomes regenerated, and returns to the island to serve his sentence. The stranger disappears as strangely as he came.  

Joseph L. Mankiewicz was the producer.  

Running time, 113 minutes.  

**VANCE KING**  

*Wind* Holds Detroit Lead with $59,500  

Detroit, March 4—"Go With the Wind" in its fifth week led the picture business, taking $32,000 at the United Artists and $27,000 at the Wilson. The Fox drew $17,000 with "Little Old New York" and "The Lone Wolf Strikes."  

Estimated takings for the week ending Feb. 29,  

**Shop** Pulls $7,500  
Sets Pace in Omaha  

Omaha, March 4—"Shop Around the Corner" had the town's best mer- chandise this week, getting $7,500 at the Omaha. Sonja Henie's ice revue provided competition.  

Estimated takings for the week ending Feb. 28-29:  

"Swiss Family Robinson" (M-G-M)  
PARIS, WOLF STRIKES (Col.)  
BRANDIES—(1,200)  
(35c-40c) 7 days.  
Gross: $10,000.  
(Average: $1,429)  
"Shop Around the Corner" (M-G-M)  
BIG CITY (Univ.)  
PARIS, WOLF STRIKES (Col.)  
BRANDIES—(2,000)  
(35c-40c) 7 days.  
Gross: $10,000.  
(Average: $1,429)  
"Dress Parade" (W.B.)  
PARIS, WOLF STRIKES (Col.)  
BRANDIES—(1,000)  
(35c-40c) 7 days.  
Gross: $6,000.  
(Average: $860)  

**Tips on Exploitation**  

**Recording by Patrons**  

Used in Providence  

**A** portable recording studio for making phonograph records was used by George French at the RKO Albee to spread the word for "Of Mice and Men."  

Patrons, after seeing the show, are invited to select a scene of the film, and then, whether they know what pictures are coming to the Al- bee. If they don't, they are told that the show is not yet released to the patrons to take home, the idea being that they will play them for friends and thus ballyhoo the Albee's future shows. The outfit was supplied to the theatre in a tin with Zenith radios.  

**Child Color Contest**  

Used on "Swiss Family"  

Manager Charles Ulrich of the RKO Albee, N. Y., tied in with local schools for a coloring contest on "Swiss Family Robin- son." Five hundred youngsters com- peted for three cash prizes, with con- test blanks distributed through school officials.  

**Music Group at Studio**  

For Para.'s "Interlochen"  

Paramount has invited delegates to the studio for the convention and festival of the Music Educators National Conference to the studio April 4 in the interpretation of "Interlochen." The delegates will see a demonstration of music recording on a sound stage, with Allan Jones and Susanna Foster of the cast featured.  

**Cartoon Exhibit Is**  

Continued Indefinitely  

The display of the making of ani- mated cartoons at the Museum of Science and Industry in Rockefeller Center, has been extended indefinitely. Tied in with the run of "Pinocchio," Disney-RKO feature at the Center, the exhibit has attracted considerable attention.  

**Reduced Child Prices**  

For "Lincoln" in St. Louis  

St. Louis, March 4—In connection with the showing of "Age Lin- coln in Illinois" at the Fox, arrange- ments have been made for reduced child prices for school children who attend the show. Children under 12 will be admitted at all times for 25 cents. Over 12 will pay 15 cents until 6 P.M.; after 6 P. M. they will pay 25 cents. The RKO was concluded with the Board of Education and various private and parochial schools, and last Friday nearly 3,000 school children attended the matinee.  

**Medical Groups Are**  

Invited to "Palm"  

Pittsburgh, March 4—Private screenings of "The Magic Bullet" are being held for various medical, social and civic clubs, with the show for the picture's booking at Loew's Penn. Brief talks by theatre men after the previews, and a city-wide promotion with the schools assisting at the organizations' expense, is part of the campaign.
You're Invited! This Saturday!

11th ANNUAL BANQUET AND BALL

WARNER CLUB, Inc.

WALDORF - ASTORIA

Saturday, March 9th, 1940
Eight O'Clock

Subscription $7.50

Music by JAN SAVITT and his TOP-HATTERS

Phone: A. W. Schwalberg
Circle 6-1000
Broadway Play Televised; Experiment Called Success

Television's most important "first night," from the theatrical point of view, was the presentation Sunday evening of the Robert Henderson production of J. B. Pritchard's comedy, "When We Are Married." This was the first time a current Broadway play, acted by its original players, was telecast over the air.

The play and players were introduced by Ray Forrest, NBC television announcer. During the presentations the Broadway players showed a certain amount of nervousness facing a new and unknown entertainment medium. However, after the "curtain" went up the play was presented without any noticeable technical mishaps.

The limitations of television made it necessary that the action take place on a restricted stage but in all other ways the comedy was the same as at the Lyceum Theatre. Occasionally in group shots one or more of the characters were cut off at an angle but most of the time the mechanics of production were skillfully handled.

The play, which ran over an hour and a half, including two short intermissions, Alison Skipworth and J. McDaniel gave competent performances.

The presentation of "When We Are Married" emphasized the fact that television is a new medium, a combination of stage and screen arts. Living actors give a feeling of reality akin to that of a stage performance and the television "camera" makes use of motion picture methods of long and short shots, panning, tilting, etc., for practical effect.

The film camera techniques applied to a stage play for television tend to increase the dramatic quality of the play, which will probably be used to advertise other Broadway plays. At present no one can say whether such a practice would help or hurt theatre audiences. If television becomes a factor in the television audience, estimated at 10,000, could be expected to go to the theatre to see the teleplay and the television presentation was that good!

The players in the first Broadway television play were Estell W. Woodin, Alison Skipworth, J. C. Nugent, Tom Powers, Ann Andrews, Sally O'Neill and A. P. Kaye. The television presentation was directed by Thomas L. Riley of NBC. Robert Henderson, director of the play, arranged for the television projection and made the necessary arrangements with Actors Equity.

CBS, Mutual Billings Up

CBS and Mutual billings showed huge gains during February. CBS grosses rose 31 per cent over the February of last year, while Mutual jumped 221 per cent.

During February, CBS billings were $3,330,627 as compared with $2,504,079 in February of last year. The first two months were $6,916,196, a rise of 32.7 per cent over $5,185,399 in the same period last year.

Mutual's February gross was $337,490 against $276,065 last year. Totals for the first two months were $655,378, a rise of 10.6 per cent over $591,683 for the same months last year.

Confucius Say-

The F.C.C. refused yesterday to take action on "Confucius Say" jokes from the air. In answer to a complaint from a listener who had weared of this type of humor and had asked the Commission, the F.C.C. responded that it had not authority to prohibit such programs.

Knox Suggests Hope for Trust Suit Settlement

Judge Knox, on his part, declared that the statement of the possibility of settlement had been made in order to prevent a delay and to see to it that eventually in setting a date for the Davila suit.

Herman Finkelstein of Schwartz & Froeblich stated that Judge Knox's argument of the Davila motion, which had not been intimated of a settlement but, on the contrary, had stressed the fact that he did not wish to delay the trial of the anti-trust suit.

Federal Judge Henry W. Goddard will hear a Government application for a rule to show cause today at 3:30 P.M. At the same time, the Government will ask for an order to regulate interviews of its witnesses by the defendants.

Film attorneys advised the belief that Judge Knox's impression that a settlement of the suit was possible must have been derived from Government sources.

Some attorneys hazarded the opinion that a Government representatives' belief that a compromise was possible was only a matter to the jurist that a trial might not be necessary in the event the Government was seeking a compromise in the way of stipulations and all that it hopes to obtain through the pre-trial conferences scheduled to start before Federal Judge Goddard in the near future.

Defense attorneys were disinclined to believe that the Government has any indication of a settlement of the suit out of court which would be acceptable to the film companies.

"We are as much surprised by Judge Knox's statement as any one," one of them said one prominent defense attorney.

U. S. Examines Depinet;

Balaban on Stand Tomorrow

Pre-trial testimony of Neil E. Depinet, vice-president of RKO in charge of sales, started yesterday in the Government's anti-trust suit and will continue today. Barney Balaban, president of Paramount, will follow Depinet tomorrow.

Depinet testified to dealings in the sale of RKO films to theatres in each of the 36 key cities listed by the Government. In answer to questions of Special Assistant Attorney General Robert L. Wright, the RKO vice-president named the first run houses in each of the cities.

In addition, Depinet described his negotiations in these cities and the men with whom he dealt.

"I am as much surprised by Judge Knox's statement as any one," one of them said one prominent defense attorney.

U. S. Examines Depinet; Balaban on Stand Tomorrow
Writers Seek
Ouster of Dies
In ‘Red’ Probe

Guild Charges He’s Biased Against Hollywood

HOLLYWOOD, March 5—Charging that by his actions and statements regarding alleged Communism in Hollywood he has constituted himself “a political censor of motion pictures,” the Screen Writers Guild today called upon the Speaker of the House of Representatives, to remove Congressman Martin Dies from the House un-Americanism probe committee.

Copies of the telegram sent to Speaker William Bankhead were sent to President Roosevelt, Vice-President Garner, Senators Johnson and Downey of California and California Congressman.

In a message authorized by the Guild members, the S.W.G. board recommended the appointment, in Dies’ stead, of “a member of the House who will conduct aforesaid investigation in accordance with established rules of fair inquiry.”

The Guild board charged Dies with acting improperly in writing two articles for Liberty Magazine and further said:

“In making statements to the press in which he gave opinions, he made comments and revealed prejudice and bias upon matters relating to the motion picture industry which are later

(Continued on page 4)

SWC Drafts Agents

Franchising Plans

HOLLYWOOD, March 5—The Screen Writers Guild is drafting a plan to franchise agents similar to that of the Screen Actors Guild which went into effect several months ago, it was learned today.

A committee has been appointed by the board of directors to prepare a plan for presentation to the entire membership. However, it will be some time before a proposal is in final form.

Guild leaders are surrounding their moves with secrecy to prevent a recurrence of agent opposition such as that which sprung up when the S.A.G. license plan was in its preparation stages.

The same procedure as that of S.A.G. in requiring that each agent obtain a license from S.W.G. in order to represent Guild members will be followed.

LAW TO SUPPLANT
NEELY BILL URGED

Vaude Talent
Agents Take A.G.V.A. Pact

Vaudeville talent agents accepted the terms of a new franchising agreement with the American Guild of Variety Artists at a meeting which ended at 1 A.M. yesterday. Although several alterations in the agreement were requested, these amendments are acceptable to A.G.V.A., and the contract is expected to be signed tomorrow.

The Artists Representatives Association, whose membership includes about 85 per cent of the agents who represent performers in the vaudeville, motion picture presentation houses and allied fields, voted unanimous acceptance.

Other agents are permitted to obtain franchises individually, but no A.G.V.A. member may employ an agent who is not franchised.

Revealed in the draft agreement was the intention of A.G.V.A. to start a drive against booking offices which book talent for film and vaudeville houses. A.G.V.A. will seek to eliminate the five per cent charge now levied by the booking offices, but until this charge is eliminated by the union, the agents are permitted to add the five per cent to their customary 10 per cent charge.

A.R.A. members will file application.

MPTOA Makes Proposal; Urges Six Concessions

By Distributors

A proposal for a Federal statute to supplant the Neely bill, basically aimed at correcting block booking inequities but eliminating some of the drastic features of the present bill, is being prepared by the M.P.T.O.A., in its current bulletin to members.

The national exhibitor organization, in the bulletin, also advances a six-point program of trade practice concessions which it urges distributors to include in their new season license agreements. In addition, it states that immediate relief in this way immediate trade reforms may be put into effect without danger of conflict with antitrust law.

The alternative to the Neely bill, according to Ed Kuykendall, M.P.T.O.A. president, has been advanced by members of the organization who are convinced that if Federal regulation of the industry is inevitable, it should be by way of a law in the drafting of which exhibitors who will have to live under it have had a voice.

The proposal is for a single statute providing for a license agreement for the exhibition of five or more copyrighted films over 2,000 feet in length, which shall be non-transferable at will and non-transferable at law unless it provides an option to cancel upon reasonable notice one picture out of each group of five

‘Street of Theatres’

Proposed for Fair

Proposals for industry participation in the New York World’s Fair were presented yesterday to advertising and publicity directors of major companies and will be submitted to company presidents for action at a meeting of M.P.P.D.A. headquarters tomorrow.

At that time decisions are expected on a proposal made by the M.P.T.O.A. not the industry will participate and, if so, which of the several proposals advanced will be utilized.

The principal proposal under consideration is for a “Street of Theatres” at the Fair in which there would be four or five of the most impressive the showings of films depicting the progress of the motion picture from 1900 to 1940, each theatre being devoted to a separate decade. There will be no admission charge. In addition, the exhibit would include a

My Son, My Son!”

Small-United Artists

Howard Spring’s best selling novel of two years ago has been skillfully woven into a moving and highly dramatic picture, brilliantly enacted by a splendid cast. The essence of the lengthy novel, dealing with a tangled skein of twisted lives and loves, has been capably extracted in the screenplay by Lenore Coffee. Incident and situation have been culled to maintain a swift and telling pace.

Dealing with the play of diverse characters one upon the other, Charles Vidor, the director, has told his story with force and clarity, never permitting the continuity to lag.

There are two phases. The first concerns two young men in the slums of Manchester, England, in the closing years of the 19th Century, and their dreams of success, their marriages and the growth of their children. Each centers his life in his son. The second phase, after they have attained success, concerns itself more particularly with the
"My Son, My Son!"

[Small-United Artists]

(Charles S. Amerson)

(Charles S. Amerson)

(Charles S. Amerson)

(Charles S. Amerson)

(Charles S. Amerson)

(Charles S. Amerson)

(Charles S. Amerson)

(Charles S. Amerson)
U.S. Law to Supplant Needy Bill Proposed by M.P.T.O.A.

(Continued from page 2)

in the order of release without liability.

The bulletin adds that “if the dis- tributor fails to provide in the con- tract for minimum notice that can- celled pictures as they are released, the whole contract will become invalid and unenforceable, thus making the pictures unprofitable 20 per cent. No criminal penalties would be needed,” the bulletin points out.

If the pay a “fake,” the M.P.T.O.A. president asserts that neither its defeat nor its enact- ment will solve the problem of com- mercial block booking and blind sell- ing.

“The basic problem of reasonable selection of motion pictures for ex- hibition,” he declares, “is not a moral issue but a vital economic problem that has not been solved effectively by any measure of the industry, much less by either the satisfaction of theatre owners. True, some progress has been made but there are still important wholesale distrib- utors who pay only 75 per cent, which is not adequate, to the big circuits. Rather than have the harsh and costly re- strictions of the Neely law jammed down their throats by misguided pres- sure groups,” Kuykendall says, “it may be well for the industry to con- sider a more practical statute.

The trade practice proposals which the M.P.T.O.A. urges for inclusion in new season’s contracts relate prin- cipally to cancellation, score charge and availability. The proposals fol- low:

“(1) A minimum unconditional op- tion to cancel at least 20 per cent of pictures licensed on reasonable notice as they are released. The code proposal should be simplified as much as possible for this plan. If any- other an alternate suggestion, an option to cancel upon reasonable notice one pic- ture out of each group of five or more pictures.

“(2) An option to cancel any pic- ture on reasonable notice which it can be demonstrated is locally offensive on moral, religious or racial grounds. The question of fact, if disputed, can be left to simple arbitration.

“(3) An option to change percent- age pictures designated for preferred play dates on reasonable notice that the picture is considered unsuitable in fact for the dates designated, sub- ject to simple arbitration if there is a dispute.

“(4) A provision that no score charge shall be added to the film ren- tal specified in the contract.

“(5) A provision that pictures and terms for each picture licensed must be fixed by the distributor not later than the date of the notice of availa- bility.

“(6) A provision that the option to reject pictures on selective contracts must not be exercised within 21 days after notice of availability, otherwise the option is void and the picture re- ceived in due course to subsequent re- use.”

Stahl May Produce Film for Roosevelt

Hollywood, March 5.—John M. Stahl may close a deal here this week on a picture to be produced for the latter’s Globe Prod- ucts, it is announced.

It is understood that this commit- ment is the result of a produc- tion activity for United Artists release. The producer, however, also is preparing a Columbia and may close a contract with a company to take it in the near future.

Stahl arrived here today from New York.

Warners Request Income Tax Review

WASHINGTON, March 5.—Redeter- mination of a deficiency of $291,737 assessed against their personal re- ceipts for 1936 and 1937 by the Com- missioner of Internal Revenue was asked today by Albert, Harry and Jack Warner.

The Warners contended the defi- cency resulted from an erroneous interpretation of income from the dis- solution of the Colfax Trading Corp. to gains for the Warners.

Arrested as Vandal

St. Louis, March 5.—Police today arrested a connaisseur of ‘Our Town’ and charged him with being an accomplice to the death of A. Staub, accused of cutting the upholstery on 400 seats in the Fox Theatre yesterday. Staub is charged with assault and battery of the stagehands, and is also charged with assault of the stagehands because of the delay in nego- tiating a contract with his Local, B2, of the Building Trades and Laborers’ Union, under which he expected to get a $9 weekly raise.

Ampa to Fete Film, Literary Notables

Henry Hull, Brian Aherne and Joan Fontaine are expected to appear at the Ampa luncheon meeting tomorrow at Dempsey’s Restaurant.

The main attraction, however, will be a group of book publishers and literary critics who will speak on the relationship between books and films.

Details will be given to the annual- ly held reading of the American Film Institute.

Staab, Internal Standing

Judge Neely, veteran of the 1930s, has been reappointed to the post of chairman of the M.P.T.O.A. for the ensuing season.

He had just finished an assignment as chairman of the film version of “Our Town,” is dead here of a heart attack. His wife and two children survive.

Vaude Talent Agents

Accept AGA Pact

(Courtesy from page 1)

tions for franchises before March 15 and A.G.V.A. will act upon them be- fore March 25. The agreement will go into effect on April 1 and will con- tinue until Dec. 31, 1941.

All existing contracts between per- formers and agents are modified to limit them to two weeks work in each three months. A standing committee, with both sides represented, will try to adjust disputes. If the committee is unsuccess- ful, however, arbitration proceed- ings will be used.

Agents Equity yesterday instructed all its members not to work in the variety field except where an A.G.V.A. shop is provided.

Dowling Withdraws

From Equity Post

Eddie Dowling, producer-actor, whose appointment to the council of Actors Equity caused a storm of pro- test from members last week, with- drew his acceptance of the post at a council meeting yesterday.

He gave no reason for his with- drawal. Frank McCormick and Alan Hewitt, who were named as alternates, will offer the names of the order named. Matt Briggs accepted the other vacant post on the council.

Jenkins, Columnist

For Herald, Dead

Neligh, Neb., March 5.—J. C. Jen- kins, for many years field representa- tive for Motion Picture Herald and its predecessor, the Actors Herald-World, died here today of a heart attack at the home of a daughter, Mrs. Mar- tori Bradley. He was 82. The funeral will be held here on Thursday.

Phillip Wood Dies

Hollywood, March 5.—Phillip Wood, former Ford director, who had just finished an assignment as chairman in the film version of “Our Town,” is dead here of a heart attack. His wife and two children survive.

Seek More Time

On RKO Fee Data

A second extension of the time for filing applications for allowances for services in the RKO reorganization was requested of Federal Judge Wil- liam Bowlman yesterday in the open- ing Trust and its counsel expect to com-plete their petitions by the end of the week, but other petitioners esti- mate they will need another two weeks.

Canada Lifts ‘Time’

Ban After Elections

Toronto, March 5.—Premier Heph- burn of Ontario said today that the ban on the “March of Time” subject, “Canada at War,” will be lifted after the national elections March 21. Hephburn’s ban on the reel, in his capacity as chairman of the cen- sorship appeal board, was a political situation here today. Hepburn has been engaged in a quarrel with Prime Minister McKenzie King of the Dominion.

Hepburn’s National Film Board ap- proved the production of the film and called it the board’s official re- lease of the week and the Can- adian Broadcasting Corp. plugged it on the national network.

Legit Houses Aid Finns

Collections at Broadway legitimate houses for the Finns Relief Fund totaled $6,037 during the three weeks of the drive, it is reported by Gertrude Lawrence, chairman of the division. Audiences at “Life With Father” at the Empire contributed the largest amount, $1,123.
**Theatre, Personnel Notes**

**Warner Changes Made**

Des Moines, March 5—A number of changes have been made at the local Warner exchange following the announcement that salesman Harry Herman will leave soon to take over the theatre he recently leased at New Hampton, Iowa. Paul Walsh, present booker, will replace Herman as salesman; Paul Letherly, present confirmation clerk, has been made manager and John Allen, formerly with Grand National in Omaha, has been made confirmation clerk.

**Harltaub Is Transferred**

Cincinnati, March 5—Robert Harltaub, manager of the suburban Hollywood, has been transferred to the Norland, also a suburban house. He replaces J. A. Gibbs, resigned. Ralph Morley has been promoted from assistant manager to assistant to the manager of the Hollywood both houses are units of the Lubin-White circuit.

**Parsons to Universal**

Kansas City, March 5—Glover C. Parsons, 19 years with M-G-M in the San Francisco area until 1936, and then Western sales manager for the Warner exchange, has been transferred to Chicago. He succeeds Roy J. Miller, branch manager for two years, who is being transferred.

**Quits Columbus Theatre**

Columbus, Ohio, March 5—John Jones, who has been manager of the Town and Suburban department for several years, has resigned. It is expected that Max Stearn, owner of the house, will take over active operation.

**Completing Nashville House**

Nashville, Tenn, March 5—Construction is going on with all possible speed for the Belle Meade Theatre and it is expected to be completed early in April, according to officials of the Crescent Theatre Co.

**Re-Seating Providence Theatre**

Providence, March 5—The Liberty will be re-seated this Spring. The house, owned by Ellwood Amusement Co., is now undergoing renovation. Edward Bodens is manager.

**Sells Kansas Theatre**

Kansas City, March 5—James Bailey has sold the Bailey, Waverly, Kan., to O. W. McDonald, who formerly managed the Yale, Fort Scott, Kan.

**Renovating Providence Theatre**

Providence, March 5—Max Nathan is redecorating the Hope, East Side second run house, and has installed a new neon sign over the marquee.

**Shackelford Joins Columbia**

Kansas City, March 5—M. G. Shackelford, formerly salesman for Monogram, has joined the sales force of Columbia.

**Plans California Theatre**

Cali, Calif., March 5—Owners of the Playhouse Theatre here are planning to replace it with a new theatre.

**Lucas & Jenkins Building**

Atlanta, March 5—Construction of a $40,000 community theatre will be begun within the next two weeks by Lloyd Lucas and John Jenkins, who will be the largest neighborhood house in Atlanta, with a seating capacity of 1,250.

**Open Atlanta Theatre**

Atlanta, March 5 — The Clair Theatre will open this week, according to C. E. Hilger, manager, and the entire proceeds of the opening day will go to the Red Cross for relief of tornado sufferers.

**Schines Take Theatre**

Gloversville, N.Y., March 5—Schine Circuit has closed a deal with Cumberland Amusement Co., of Catskill, for the purchase of the Strand Theatre, which will take over the operation of the Strand in Cumberland.

**Moving Iowa Theatre**

Fontannaie, Ia., March 5—C. C. Parker, owner of the Fontannaie, has bought a building to which he plans to install his theatre when remodeling is completed.

**Plans Bridgeport House**

Bridgeport, Conn., March 5—A. M. Schmer, operator of the Bridgeport Theatre plans the 936-seat New Black Rock Theatre Building, including four stores.

**Convert Florida House**

Titusville, Fla., March 5—Work will soon start on converting the old Van Croix Theatre into a $10,000 city recreation center and gymnasium.

**Installs New Equipment**

Manly, Ia., March 5—H. S. Twedt, owner of the Lido here, has enlarged the projection booth for installation of new sound equipment.

**Open Westport House**

Westport, Conn., March 5—The enlarged 700-seat Fine Arts Theatre has been opened by George Condon, after renovation.

**Installing New Equipment**

New Haven, March 5—The 760-seat Fishman Lawrence Theatre will install new sound equipment and a new screen.

**Interstate Building in Houston**

Houston, Tex., March 5—Inter-State Circuit, Inc., will build the $100,000 Almeda here. It will seat 1,000.

**Remodels Ohio House**

Baltimore, O., March 5—Rupert McNeeley is remodeling the Ohio here, and installing new seats.

**Close Bridgeport House**

Bridgeport, Conn., March 5—The 2,300-seat Bridgeport Theatre at 88 Lexington Ave. and 1144 Madison Ave., is now being handled by the Brandit circuit.

**Raffles’ High Denver Gross With $4,500**

Denver, March 5 — A severe but brief snowstorm hurt grosses. "Raffles" and "Man Who Wouldn’t Talk" at the Paramount drew $4,500. Estimate of takings for the week ending Feb. 28:

- **Babalah** (M-G-M) — 7 days. Gross: $3,000. (Average, $428.50)
- **The Fighting 69th** (20th-Fox) — 7 days. Gross: $3,000. (Average, $428.50)
- **The Senator from Sonora** (Rep.) — 7 days. Gross: $3,500. (Average, $500.00)
- **Baltimore** (RKO) — 7 days. Gross: $3,000. (Average, $428.50)
- **Swiss Family Robinson** (RKO) — 7 days. Gross: $3,000. (Average, $428.50)

**Notes**

- **'Passage,' $12,000 New Haven Leader**

New Haven, March 5—"Northwest Passage" at the Little Peoples at Home played packed houses all week at the Loew-Poli and piled up a $1,000 gross. "Silentocco," starring Jackie Coogan, dualed at the Roger Sherman with 'British Intelligence' grossed $7,000. Estimates for the taking week ending Feb. 28:

- **'Gene With the Wind' (M-G-M)**
  - **College** (2,949) 7 days, 1st wk. Gross: $4,000. (Average, $571.43)
  - **Northwest Passage** (M-G-M) — 7 days. Gross: $4,000. (Average, $571.43)
  - **Broadway Melody of 1940** (M-G-M) — 7 days. Gross: $4,000. (Average, $571.43)
  - **Blackbird** (M-G-M) — 7 days. Gross: $4,000. (Average, $571.43)

- **'Wind' Milwaukee’s Winner at $17,600**

Milwaukee, March 5—"'Gene With the Wind"" at the Fifth Avenue, with gross at Fox’s Palace drew $17,600. Second money went to ‘Double Alibi’ and Martha Raye, playing the Riverside, with a $12,000 gross. Estimated takings for the week ending Feb. 29:

- **'Gene With the Wind' (M-G-M)**
  - **College** (2,949) 7 days, 4th wk. Gross: $1,800. (Average, $257.14)
  - **Riverside** (2,700) (35c-40c-50c) 7 days. Gross: $1,400. (Average, $200.00)

- **"Young As You Feel" (20th-Fox)**
  - **Baltimore** (RKO) 7 days. Gross: $1,800. (Average, $257.14)

- **"Young Woman This Woman" (M-G-M)**
  - **Baltimore** (RKO) 7 days. Gross: $1,800. (Average, $257.14)

- **'Grapes of Wrath' (20th-Fox)**
  - **Baltimore** (RKO) 7 days. Gross: $1,800. (Average, $257.14)
TEN CONGRATULATIONS MR. SELZNICK
and Selznick-International!

The Academy Awards to your organization are the Talk of the Industry. M-G-M, as the distributor, is proud of the privilege to serve your great production.
M-G-M gratefully acknowledges its new Academy Awards: Best Male Performance: Robert Donat in “Goodbye Mr. Chips”. Best Original Musical Score: Herbert Stothart’s for “Wizard of Oz”. Special Award to Judy Garland for outstanding performance of juvenile roles. Today M-G-M gets Academy Awards—yesterday it was 600 Film Critics of America who heaped honors on Leo; before that it was Film Daily’s Ten Best, and Quigley’s Box-Office Champions and Variety and Box-Office Magazine and all the others! We’re happy to merit these annual tributes, but we’re proudest of the golden rewards that come to your box-office every day in the year when you play M-G-M pictures!
**Hollywood Review**

**"Island of Destiny" (RKO-Fine Arts)**

Hollywood, March 5.—First of three pictures to be produced by Franklyn Warner's Fine Arts Pictures for RKO release, "Island of Destiny" is an adventure story in color of aviation and Marines in the South Seas. Over long for its content, it nevertheless has a keynote of strong action, taken from a pulp magazine story written by the prolific Alan Vaughn Elston. William Gargan, Wallace Ford and June Lang are the three top players, supported by Gilbert Roland, the late Etienne Girardot, Katherine DeMille, Gran Richards, Tom Dugan, Harry Woods and Ted Osborne.

Warner, who at one time produced for Grand National release and who now has formed his own distribution company for his output other than the RKO contract, has given this film a fine up-to-date, using the Cosmocolor process of photography and the Cinecolor process of release prints. It is the first feature length film to be photographed by Cosmocolor.

Arthur Hoerl, M. Coates Webster and Robert Lively wrote the adaptation of the Elston story, and Elmer Clifton directed.

The story is of topical exploitation value. Gargan and Ford, Marines stationed on a South Sea island, both fall in love with a daring aviatix, sister of their commanding officer. Upon her visit to the island on a round the world flight, she is kidnaped by a leader of a band attempting to smuggle guns illegally to China, in order to divert the Marines' attention while he carries on his plot. Gargan and Ford rescue the girl after an adventurous journey through the jungle, and she marries Gargan, who leaves the Marines to become a pilot.

Running time, 84 minutes. "G.**

**AGVA Elects Board In San Francisco**

San Francisco, March 5.—Organization of American Guild of Variety Artists here is practically completed, following election of an executive board of 21 members.

Named on the AGVA executive board are Lou Ash, Wife Audrey, Jack Beekman, Richard Belzer, Bright, Buddy Bowen, Mary Brooks, June Butel, Edward Fox, Don Fransics, James Haines, Elin Klye, Nadja Laurence, Caro Miller, Chris Miller, Buddy O'Brien, John O'Brien, Frank Rollet, Max Taras, Katherine Toomey and Cliff Work.

**Biscoff Will Make 'Singapore' at Col.**

Hollywood, March 5.—Sam Biscoff's first production following his return to Columbia this week will be "Singapore," based on a story by Houston Branch.

B. P. Schulberg, who was added to Columbia's production roster earlier, will begin work soon on "Ode to Liberty."

**Picket St. Louis House**

St. Louis, March 5.—The newly opened neighborhood house, is being picked by the local operators' union, the 15th house of the St. Louis Amusement Co. to be picketed. The circuit, operated by the Fanchon & Marco office, is engaged in a dispute with the union.

**Van Schmus Is Host To 150 at Screening**

More than 150 persons were guests of W. G. Van Schmus, managing director of the Music Hall, at a private screening of "Big Four, My Son!" last night in two projection rooms. After the screening, refreshments were served to the assembled trade theatre officials and their friends.

Among those present were Mr. and Mrs. Edward Lin. Van Schmus, Hal Silverstone, Jr., J. M. McInerny, Mr. and Mrs. Lynn Farnol, Jack Schlaifer, James Mulvey, Arthur Silverstone, James Rosenthal, Betty Kozine, Al Margolies, Sam Shain, Mr. and Mrs. Leonard Goldenson, Harry D. Steffes, Marion Elston, Frank Rogers, Muriel Babcock, Mr. and Mrs. Sam Dembey, Gus Eysell, Mr. and Mrs. Leon Nettet, Dorothy Bromley, John D. Hertz, Jr. and George Morris.
Ascap Divided Over New Air Contracts

Divided opinion within Ascap's radio committee on the new rate formula for the society's new contracts with broadcasters is delaying completion of the committee's report, it was learned yesterday.

The situation may result in submission of a minority report to the Ascap board at the special meeting to be called to consider the new contract within the next week or two.

The minority group's stand was officially described as a "very strong attitude in opposition to the present ideas" for the new contract. These ideas, it is understood, contemplate a formula which would increase network rates while offering some reductions to independents, especially for sustaining programs.

The radio committee is scheduled to meet tomorrow in an effort to complete its recommendations for the board.

Film Writers Ask For Ouster of Dies

(Continued from page 1)

to be investigated by the House committee of which he is chairman ... by making positive and negative recommendations as to subject matter of motion pictures while he held such official position, Congressman Dies was in effect constituting himself a political censor of motion pictures ... and has disguised himself as an impartial investigator of alleged un-American activities in the motion picture industry."

Radio Brevities

TELEVISION is turning to film house games for audience stimulation. Starting March 16, and each Saturday thereafter, $25 will be given away for winners of a game known as "Minute Mysteries."

A film called "Fast Fingers," starring Charles Colling and Russell Hicks, is played for 10 minutes and the audience is required to make "yes or no" answers to 15 questions. About 1,500 cards will be mailed out by NBC for the first show. The correct answers are given on the following week. Anyone answering all questions correctly gets the $25 prize. If no one succeeds, then $15 goes to the one with the highest number of correct answers and $10 is added to the jackpot for the following week. In the event of ties, prizes are divided.

The game is now being used in a number of film houses throughout the country. Roy Post and Austin Rinkel, who have used the game for picture magazines and radio, as well as television and film houses, are the copyright owners.

Newsreels for Television

The Don Lee television station, WIXAO, in Los Angeles, will receive newsreels of local events from its affiliate KFIL. The films, under a deal set with Mol Heider and Al Hunter, in charge of special events and news respectively, Venter and Hunter will select events to be covered with a camera and rush the completed films to Los Angeles where they will be televised.

Program News

"Who Knows?" a dramatic series produced by Jack Johnstone, will be sponsored by Griffin Shoel Polish, starting March 16 and continuing for 52 weeks. The show will be heard Saturdays at 8:30 P. M., over four major networks, with WOR, WSB, local outlet, ... Two shows sponsored by American House Products, "Other Wives and Other Homes," and "Bills," now heard from 10:15 A. M., to 10:45 over NBC-Red, will be switched to the Blue network on March 25 and Monday through Friday, 3:30 P. M.

Air-Ground Television Today

Weather permitting, RCA will demonstrate its new two-way television apparatus between airplane and ground today at 1:30 P. M. The flight will be in portable cameras to be installed in the United Air Lines Flight Research and views of Manhattan from the air will be available to all sets in this area. After the experiment is completed, the cameras will be released for use by NBC's television station for pick-ups of regular radio programs for television.

Personalities in the News

Barry Wood and the Lyn Murray chorus will head the "Purrchase of Happiness" show on CBS on Sunday at 4:30 P. M. ... Ben Griener adds another show to his last two, he takes over "Battle of the Sexes" from CBS on March 19 over NBC-Red as announcer and commentator.

Dual Share has been signed as featured singer on the Bern Bernie program on CBS, starting Sunday. ... Bobby Feldman, formerly with WNEW and WMCA, has joined the WOR Artists Bureau. ... Leonard Rechis, manager of WHIO, Dayton, has been transferred to WSB in Atlanta, where he will also act as station manager. James Lee Gate, of WFO in Miami, succeeds Rechis.

Sam and dellas Speckard, scrutinizer and playcwrights, will be "Information, Please," guests next Tuesday over WOR-Blue at 8:30 P. M. In Harry Norwood, U. S. Ambassador to Peru, succeeds the late Prof. A. E. Garvin, of Havana. As a number of the board of judgues for the 1939 William S. Paley Amateur Radio Award.

Adopts FM Tomorrow

WBNS, CBS affiliate in Columbus, Ohio, will inaugurate frequency modulation on its station WSNX tomorrow.

Court Doubts Any Coercion Of Witnesses

(Continued from page 1)

opportunity of checking on charges in a complaint, he added. Moreover, the defendants already know of the identity of at least 150 witnesses and 'have taken no steps to influence them,' he concluded.

Williams stated that Government answers to interrogatories will disclose the identity of 550 prospective witnesses. Many of these have expressed promises from the Government that their names will not be revealed, he said.

Fear of retaliation is so great that many witnesses have refused to testify as he asserted. The Government was keeping its promise to protect witnesses by making this application, Williams reiterated.

John E. Caskey, Louis D. Frohlich, Robert W. Perkins and Edward C. Ray also opposed the application.

Each of them discounted the Government "worries" of coercion. Schwartz raised the point that any attempt to regulate interviews of witnesses would be unconstitutional as interfering with the private business affairs of the defendants.

Judge Goddard did not pass on the question of a pre-trial conference to simplify issues. Discussions on the possibility of a pre-trial conference and how it will take place in the next few weeks, attorneys stated.

Depinet Explains RKO Ties to Theatre Companies

Neil E. Depinet, vice-president in charge of sales for RKO, explained yesterday at a pre-trial examination in the Government's anti-trust suit the advantages of affiliations between the RKO production company and RKO theatre companies.

RKO exhibition companies have shown their willingness to cooperate with the production company on "pioneering work" in contrast to the attitude of the exhibitors who are vowing to shun RKO. Moreover, the affiliated theatres have presented RKO pictures with showmanship and excellent advertising, thereby bringing in an average returns for films, he said.

The question of the advantage of affiliation was answered by Depinet after defense counsel had objected to it as being "the ultimate issue in the case."

Depinet also explained the factors which determine the choice by RKO of houses for first-run exhibition. Main essentials were amount of rental, reputation of the theatre and owner, advertising and playing policy, and the location of the theatre, he stated.

Barney Balaban, president of Paramount, will testify today, Depinet's examination having ended yesterday.

Bites for Robinson

Funeral services will be held tomorrow for George Robinson, 70, widely known theatre owner and operator of concessions, who died Monday night at his home, 74 Lincoln Road, Brooklyn. He was part owner and manager of the New Bright Theatre, with which he was associated for 20 years until the house closed business about 10 years ago. For 35 years he operated concessions in Prospect Park.
On Saturday Night the Official Banquet will be held. The most sumptuous food you have ever eaten!—Entertainment that is distinctly satisfying!—refreshing!—Famous speakers! Practically every important personality in America—Bob Hope as Master of Ceremonies!
Just what the doctor ordered

- Trailers . . . Lobby Displays . . . Accessories all under one banner . . . all serviced from the same exchanges . . . all created by men with a special interest in your pictures and a gift for understanding your selling problems.

- An advertising service that covers every angle . . . sells every prospect . . . catches every eye . . . holds every ear and adds that touch of glamour to your lobby and your screen that makes them SHOW WINDOWS for your theatre . . . newsy . . . dramatic . . . provocative SHOW WINDOWS which stop every window-shopper and make customers out of prospects.

- National Screen Trailers have been good box-office medicine for twenty-one years... National Screen Lobby Displays have been stepping right along and now ADVERTISING ACCESSORIES INC rounds out the trio of Best Box Office Babies in the Business.

NATIONAL Screen SERVICE
NATIONAL Screen ACCESSORIES
ADVERTISING ACCESSORIES, INC.
Crush of War Taxes Facing Films Abroad

Lange Visions Profitless Years in Europe

By SHERWIN A. KANE

The film industry is faced with the necessity of drastically revising its operations in Europe if those operations are to be conducted profitably in the future, Fred W. Lange, general European representative for Paramount, who is in New York for his annual home office visit, said yesterday.

Lange foresees a time, not far removed, when wartime or post-war taxation will be so widespread throughout Europe and so burdensome that the vast majority of Hollywood pictures will not be able to return a profit in those markets.

In this new business order, Lange believes, it will not be profitable for any American distributor to send more than five or six of his top productions annually to Europe.

This will be the substance of the report which he will make to John W. Hicks, Paramount's president and foreign department head, on the latter's return from South America on March 18, Lange said.

There is no doubt in Lange's mind that there will always be a foreign market for American films and a prod-
(Continued on page 10)

Atlas' RKO Holding Fixed at $3,414,311

Investment of Atlas Corp. in RKO is indicated at $3,414,311 in the annual report of the investment trust released yesterday. This represents an increase of $981,429 over the investment listed in the annual report for 1938, and is accounted for largely by the underwriting of new RKO common stock by Atlas last December.

The Atlas investment in Paramount underwent no change during the year. According to the company's portfolio, it consists of 4,900 shares of first preferred stock, with a market value as of Dec. 30, 1939, of $357,650, and 5,000 shares of second preferred, listed at $45,000.

The only other Atlas investment in the film industry listed in the portfolio consists of 7,000 shares of General Theatres Equipment Corp., with a market value of $87,500 on Dec. 30, last. This, too, represents no change from the preceding year.

The investment company's portfolio
(Continued on page 9)

U.S. Bares 550 Witnesses For Trust Fight on Majors

U. S. Will Question Sears on Monday

Having finished its questioning of Barney Balaban yesterday at the pre-trust trial examination, the Government will next hear Gradwell L. Sears, general sales manager of Warner Bros. He will testify before A.M. Federal Judge Goddard on March 27 will discuss the advisability of a pre-trial conference of attorneys.

U. S. Film Service Feature Showing At Regular Prices

A production of the United States Film Service, "The Fight for Life," produced by Pare Lorentz from a portion of Paul de Kruif's book of the same title, is showing at regular admission prices at the Belmont Theatre on 48th St. and is designed for general distribution.

The film, running 69 minutes, and the first feature length picture produced by the Government film unit, of which Lorentz is a director, deals with the problem of maternity cases in slum areas.

George Gerke, head of the U. S. Film Service in New York, describes the film as the dramatization of a national problem, and designed to publicize the work of several Govern-
(Continued on page 2)

Arrangements Set For Quigley Award

Final arrangements are being completed for the presentation of the 1939 Quigley Grand Awards at the Victoria Elgin restaurant in Holly-
wood, on March 12. In addition to the presentation luncheon given by Martin Quigley, a week's program of activities has been provided by the welcoming committee.

A. Mike Vogel left for Hollywood yesterday to arrange for the advance of the Awards party, expected to arrive at the end of the week. Ray Bell, winner of the Silver Grand Award, leaves from Washington, and Lige Brien, winner of the Bronze Grand Award, from Ambridge, Pa.

Files 300-Page Reply to Defendants' Queries; Cites Alledged Instances of Coercion And Monopolistic Tactics

By IRA WIT

The Federal Government discloses the identity of 550 prospective witnesses in its New York anti-trust suit against the majors in a 300-page answer to the defendants' interrogatories which it filed yesterday in U. S. District Court.

In contrast with the Government's bill of particulars previously filed in the suit, the consolidated answer details several hundred alleged in-
stances of coercive methods employed to obtain independent theatres or of discriminatory tactics against unaffiliated exhibitors.

A list of statistical charts and reference books upon which the Government expects to rely in presenting its case also was set forth. Additionally, the answers indexed 1,040 franchise and licensing agreements which the Government will use in an attempt to show that monopoly has been practiced by the majors.

This list includes agreements for the 1934-35, 1935-36 and 1936-37 seasons which were supplied by defendants, the answer explains. Wherever a li-
censing agreement is listed, it will include all deal sheets and modifications, the Government stated.

The answer pointed out that addition-
lists of agreements for other seasons may be added from time to time. The table of witnesses named are divided into two groups, those lo-
(Continued on page 7)

Balaban Quizzed On Theatre Deals

Barney Balaban, president of Para-
mount Pictures, stated at a pre-trial examination yesterday in the New York anti-trust suit that many inde-
pendent theatres were obtaining films at a lower rental than Paramount Circuit theatres.

In answer to a series of questions on the relative advantages of affiliated houses and independents, Balaban in-
sisted that a substantial number of in-
dependents had the edge in securing cheaper rentals on product and that, on the whole, they were doing a more prosperous business than affiliated the-

In many instances, Paramount leases its theatres to independents because of better results, the Paramount presi-
dent said. As added evidence of his belief, Balaban pointed out the case of
(Continued on page 4)
U.S. Film Service Feature Showing A Regular Prices

(Continued from page 1)

department reports, notably the Housing Administration and the Public Health Service.

No distribution arrangement has been determined by the courts suspending public reaction during the Belmont engagement, although he indicated several is not a major point. The film was not previewed. The first film of the Service's subjects, "The Plough That Broke the Plains," was distributed by government agencies for public information and do not require such an arrangement.

It is planned to sell this film to theatres, rather than offer it free, to defray the cost of production and to use the money thus acquired would go to the Government, or it is an operation of one's agencies.

The film dramatically pictured the work of the staff of the Chicago Maternity Center, detailing the manner in which obstetrical cases are handled and to the public. The film was shot for the most part in silent form at the Center and in the homes of the expectant mothers in childbirth, most of the relief, in the two cases, industrial cities. The direct dialogue sequences and musical score were inserted in Hollywood.

Prices for the current run at the Belmont are 25 cents to 1 P. M., 35 cents to 2 P. M., 55 cents to 6 P. M. and 75 cents to closing. The mezzanine is priced at $1.10 all day.

Two Hays Speeches
Will H. Hays, president of M.P.P.I.A., will address the Founder's Day meeting of the Phi Delta Theta fraternity, of which he is a member, in Indianapolis Saturday. At noon he will address School of Engineering students at Princeton University.

Bookers Club to Meet
The Bookers' Club, organization of New York exchange bookers, will hold an open meeting March 18 at the Lincoln Hotel, at which several prominent guest speakers, to be announced later, will discuss topics of major interest to the trade.

personal appearance tour with Terry Kilburn.

Eugene Vogel, M-G-M salesman in New York, will be the nephew of Josephine Vogel, Loew's executive, observes a birthday today.

J. Robert Rubin, vice-president and treasurer of Loew's, has returned from Nevada.

B. B. Reingold, 20th Century-Fox manager in St. Louis, is vacationing in Florida.

N. J. Assembly Asks Premiere of 'Edison'
Trenton, N. J., March 6—The State Assembly last night passed a resolution sponsored by Edgar William- son, Jr., of Essex Junction, on M-G-M to hold the national premiere of "Edison the Man" at the Orpheum Re- wood in Essex Junction which were closely connected with the inventor's life.

Court Outsts 50 Nick Appointees to Union
St. Louis, March 6—Membership in Local 143, Motion Picture Opera- tors' Union, of 50 to 60 men taken in by John P. Nick from July, 1939, to April, 1939, while he was boss of the union was invalidated today by Circuit Judge Oakley, The judge permitted Nick's agents to use federal court aids from interfering with the union. The Court said Nick and Clyde A. Lipton, former top man of the union, had issued membership cards to many men "who enjoyed bad reputations and were known as police characters."

Robert A. Roessel, attorney for the union, said most of the 50 to 60 men were employed in some of the Fanch- chon & Marco Theatres. He said only half of the 80 operators working in the F.K.M. shows are in good standing in the union.

Biffo Hearing Today
Settles Chicago Fate
Chicago, March 6—The hearing of William Biffo, Coast I.A.T.S.E. leader, on an old Chicago charge, opened here this morning. District Court before Judge Prystalski. State Senator Abe Marovitz, Biffo's attorney, made a plea that it be to dismiss or reduce the lesser charge. It was directed after such a lapse of time, following testimony by Biffo and cross examination by Assistant State Attorney Cunningham. Biffo testified as to his activities from the time of the original charge until his arrest on March 1, 1940. Marovitz will continue his plea when the hearing is resumed tomorrow.

Itzzell Must Face Jury in Auto Case
Los Angeles, March 6—J. W. Buzzell, executive secretary of the Central Labor Council and a figure in union discussions with producers over the most important 10 per cent wage increase revocation, must face jury trial March 25 on a charge of reck- lessly driving growing out of a traffic accident in which the defendant allegedly struck a group of bystanders and the victim of another mishap.

Music Hall Bookings
Three United Artists' releases are scheduled to go into the Music Hall during March and April. "Rebecca" is due to open here on March 28 and it will be followed by "My Son, My Son!" and "Over the Moon."

Metro Gets English Film

A.G.V.A. in Bid To Stagehands And Musicians
Continuing its efforts to obtain sup- port of other unions for its organiza- tional campaign, the American Guild of Variety Artists has well succeeded in the aid of Local 802 of Musicians Union and the Stagehands Union, Local 1, of the L.A.T.S.E.

First, S. H. Reingold, executive secretary, will confer with leaders of the two local unions to obtain a plan which each group will respect the pickets lines of the others. Stagehands and musicians already operate under such an agree- ment.

About two weeks ago, the Hotel and Restaurant Employees Interna- tional Alliance pledged their aid to A. G. V. A.

With all actor unions obligated to aid A.G.V.A., supported by the music stagehands, the next move will give A. G. V. A. united backing for its campaign, particularly because the Theatrical Employees International Alliance pledged its support.

Ampa Meeting Today
Three additional publishers' repre- sentatives have been added to the program of the Ampa book luncheon today at Dempsey's restaurant. Columbia has arranged for the presence of William Harlow Briggs, editor of Harper & Bros.; George Stevens, editor of Lippincott's & Co., and Sum- ners, editor of the advertising manager of Farrar & Rhinehart.

Maxine Elliott Dies
Cannes, France, March 6—Maxine Elliott, 67, noted actress of both the European and American theatre, died yesterday. Maxine Elliott retired from the theatre in 1920 after a 30- year career.

MOTION PICTURE DAILY

Purely Personal

P AT CASEY, Hollywood producers' labor contact, left for the Coast last night following a two weeks' visit in New York.


Joseph Goff, KKO assistant di- nion manager in Cincinnati, in charge of personnel, was undergoing treatment at Christ Hospital for a throat ailment. His wife was brought in for an emergency operation. Both are doing well.

William F. Rogers, Charles E. McCarty, Arthur Hopkins, Mil- ton Shurtleff, Eddie Granger, George Goetz and Elmer Rie- at Nick's Hunting Room in the Astor for lunch yesterday.

Leonard Peaceock, owner of the Gary and Isis, Calgary, Alberta, and his wife are on a motor tour to Wash- ington, Florida, Mexico, California, and Utah, from which they will return in May.

William Wyler, director, and his wife, Margaret Tallichet, return today on the Nieuw Amsterdam from a 20-week cruise. Other passengers are Jack Alacoque and Mrs. Bernarr McFadden.

G. Ralph Brant, Tri-States Theatre business manager, accompanied by his wife and daughter, has left Des Moines for a three-week vacation in California.

Arthur Lee, general manager of G. B., is at the Canadian office of Empire-Universal Films, Ltd, Toron- to.

Ben Atwell has joined the Walt Disney publicity staff for the "Pinoc- co" engagement at the Center The- atre.

Anna Bell Ward, of the Elloit- Ward Enterprises, Lexington, Ky., is in New York for a few days.

P. W. Mahon, owner of theatres in Prince Albert, Sask., has been vis- iting in Toronto.

Rosaland Russell is vacationing at Miami Beach.

Anita Louise leads the vaudeville bill at Loew's State beginning today.

Charles Levy of KKO's exploita- tion department has returned from a
You don't have to Think Twice about this year's Easter Booking!

Once you remember that last year's No. 1 Easter attraction was Flynn in 'Dodge City' there's only one show to think of for this Easter! It's the picture that's loaded with all the action 'Dodge City' had—with a bigger story and an even more sensational stunt to launch it!

If you're a thinking showman your attraction for Easter 1940 will be...

ERROL FLYNN MIRIAM HOPKINS

in

"VIRGINIA CITY"

with RANDEPH SCOTT • HUMPHREY BOGART
FRANK MCMURGALAN HALE GUINN 'BIG BOY' WILLIAMS-Directed by MICHAEL CURTIZ

Original Screen Play by Robert Buckner • Music by Max Steiner • A Warner Bros.-First National Picture

HER'S THE SEND-OFF!

THE VIRGINIA CITY SPECIAL hits Virginia City for the world premiere March 16. The 200 passengers include correspondents of every wire service in the land, the governors of 5 states, columnists, reporters, Hollywood correspondents, network commentators, newsreel photographers and cars full of stars!

WARNER SHOWMANSHIP!
Motion Picture Daily

Thursday, March 7, 1940

U.S. Questions Balaban Upon Theatre Deals

(Continued from page 1)

Emil Stern in Chicago, who had built up a dozen losing Balaban & Katz houses after securing them from Paramount.

Special Assistant Attorney General Robert L. Wright attempted to show through Balaban that Paramount rigidly enforces the policies of its affiliates from the home office. Balaban, however, claimed that associated houses select their own films and formulate their own policies without interference by the New York office.

Paramount has no fixed policy in acquiring new houses, he continued. If a local theatre man is convinced of the necessity of building, acquiring or altering a theatre, he takes the matter up with the theatre department, Balaban stated.

The Paramount president described the increased difficulties of the large film companies. While admission prices and attendance has dropped since 1929 production costs have already doubled, he asserted.

Advantages of affiliation between producing companies and theatre concerns were explained by Balaban over the objections of prayer in aid of defendants. A producing company obtains better handling and advertising of its films and an increased outlet when it owns theatres, he said.

Balaban, who testified for the entire day, ranged from early days in the industry in 1902 to his policies as president of Paramount. He stated that Paramount purchased a two-thirds interest in Balaban & Katz in 1923 because his company was recognized as a leader in the exhibition field.

Coast Flashes

Hollywood, March 6.—Either Don Quixote or William Shakespeare will be second of Frank Capra productions for Warner release following completion of “The Life of John Doe.”

For the first time in recent years, Hollywood technicians, members of the Pacific Coast Section of SMPME, will hold a meeting devoted to discussion of motion picture theatre designs and needs. At Monday night’s dinner meeting, the group will hear S. Charles Lee, theatre architect, and E. H. Marks of National Theatre Supply Co.

Cliff Lewis, Paramount studio director of advertising policy and exploitation, today assumed active charge of the publicity department, making Bert Howard general publicity assistant. George Thomas was transferred from advertising to publicity to handle wire service syndicate and other advertising.

Jean Bosquet, who formerly did this work, was assigned to unit publicity writers, including Herman Milch, who was whitelisted from special assignments to unit duty. The changes were necessitated by the resignation of Terry DeLapp, studio publicity director.

Hollywood Review

“Dr. Cyclops” (Paramount)

HOLLYWOOD, March 6.—To the unsophisticates of all ages, “Dr. Cyclops” will present as neat a series of ‘goose bumps” as has ever been induced by a motion picture. An eerie, fantastic, yet powerfully told story, it delves into pseudo-scientific matters, being the tale of a mad biologist in the Inca jungles who, through the harnessing of radio-active radium, brings human beings, including humans, to miniature size without impairing their physical and nervous structures.

It is a picture so bizarre that it inevitably will create much word of mouth interest. It is a triumph for producer Dale Van Every, for director Ernest B. Schoedsack—no stranger to the fantastic in motion pictures, and for the technical workers. Filmed in color, it marks an outstanding step in the use of color process photography.

Albert Dekker makes the most of his role, that of the crazed scientist, and gives it a blood-curdling air. Others in the cast are Thomas Coley, Janice Logan, Charles Halton, Victor Kilian, Frank Yacconelli, Paul Fix, Frank Reicher.

To Schoedsack, to cinematographer Henry Sharp and his associate, Winton Hoch: to process photographers Farson Ezordan (one time Academy special effects award winner), and Wallace Kelly, goes the credit for the advanced technological methods used in creating the unusual effects.

Coley, Miss Logan and Halton are sent to aid Dekker in his experiments in his jungle laboratory. When they insist upon staying after dismissal by Dekker and learn the mystery of his experiments, he transposes his, his servant and a male driver into miniature guise by use of radium. Two are killed, the remainder escape, and after killing the doctor, grow to normal size again.

Running time, 75 minutes. “G.”

G denotes general classification.

Short Subject Review

“March of Time, No. 8” (RKO)

“Canada at War” is the title of the latest “March of Time” release and it describes the activities of our neighbor to the north, now that it has become the theater of the battlefront.

Aside from the fact that it should bring an awareness to United States citizens of how close the war is to our shores, the reel has little to offer. It contains the usual shots of marching soldiers, officers preparing war maps, an aviation training project and sea scenes. Highlight of the reel is a scene showing the soldiers at Salvation Army and Y.M.C.A. headquarters.

Running time, 18 mins.

Patriotic Theatres

The L.T.O.A. at a meeting yesterday voted unanimously to add a patriotic note to screen programs by playing “The Star Spangled Banner” at the beginning of each performance and close the shows with another patriotic song.

The suggestion was made by the New York Federation of Women’s Clubs, which is urging all theatres in the State to do the same.

69th Scores Big $16,800 in Buffalo

BUFFALO, March 6.—“The Fighting 69th,” coupled with “High School,” was best here with $16,800 at the Great Lakes, “Little Old New York” made $8,000 at the Hippodrome, while “My Little Chickadee” made $11,000 at the Lafayette.

Estimated takings for the week ending March 2:

“Broadway Melody of 1944” (M-G-M) $16,000—7 days.
“Flamingo” (Fox) at the Broadway, $500.
“Many Men” (RKO) at the Lafayette, $500.
“Dr. Cyclops” (Paramount) at the Lafayette, $500.
“The Fighting 69th” (V. L.) $1,500.

40c—50c.

“High School” (25c) $1,800.
“The Loco Kid” (25c) $1,000.
“Wagon Train” (30c-35c) $900.
“Double Trouble” (RKO) at the Lafayette, $500.
“Justice” (RKO) at the Lafayette, $500.
“My Little Chickadee” at the Lafayette, $500.
“Lincoln, ‘Blue Bird’ Are Dualed by RKO

RKO circuit in the New York metropolitan area will play a double bill combination of RKO’s “ Abe Lincoln in Illinois” and “The Blue Bird,” 20th Century-Fox film, starting tomorrow at the Albee in Brooklyn.

On March 10 the combination will open for a week at the Palace on Broadway; on March 21 at Manhattan neighborhoods and March 28 at Brooklyn neighborhoods.

The strong double bill is a feature of the John J. O’Connor business drive, honoring the general manager of the circuit, plus today and ends April 10. A total of 34 theatre are participating in Great New York, Trenton and New Brunswick, N. J.

Honor Chamberlain

PHILADELPHIA, March 6.—Al J. Chamberlain, who in association with R. Hoffman, operates a group of houses in Allentown and Williamsport, will be tendered a testimonial dinner by the Variety Club on April 12 at the Warwick Hotel, marking his 20th year in the business. Chief Barker Jay Emanuel is in charge of arrangements.

Rites for Mayo’s Mother

Funeral services for Mrs. Emma Spiegel Kahn, mother of Archie Mayo, film director, were held yesterday at the Park West Chapel here, followed by interment in Mount Neboh cemetery. Mayo flew from Hollywood to attend the funeral.

Tips on Exploitation

Albany Bill Named for Film, ‘Many Hands’

N. Y.—Senator Edward J. Coughlin has named his measure outlawing multiple alimony after the title of the new Columbia film, “ Too Many Hands,” which, he added, pleased the legislature to publicize his measure, was arranged by Columbia’s exploitation department, headed by Frank McGinn.

Letters to Doctors

BOSTON, March 6.—The Metropolitan Theatre sent out 2,500 letters to prominent doctors and physicians in Boston calling attention to “Dr. Ehrlich’s Magic Bullet." The letters were personally signed by the manager of the theatre.

In Albany, the Commissioner of Health Dr. E. S. Godfrey has sent letters to doctors and nurses in his district praising the film, after attending a special screening for the medical profession.

Story Writing Test

Used on ‘Friday’

VANCOUVER, B. C., March 6.—Maynard Joiner, manager of the Capitol here, captured a mystery story writing contest in his exploitation on “His Girl Friday.” Arlie Mills, 19, won a week’s work with the Evening Sun, local daily, at a salary of $35.
DAVID O. SELZNICK

who made

"GONE WITH THE WIND"

now presents his newest production, another triumphant box-office attraction based on Daphne duMaurier's novel that has inspired similar world-acclaim...

Rebecca

directed by Alfred Hitchcock, master of suspense . . . co-starring Laurence Olivier, hero of "Wuthering Heights," and Joan Fontaine in her first starring role.
A Pre-Selling Campaign
To Match Its Bigness...

...more than 400,000 copies of the original edition sold. Reprint now leading all others.

...read in 3,000,000 additional homes when published in Ladies’ Home Journal.

...currently appearing in a score of big city papers to millions more as a 40-day serial, vigorously promoted.

...feature articles on book and picture in Life, Collier’s and other national magazines.

...sold to radio millions on two coast-to-coast broadcasts including one presented by Orson Welles.

...woman-interest captured thru Kiviette tie-up in America’s top-flight stores.
Each of the following named persons is invited to say what knowledge they have of the area in which he is located or has been a monopoly of first or pre- sented run exhibition films.

W. E. Bruce, Seins; D. E. Pender, Upshur.

ARIZONA

CALIFORNIA

COLORADO

DELAWARE
A. J. Bucin, Wilmington; Harry Brubaker.

FLORIDA
Robert E. Huntington, St. Petersburg; Harry Doherty, Miami; Mrs. Joseph Janczewski, St. Petersburg; J. H. Atwood, Panama City; S. E. Leary, Daytona Beach; M. N. Drennan, Vero; C. M. Moore, Jacksonville; H. P. Reed, New Smyrna; J. H. Winkler, Fort Pierce; E. G. Poynter, Governor; J. J. Herman, New Smyrna; Mr. and Mrs. R. W. Sibert, Winter Haven; J. J. Herlihy, Fort Pierce; W. E. B. Smith, West Orange.

GEORGIA
O. L. Gostomsky, Marietta; Mrs. T. L. Liggett, McIntosh; Frank Paganis, Gainesville; Woodman, Athens; J. T. Barks, Jr., Barnesville; Fred J. Weiss, Savannah.

IDAHO

ILLINOIS
Joseph Deschige, Alton; Noah Bloomer, Chicago; J. A. Rutledge, Chicago; Louis Slabach, Chicago; Ray Dively, Daniel M. Duncan, Decatur; J. W. pinkert, Chicago; Samuel A. Green, Chicago; James Jackson, Boston; Steve Bennis, Lincoln; H. E. Pettis, Chicago; E. T. Kohn, Stockton; M. Silverman, Waukegan.

INDIANA
Oscar F. Niles, Vincennes; K. C. Young, Gary; Billy Gates, Marion; Lewis Govechow, South Bend.

KANSAS
J. M. Anderson, Boone; Mrs. J. M. Anderson, Boone; Ira H. Lee, Burlington; Leo P. Eldridge, Eldridge; G. A. Leach, Hoopa; R. R. Lenk, Ulysses, Kan.; Joe Stoddard, Oskaloosa; Joe Shebel, Kansas City; J. T. Adam, Kansas City; W. C. Gately, Leavenworth; R. L. Van Fleet, Kansas City; J. A. Bond, Kansas City; W. C. Gately, Leavenworth; R. L. Van Fleet, Kansas City; J. A. Bond, Kansas City.

KENTUCKY
Joseph W. Shock, Jr., Fulton; Lee W. Muffit, Owensboro.

LOUISIANA
Gordon C. Oplinger, Baton Rouge; George H. Mccord, Cedar Grove; Chace Daren, St. Rose; E. H. Gentry, Lake Charles; W. M. Tyler, New Orleans.

MARYLAND

MASSACHUSETTS

MICHIGAN
Paul D. Rathke, Berrien Springs; Margaret E. Vanden Berg, Grand Haven; Samuel B. Hofer, Grand Rapids; Milton Ward, Irons; Hollis H. Chase, Lake Odessa; Ruby Keener, Se., Greenville; W. C. Cassets, Midland; Oscar W. Kendall, Muskegon; D. F. Kriebel, Se., Owosso.

MINNESOTA
Irving Gilman, St. Paul; Mrs. Jessie L. Jensen, White Bear Lake; Carl P. Knudson, Se.

MISSOURI
Mrs. Marion C. Sams, Se., St. Louis; Oliver W. Williams, Brookfield; A. C. Bowman, Se., Augusta; Robert G. O'Gara, Se., Ofallon; Mrs. George, Lincoln.

NEW HAMPSHIRE
E. Charbonnes, Concord; Newell B. Kinghorn, E. Hooksett; H. D. M. J. R., Se., Rothesonton, Charles Morse, Portsmouth.

NEW JERSEY
Frank F. Deibin, Atlantic City; Samuel and Joseph Varabak, Camden; Jerome and Joseph, Camden; Samuel B. Weiss, E. Jersey; Louis S. Rothenberg, Charles Morse, Elizabeth; Frank Gerstein, Englewood; Mrs. Smith, Edgewater; George, East Orange; Mrs. M. Morse, Lincoln, Lincoln.

NEW MEXICO
Frank McEntire, Se., Las Vegas; Victor Ba- chechue, Albuquerque.

NORTH CAROLINA
F. C. Barksdale, Se., Durham; B. B. Horal, Concord; Alfred E. Miller, Wilson; Joe W. Mitchell, Scranton.

NORTH DAKOTA
William McCarty, Se., Fargo.

OHIO
Robert C. Menches, Akron; Moe Horowitz, Cuyahoga Falls; Peter W. Mullins, Girard; Theodore and Gas Chalios, Lynge, Lorain; Mrs. Joseph, Elyria, Ohio; Roland R. Starnes, Carlisle, Ohio; Mrs. Louis, Sandusky, Ohio; Mrs. H. E. J. Smith, Springfield; Joseph W. Tremk, Youngstown; Thomas J. Allen, Sandusky; Mrs. J. M. Urban, Cleveland.

OREGON
F. W. Harrigan, Corvallis; John N. denney, Medford.

Pennsylvania
Robert C. Menches, Akron; Moe Horowitz, Cuyahoga Falls; Peter W. Mullins, Girard; Theodore and Gas Chalios, Lynge, Lorain; Mrs. Joseph, Elyria, Ohio; Roland R. Starnes, Carlisle, Ohio; Mrs. Louis, Sandusky, Ohio; Mrs. H. E. J. Smith, Springfield; Joseph W. Tremk, Youngstown; Thomas J. Allen, Sandusky; Mrs. J. M. Urban, Cleveland.

RHODE ISLAND
A. M. Sheas, Newport; E. M. Low, Southbridge; Lucas S. Rothenberg, Charlestown, Providence.

SOUTH AMERICA
Fred R. McGarrery, E. Field. (Continued on page 9)

Thursday, March 7, 1940
MOTION PICTURE DAILY
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<th>Para.</th>
<th>Republic</th>
<th>Rko Radio</th>
<th>20Th-Fox</th>
<th>U. A.</th>
<th>Universal</th>
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<td>Feb. 16</td>
<td>Man From Dakota (G-D)</td>
<td>Del Rio-Boyer</td>
<td>Cheyenne Kid (G-O)</td>
<td>Jack Randall</td>
<td>Sidewalks of London (G-D)</td>
<td>Laughton-Leigh</td>
<td>Swiss Family Robinson (G-D)</td>
<td>Barthsolomew</td>
<td>Young As You Feel (C)</td>
<td>Jones Family</td>
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<td>Feb. 23</td>
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<td>Tracy-Young</td>
<td>Murder on the Yukon (G-O)</td>
<td>James Neill</td>
<td>Knights of the Range (G-O)</td>
<td>Jean Parker</td>
<td>Pinocchio (G)</td>
<td>U. S. Marines (D)</td>
<td>Sidney Tolfe</td>
<td>House Across the Bay (A-D)</td>
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<td>Mar. 1</td>
<td>Blonde on a Budget (G-C)</td>
<td>Arthur Lake Penny Singleton</td>
<td>Strange Cargo (A-D)</td>
<td>Clark Gable</td>
<td>Joseph Calleia</td>
<td>Seabiscuit (G-D)</td>
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<td>Ernest Truex</td>
<td>Franklin (A-C)</td>
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<td>Mar. 8</td>
<td>Outside the Three Mile Limit (G-D)</td>
<td>Jack Holt</td>
<td>Ghost Comes Home (D)</td>
<td>Frank Morgan</td>
<td>Human Monster (D)</td>
<td>Bela Lugosi</td>
<td>Pioneers of the West (O)</td>
<td>3 Mesquites</td>
<td>Isle of Destiny (D)</td>
<td>Gargan-Ford</td>
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<td>Mar. 15</td>
<td>Men Without Souls (D)</td>
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<td>Mickey Rooney</td>
<td>Midnight Limited (D)</td>
<td>John King</td>
<td>Forgotten Girls (D)</td>
<td>Joe Penner</td>
<td>Millionaire Playboy (G-C)</td>
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<td>Mar. 22</td>
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<td>Florian (D)</td>
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<td>Son of the Navy (C)</td>
<td>Lew Ayres</td>
<td>Road to Singapore (M)</td>
<td>Crosby-Larnour</td>
<td>Irene (M)</td>
<td>Anna Neagle Ray Milland</td>
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<td>Mar. 29</td>
<td>Blazing Six Shooters (O)</td>
<td>Roy Barret</td>
<td>Dr. Kildare's Strange Case (D)</td>
<td>Lew Ayres</td>
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<td>Jean Parker</td>
<td>Farmer's Daughter (C)</td>
<td>Ray-Ruggles</td>
<td>Ghost Valley Raider (O)</td>
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<td>Apr. 5</td>
<td>New Moon (M)</td>
<td>Nelson Eddy</td>
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<td>Adventure in Diamonds (D)</td>
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<td>Courageous Dr. Christian (D)</td>
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<td>Apr. 12</td>
<td>Man With Nine Lives (D)</td>
<td>Boris Karloff</td>
<td>Two Girls on Broadway (C)</td>
<td>Turner-Blandell</td>
<td>Covered Wagon Trails (O)</td>
<td>Jack Randall</td>
<td>My Favorite Wife (D)</td>
<td>Dene-Grant</td>
<td>One Million B. C. (M)</td>
<td>Lou Cheaney, Jr.</td>
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<td>Apr. 19</td>
<td>I Married Adventure (D)</td>
<td>Mrs. Karlof</td>
<td>And One Was Beautiful (D)</td>
<td>Muri-Cummings</td>
<td>Phantom Pilot (D)</td>
<td>James Niswell</td>
<td>Beyond Tomorrow (O)</td>
<td>Binette Barnes</td>
<td>Half a Sinner (D)</td>
<td>The Green Angel</td>
</tr>
<tr>
<td>Apr. 26</td>
<td>Doctor Takes a Wife</td>
<td>Ray Milland</td>
<td>Forty Little Mothers (C)</td>
<td>Eddie Cantor</td>
<td>Missing People (D)</td>
<td>Will Fyffe</td>
<td>Curtain Call (D)</td>
<td>Helen Vinson</td>
<td>If I Had My Way (M)</td>
<td>Bing Crosby</td>
</tr>
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Atlas Holding
In RKO Fixed
At $3,414,311

(Continued from page 1)

lists RKO securities in the follow-
ing amounts: $2,400 face amount of six per cent debentures, 1941, with a
market value of $1,285,617 on Dec-
30, last; and $275,812 shares of RKO
common, at a market value of $409,765, on
Dec. 30. In addition, the annual report notes that Atlas holds
$1,106,000 principal amount of
six per cent due gold notes of RKO,
and $1,254,626 principal amount of
securities and exchange lists,
which are carried on the Atlas books
together at $784,500.

For these notes and claim, Atlas
last month received 4,810 shares of new
RKO $100 preferred stock and
214,409 shares of new common.

$41,552 New RKO Shares

Through its December underwriting
agreement Atlas acquired 249,272
shares of new $1 par RKO common at
a cost of $747,816, while an Atlas mil-
liary acquired through exercise of
subscription rights 77,871 shares of
new common at a cost of $235,613.

The report shows a net amount of
$41,552 of new RKO common and
4,810 shares of new preferred, which makes Atlas the
largest stockholder in RKO. These
holdings may be further augmented by
exchange of old RKO securities for new,
by exercise of subscription rights and
by acceptance of new RKO secu-
rities in payment for Atlas's RKO
co-reorganization changes in lieu of cash.

The report notes that Atlas has
made expenditures of $924,067 in
the reorganization of RKO and one
other company.

Discussing the investment policy of
Atlas, Floyd B. Odell, president,
tsates in the report that "Direct
income is oftentimes intentionally fore-
gone with the expectation of gaining
a larger increment and eventual profit."

"This policy places only secondary
emphasis on the direct income ob-
tained from interest and dividends", primary emphasis being placed on
seeking protection and betterment of
the shareholder's position in terms of
asset value of his stock, the report
states.

Cites War-Inspired Problems

Odell observes that the motion-
picture industry has major problems
facing it, including those brought
about by wars in various parts of the
world which have interfered with the
income from abroad." It is to be
hoped, however," he says, "that the
foresight and efficiencies needed to
solve these problems will eventually
place the industry in a position
stronger than ever.

Net income of Atlas for 1939, be-
fore provision for Federal taxes, was
$1,234,251. Net assets at the end of
the year were $64,953,938, equal to
approximately $250 per share on the
common stock after allowing $50.25
per share on the outstanding pre-
ferred.

The RKO investment is the second
largest in the Atlas portfolio, being
exceeded only by the investment in
Midways Power & Light Corp.

**“Too Many Husbands”**

(Columbia)

**Hollywood, March 6—**In the vein of his "True Confession" of several
senior lock, producer-director Wesley Ruggles here presents a
sharpened and modified version of "Enoch Arden," keyed to 1940.

With practically all of the film's footage devoted to its three principals,
Jean Arthur, Fred MacMurray and Metyvyn Douglas, uniformly sparkling
performances keep pace with the story. Based on W. Somerset
Maugham's play, the screen version by Claude Bayon presents Miss
Arthur as the wife of a man believed dead when shipwrecked. She there-
upon marries his partner and best friend, only to have husband number
one turn out to be very much alive.

Adult entertainment in its depiction of the trouble experienced by the
wife with "too many husbands" in making up her mind as to which of
them she prefers. The film's implication is that either would be equally
satisfactory, with the processes of law finally making the decision.

Harry Davenport and Dorothy Peterson give fine performances in their
roles of the girl's father and the secretary of husband number two, re-
spectively, while the musical direction of M. W. Stoloff is on a par with
the lively and sparkling story and the actions of its stars.

Running time, 80 minutes. "A."*  

—WALTER SEDLEN

**Real Bargain**

Columbus, O., March 6—
Real amusement bargains are offered at the Knickerbocker,
downtown subsequent run house, which, on Tuesdays,
Thursdays and Sundays, plays a stage show in addition to
double features, at the regular scale of 10 and 15 cents.

**“Outsider”** for Carnegie

"The Outsider," Alliance Films' screen version of the Dorothy
Branson play, has been booked to follow "Louise" at the Little Carnegie
Playhouse.

**Atlantic City, N. J., March 6—**
City appropriation of $10,000 to aid the Showmen's Variety Jubilee, which
presents the annual beauty pageant here, has been upheld by Supreme
Court Justice Joseph E. Perskie. Harry M. Barstow, Jr., taxpayer, ar-
gued the appropriation was a gift of
city funds to a private organization.
Justice Perskie, however, ruled that
the organization was non-profit.

—C. J. Guetz, Teaneck; William L. Ainsworth, Fond du Lac, Wisconsin; Stephen
Bay, George Hannon, Green Bay;
Zimaz, Janesville; Frank Koppelman, La
Crosse; Arthur J. Bows nonprofits, Madison;
Steve Dorsey, Mrs. W. Krummende, Max
Krafts, and 2nd Century Amusement
Bureau, of Racine, and August Berkholtz, West
Bend.

MeetingSoon
On Six Trade
Concessions

Probability that Ed Kuykendall, M.P.T.O.A. president, will call
a meeting of the organization's executive
committee here late this month to dis-
cuss with major distributors the pro-
posal to include six trade practice con-
cessions in new season's license agree-
ments, was suggested in exhibitor
quarters here yesterday.

Local trade opinion, however, it is
believed that the M.P.T.O.A. will
not take the initiative in pushing its
suggestion for an anti-block booking bill
to supplant the Neely bill. It was
pointed out that the M.P.T.O.A. is
fundamentally opposed to any form of
Government regulation of the indus-
try and advanced its suggestion for an
alternative bill only for the industry's
consideration, and for whatever the
suggestion might be worth. If it is to
progress beyond that it may have the
aid but not at the instigation of
M.P.T.O.A., it was said.

The proposals for trade concessions
by way of new season's contracts,
however, will definitely be pressed
with distributors either through direct
negotiation or by correspondence, it
was said.

**DRUMS OF FU MANCHU**

Suggested stories by
SAX ROHMER

with

HARRY BRANDON • WILLIAM ROYLE
ROBERT KELLLARD • GLORIA FRANKLIN

A Republic SERIAL in
15 CHAPTERS

"The Foreign Office can't hush this up. He was murdered by Fu
Manchu."
Crush of War Taxes Facing Films Abroad

(Continued from page 1)

uitable one, but it cannot be on the same basis as in the past, he says.

Theatres of European nations are a big part of the economic and cultural life of the people, he points out, and will have to be kept open. Only product will keep them open and American pictures are already in production and likely to continue so for many years.

The Paramount official regards the present foreign restrictions on currency withdrawals and the depreciation in foreign exchange as of only momentary significance to the industry, factors which will be eliminated in peace time. The real problem, as Lange sees it, is the post-war taxation which he believes to be inevitable.

Explains Italian Problem

Lange foresees the eventual breakdown of the American distributors' so-called "closed circuit" against capitation to Italy's film trade terms, and is of the opinion that the breakdown is inevitable. He further believes that the present ATA does not advocate a resumption of trade with Italy, believing that capitation to that nation's trade restrictions will establish a precedent which will cost the industry many times its return in other world markets. He believes it better to let the Italian revenues go now than to pay similar tribute to other nations later.

He said there is no likelihood of Italy's "nightingale" that the first move will have to come from American distributors if there is to be a resumption of trade. He was advised by Italian sources, he said, that Italy experienced only a three per cent decline in theatre attendance last year, although half of the present patronage is going to subsequent runs instead of first and second runs, so that grosses and admission taxes are less than they were.

Spanish Situation Discouraging

Italy has all the product it needs—27 films were released there last year—but it is of poor quality, he said.

Lange reported that the situation in Spain is equally discouraging. A big national business can be done there, he said, but no money can be taken out of the country and new regulations require production of pictures within Spain by the distributor under difficult financial regulations. He said he would not recommend resumption of trade with Spain at this time.

Lange said that "practically no money" can be taken out of France and that new regulations, including tax provisions, are expected to be published there at any time.

He included the Scandinavian countries, Sweden, Norway, and Denmark, among those where the financial outlook is serious.

Lange said that three companies, Paramount, M-G-M and 20th Century Fox, have decided to maintain their central business in Germany and Central Europe and that Paramount, as recently as last December, had been successful in getting re-extension of its marks from Germany.

War Experts See Telecast, Hail it as Military Weapon

A striking demonstration of the possible uses of television in wartime was given by NBC yesterday.

Army and Navy observers watching the experiment from private sets, were reported as being amazed by the reception. Portable cameras, the lightest thus far constructed, were mounted on an airplane which circled Marysville Island, and the picture was picked up at a receiving point at the Empire State Building and re-transmitted by W2XBS.

The experts believe that the observation of enemy troop movements, by scouting planes equipped with television cameras, can be of inestimable value in the event of war. Off-shore maneuvers of enemy battleships and offensive tactics on land could be closely watched by the use of such equipment.

Reporters watched the demonstration in the RCA building while aviation experts observed it from a set installed in another United Air Lines plane, which flew alongside the first airplane.

The image received was far from a consistent picture of the ground beneath the plane, but several shots of the world's fair site and its surroundings were taken, and the West Side express highway had excellent definition and detail.

The portable cameras and cameras were built for ground use and could not always cope with the vibrations from the plane motors and propellers. Other NBC engineers declared that sets capable of withstanding such vibrations could easily be built.

The plane flew at an altitude of 2,000 to 3,000 feet. A slight haze obstructed the view but the camera's sensitivity to infra-red rays (which constitute a considerable nuisance in the studio) pierced the mist.

Editors in the companion plane had the unique thrill of seeing their own plane on the television screen. The signal was received successfully at the General Electric television station near New York.

Calling the demonstration, "a tremendous technical stride," Lenox R. Lohr, NBC president, declared: "Its social implications are tremendous.

To us at RCA and NBC, it means that today we can give the telephone a service for which it was never intended before when we were obliged to schedule special events considerably in advance and use two or more trucks to cart the cameras."

The two portable cameras now in use weigh a total of 700 pounds. They will be utilized in the future for special event pickups and for screening regular radio programs on television sets.

Personalities in the News

Fox Case, CBS director of public affairs on the West Coast, has been appointed to the California State Board of Agriculture for a four-year term. . . .

Freeman Gosden and Charles Correll, the famed "Amos 'n Andy," celebrate their 12th anniversary on the air March 19 at 7 P. M., over CBS. . . .

Lumy Gray and Norman Weiser have had their first song published, "Stranger in Heaven," and it will receive an air premiere from Maurice Spitalny's orchestra on NBC's "Blue Monday," March 18. . . .

John Gable's "Folks Clock" celebrates its 15th anniversary over WOR tomorrow at 7:35 A. M. . . .

Theodore Roosevelt's "Great Books Make Great Pictures" Starring

COL. THEODORE ROOSEVELT
MAX SCHUSTER
GILBERT SELDES
BRIAN AHERNE
JOAN FONTAINE
KAY BROWN
ANNE LAURIE WILLIAMS
PASCAL COVICI
HENRY HULL
JOHN SELBY and others

JACK DEMPSEY'S
8th Ave. & 50th St.

Today at 12:45 p.m.

Morton Emphasizes Film-Television Ties

CHICAGO, March 6.--Television will make every effort to work with motion pictures, Alfred Morton, NBC vice-president, said here yesterday. Both have much in common, he said.

The executive said that television, recognizing the importance of the screen, would do all in its power to correlate both. Television today presents films 50 per cent of the time and more would be welcome, Morton declared. Others expressed the opinion that the use of films would enhance television considerably.

Chicago, New York and Hollywood are key spots for television, and NBC will concentrate actively here shortly. Morton also declared that television would look to films for its best talent and do everything possible to cooperate with the film industry, realizing that such action would mean the success of television.

Canada Ban Stays

TORONTO, March 6.—The Canadian government will take no action to override the banning of March of Time's "Canada at War" by Premier Hespurn for Ontario theatres, it was officially announced today.

Form Jewish Films

ALBANY, March 5—Jewish National Film Corp. has been incorporated here to conduct a motion picture business. Directors named are Benjamin J. Weisberg, H. G. Kosch and Jean Slikoff, New York.
McKenzie Resigns
As Hays Assistant;
Harmon Successor

Maurice McKenzie, executive assistant to Will H. Hays, president of the Motion Picture Producers and Distributors of America, Inc., has resigned, effective April 1, and will be succeeded by Francis S. Harmon, who has been with the organization in public relations, Production Code and other activities for several years.

McKenzie has been with the Hays organization since its inception in capacities close to the president. He became first associated with Hays when "the general" was elected chairman of the Republican National Committee in 1918. McKenzie's acquaintance was formed in Indiana, where Hays was the lawyer from Sullivan and McKenzie was from Crown Point.

McKenzie is building a new country home at Crown Point, where he plans to turn his life long hobby of gardening into an incidental profession. He recently sold his landscaped country place at Lockwood's Corners in Fairfield County, Conn.

Weeks Plans Eight
Monogram Films

A production program of eight to 10 features is planned by George W. Weeks for release through Monogram next season.

Weeks will leave late next week for the Coast, on route continuing conferences with exchange heads which he started recently in the South. He plans to arrive on the Coast April 10 to start his production.

Weeks is completing his duties as vice-president in charge of sales, from which post he recently resigned.

68% of Season's Product
Completed by 10 Studios

As the 1939-40 season this week reached the halfway mark, a check-up by Motion Picture Herald indicates that Hollywood has completed 68 per cent, or 338 of the 500 features promised, compared with 70 per cent, or 349, of the 479 promised last year.

Studios commitments have not been drastically slowed down either to distribution affiliates or on distributors' releases as a result of holdovers and movovers on big productions, it is pointed out.

On actual releases, the 10 large distributors have delivered 33 per cent of the 1939-40 commitments, a total of 259, compared with 55 per cent, a total of 253, last season at the corresponding time.

Completed and "in the can" for release this week are 79 features, or 16 per cent; last year in March there were 86 completed, or 18 per cent.

The 10 companies include Columbia, M-G-M, Monogram, Paramount, Republic, RKO, 20th Century-Fox, United Artists, Universal and Warners.

State Budget Passed;
No New Film Taxes

Albany, March 7.—The Senate tonight joined the Assembly in passing the $839,000,000 budget. The budget retains all emergency taxes and the motion picture film levy. There are no new taxes against the picture business. Film executives were among those who helped defeat the proposed increase in income taxes.

Delay Looms
For Hearings
On Neely Bill

April 1 Considered Likely
Time for Inquiry

WASHINGTON, March 7—Hearings on the Neely bill by the House committee are not likely to start until the closing days of March.

This opinion was officially expressed today following a statement that the House Interstate Commerce Committee will be busy for another several weeks unraveling the tangled aspects of the transportation bill.

Committee members about a month ago indicated that the Neely hearings would start probably about March 15. Senate and house conferences are presently engaged with the carrier bill, seeking to reach compromises on controversial issues of the measure.

Since important members of the House Interstate Commerce Committee are on the conference group and since it is the desire of its chairman, Clarence F. Lea of California, to have the Neely hearings conducted before the committee's full membership, no action will be taken on the Neely bill until after the transporta-
tion bill has been sent to the House and Senate for final approval.

In the meanwhile pros and cons of the Neely bill are being debated before various organizations throughout the country, and an effort is being made to send representatives to the hearings to uphold or fight the Neely bill.

Metro Adds More
Theatres in Brazil

M-G-M has acquired sites for two theatres in suburbs of Rio de Janeiro and plans to construct five additional neighborhood theatres in the Brazilian metropolis.

This will make a total of nine theatres for the company in Brazil. M-G-M has two metropolitan first runs in that country, the Metro in Rio de Janeiro, recently opened, and another in Sao Paulo.

Reason for the expansion is to provide the territory with up-to-date houses where M-G-M would obtain adequate representation for its product.

Arthur M. Loew, vice-president in charge of foreign activities, is preparing plans for a 2,000-seat house and another of 1,700 seats on the sites already acquired.
Majors Attack U.S. Trust Stipulations

(Continued from page 1)

the commonest of trade terms employed by the Government in its stipulations are incorrectly used.

No response to the stipulations is required for some time to come, however, and the matter may go over to March 27, at which time Federal Judge Henry W. Goddard is scheduled to discuss with counsel a general procedure for pre-trial conferences.

Inasmuch as these conferences, as well as the stipulations, have the general objective of shortening the actual trial, it is believed that the two will be discussed together.

Defense attorneys began their study of the Government's 300-page answer to interrogatories yesterday. First reactions were uniformly mild, indicating that nothing unexpected had been discovered in the document.

Presumably, the answers will have to suffice all defendants except Columbia, which won the right earlier to examine the Government's replies, and, if it found them unsatisfactory or lacking in vital information, could come before Judge Goddard and request additional data.

Columbia had been scheduled to do this today, since the Government's answers were due March 1. However, an additional week's time will be given the defendant to study the answers before making its application, since the Government was five days late in furnishing the answers.

Legal opinion now is that the mounting mass of detail which faces the attorneys for both sides, and the court, makes the start of trial by May 1 more doubtful than ever.

JAMES ROOSEVELT will be the guest speaker today at the monthly meeting of the Headline Club, Chicago, journalistic group, at the Hotel Sherman.

RAY MILLAND is the father of a six and one-half pound son, born to Mrs. Muriel Wayne Milland at Cedars of Lebanon Hospital in Hollywood Wednesday.

EBLY SLIVERMAN, escaped circuit executive in Chicago, is the father of an eight-pound boy, born this week to Mrs. Silverman at the Michael Reese Hospital.

JOHN EBERSON, theatre architect, is on his way to Houston, Texas, where he will supervise the construction of a large office building.

JACK KIRCH, president of Allied Theatres of Illinois, has delayed his return to Chicago from Miami Beach until next week.

THOMAS MITCHELL arrives in town today from the Coast for a vacation.

ERNEST SCHOFIACK has left for a trip by yacht for Central America.

I. GOLDSMITH, British producer, arrives by plane today from the Coast.

SAM SPRING, film attorney, left yesterday for Hollywood.

FRANK C. WALKER has returned from Palm Beach.

S. BARRET MCCORMICK, RKO advertising and publicity director, will leave for the Coast early next week.

BARNEY BALARAN, AUSTRAL KEOUG, LOUIS PHILLIPS, FRANK MCHUGH, AL LEWIS, J. E. LODER, ARTHUR KRIS, JOE LEE, SIDNEY PHILLIPS, A. P. WAXMAN, RUSSE CROUSE and EDGEE DOWLING lunching at Saradi's yesterday.

LYNN FARNO, United Artists advertising and publicity director, will leave for the Coast this afternoon on Sunday to discuss campaigns on the company's forthcoming product.

CHARLES E. MCCARTHY, CHARLES CASEMAN, MAX DREYFUS, WILLIAM F. RODGERS and WALLY OWEN at Nick's Hunting Room in the Astor for lunch yesterday.

FRANK J. McCARTHY, Universal Eastern sales manager, is en route to Tokyo for the company's exchanges in Pittsburgh, Cincinnati, Cleveland and Buffalo.

JOHN KENNETH HYATT, managing director of the Center Theatre, returned yesterday from a Caribbean cruise.

NICHOLAS M. SCHENCK, president of M-G-M, has returned to Miami Beach following a short stay in New York.

EDWIN C. STEIN, Eastern publicity representative for Samuel Goldwyn, will leave for the Coast by plane today.

I. GOLDSMITH, British producer, returns here today from Hollywood where he has been visiting.

LUE NEWBY, president of New Jersey Allied, has returned to Florida to resume his vacation.

JAMES MULVEY, Samuel Goldwyn's Eastern representative, will leave for Florida this weekend.

TRUMAN H. TALBY, vice-president of Movietone News, has returned from Washington.

OSA JOHNSON will arrive from the Coast by train on Monday.

REGINA CREWE has returned from the Coast.

Stockholders Lose Midland Prop. Suit

BUFFALO, March 7.—A stockholders suit for accounting and uncompleted money returns against Midland Properties, Inc. owner of the Century theater holdings, 511 Main St., and former and present officers and directors, yesterday was dismissed by Referee Thomas H. Noonan.

The suit was brought by William H. Hulman and Joseph C. Hennelly as stockholders and former directors of Midland Properties. They charged squandering of corporation funds.


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FORGOTTEN GIRLS

LOUISE DONALD WINNE
PLATTS WOODS GIBSON
ROBERT ARMSTRONG EDUARDO
CIANNELLI JACK LA RUE

"Sometimes you're so righteous, Judy, I could cheerfully strangle you to death—only I love you too much."

- Movietone News

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Newsreel Parade

Varied events comprise the news-

rile's and their contents follow:

MOVIEPONE NEWS, No. 83—Stormy weather in New York, as a rainstorm is expected today. New York also expects another rainstorm later. The storm is expected to last until late afternoon.

NEWSPAPER NEWS, No. 84—Situation in the Maginot Line seems to be improving. Allied troops in France are moving forward. The line is being extended.

PARAMOUNT NEWS, No. 83—Rescue efforts continue in Oregon and Alaska, where water main breaks have made the situation critical. Water mains have broken in several areas, causing widespread disruption.


UNIVERSAL NEWSREEL, No. 85—Further developments in the Russian situation are reported. Soviet forces are advancing on several fronts. Revolutionary activity continues. The situation is critical.

Vitagraph Suit Settled

Settlement of a $37,500 infringement suit of Vitagraph, Inc. against Behrand Motion Picture Supply House, Inc., was revealed yesterday in N. Y. District Court. Vitagraph charged the defendants with 150 infringements of advertising stills.

Operate on Stern

Charles Stern, Eastern division sales manager for United Artists, last night undertook another emergency operation at Park East Hospital.

'Wind' in 852 Cities

"Gone With the Wind" dates in the United States and Canada total 956 in 852 cities, including 22 set yesterday.

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Motion Picture Daily

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Take it from the critics... it's the coco-NUTS!

Dr. Colonna we presume...

Bing Crosby
Dorothy Lamour
Bob Hope
CRITICS GO NATIVE OVER
Paramount’s
“ROAD TO SINGAPORE”

"One of the funniest pictures Hollywood has turned out in many a moon. The teaming of Crosby and Hope is a master stroke of showmanship. Dorothy Lamour is swell, too—so make a note in your little black book to see ‘Road to Singapore’!"—Jimmie Fidler, famous newspaper and radio columnist

"A sock. One of the most hilariously and colorfully entertaining pictures to come up in many a moon. Crosby and Hope one of the greatest comedy teams in film history. A cinch to be one of the big grossers of the year!"

—Hollywood Reporter

"The most successful pairing of comedy talents brought forth upon the screen since Hollywood memory runneth not to the contrary. All the other extreme variants of the adjective ‘good’ apply directly and redoubled to the slap bang entertainment delivered by Bing Crosby and Bob Hope!"

—M. P. Herald

"Rich in entertainment, especially in comedy. Everything that a studio could ask for!"

—Edwin Schallert, Los Angeles Times

"Crosby and Hope don’t make the rafters ring—they tear them down. This is one grand motion picture!"

—Hedda Hopper, syndicated Hollywood columnist

"Paved with enough laughs to cause an actual ache in the ribs. Crosby-Hope comedy team tops any yet seen!"

—Ralph Jordan, L. N. S.

"As hilariously funny a romantic comedy as has been turned out by any studio in a long time. Will certainly be a heavy money-maker!"

—Daily Variety

"The comedy team the screen has needed for a long time. One of the best comedies Hollywood has turned out in many a day!"

—George Fisher, famous radio columnist

"Top-flight fun should do heavy business at the box office. Bing and Bob make up a swell team!"

—Film Daily

"ROAD TO SINGAPORE" Bing Crosby • Dorothy Lamour • Bob Hope
Charles Coburn • Judith Barrett • Anthony Quinn • Jerry Colonna • Directed by VICTOR SCHERTZINGER
Screen Play by Don Hartman and Frank Butler • Based on a Story by Harry Hervey • A Paramount Picture
Odeon Free Shows
Plea Facing Defeat

London, March 7—The London County Council, which governs the Odeon circuit, has filed a suit to have the application of Oscar Deutsch, head of the Odeon Circuit, for free shows for the army forces on Sunday, April 12, granted. The suit is filed to prevent the Odeon in Leicester Square.

Exhibitors are greatly excited over the proposal, and is expected to reject it. Deutsch, in conversations with the Cinematograph Exhibitors Association, has said that he will not withdraw his application, but it is expected he will not apply again if his request is rejected.

Deutsch had questioned the claim that no free-trade legislation should precede action on his application.

West End film houses which had to limit their audiences to 2,000 during the blackouts, may now increase that number, provided no standing is allowed.

The removal of the restrictions—direct result of conversations between the Home Office and trade committees—leaves conditions of opening in the West End almost normal.

Sir William Brass has been appointed Chairman of the British Film Institute. He replaces Sir George Cole. Sir Thomas H. Hilles have been elected to take over Sir William's previous post as Board of Trade nominee on the governing board of the institute.

Charge Clearance Illegal in Gary Suit

Chicago, March 7—Charges that the clearance system affecting the Palace, Gary, Ill., are illegal were made at the opening here today in Federal court of the trust suit of the Gary Theatre Co. against Balaban & Katz, Warner Theatres and the major companies.

Attorneys for Warner's and the majors denied the charge concerning the clearance system at the opening.

V. U. Young, head of the Gary firm, Young asked relief from the allegedly illegal situation.

During the afternoon session, Young testified regarding past and present conditions in Gary. His testimony will continue tomorrow. Indications are that the trial, before Judge Holly, may require several weeks.

Settlement Reached In Dallas Trust Suit

(Continued from page 1)

were taken over Scott's River Oaks Theatre in suburban Houston, and the plaintiff will purchase a minority interest in six independent theatres in North Dallas and will become manager of these houses.

The decree itself gives judgment to interstate and speaks to all video representatives in the area.

The suit originated in a controversy involving the sale of Scott's Varioty, Dallas, to Interstate.

Yost Rites Today

Funeral services for William Yost, veteran exhibitor, who died on Monday in Miami, are to be held at 2 P. M. today at the Universal Chapel, 597 Lexington Ave. Burial follows at the Lutheran Cemetery.

Hollywood Review

"Shooting High" (20th-Century-Fox)

(Hollywood, March 7—As nice an exhibition of box-office opportunities as has recently been seen recently, the teaming of Gene Autry with June Withers in a film dedicated solely to the cause of amusement, this production is rich in novelty values and ripe for showmanship enterprise. On top of the generally circulated report that Autry, although receiving more fan mail than other star, is not seen in the "A" theatres of the country, a screenwriter, has written a wide-open chance to shout to the customers, "Here's Gene Autry now!"

"Autry plus Withers, or vice versa, is a marque total any show shopper can comprehend.

The story in which these stars appear is an airy nothing about the production of a western picture in a western town, the residents and the great businessman behind the film, for the most part, and the whole stopping now and again for Autry to sing a song, which he does most expertly and in a way entirely his own.

Marjorie Weaver, Robert Lowery and Katharine Aldridge are among the numerous others present.

The production is by John Stone, direction by Alfred E. Green, and the screenplay, an original, by Lou Breslow and Owen Francis, all handing for laughs and getting a load of them.

Running time, 65 minutes. 

Backstage话

Film Associates, New Company, Is Formed

Formation of Film Associates, Inc., to produce features and shorts in New York and on the Coast, was announced yesterday.

Directors of the company, who are also stockholders, are Felix Greene, American representative for British Broadcasting Co. and director of feature pictures for that company; Gerald Heard, author; Aldus Huxley, author; Theodore Lawrence, former head of United Research, engine and sound technician for Paramount; 20th-Century-Fox and United Artists; Irving Reis, formerly of Columbia Broadcasting System and writer for Paramount and 20th-Fox, and Henwar Rodzidzkie, writer for Paramount and M-G-M, and with production experience in Mexico and New York.

Herbert William Edelson is counsel for the new company. Headquarters are in this city.

Distribution arrangements for the motion pictures are still being concluded. First production is scheduled to start in a few weeks and will be a feature based on a novel, "Kings of the Coral Sea," by Joseph Knudsen depicting historic events between the last and present wars.

Seal Film in Crypt

Columbus, O., March 7—When the 2,000-cubic foot Crypt of Civilization under the library of Oglethorpe University, Oglethorpe, Ga., is sealed in May, to be opened 6,000 years hence, it will include a film of 16 masterpieces of film photography of Ohio travelers, in protective containers, depicting scenic, historical, industrial and agricultural highlights of Ohio.

Sign Union Contract For Buffalo Houses

Buffalo, March 7—A two-year collective bargaining contract for 200 cleaning women, matrons, porters and maintenance employees in all Shen Theatres has been reached by Buffalo Theatres, Inc., and the Theatrical and Allied Employees' Union, according to Owen J. Kavanagh, business agent for the union, who said the agreement affects work in three downtown and six neighborhood houses.

Two-year agreements also have been signed with Century Theatre Enterprises, Inc., covering employees in the Twentieth Century, downtown house, with the Dijon-Basil circuit, for the Bailey. The last two named contracts, first ever negotiated, cover about 15 employees.

Kentucky House

Passes Tax Slash

Frankfort, Ky., March 7.—The Kentucky House of Representatives yesterday passed by a vote of 74 to one a bill to lower the admission tax.

Backed by the State Revenue Department, the measure lowered the tax on admissions over $1, and exempt from the tax dramatic productions presented, and any part of the proceeds for charitable, religious or civic purposes. The measure is expected to be sent to the Senate in a few days.

 Appeal '69th' Ban

Warrants plan to appeal the ban on "The Fighting '69th" by the Commonwealth Film Censor in Australia. The home office has called Australia for details, including the reasons for the ban.

E. P. Hearing March 21

Referee John E. Joyce yesterday fixed March 21 at 11 A. M. for continuation of the hearings of Educational Pictures, Officers of the company will be examined at that time.

Philadelphia

Gives $22,000

To 'Passage'

Philadelphia, March 7—"Northwest Passage" at the Stanley was a "Cotton "hit" grossing $8,000 on its first week with the "Wind," for its sixth week at the Boyle and Earle, held up well, grossing $1,250. "Castle on the Hudson" and "Grapes of Wrath" drew $13,300 at the Fox.

Estimated takings for the week ending March 1

"Swiss Family Robinson" (RKO) $3,405 (M-G-M) "Dr. Erlich's Magic Bullet" (B. W.) $2,700 (M-G-M) "Northwest Passage" (20th-Fox) $3,000 (20th-Fox) "The Charge of the Light Brigade" (M-G-M) $1,400 (M-G-M) "Boy, Let's Go" (20th-Fox) $2,500 (20th-Fox) "Mr. Deeds" (M-G-M) $1,500 (M-G-M)

New Pictures Start Good on Broadway

Two new films, "Vigil in the Night" at the Roxy, and "Three Cheers for the Irish" at the Strand, make their bows Monday with "Too Many Husbands" at the Music Hall and "Northwest Passage" at the Capitol got off to good starts yesterday.

The second week of "Alc Lincoln in Illinois," with stage show at the Blue Bird will show at the Roxy also fared poorly with an estimated $25,000 for the week. At the Strand, "The Story of Dr. Erlich's Magic Bullet," with Tommy Tucker's band on the stage, drew an estimated $35,000 for its second week. "Wolf of New York" opened yesterday at the Criterion.

Extend RKO Time

Federal Judge William Bondy yesterday granted a further extension to March 25 for filing of applications for final allowances in the RKO reorganization. The order is a proponent of the plan, obtained the additional time from March 15.

Newswires of Liner

Arrival in New York yesterday of the British liner, Queen Elizabeth, attracted newswire camerman representing the five companies. Special air crews, according to source, as well as shots by land and boat crews, Films were shipped to accounts separately as special releases.
Motion Picture Daily

Friday, March 8, 1940

Tips on Exploitation

‘Book Month’ Plugs Pictures from Novels

Cleveland, March 7.—In a series of short stories, beginning with next week, Loue’s Slugs is plugging five-weeks bookings as “The Book Month,” using the slogan, “The Book is the Movie.” The department will feature the novels from which the coming pictures are taken. The state is exploiting “Northwest Passage” with a reviewing contest. Seventeen prizes, with first prize $100, are offered to patrons for the best 150-page reviews.

Cigar Dealers Back

Story of Dr. Ehrlich

The Dunhill’s, New York tobacconist, has launched an entire window of its Fifth Avenue store in Radio City to a day featuring Edward G. Robinson, star of Warners’ “The Story of Dr. Ehrlich’s Magic Bullet,” currently at New York’s Loew, which is based on the fact that Dr. Ehrlich’s cigar smoking plays an important part in the picture.

Colonel Roosevelt Addresses Ampec

Motion pictures are the reason many authors keep writing books, declared Col. Theodore Roosevelt, vice-president of Doubleday Doran, at the Annual meeting at the Sherry-Netherland, New York Hotel of the Associated Writers and Publishers, Inc. “Authors don’t make much money out of books, as a rule,” Col Roosevelt said. “The big revenue comes when they are sold for pictures.”

Gilbert Seldes, chief of CBS television and author, announced the establishment of an annual award by publicizing the cooperation with Ampec for the best film made from a recent book.

Among those at the speakers’ table were Katherine Brown, story editor of Selznick International; Pascal Covici, Viking Press; Jerome Weidman, Simon & Schuster; Donald Kloepfer, Random House; Annie Laurie Williams, literary agent. Joan Fontaine and Brian Aherne were introduced.

Studies Plagiarism Suit

Federal Judge Goddard yesterday refused to hear a plagiarism suit by the producer against Harold Lloyd and Harold Lloyd, Inc. Upon the request of Louis Nizer, attorney for the plaintiffs, Judge Goddard consented to study the “Professor Beware” Lloyd film, and the Rapp and Brentano script of “Greek to You,” which the defendants claimed was copied for the picture. Plaintiff claims total dissimilarity between the two.

Short Subject on Liner

A short subject depicting the building and launching of the Queen Elizabeth, the largest liner, was set for release yesterday by Columbia about the time the ship was being docked in New York following its secret run from England.

New York Review

“Wolf of New York” (Republic)

There is action and pace in this melodramatic yarn of the criminal attorney who accepts the post of district attorney to clean up the city. William Tell is directed from a screenplay by Gordon Kahn and Lionel Houser and an original story by Arnold Belgard and Leslie T. White.

Edmund Lowe, criminal lawyer of note and thorn in the side of the district attorney, is called upon to defend a young friend, on parole charged with murder, whom he did not commit. His previous reputation as a criminal lawyer causes the jury to doubt him, and as a result the boy is convicted. Immediately after the client is executed, his innocence is proved, the district attorney resigns, and Lowe is prevailed upon to take his place. Chief persuader is Rose Hobart, former secretary, who is to be his partner in the practice of law.

Lowe takes on the job, cleans up the town, and uncovers the main behind most of the city’s racketeering. James Stephenson, Jerome Cowan, William Demarest and Maurice Murphy have supporting roles. Running time, 67 minutes. "G.4" CHARLES S. AARONSON

Fidler, Sullivan Refused Loop Theatre Bookings

By WILLIAM F. CROUCH

Chicago, March 7. — Chances of Jimmie Fidler and his troupe, now on a personal appearance tour, playing a local house will be more remote this week when it was learned that theatre executives have determined not to book the act.

Ed Sullivan, another columnist who plans a tour with a group of Hollywood players, is also on the taboo list as far as a booking in local theatres is concerned. Sullivan has appeared three times previously, twice at the RKO Palace and once at the B. & K. Chicago.

Balaban & Katz are completing an extensive remodeling of their screening room in the Chicago Theater building. The seating of the room has been increased from 30 to 50, new sound-proofing, projection equipment, rubber carpeting, new seats and other changes have been made.

Services were held here Monday for Mrs. Martin Barnett, 25, wife of the Paramount News cameraman, who died of a cerebral hemorrhage last week.

J. Nelson Katz of the B. & K. public relations department has been put in charge of suburban and neighborhood theatre advertising. Herbert Lyons takes his place as production manager.

Amkino Chief Plans New Russian Film

Distribution of Russian films here will continue under a deal concluded yesterday by cable between Nicola Napoli, formerly general manager of Amkino Corp., and the Soviet motion picture committee in Moscow.

Napoli is forming a company to be known as Artikino Pictures, of which he will be the chief, Rosa Madella, also of Amkino, will be associated with him. Amkino recently was dissolved on orders from Moscow blaming a slump in popularity of Russian pictures.

Bombs Sink Cameras

The war will delay the completion of Walter Wanger’s film, “Personal History,” for United Artists release. Complete camera equipment for the shoot of the picture in Holland went down when the Dutch freighter Rijnstroom was sunk in the English Channel by German planes on Monday.

Vatican Reception

Of Taylor Is Filmed

Pictures of the reception of Myron C. Taylor, President Roosevelt’s emissary to Pope Pius XII, by the Pope—first films taken in the latter’s private apartments—are en route here.

Archbishop Alexei of New York, to whom the films are being sent, will determine whether they will be shown generally, and if so, in what manner, to the American Catholics. Conditions imposed by Vatican authorities prohibit insertion of the reel in any regular press release and require that it be shown in full.

Radio Brevities

WMA has two novel programs scheduled to start in the near future. The first will be a round-up of the week’s crime, with criticism appearing in the New York papers. The published reviews will be condensed and edited by WMA in the ‘Monthly Idea’ program. The idea behind the program is that usual radio reviews of legitimate productions are broadcast after the final curtain. This approach is too costly for most listeners. In addition, it is felt that most listeners read only one or two reviews and would appreciate a complete and unbiased opinion on radio. No starting date has been set, but it is planned for the current season.

The other show, the “Radio News Reel,” will be heard Saturdays at 5:30 P. M., starting tomorrow. Mobile units, covering special events for station liaisons in parts of the country, will make recordings and the transcriptions will be edited in Hollywood and aired to WMCA.

Personalities in the News

Arturo Toscanini resumes his post as conductor of the NBC Symphony Saturday, March 16, at 10 P. M., over NBC, after his customary holiday season leave since Dec. 2. . . Joseph H. Steel, film writer, has written a script for the Kate Smith show over CBS tonight at 8 P. M. . . . Evin Brent and Francis X. Bushman will be heard on Mutual’s “Fifth Row Center” at 6 P. M. . . . Harlan Thompson, Paramount producer, will be guest of David Lowe, film commentator at WNEW, today at 12:30 P. M.

Radio Covers Liners’ Arrival

WOR was the first radio station on the air with a description of the Queen Elizabeth. Dave Driscoll, director of special events, flew over Long Island in an Eastern Air Lines plane and located the liner at 7:30 P.M. Conditions imposed by Vatican authorities prohibit insertion of the reel in any regular press release and require that it be shown in full.

Father of Weinberg, Col. Executive, Dies

Phillip Weinberg, father of Lou Weinberg, Columbia sales executive, died at his home here yesterday following a long illness.

Monthly will be broadcast from St. Paul Sunday at 10 A. M. at Riverside Memorial Chapel. Burial will be at Beth-El Cemetery.

In addition to the son, the deceased is survived by: Mrs. Margaret Weinberg, Mrs. Celia Picker, Mrs. Hannah Goldstein, A. M., Mrs. Nettie Lowenberg, Mrs. Eva Goldfield, all of New York, and Mrs. Lilian Langley of California.

Radio News Reel

Will be heard Saturdays at 5:30 P. M., starting tomorrow. Mobile units, covering special events for station liaisons in parts of the country, will make recordings and the transcriptions will be edited in Hollywood and aired to WMCA.
LEO CONFUCIUS SAY:

"Don't be sap! Hold-over 'NORTHWEST PASSAGE' and get plenty mazumeh!*

"Take tip from smart fellas who hold-over 'NORTHWEST PASSAGE' in

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*Chinese for money
BORIS KARLOFF
BELA LUGOSI

BLACK FRIDAY

with STANLEY RIDGES, Anne NAGEL, Anne GWINNE, James CRAIG

Associate Producer: BURT KELLY
Directed by ARTHUR LUBIN

A WOW REPORT FROM CHICAGO!
... Palace Theatre opens Universal’s “Black Friday” and “The House of the Seven Gables” to greatest week-end gross of the season!

A BOX-OF
AGAIN and EACH IS A HIT by ITSELF!

Nathaniel Hawthorne's
The
HOUSE OF
The
SEVEN GABLES

with
GEORGE SANDERS • MARGARET LINDSAY • VINCENT PRICE
NAN GREY • DICK FORAN
DIRECTED BY JOE MAY
Associate Producer: BURT KELLY

PRINTS NOW READY!

VICE NATURAL $$$
By LOUELLA O. PARSONS,
Motion Picture Editor International News Service.

Let's give a great big cheer for Edward Small, an independent producer who has made one of the finest pictures of the year in "My Son, My Son." Howard Spring's novel, best seller of last year, makes us realize again what a fine actor Brian Aherne is; that Louis Hayward did not win the award for the best acting on the stage in New York a few years ago, without deserving it; that Laraine Day has a great dramatic future and that Henry Hull continues to be one of the movies' most valuable actors.

I don't know when I've seen a picture that has gripped me as much and held my complete and unswerving interest. The picture had the effect that an interesting novel gives—a wish to see even more.
2-Year Trial Of Trust Suit Called Likely

U. S. Attorneys Examine Gradwell Sears Today

Trial of the Government's New York antitrust suit will last at least two years, according to Federal Court attaches responsible for calendar assignments. In discussions preceding the designation of Federal Judge Henry W. Goddard as trial judge, it was said, consideration for a prolonged trial period were the previous anti-trust suits that estimated that a multiplicity of defendants in the film suit would prolong the court calendar well past two years.

Court attaches have pointed out that trial of the anti-trust suit against companies in the aluminum industry before Judge Francis G. Caffery has continued for 18 months already. The aluminum case, moreover, presents considerably simpler issues and comparatively few defendants, it was declared.

Many Complex Problems

Attorneys for the Government, on the other hand, are faced with a difficult problem in the antitrust suit in the aluminum industry. Under Judge Caffery, it is possible that the Government must cover the production, distribution and exhibition fields of the aluminum industry and must prove its allegations of coercion by the aluminum companies.

The view of the situation held by court clerks is strikingly borne out by the Government's list of prospective witnesses filed last Wednesday. Over 200 witnesses were identified.

(Continued on page 2)

50 Film Stars Going To 'Virginia City'

Warner's will play host to 50 Hollywood stars, and 150 correspondents, columnists and radio celebrities at the world premiere of "Virginia City" at Reno and Virginia City, Nev., next Saturday.

A 16-car train will leave Hollywood at 6 p.m. Friday, being met by three more cars bearing Eastern and Midwestern correspondents, at Trusted, Cal. Two cars will be decorated to simulate the old Crystal Bar of Virginia City in the gold rush days. The train will serve as hotel for the guests during the stay in the Nevada town. En route to Nevada the train will (Continued on page 2)

Republic's Gross Shows 7%2 Boost
Despite War Loss

Gross income of Republic Pictures Corp. in 1939 was approximately $7,900,000, an increase of 7½ per cent over 1938, despite curtailed revenue from Great Britain and elsewhere in Europe. The 1938 gross was $7,373,972.

This is reported to Consolidated Film Industries stockholders in the annual report of Herbert J. Yates, president. The report shows net income for Consolidated in 1939 of $28,207, compared with $16,996 in 1938.

With respect to Republic, the report says Consolidated's investment in the subsidiary is the same as during 1938, with the company financing and production of Republic pictures "from which this company derives, and which enable us to maintain a large volume of laboratory work and accessories."

Yates in his report states that 1939 showed "further progress and expansion in the organization and business of Republic," and that continued growth is anticipated.

(Continued on Consolidated)

Seek Settlement Of Warner Strike

MIAMI, March 10.—Possible settlement of the controversy in Philadelphia between the musicians' union and Warner theatres is being discussed here with Joseph N. Weber, president, of the American Federation of Musicians.

Here for the conferences are Frank Phelps of Warners and Anthony Galacci and Rex Rycarden, president and secretary, respectively, of the Philadelphia local.

Officials of the local have been seeking action by the national federation against Warners in an effort to bring the three-month-old controversy to a head.

Ascan Hears Radio Report This Week

A final report on Ascan's new contracts with radio broadcasters may be completed at the next meeting of the society's radio committee, to be called within the next few days. A special meeting of the Ascan board will be called to consider the report as soon as it is completed.

The radio committee failed to complete its recommendations at a meeting held last week and there is still a possibility of a minority report developing at the final meeting due to marked differences of views within the committee.

200 Philly Theatres Close Good Friday

Philadelphia, March 10.—About 200 theatres in Philadelphia and suburban areas will close on Good Friday, March 22, for all or part of the day, it was announced by the Citizens' Good Friday Observance Committee. None of the center-city theatres will close.

SEC Report Shows Film Stock Changes

WASHINGTON, March 10.—Disposition of 2,800 Universal Corp. common voting trust certificates by William C. Fryday, director, reducing his holdings, to 10,000, and receipt of 10,000 common voting trust certificate warrants by Nathan J. Blumberg, president, under an employment agreement, were the largest transactions of film company officers and directors in the security exchanges reported for the weekend in the first January summary of the Securities and Exchange Commission.

Included in the summary were a large number of share transfers and sales, and the exchange of shares of Keith-Albee-Orpheum convertible stock

Sponsor May Cancel Fidler's Broadcasts

CHICAGO, March 10.—Continuation of Annie Fidler's Hollywood broadcasts under the sponsorship of Procter & Gamble on behalf of Dr. Elva is reported as doubtful here. Reports are that he will go off the air April 23. Results of the Dr. Elva contest starting May 10 may determine whether Fidler's option will be picked up. Action on Fidler's program is scheduled this week by H. W. Kastor & Sons agency which handles the account.

Bioff to Learn Fate in Chicago Friday

CHICAGO, March 10.—Chief Justice Pryszlaski of Criminal Court, after taking under advisement the case of William Bioff, I.A.T.S.E. leader, gave him permission to go to California. Bioff must be back here on Friday when Judge Pryszlaski will announce his decision. He is ex- tracted from the Coast on a charge of never having finished a Chicago jail sentence in 1922.

Bioff to Coast As Wage Fight Nears Parley

Hollywood, March 10.—Both the producers and the studio unions, embroiled in the controversy over the 10 per cent wage increase, moved closer into sparring position after the weekend as indications appeared that they were ready to resume negotiations on the matter.

Declaring that it had not received a letter from the producers, the Conference of American Federation of Labor Radio Radio Unions, through its vice-president, J. W. Buzzell, announced that it was "assuming" that by the producers' silence they were dropping the request for revocation of the wage increase.

Y. Frank Freeman, chairman of the producers' committee, immediately answered the "assumption" by informing Motion Picture Daily: "The unions are at perfect liberty to make any assumptions they wish, but nothing has been abandoned."

This was interpreted to mean that the producers will press their fight with the unions over the 10 per cent wage boost.

The A. F. of L. Conference dispatched a letter to Freeman, demanding an early meeting to discuss revisions of working conditions and the awarding of bargaining contracts to several locals not yet recognized by the producers.

This letter was prepared following a telephone conversation between Buzzell and William Bioff, I.A.T.S.E. leader. in Chicago, where Bioff had a Friday hearing on a 1922 unfinished jail sentence.

Bioff was granted the committee's permission to go to the Coast until next (Continued on page 3)

Re-Election of All 'U' Directors Expected

All directors of Universal Pictures Co., Inc., are slated for re-election at the annual meeting of the company's stockholders to be held Friday in Wilmington, Del.

Proposals for a plan of recapitalization for Universal, several of which have been under consideration during the past few months, are still undetermined and no plan will be in readiness for discussion at the annual meeting. However, the general purpose and aims of the recapitalization probably will be outlined at the meeting.
2-Year Trust Trial

Looms as Certain

(Continued from page 1)

and the Government detailed several hundreds of alleged coerced confessions.

The Government will spare no expense to present these instances to the court, and, in doing so, will place hundreds of witnesses on the stand, it is understood. Added to this time-consuming maneuver will be protracted cross-examination of defendant and the introduction of dozens of film exhibits in rebuttal.

Lengthy pre-trial examinations of company officials and agents and investigators of those of the defendants have been actively preparing for trial. Results of this pre-trial work will be the evidence submitted to Judge Goddard.

Application of Columbia for Government to summon the investigators will be heard on March 18 at 4 P.M. unless, in the interim, Columbia is satisfied that the testimonial answers are sufficiently informative.

Gradwell W. Sears, vice-president of Warner Bros., said that charge of

salvaging will be questioned today by Special Assistant Attorney General Robert L. Wright in a pre-trial examination.

50 Film Stars Going To 'Virginia City'

(Continued from page 1)

make six 15-minute stops. Another train of 15 cars, leaving San Francisco on Friday, stopping en route at Salt Lake City and Omaha. Two cars from New York will leave on Wed-

nesday.

The Hollywood star contingent will be headed by Errol Flynn, Miriam Hopkins, and John Ham, who is Humphrey Bogart, of the film’s cast.

With them are listed Eddie Cantor, James Cagney, Pat O’Brien, Bette Davis, William Sherwood, Jean Parker, Priscilla Lane, Rosemary Lane, Mary Robson, Tom Mix, George Raft, Ralph Bellamy, Fay Wray, Basil Rathbone, Fred Stone, Morris Warren, Warren William, Ginger Rogers, Edward G. Robinson, Buck Jones, Binnie Barnes, Eddie Albert, Ronald Reagan, Jane Wyman, Lucille Ball, Lasky, Lynn, Brenda Marshall, Claire Oberon, Clark Gable, Carole Lombard, Dorothy Lamour, Bob Hope, Mickey Rooney, John Garfield, Don Ameche, Tyrone Power, Alice Faye, Alan Hale, Marilyn Merck and Dennis Morgan.

Road handballs will be auctioned off at the “Virginia City” opening in Reno, the proceeds going to the fund for the Metropolitan Opera Company.

Clu Picle $2,000,000

PHILADELPHIA, March 10.—The Philadelphia Variety Club has turned over $2,000,000 to the President Roo-

sevelt Infantile Paralysis Fund, the money collected in the March of Dimes sponsored by the club here.

Purely Personal

GEORGE J. SCHAEFFER, RKO

president, will leave for a two-weeks’ vacation in Florida within the next few days.

BENJAMIN MCGINNIS, Continental

European manager for 20th Century-Fox, was returned from a Florida va-

cation. He plans to sail for Europe in two weeks.

MALCOLM KINGSDEN, K-A-O vice-
president, has returned from a Flori-
da vacation. LION GOLDSTEIN, K-A-O

treasurer, is expected from Florida to-
morrow.

LOUIS DAVIDSON has been assigned as

Chicago exploitation representative for RKO by Turner Turner, exploit-
ation manager.

EDWIN P. KILBOE, copyright attor-

ney for 20th Century-Fox, is recover-
ing from pneumonia at Lenox Hill Hospital.

JUDE HOLLOW, 20th Century-Fox

talent scout, has returned from Chi-

gago where he conducted a talent con-
test.

MATTHEW J. FOX, Universal vice-
president, will arrive from the Coast on

March 18.

JOSEPH M. SCHENCK, 20th Century-

Fox board chairman, has returned

from Miami.

MICHAEL G. POLLER, head of RKO’s

playdate administration department, left

Saturday for a two-week vacation in

Miami.

DAVID L. LOWE arrives in Holly-

wood today following a brief trip in New York.

TOM DONALDSON, M-G-M manager

in New Haven, observes a birthday
today.

Stage Set for Bingo

Pennsylvania Test

LANCASTER, Pa., March 10.—A test case to determine the status of Bingo in Lancaster County was rushed to court action when county detec-
tives arrested operators of games ar-
ranged for that specific purpose at Montourville and Iowa.

The games were arranged as bene-

fits for the Neffsville fire company.

Representatives of county fire com-

panies and other persons interested in

conducting Bingo decided to hold the games in order that a test case might be made into the case under the new law in the Criminal Court. District Attorney Shirk promised an early trial if a test case was arranged.

Releasing Czech Film

Edgar L. Lloyd plans national re-

lease shortly of “The Maiden’s” Guild of Karneva Hora, a Czechoslovakian historical film. The film was com-

pleting shortly before the invasion of Czechoslovakia by Ger-

mans. English titles are being pre-

pared for the American release.

Adapting Morley Novel

Hollywood, March 10.—Donald Ogden Stewart has been signed by RKO to adapt Christopher Morley’s novel, “Kitty Foyle.”

Charles Stern, Eastern divi-

sion sales manager for United

Artists, will overlook an emergency operation for a kidney ailment last

week, is recovering and is expected to

leave the Park East Hospital within a

week.

CHARLES E. STAPLES, Jr., projec-
tionist at the Queen Theatre, St.

Stevens, Pa., who was married in London recently to Eileen Kelly, Canadian

girl, and returned immediately to his

post as a bombing pilot in France.

MAURICE KALLIS, art director for the

Paramount account at the Buchanan advertising agency, is on vacation in California and Mexico.

JOHN MARTIN with the Paramount

theatre in South Bend, recently

father of a boy, Janes, weighing seven

and one-half pounds, born to Mrs.

Martin last week.

HARRY TURNER, co-manager of the

Palace, Northio house at Hamilton,

Ohio, is on vacation in Martinsville, Ind.

HARRY WILSON, RKO producer, is
due today from the Coast on a brief

business trip.

Union Fighting Use Of School For Films

'MANITOWOC, Wis., March 10.—Loc-

cal No. 410 of the operators’ union here has protested to the Board of

Education against the use of the high

school auditorium today that licensed stage technicians and projectionists be

employed for programs requiring them.

The board indicated that in the fu-

ture it would charge the full rental

for the use of the auditorium and

follow the procedure that licensed

stage technicians and projectionists be

employed for programs requiring them.

Columbia Prizes Set For Division Heads

Special awards to division manag-

ers are being added by Columbia to

the prizes previously announced for the Montague 15th anniversary drive which will end May 10.

The new awards will be made to the division heads in the Territories. The
tories show the greatest improvement in billings during the eight weeks ending April 20. Improved results will be judged on the basis of quotas for each division based on their average weekly billings from July 15, 1937, to June 30, 1939.

Testify in Gary Suit

CHICAGO, March 10.—V. U. Young

and Clyde Wynn, Gary, Ind., ex-

cluded from the Gary Theatre Circuit against Balaban & Katz, Warner Theatres and the major companies. The

testified concerning film deals made

with major companies for the Palace

Theatre in Gary.

Sets ‘King’ 13th Time As Good Friday Film

BROOKLYN, March 10.—For the 13th successive year, the Four Paws Theatre, a grind house in the tenderloin section, will play “King of

Kings” on Good Friday. The house reserves the film for each succeeding year.

Heads Distribution Of Finland Fights

Martin J. Mullin of Mullin & Pi-

niski circuit, Boston, has been ap-
pointed to direct the distribution of the picture as made for the Finnish Relief Fund, in the Massa-

chusets territorry.

Frank Muto, who collected the Fin-

nish war pictures for photographer for International News Service, is now at-
tached to the Finnish Relief Fund office in New York. He is a brother of Anthony Muto, Movietone News representative in Washington.

Harry Gold Returns From Coast Parleys

Harry Gold, Eastern general sales

manager of United Artists, returned yesterday from the Coast studio. He

stopped off at several key city ex-

changes on his way East.

Gold was in Hollywood for several weeks, engaged in studio conferences with Murray Silverstone, operating head of the company, other executive

tives and United Artists producers. Silverstone remained on the Coast.

Losses Balaban Plea

The Appellate Division of the N.

Y. Supreme Court Friday denied an application of Benjamin Roman for an order directing Barney Balaban, manager, to return pictures, to be used in test trial before, decision upheld lower court ruling in Roman’s $250,-

000 damage suit. Paramount has

asked for alleged violation of a contract which gave Roman reissue rights to “Morocco” and “The Spoilers.”
Motion Picture Daily

March 11, 1940

Bioff Flies to Coast; Wage Parley Nears

(Continued from page 1)

Friday when Judge Prystalski will announce his decision in the case. Bioff flew here for important talks with union officials on the wage issue.

Pat Casey, chief labor contract officer for the New York United Amalgamations, is staying here today from New York, apparently to discuss latest developments with his head office.

Buzell's letter to Freeman asked for a meeting of union and producer negotiating committees "for the purpose of opening negotiations and laying the groundwork for a discussion of these various subjects."

Revisions of working conditions, according to union leaders, are aimed at a spread of work among more men, establishment of overtime pay scales, increase of the number of men per shift, changes in the number of crews sent on location, etc.

Freeman, in discussing the Buzell letter, said:

"When I receive that communication I shall present it to our committee and we cannot, of course, at this time know what our answer will be. We shall have to wait until we can get further data and information, which is what the last discussions were continued."

In the event that the unions and studios fail to reach an agreement on the 10 per cent wage increase, the matter will be submitted to the American Society of Arbitration for settlement. "It is understood that both parties signed last Nov. 25 when the boost was allowed."

Kane Leaves Coast, Returning to England

Hollywood, March 10—Robert Kane left today for New York, en route to England after six weeks of conferences at the Twentieth Century-Fox studios here. Kane said: "We've never stopped."

Recently finished was "The Girl Is News," while "Gestapo," dealing with Nazi Germany, is just being completed. Now in work are "Tramp Steamer," "Rob Roy" and "Hangman's House."

Rubin Again Heads Greater N. Y. Drive

J. Robert Rubin, vice-president and general counsel of Loew's, Inc., for the third consecutive year will serve chairman of the Greater New York Fund drive, which is just getting into full swing.

The Fund is planning a more extensive drive just as was done last year. The appeal, which is on behalf of 593 voluntary social welfare and health agencies, will be directed to business firms, corporations and employees.

First Academy Print

Hollywood, March 10.—Lee Garmes left for New York with a print of "Beyond Tomorrow," for RKO. It is the first film made by Academy Productions, of which Garmes is president. He will discuss other stories with RKO officials.

Hollywood Review

"Three Cheers for the Irish"

(Warner Brothers)

Hollywood, March 10.—That staple old stage character of memorable entertainment uselessness, the Irish policeman, here serves business with which he can get an audience laughing contentedly throughout its entire length. Thomas Mitchell, as the policeman gives another of his standup performances in such excellent cast company as Priscilla Lane, Alan Hale, Dennis Morgan, Frank Jenks, Virginia Grey, Henry Armetta, Irene Hervey, William Lundigan and J. M. Kerrigan.

New York is the scene of the story, an original by Richard Macaulay and Jerry Wald, wherein Mitchell plays the policeman father of three grown girls. He is retired on pension after 25 years on the force and, restive, runs for election as alderman. Developments, however, mar his wooing of one of them, and from his robust campaign manager's mainly muscular pursuit of votes. A few serious moments are usefully included.

Samuel Bischoff served Hal B. Wallis as executive producer and Lloyd Bacon directed with an eye to extracting maximum results from characterization, contrasting dialects and situations.

Roscoe Williams

"G" denotes general classification.

SEC Report Shows Film Stock Changes

(Continued from page 1)

preferred by Michael J. Mehan, New York, beneficial owner, reducing his interest to 26,004 shares, which he disposed of to 100 shares of Loew's, Inc., common stock by J. Robert Rubin, vice-president, reducing his holdings to 26,918 shares.

Other transactions were the acquisition of three shares of Pathé Film common stock by Thomas P. Loach, treasurer, giving him a total of 16 shares; the acquisition as compensation for 500 shares of Trans-Lux Corp., common stock by John Thompson, president, giving him 4,500 shares; and the disposition of 300 shares of Twentieth Century-Fox common stock by Sidney R. Koeppel, assistant, reducing his interest to 3,155 shares.

A report on Columbia Broadcasting System showed the disposition by gift of 560 shares of Class A and 15 shares of Class B stock by Isaac D. Loew, from his holdings to 61,475 shares of the former and 22,819 shares of the latter, and disposition, also by gift, of 170 shares of Class B stock by Leon Levy, Philadelphia, director, reducing his holdings in that class to 42,932 shares.

Net Operating Loss

By Paramount Corp.

Net operating loss of $231,577.69 is reported by the Paramount Broadway Corp., for the year ended Dec. 31, 1939. The company owns the Paramount Theatre and office building on Broadway.

Income from operations was $969,856 during the year. Income from severance was determined by the gross receipts of the tenant. Cash on hand Dec. 31 last totaled $88,065, as compared with $70,852 for Dec. 31, 1938. The property and equipment is carried at $10,949,885. Paramount's total deficit as of Dec. 31, 1939, was reported as $756,689.

Chief Censor of Pa. To Fight Neely Bill

Philadelphia, March 10—Mrs. Edna R. Carroll, head of the Pennsylvania censor board, said she would go before the parent-teachers association to speak against the Neely Bill. Retiring from Pennsylvania, Mrs. Carroll said she is convinced more than ever that the industry can well manage its own affairs without Government interference. She said that the groups are being misled when told by proponents of the bill that the elimination of block booking will make for better pictures.

Slot Films Denied Being Competition

Chicago, March 10—James Roosevelt, in a talk Friday before the Columbia Theatre, declared that the automatic projection machines for which he plans to provide shorts of three to five minutes, will not compete with theatre programs. Money taken in, he said, would cut into present phonograph receipts rather than film revenue. He said that the machines eventually would aid theaters, in showing trailers of theatre attractions, if exhibitors were interested in making tapes.

Information Please

Decision Reserved

Trial of a suit to restrain use of the title, "Information Please," by the Information Publication Corp., for publishing a magazine, will be tried by Judge Carroll G. Maloney in the case of Daniel and Ann Golenap, owners of the radio program, as plaintiffs charged infringement in a magazine of the same title published by the defendants.

Republic's Gross

Shows 7½% Boost

(Continued from page 1)

stockholders will be held March 28. Consolidated's 1939 earnings are equivalent to $1.57 a share on 400,000 shares of preferred stock outstanding, compared with $1.54 a share in 1938 on the same number of shares.

Consolidated had net sales of $7,409,452 in 1939 and $8,799,875 in 1938. The latter figure included sales of American Record Corp., a subsidiary, the stock of which sold to CBS in December, 1938. Net sales in 1939 were approximately $300,000 more than sales in 1938 to CBS, and the same subsidiaries, excluding American Record, the year before.

Net Income Increases

Net income, before Federal income taxes, for 1939, was $785,207, compared with $652,883 a year before, and though insufficient to show a substantial increase in labor costs last year, the report states.

Current assets of Dec. 31, last, amounted to $4,953,256, including $461,897 cash, and current liabilities were $1,790,233, compared with current assets of $4,220,087 and current liabilities of $1,205,989 on Dec. 31, 1938.

Arrears on the 400,000 shares of $2 cumulative, par preferred stock are $3,200,000, equal to $8 a share.

Warner Chief's Lead

1,200 at Club Dance

About 1,200 persons attended the 11th annual Warner Club dinner and dance at the Blackstone Hotel in the Waldorf-Astoria Saturday night.

Among those present were John J. O'Connor, manager of radio theatres; Leon carpet-Astoria Paramount theatres executives; and Warner officials including Samuel Schneider, Gershel Blum, Harold Reder, A. W. Schulberg, Jules Levy, Ben Kalisch, R. T. Martin, A. Jack Tashoff, Chase, Russell Pathe, Clayton Bond and Eddie Schmitter.

There was an elaborate program, including the broadcast of the Billy Lee's City Music Hall, Roxy and Strand theatres. Jan Savitt and his Top-Hatters provided the music. Schmitter was general chairman of the affair.

Monogram to Start

New Sales Campaign

Monogram plans a new sales drive, known as "Spirit of Independence," which will begin from July 30 to July 6, according to Edward A. Golden, general sales manager.

The company's 30 exhibitions have been divided into different National and National Leagues, each team consisting of four teams. Money awards will be made to the top-ranking teams.

Thomas W. Yates Dies

Thomas W. Yates, 67, supervisor of the real estate and insurance department for Consolidated Theatres, Inc., died Thursday at his home in Englewood, N. J. Yates, a brother of Herbert J. Yates, president of Consolidated, was well known in the business.

Survivors include the widow, Harriet J.; a daughter, Kathryn Yates Beard; a son, Thomas W., Jr., and three brothers. Funeral services were held at the home yesterday.
MANY, MANY HAPPY RETURNS

"As funny as THE AWFUL TRUTH! Should clean up at box-office!"
—NORTH AMERICAN NEWSPAPER ALLIANCE

"Faultless acting by that ingratiating screen triumvirate, Jean Arthur, Fred MacMurray and Melvyn Douglas!"
—N.Y. HERALD-TRIB.

"One of best laugh-getters of many a movie season! Ruggles squeezed every ounce of giggle material out of a script well loaded with laughs!"
—LOS ANGELES HERALD-EXPRESS

"Highly amusing... merry pace!"
—VARIETY

WESLEY RUGGLES'
Too MANY HUSBANDS

Directed by WESLEY RUGGLES • Screen play by CLAUDE BINYON
Based on the play by W. SOMERSET MAUGHAM • A COLUMBIA PICTURE

Jean Arthur • Fred MacMurray • Melvyn Douglas
FOR "TOO MANY HUSBANDS"!

"If you want to laugh, TOO MANY HUSBANDS is the picture to see, for it's very funny! Excellent direction for which Ruggles is famous. Jean Arthur really turned glamour girl!"
—LOUELLA PARSONS

"Will stack up with funniest pictures of 1940!"
—UNITED PRESS

"Audience picture that is certain to click!"
—ST. LOUIS POST-DISPATCH

...and at RADIO CITY MUSIC HALL

"Giggle provoker from beginning to end!"
—N. Y. DAILY NEWS

"Gayest, sprightliest comedy of season. Grand entertainment!" —N. Y. DAILY MIRROR

"Thoroughly amusing...romping along at lively clip!" —N. Y. JOURNAL & AMERICAN

"Mr. Ruggles directs with rare manipulative foresight!"
—N. Y. TIMES

"Acting positively superb!" —N. Y. POST

"Plenty of laughs!" —N. Y. WORLD-TELEGRAM

"Light-hearted affair of the type too long lacking on Broadway!" —N. Y. SUN

"Very likely will go out and make a million dollars!" —LOS ANGELES DAILY & EVE. NEWS

"Miss Arthur's new vehicle box-office hit!"
—HOLLYWOOD CITIZEN-NEWS

“Brilliant and sophisticated! Well qualified to keep all audiences uproariously entertained for its entire length!"
—BOXOFFICE

"Very, very funny comedy. No more entertaining picture has been made this year!"
—HEDDA HOPPER

"Another winner for Columbia and another box-office hit!"
—SHOWMEN’S TRADE REVIEW

GENERAL RELEASE MARCH 21
**Theatre and Personnel Notes**

Reopens Columbus Theatre

COLUMBUS, O., March 10.—Fred M. Rowlands, owner of the Parsons, Columbus, and Highland neighborhoods, who took a 10-year lease on the 450-seat Hollywood, also a neighborhood spot, has reopened the house after completely remodeling and installing an air-conditioning system. Policy will be on a grind basis at 10 and 15 cents.

**Takes Over Two in Ohio**

IBONTON, O., March 10.—Mrs. Fon Sexton has taken over the 500-seat Lyric and 600-seat Marlboro here from Joseph E. Sexton, former operator. Mrs. Sexton also operates the local Grand, and the Alton and Lyric, at Ashland, Ky.

Blowitz in Pittsburgh

PITTSBURGH, March 10.—Joseph Blowitz, formerly manager of the Warner in Johnstown, Pa., has been shifted back to his former post as manager of the Manor here.

**Ruble Quits Pioneer**

MINNEAPOLIS, March 10.—Frank D. Rubel has resigned as head of Pioneer Theatres' Des Moines houses, which he managed for the last four years. He is succeeded by Willard C. Tynan, who has been with the company for the last three years.

**Raze Kansas City House**

KANSAS CITY, March 10.—The Bagpuss, in downtown Kansas City, is being razed after 20 years, to make way for a parking lot. It has been closed since 1936.

**Sparks Opens Theatre**

WINTER PARK, Fla., March 10.—The new Colony of Winter Park, lastest sparks theatre, has been opened. Seating 800, the new Colony is air-conditioned.

**Building Miami House**

MIAMI, March 10.—A $100,000 theatre seating 965 has been opened here by the Biscayne Boulevard Theatre Corp., of which Lester K. Duaxstad is president.

**Open Florida Theatre**

LAKE WORTH, Fla., March 10.—The new Lake Theatre, at 13th and Lake Avenue, has just opened. The building cost approximately $70,000 and will seat 800 persons.

**Northo Installs Equipment**

HAMILTON, O., March 10.—New screens and rectifiers have been installed in the building and it is ready for occupancy, local units of the Northo circuit.

**Hermin Quits Warners**

DES MOINES, March 10.—Harry Hermin, salesman at the Des Moines Warner office, has resigned and with Mrs. Hermin, he has left to spend a month in New York City before going to New Hampton, Iowa, to take over the theatre that he recently leased.

**Open Drive-In Theatre**

ORLANDO, Fla., March 10.—A new drive-in theatre has been opened here. The parking space will accommodate 310 automobiles. The screen is 42 feet wide and 60 feet high.

**Re-Equip House in Florida**

VEGA BEACH, Fla., March 10.—The Florida Theatre here has undergone extensive alterations and complete new equipment has been installed at a cost of approximately $25,000.

**Managers Transferred**

MILTON, Fla., March 10.—The Imogene theatre here has been transferred to new managers. Robert Scott, for six years manager of the Dale in Ozark, Alabama to Milton, succeeding Charles Orr.

**Vlastos Opens Theatre**

FOWLER, Ind., March 10.—Richard Vlastos has opened the new Vlastos here. Vlastos also operates the Dreamland here, the Williams in Williamsport, Ind., and the Knox and Fairy in Knox, Ind.

**Critics' Quotes . . . .**

**"STRANGE CARGO" (M-G-M)**

A fascinating and exciting drama . . . . Some of the time almost grim, it has a spiritual trend. Continuity is excellent and the story is presented artfully.—Los Angeles Examiner.

"Strange Cargo" possesses a unique quality, though its appeal may be interfered with by the excessive length of the narrative and its all too many complications. It would be a much stronger picture were it not for the symbolism.—Edwin Schallert, L. A. Times.

"It's a more than interesting picture . . . . It has an odd excellence . . . . Frank Borzage's careful direction is responsible for the sincerity and finesse of what, in less capable hands, might have been a mess of melodramatics.—Jimmy Star, L. A. Herald Express.

**"NORTHWEST PASSAGE" (M-G-M)**

Adventure enough to please the heart of the most rabid fan . . . . Stirring action from opening to finale packs "Northwest Passage."—Kansas City Journal.

This is a beautiful and at times, back-breaking film record of the first half of Kenneth Roberts' grand novel.—Kansas City Star.

"DR. EHRLICH'S MAGIC BULLET" (Warners)

It is the best photoplay of the type since the same studio's "The Story of Louis Pasteur," and in many respects it is superior to its distinguished predecessor . . . . Its chief attribute is its air of verity.—Philadelphia Ledger.

The wonder of the film is that it was made at all . . . . A production marked by dignity, good taste and honesty . . . . A film among films, equal to any.—Elise Finn, Philadelphia Record.

It is so much more than a dignified account of a scientist's successful microbe hunt; it is a document both human and dramatic, its bullets loaded with social comment. . . . It's an interesting film, along the lines of "Lee, Philadelphia Bulletin.

All doctors and their patients will find this film a thrill and an inspiration . . . . It demonstrates the power of the screen to perform eloquently and in a manner that takes the breath away. . . . Kansas City Star.

Ex-G. Robinson gets a chance at one of the most powerful microbe stories in the industry.—District Manager, Philadelphia Record.

**"THE GRAPES OF WRATH" (20th-Fox)**

We wish we could use our usual simple language to tell the story of "The Grapes of Wrath." . . . . We don't think Hollywood has ever conceived a more honest, more important story.—Henry T. Murdock, Chicago Daily News.

This is a film that merits the term "great." Here is a film that merits the term "great." . . . . It's a moving picture, but not a pretty one . . . . It's drama at its starkest.—Dorothy Guinan, Philadelphia News.

Here is a film that merits the term "great." Here is a film that merits the term "great." . . . . It's a moving picture, but not a pretty one . . . . It's drama at its starkest.—Dorothy Guinan, Philadelphia News.

Perhaps one of the greatest pictures ever made and surely one of the most important . . . . In a word, it's a powerful picture.—District Manager, Philadelphia Record.

"Grapes of Wrath," a film, seems to pass on screen as in the novel, is a powerful social document of the times . . . . There's nothing phony about "Grapes of Wrath." There is high-powered compression of the essence of tragedy.—C. J. Bullet, Chicago Daily News.

"Grapes of Wrath," a film, seems to pass on screen as in the novel, is a powerful social document of the times . . . . There's nothing phony about "Grapes of Wrath." There is high-powered compression of the essence of tragedy.—C. J. Bullet, Chicago Daily News.

Although it is a question whether or not "The Grapes of Wrath" is to be classified as entertainment, there is no doubt about its qualifications as outstandingly different screen-fare.—Chicago Herald American.

The screen adaptation of John Steinbeck's powerful and much discussed novel comes to the screen with a power . . . . Here a powerfully simple and beautiful picture . . . . From every stand point this is one of the finest pictures ever made.—Chicago Daily Tribune.

**Theatre and Personnel Notes**

Form Theatre Company

MACON, Ga., March 10.—Earl Adams, Amusements, Inc., has gained a charter. The incorporators include: E. H. Macon, Robert G. and Fred Edwards and Mrs. Virginia Young Edwards, Tanda, Fla., and Herbert M. Thompson, Clinton, Iowa.

McConaughy Named Manager

INDIANAPOLIS, March 10.—C. E. McConaughy has been appointed manager of the Dream theatre here, succeeding Harry Nagel, who resigned recently because of ill health. The new manager formerly was in the office of Exhibitors Exchange, Inc., in Indianapolis.

Close Equipment Deals

Following theatres have closed new deals for the installation of RCA sound equipment: Star, Shreveport; Liberty, Salem, Ore.; Nitro, Nitro, W. Va.; Palace, Trumbull, N. Y.; Oat Harbor, Wash., and the Rex, Hammond, La.

After Virginia Theatre

MATHES COURT HOUSE, Va., March 10.—Robert Bertschiger, manager of the Be-Lo is planning extensive alterations and improvements, including a new color system, seating 500, a new front and marquee.

Two in Arkansas Town

MORRILLON, Ark., March 10.—M. S. McCord of North Little Rock plans to open a theatre here in the spring; the new, closed 300 seat building, has been leased to Sidney Metcalf and S. B. McSwain.

Reopen at Atlantic City

ATLANTIC CITY, N. J., March 10.—The Margate reopened for the coming season this Saturday. Wesley Watson, who was manager of the first opened last year, will again be in charge.

Plans Wauseon, O., House

WAUSON, O., March 10.—P. R. Tournery, who owns and operates the Wauseon house, has taken a lease on a storeroom in the business section, which house will be remodeled into a 300-seat theatre.

Parsons Universal Manager

KANSAS CITY, March 10.—G. C. Parsons, until last Fall Western sales manager for Republic, has been named branch manager of Universal here succeeding Lerojy F. Miller.

Form Virginia Firm

RICHMOND, Va., March 10.—A charter has been issued to Vernon Amusements Corp., Alexandria, Va., Elliott Hoffman of Alexandria, is president.

Virginia Firm Formed

ALEXANDRIA, Va., March 10.—Vernon Amusements Corp. has been chartered here. Elliott F. Hoffman is president.
Radio Brevities

The new Rudy Vallee show for Seaboard made its bow last Thursday in the half-hour spot left vacant by the parting of the \"Good News\" programs about a half-hour. While the Vallee and \"Good News\" programs have high comedy potentialities, but neither well-paced or sustained performance on the premise.

Vallee, in the role of Christopher Columbus, reminds himself an able comedian and the nature of the fantasy provides a wide range of humor for the rest of the cast. \"Slapstick Maxie\" Rosenbloom walked off with most of the laughs, however. The \"Good News\" show would do well to concentrate its time on Fannie Brice (Baby Snooks) and Hanley Stafford (Daddy) instead of merely giving a shorter version of its previous full-hour farce.

Both Dick Powell and Mary Martin are worthy additions to the cast and would do credit to any variety program but a half-hour is too short to do them all justice.

Personalities in the News

Thomas D. Connolly, of the CBS sales promotion department, goes to Atlanta on Wednesday to address the Atlanta Advertising Club on the influence of radio on the buying habits of America. . . . Dan Seymour, CBS announcer, will attend as master of ceremonies at the annual White House Correspondents \' Association Dinner Saturday night . . . Arthur F. Robb, editor of \"Editor and Publisher,\" will be the fifth member of the board of judges on the Town Hall contest for the best patriotic cartoon . . . Linda Hayes will appear opposite Charles Boyer on the Woodbury \"Hollywood Playhouse\" over NBC-Red at 8 P.M. on Saturday.

U. S. Radio Show Banned

Radio dramatizations by the Department of Interior for the purposes of influencing legislation were banned by the House of Representatives last week. The prohibition was written into the 1941 Interior Department appropriation bill.

Program News

Activities of chorus girls will be described on the 100th broadcast of the \"Americans at Work\" series over CBS on Tuesday, March 19, at 10:15 P.M. . . . S. C. Johnson & Son have received the \"Fibber McGee & Molly\" show for an additional 52 weeks, effective April 1 . . . The program is heard Tuesdays at 9:30 P.M. over 73 NBC-Red stations . . . Park and Tilford will sponsor a recorded five-minute series on Tuesdays and Thursdays over WEAF at 9:05 A.M. for 16 weeks, beginning tomorrow. The title is \"Heidi H. Plays Hoops.\" . . . \"Editorially Speaking,\" a forum discussion by magazine editors and writers, will start on WORCA tomorrow at 10 P.M. and will be heard at 10:15 on Tuesdays and Thursdays thereafter.

New CBS Studios Ready May 15

Seven new studios on 52nd Street for CBS will be ready for occupancy about May 15, the network announced yesterday. The building, on the site of the former Juilliard School of Music building, will have experimental laboratories as well as studios and will serve as an annex to the present CBS building on Madison Avenue, which is around the corner.

It will cost about $700,000, network officials said, and will be a first-class feature in the largest and the most modern equipment. Only two of the studios will be used to set large audiences.

Radio Versus Newspapers

\"As radio settles into the pattern which it eventually will assume, newspapers will regain the ground lost over the past 10 years,\" Mark F. Ethridge, vice-president of the Louisville, Ky., newspapers, said to the Cincinnati Advertiser Club recently. \"The public primarily wants entertainment from radio, with spot news as the next most popular feature. There is no competition between newspapers and radio, because newspapers provide elaboration of the material which radio is necessarily unable to do.\"

Rubin Asks Federal Court Practice

J. Robert Rubin, vice-president and general counsel of M.G.M., on Friday filed an application for admission to the U. S. District Court. Rubin will appear before Federal Judge Murray Hubert on March 15 to be officially admitted as a Federal Court advocate.

The petition is accompanied by affidavits of Samuel D. Cohen and David O. Decker, attorneys. Rubin was admitted to state practice in Rochester in 1906, according to the application.

Contract Record

For Terry-Toons

Theatre contracts for Terry-Toons have passed the 10,000 mark in the domestic market, a new all-time high for the cartoon subjects, according to Willam J. Clark, short subjects sales manager for 20th Century-Fox, which distributes the subjects.

One-third of the series were made in color last year for the first time. Paul Terry, producer, will increase the number of subjects in color this year.

\"The Human Monster\"

Bela Lugosi, who has scared the wits out of countless film fans with his portrayals of horror roles, provides new thrills and chills in \"The Human Monster.\" Under the able direction of Walter Summers, the story achieves and maintains an intensity that will fascinate those who enjoy this blood-tingling type of entertainment.

Lugosi undertakes the double role of a demented doctor and a kindly head of an institution for the blind. As Dr. Orloff, he obtains insurance on the lives of friends, drowns them and collects. As Mr. Dearborn, he conducts home for the sightless. Hugh Williams does a likeable job as the Scotland Yarn, parenthesis is called upon to solve the sudden appearance of a large number of bodies floating down the river. Diana Stuart supplies the human interest.

Most of the story's more gruesome moments are concentrated in the activities of Willard Walter, who, as a deformed blind giant, pursues and then devours Lugosi's victims.

John Argyle produced the picture in England. The stress on the horror angle may make it too strong for children's entertainment.

Running time: 73 minutes. \"A.\" 

Edward Greep

\"Wrath\" Pulls Good $13,500

Denver Lead

DENVER, March 10.—\"Grapes of Wrath\" drew $12,500 with several standouts at the Denver, the film being moved to the Aladdin for a second week. \"Broadway Melody of 1940\" took $11,000 at the Orpheum. Estimated takings for the week ending March 6:

\-Swiss Family Robinson\" (RKO) ALADDIN—$1,200 (25c-35c-40c) 7 days, 2nd week. Gross: $4,000. (Average, $570)

\"Gone With the Wind\" (M-G-M) BROADWAY—(1,200) (25c-35c-40c) 7 days, 2nd week. Gross: $5,000. (Average, $2500)

\"The Farmer's Daughter\" (Para) DENHAW—(1,750) (25c-35c-40c) 7 days. $5,000. (Average, $690)

\"Grapes of Wrath\" (20th-Fox) DEVEN—(1,225) (25c-35c-40c) 7 days. Gross: $2,500. (Average, $350)

\"Broadway Melody of 1940\" (M-G-M) NEW YORK—(1,465) (25c-35c-40c) 7 days. Gross: $3,000. (Average, $4200)

\"Invisible Stripes\" (W. B.) PARAMOUNT—(2,200) (25c-35c-40c) 6 days. Gross: $6,000. (Average, $9000)

\"Fraulein\" (M-G-M) RKO—(2,600) (25c-35c-40c) 7 days. Gross: $4,500. (Average, $670)

\"The Dark Command\"

RAOUL WALSH — DIRECTOR

RICHARD WINGATE — ADAPTOR

THE DARK COMMAND

\"The Dark Command\" is the story of the search for a \"radio alphabet\" which, when combined with secret codes, would enable the enemy to send messages undetected. The story opens in a London music hall, where an orchestra under the direction of Harry W. Davis (writer) is the subject of a manhunt by the Germans. The orchestra is led by a German spy, who is trying to capture the secret alphabet. The story then follows the band members as they escape to the United States, where they are attacked by the Nazis. The story ends with the successful capture of the alphabet by the American authorities. \"The Dark Command\" is a thrilling and action-packed film, with a plot that will keep the audience on the edge of their seats. The film is directed by Raoul Walsh, and the music is written by Richard Wingate. The cast includes a number of well-known actors, including Humphrey Bogart, Ingrid Bergman, and John Garfield. The film was released in 1940 and was a huge success at the box office.
Walter Wanger’s most important picture since his prize-winning “Stagecoach”. A RAFT of romantic dynamite for the ladies. Plus BENNETT as a smoldering invitation to the men...
France Plans New Rules on Remittances

U. S. Companies to Fight Use of '37-'38 Figures

New regulations governing the withdrawal of currency from France are expected to be drafted within the next few months by that government, according to foreign department officials here.

Current indications are that France eventually will permit withdrawals equivalent to half of the total withdrawals of American distributors during 1937 and 1938. French government sources already have requested American companies to report their currency withdrawals for those years.

Until this information has been given to the French authorities and the new fiscal policy determined, it is unlikely that any remittances from France will be authorized. Currency restrictions which made it next to impossible to obtain remittances were imposed by France about two weeks ago.

Since cash returns from the French market have been declining steadily (Continued on page 4)

Spotty Week-End

For N. Y. Grosses

Gross figures varied widely in Broadway first run houses over the weekend with business spotty for the most part.

At the Roxy, "Vigil in the Night," with a stage show opened big with an estimated $27,500 for the first three days.

Glenn Miller's band on the stage at the Paramount helped "Seventeen" to a strong gross of an estimated $40,000 for Saturday and Sunday. It should finish with an estimated $44,000 for its second week which ends tonight.

At the Music Hall, "Too Many"

(Continued on page 4)

Foreign Theatres in U. S. Suffering Lack of Pictures

Theatres devoted to foreign films are encountering difficulty because of the lack of product due to virtual cessation of production in France and other countries since the war.

French pictures have led other foreign-language product at these theatres, which multiplied throughout the country as French films improved in quality. The trend to the United States became a good market for the French producers, but they have been abandoned and the producers have been unable to complete their commitments.

As a result, no foreign films have been imported into the United States in the last September than propaganda films which as a rule do not fare well at the box-office.

A number of pictures have been brought in, but they were produced a year ago. Among them are "Harvest," "The Baker's Wife" and "The Human Beast."

Several French films that were rejected by American importers before

(Continued on page 2)

Actor Unions Pick Joint Committee Upon Television

Actor unions interested in unification of the television field have finally chosen their delegates to a joint committee. They are Walter N. Greaza, Actors Equity; Ruth Richmond, Chorus Equity; Florence Marston, Screen Actors Guild, and Emily Holt or George Heller, alternates, American Federation of Radio Artists.

The four will select a fifth member, probably Frank Gillmore, president of Associated Actors and Artists of America, the parent body. Greaza declared yesterday that the committee would be ready to start functioning this week, despite the fact that Gillmore will start on a vacation trip next Monday.

Greaza stated that there was sufficient agreement among the committee members to permit the committee to proceed in the absence of Gillmore.

Universal Doubles Its Net For Quarter

First quarter net of Universal Pictures Co. is estimated in Wall Street at approximately $300,000, or nearly double the company's net profit for the first three months of the preceding fiscal year.

Universal's profit for the quarter a year ago was $157,900. First quarter of the current year ended Feb. 1.

No Criminal Prosecutions, Says Arnold

No Criminal Allegations against Keenan

Doubts Chance of Trust Suit Settlement

The Federal Government does not consider complete prosecution of criminal actions against film executives for alleged violations of the anti-trust laws, Assistant Attorney General Thurman Arnold declared in a press interview yesterday.

Arnold once more discounted the possibility of a settlement of the New York anti-trust suit. The Government's aim is to win a court decree providing for the appointment of a trustee who would supervise the gradual sale of the majors' theatre holdings.

In the course of answering questions, he stressed the point that the Government lists of prospective witnesses include all persons who knew of alleged acts in restraint of trade and did not necessarily mean that those named would testify "willingly."

Among prospective witnesses were a number of large theatre operators who may be named defendants in future Government suits, Arnold explained. Some of the large circuit operators had been guilty of more serious

(Continued on page 4)

$9,404,800 Spent On Columbia Films

Columbia Pictures spent an estimated $9,404,800 last year on production. It was revealed yesterday in answers to Government interrogatories filed in the U. S. District Court. For the 1937-38 season, the company's production cost was $11,499,200, the answers stated.

Replicas to 59 Government questions put to Columbia in the New York anti-trust suit also detailed information on the company's stock structure and financial status. Answers, in ad

(continued on page 4)

Hayes Cites Gains In Picture Quality

INDIANAPOLIS, March 11—The constant improvement in picture quality noted in current outstanding product is the result of definite planning and a policy of lowwood production company's, Will H. Hayes stated while here over the weekend.

"There's just as much accident in

(Continued on page 4)
Disney's Stock Offer Expected This Week

LOS ANGELES, March 11.—A registration statement covering the contemplated first public offering of securities of Walt Disney Prod. may be filed this week.

The offering consists of 155,000 shares of six per cent convertible preferred stock of $25 par value. The issue will be underwritten by a group of investment bankers headed by Kidder, Peabody & Co. and Harriman, Kipley & Co. in New York and by Pacific Capital Corp. and Mitchell, Tully & Co. on the Coast. 1939 earnings of the Disney company are reported to have been in excess of $2,250,000.

Goldwyn Suit Plea By Korda Delayed

Applications of Alexander Korda and the London Film Productions to discuss the Goldwyn suit against them were postponed to April 2 in U. S. District Court yesterday.

At the same time, motions of Goldwyn to examine Korda before trial and of United Artists to compel Goldwyn to file an amended complaint were adjourned to the same day from March 15.

Columbia's Billings 40% Beyond Quota

Columbia's Montague 15th anniversary campaign, which started Feb. 17, has increased national billings to date on an average of 40 per cent over the quota set, company stated yesterday. Twenty-seven of 31 exchanges are ahead of their campaign quota and the remainder have exceeded average billings, it was said.

PROUD WORDS:

"I FLY UNITED"

Distinguished overnight sleeper and scenic daylight flights to LOS ANGELES. "The Continental," leave 5:15 p.m., and "The Overland Flyer," leave 10:45 p.m. Finest service aloft. Call travel agents, hotels, or

UNITED AIR LINES

54 E. 42nd Street
Phone M1U-27300

Circuit Net $94,640

MONTREAL, March 11.—United Amusement Corp., Ltd., operating about 20 houses in Quebec Province, reported net profit for the quarter ended March 31, $94,640, compared with $85,468 for 1938. The 1939 net was equal to $1.17 per share on the combined A and B stock at $1.05 in 1938.

Sentence Theatre Vandals

ST. LOUIS, March 11.—Earl A. Sizel, junior employed at the Fox, who pleaded guilty to slashing several hundred seats at the theatre, was sentenced to a year and one-half in the workhouse.

MOTION PICTURE DAILY
UNRIVALED PERFORMANCE

NO wonder cameramen place full confidence in Eastman's three negative films. They know that each offers specialized ability to meet modern production demands. Even more important, they know that every foot will have the same high quality, the same unvarying dependability. Eastman Kodak Co., Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

PLUS-X for general studio use

SUPER-XX for all difficult shots

BACKGROUND-X for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
No Criminal Prosecutions, Says Arnold

(Continued from page 1)

ous practices than the majors, he contended.
The Government is not interested in criminal prosecutions, Arnold said, because it had "acquired" to a number of business transactions negotiated by the majors. In view of the Government's former stand, there was no warrant for criminal actions.

Arnold asserted that the Government intends to push the suit to an immediate trial. He told the press that discussions had been made by the Department of Commerce had resulted in two years of talk without any tangible results being reached.

Continuing in this vein, Arnold quoted at the possibility of settlement. The Government's views have been expressed conclusively in a release issued at the time suit was filed, he said.

For the first time, Arnold revealed that Special Assistant Attorney General Paul Williams was definitely slated to try the suit for the Government.

Arnold expressed his determination to take the case up to the Supreme Court, if necessary. He denied that the defendants would act similarly. The Department was somewhat handicapped in the prosecution of the suit by being shornheaded, he said.

No prediction can be made as to the length of the trial, Arnold declared. In clarifying his remarks upon what the Government would require in a court decree, Arnold stated that the nation should immediately deprive of theatre control. However, to prevent a suddenly depressed theatre market, sale of the majors' circuits might be prolonged over a 15-year period, he concluded.

'Virginia City' Group Leaving Tomorlou

(Continued from page 1)

leaving at 4:30 P. M. will be the following Hollywood stars and correspondents: Trade Review; Jay Emanuel, The Exhibitor; Sam Shain, Motion Picture Daily; George Tucker, Associated Press; Ira Wollfert, N.A.A.A.; Lucius Baebe, Herald-Tribune Syndicate; Howard Barnes, New York Herald Tribune; Frank Farrell, New York World Telegram; Eileen Creelman, New York Sun; Jack Laight, New Daily Herald; Jack Ullman, Brooklyn Eagle; Ely Jacques Kahn, The New Yorker; Frank Timsley, Reuter's; Andre Peron, Havas Agency; Joe Miller, Philadelphia Inquirer, and Elsa Finn, Philadelphia Record.

home office representatives include: Jacob W. Ochs, head of the Ochs, John Harkins and Sidney Rechelkin, Dr. Duncan Emrich of Columbia University, and his wife who will also be members of the party.

The Eastern group will be joined in Chicago by a delegation from the major house personnel from New York to Truckee, Cal. There they will meet the "Virginia City Special," carrying Hollywood stars and correspondents and Warner studio executives, headed by Jack L. Warner, Hal B. Wallis and S. Charles Einfeld.

Hollywood Review

"The House of Seven Gables" (Universal)

Hollywood, March 11.—Deep and long standing in American memory is Nathaniel Hawthorne's novel of early New England, here filmed with care and thoughtfulness. The picture is solid, upstanding entertainment. George Sanders, Margaret Lindsay, Vincent Price, Dick Foran, Evan Grey, Süssan Miller and Cecil Kellaway head a cast excellently directed by Joe May. It is a Burt Kyle production, a well planned and executed job, and it is beneficiary of some outstanding enterprise on the part of art director Jack Otterson.

The Hawthorne deals colorfully with such matters as a curse supposedly hanging over a house with seven gables, the people who live therein, their affairs and destinies. As adapted by Harold Green and prepared for the screen by Lester Cole, no gestures toward the "spooky" are indulged in. The story is fundamentally mental, the plot is worked out in the fine detail. It lays commanding hold on attention and retains it to the end.

Running time, 88 minutes. "G."

Roscio Williams

Complenting U.A.'s New Season Plans

(Continued from page 1)

Holding of the United Artists board which will be held there this week, Edward C. Marcarelli was appointed president by the board. Maurice Silverstone, United Artists' chief executive, and Charles Schwartz, Korda's attorney and board member, will return from the Coast later. Lynn Farmol, advertising and publicity director, is expected to leave from the Coast by plane tomorrow.

Among completed United Artists releases are "The Westerner," "Rebecca," "My Son, My Son," "Our Town" and "One Million B.C.

"Rebecca" is scheduled to open at the Music Hall March 25 and will be followed there by "My Son, My Son." "Our Town" also will have its New York premiere at the Music Hall. "House Across the Bay" will have its first run here at Loew's State, with a minimum booking of two weeks starting March 21.

$9,408,400 Spent On Columbia Films

(Continued from page 1)

dition, listed production costs for the seasons of 1928-29 through 1936-37.

Columbia maintained in its answers that it is an independent producer and distributor and has been since its organization in 1924. The company employs 1,200 persons in production and 1,050 in distribution, according to the replies.

Answers also stated that Columbia, a fixed outstanding indebtedness of $1,250,000 in the form of a six-year sinking fund indenture which is being repaid $250,000 yearly.

Examination before trial of Gladwell, Sears, vice-president of Warner Brothers in charge of sales, will be conducted in an effort to testify yesterday but his examination was postponed.

Leases Filmarle

Esperia Film Distributing Co., distributor of Italian-made films, has leased the Filmarle Theatre, W. 58th St., foreign picture house, and will soon reopen the theatre with "The Life of Giuseppe Verdi." The theatre has been closed for some time.

Spotty Week-End

For N. Y. Grosses

(Continued from page 1)

Husbands" with stage show, garnered an estimated $99,500 for the first four days, with $70,000 for the next four days. "Three Cheers for the Irish," with Johnny McGee's band and Mort Downey on the stage at the Strand drew an estimated $14,000 for the weekend. The Astor continued at capacity for the 12th week of "Gone With the Wind" and an estimated $22,000 on the parties.

"Pinocchio," in its fifth week at the Center, should bring an estimated $7,000. The first week of "Castle on the Hudson" took an estimated $12,000, unusually high for the house, and is being held over. "The Marines' Fly High" grossed an estimated $7,000 at the Rialto and was replaced Saturday by "Double Alibi.

New films opening on Broadway this week include "Road to Singapore," with Tommy Dorsey's band on the stage at the Paramount set for tomorrow, "Young Tom Edison" at the Music Hall Thursday, and "My Little Chickadee" at the Roxy Friday. The Earl of Clarendon" bow at the Criterion on Thursday.

"Wind" Subsequent To St. Louis March 28

First subsequent runs of "Gone With the Wind" other than in New York, where they have been set for St. Louis, where the film will open March 28 at the downtown Empress and uptown Esquire. The film recently completed six-week run at Loew's State in St. Louis.

The picture will play four groups of Loew's neighborhoods in Greater New York, starting at the Paradise and Valencia March 21, with other openings scheduled March 28, April 4 and April 11.

Fidler to State's Stage

Jimmie Fiddler, Hollywood news commentator, whose radio contract on CBS extends from April 23 through 24, will do personal appearance engagement at the State on Thursday. The supporting company includes Helen Mack, Olympe Bradin, Edith Fellows, Michael Whalen, Peter Lind Hayes and Mary Healy.

France Plans New Rules on Remittances

(Continued from page 1)

during recent years, American distributors are seriously concerned over French restrictions on imports. As of March 1937-38 withdrawals were the basis of the regulations. Due to current world endeavors to have 1936 withdrawals, which were good by comparison with those for the two subsequent years, accepted as a basis, and foreign department officials point out that France has accounted for half as much foreign revenue during recent years, whereas formerly withdrawals were about twice that amount.

To pick two low years as the basis for future withdrawals and then authorize only a percentage that averages withdrawals to this country would affect some companies so seriously that they might be forced to discontinue business in France entirely, it was said.

Taxes, print and labor costs and decreasing film rentals account for the decline in business in France, it was said. The decline has reached such proportions that some companies have decided to shut operations in France and to lose out in a loss.

Hays Cites Gains In Picture Quality

(Continued from page 1)

the current run of high-grade pictures as a Swiss watch is an accident," Hays said.

"The producers are facing the job of turning millions of casual moviegoers into steady patrons. Pictures that are good entertainment are the best way to do the job."

Hays said that far from making a peak, the pictures which are being acclaimed today are part of a steady upward progression in quality that has been under way more than a year.

Four Companies Formed

ALBANY, March 11.—Four motion picture firms have been incorporated in this city. They are the Albany Recreation, Inc., by David H. Jackman, John E. Cosgrove and Edwin M. Little; the Milk, Heads, Inc., by Peter A. Lewis, Florence Abramson, and Josephine Langfelder; Ruth Amusement Corp., by Frank Schwartz, Bels Spira, Harry H. D'Amato and Todalo Picture Corp., by Robert Morris, Barnett M. Kaplan and Solomon Granet.

Rites for John Meador

Funeral services for John Meador, 54, former publicity executive with the Sayles Film Corp., were held yesterday at the McGrath Funeral Home in Bronxville, N. Y. Meador died after a month of hospital after a long illness. The body was cremated at Ardsley, N. Y.

Walter Logan Dies

Cleveland, March 11.—Walter Logan, music director here for NBC and associated with WTMN for 17 years, died today of a heart ailment.
DID YOU SAY
HIGH INTENSITY LIGHT
WITH ONE KILOWATT?

Yes!

THIS IS WHAT THE SMALL THEATRE
HAS BEEN LOOKING FOR

"ONE KILOWATT" ARC

High intensity projection light at a power consumption of approximately ONE KILOWATT at the arc is no longer a dream. New projection lamps, both AC and DC, are now on the market which make this dream a reality.

These latest developments in projection light equipment give the small theatre, with screens up to 18 foot width, an economical source of snow white projection light, a high level of screen illumination and perfect color projection.

ASK YOUR DEALER TO SHOW YOU THESE NEW LAMPS

NATIONAL CARBON COMPANY, INC.

Unit of Union Carbide and Carbon Corporation
Carbon Sales Division, Cleveland, Ohio
GENERAL OFFICES
30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES
New York, Pittsburgh, Chicago, St. Louis, San Francisco
**33 New Films Are in Work In Hollywood**

Hollywood, March 11.—Thirty-three pictures were before the cameras this week, M-G-M leading the parade with nine films shooting. Six were started and nine finished. Twenty are being prepared and 60 are being edited. The tally by companies:

**Columbia**

Finished—"The Man Who Would Not Die." Started—"Dead Man Island." M-G-M


In Work—"Tom Brown's School Days," "Saint Takes Over." Republic

In Work—"Grandpa Goes to Town," "Young Buffalo Bill," "In Old Missouri." Started—"Women in War." Hal Roach

In Work—"Turnabout." In Work—"South of Pago Pago." 20th Century-Fox

In Work—"Lillian Russell," "Maryland," "Rogue of the Rio Grande." Universal

Finished—"Night of a Thousand Years." In Work—"Sandy is a Lady," "If I Had My Way." Started—"I Can't Give You Anything But Love, Baby." Warners

Finished—"An Angel from Texas." In Work—"The Sea Hawk," "All This, and Heaven, Too," "Torrid Zone," "Flight Eight." Two Fledged Heavily For Running Bingo

HARRISBURG, Pa., March 11.—Two defendants in Dauphin County Court today on charges involving the operation of Bingo, were fined $130 each and directed to pay costs.

This is the first sentence in the local court's documents that deals with the Bingo game and followed the first arrests in that connection ever made in the county. Defendants—Frank P. Backstrom, operator of the place, and Charles C. Kral, east of this city, where the games were played, and Enos Floyd, Rhenes, who operated the games. Twenty-five children were among the 50 players around the boards when a raid was made Feb. 14.

**Gracie Allen’s Publicity Stunt May Result in Film**

Hollywood, March 11.—Hollywood has been full of publicity stunts since its inception. Some of them have been good, others not so good. But one publicity stunt at present is like a proverbial snowball, and may result in being the plot of a motion picture.

Some weeks ago, Gracie Allen registered her publicity stunt with Tom Findlay, Inc., Hal Roske, western publicity director for CBS, and other CBS executives who were working up publicity in collaboration, decided that she should make a campaign for the United States presidency.

Since then, she has appeared on almost every major NBC and CBS program, in addition to her weekly rental"Grandpa." She has appeared on CBS' Hinds Honey and Almond Cream show, plugging her candidacy. Fan mail grew, public interest grew, and sales are reported nominal. And not by her press agents—that several studios are interested in the idea as the theme for a picture starring her.

Twentieth Century-Fox has begun preparations for the remake of a picture that in 1922 took one year to make—"Down to the Sea in Ships," a whaling film which brought Clara Bow into the limelight. The film is on the 1940-41 schedule as a high budget production and Darryl F. Zanuck has already selected the winner of the Academy special effects award, taking background scenes on location at Monterey.

Another note from 20th Century-Fox is that portions of Shirley Temple's earlier films will be used in her current vehicle, "The Young People," but it will not be a cavalcade of her screen career, as previously reported by columnists. Miss Temple will play the role of a youngster in vaudeville, born to vaudeville artists. The song and dance numbers of her previous films will be utilized, but much is in the process of "growing up" as a performer to her present age. Jack Oakie, Charlotte Greenwood, and Arleen Whelan have the leading adult roles.

Walter Wanger's film, "Personal History," inspired by Vincent Sheean's non-fiction best seller, will give screenplay credit to six writers (Herschel A. Shary, Charles Bennett, Robert Bencich, Alfred Hitchcock, Joan Harrison and Alma Reville). Selection of the credited number. However, changes may be made in the final listing for the main lead. "Personal History" is to star Shirley Temple, James Cagney topping the cast. Shooting on "The Long Voyage Home," to be made for Wanger by Argosy Pictures (Horace Bennett, Ford and Dudley Nichols) will start about April 15. It is adapted from a series of one-set plays by Eugene O'Neill. One character is a woman named Thomas Mitchell will get top roles.

Arturo Godoy, who traded blows with Joe Louis for 15 rounds, and his wife, Lydia, have been signed by Republic to appear in the currently shooting Higgins Family picture. "Grandpa Goes to Town." Goos, and Maxie Rosenblum will do a cinematic boxing exhibition.

**Variety Guild Increases Its Union Power**

American Guild of Variety Artists has further consolidated its strength behind its organization drive, setting picture houses, vaudeville circuits and clubs by joining the Theatre Trade Council of which it is a member. It is also vowing that it will submit a proposal to the Brotherhood Artists Association, union of performers in the burlesque field. The other major month's A.A.A. and its members will join A.G.V.A.

A.G.V.A. received assurances from other unions in the Theatre Trade Council that they would support the vaudeville union in all negotiations with Hoyt S. Haddock, A.G.V.A. executive secretary declared. Unions which compose the council include Operators Union Local 306, Studio Mechanics Local 52, Cameramen's Union Local 644, Musicians Local 80, Stagehands Local 1 and 4, Scenic Artists and Theatre Teamsters.

None of the other actor branches of the Associated Actors and Artists of America is a member of the Council.

A.G.V.A. is scheduled to start negotiations with Broadway film presentation houses this week. There have been several preliminary discussions. The support of the mechanical union could aid these negotiations materially, Haddock said.

The move to have B.A.A. drop its identity and join A.G.V.A. is in the interests of greater unionization of the burlesque field, union sources declared. It was pointed out that B.A.A. has obtained favorable contracts that they would support, and not only that such organization could be extended nationally by A.G.V.A.

A.G.V.A. has obtained 10 contract agreements with vaudeville and burlesque clubs. It was disclosed, then, that the Greater Exposition Shows Union, Chicago, Bedcan & Gerty Royal American, Family of Little Rubin & Cheny Exposition, Gold Medal Show, The Mighty Sheepl, Sally Lunn's Shows, Apollo Shows, and Dodson & Baillie's World's Fair Shows.

**Nick and Weston Seeking New Trial**

St. Louis, March 11.—A motion for a new trial has been filed by John P. Nick and Clyde A. Weston in the suit in which Judge Ernest F. Oakley ousted them from control of the operators' union. Local 143, permanently enjoined them from interfering with its management, and imposing a money judgment requiring them to account for union funds and appointed two permanent receivers for the local. In a case in which Nick and Weston were charged with extorting $6,500 from theatre owners in 1937 has been continued until the April 10 term of the Circuit Court. The continuance was granted because of Weston's illness of a heart ailment and the desire to prepare a contempt motion and possible picture in the St. Louis Post-Dispatch in connection with the dismissal of the $10,000 execution charge against Edward M. Brady.

**Indiana ATO Hits 16mm. Competition**

It is the responsibility of the producers to see that no feature pictures, either 35mm. or 16mm. be made available for rent in their motion picture theatres. Any one operating in competition with established motion picture theatres, the Associated Theatre Owners of Indiana, Inc., declare.

The statement, issued over the signature of Don R. Rosister, executive secretary, maintains that the firm operator is delivering to public without admission charges entertainment upon which the theatre owner must depend for a living. For producers to make features available to 16mm. operators, who pay a minimum rental film rental and exhibitor pictures without admission charge, is totally unfair," the statement said.

**Six New Films Win Legion Approval**

National Legion of Decency has approved six of the seven films reviewed and classified for the current week, four for general patronage and two for special family. The classifications are: four permanent and one temporary in part. New films and their classification follow:

Hollywood Review

“A Bill of Divorcement” (RKO)

Hollywood, March 11.—The problem of inherited insanity is handled with consummate grace and skill in this latest rendition of Cлемence Dane’s stage play to be brought to the screen.

Marjorie O’Hara further established her abilities as the daughter who sacrifices her love because of the mental taint in her family, a role previously enacted by Katherine Hepburn, in 1932, and by Constance Binney 10 years prior to that. The girl’s father, whose unexpected return from an asylum causes her realization that he is insane rather than suffering merely from shell-shock, is portrayed by Adolphe Menjou with finesse and understanding, John Barrymore having had the part in the earlier RKO version.

March 6-8: Gross: $47,200. Young woman’s marriage in order that the other may marry the man she loves, her lover being enacted by Herbert Marshall. Completing the major characterizations is that of Dame May Whitty as the tyrannical aunt.

Refining the action almost completely to the interior of the family’s English home, producer Robert Sisk and director John Farrow have accentuated subtly the underlying blackness of the story, with Dalton Trumbo’s screenplay bearing the same emphasis. Lee Marcus was executive producer.

Running time, 73 minutes. “A.”

WALTER Selden

4th denotes adult classification.

Producers Accused

By NLRB’s Report

Washington, March 11.—Prompt action will be taken on the report filed over the weekend by Trial Examiner J. J. Fitzpatrick recommending that eight motion picture producers be required to cease interfering with the right of their employees to self-organization and that seven of them abandon the contract with Screen Playwrights, Inc., it was said at the National Labor Relations Board today.

The report, summarizing the investigation and hearings held in Los Angeles last August, charged Universal, Selznick International, 20th Century-Fox, Loew’s, Inc., Warner Brothers, RKO, Columbia and Paramount with interfering with and maligning their writers’ activity in the Screen Writers’ Guild. The companies had contracts with Screen Playwrights, formed, it was alleged, as a result of the producers’ efforts to break up the Guild.

The N. L. R. B. certified the Guild as the bargaining representative of the writers in August, but, although its efforts to bring about a peaceful solution of the controversy were futile and several attempts to negotiate a settlement proved unsuccessful. Walsh Moving Office

George Walsh, operator of Paramount Wometco theatres upstate, will move his headquarters to the Paramount home office from Poughkeepsie in the near future. The move is said to be only for increased convenience and efficiency in buying and booking, which is conducted with exchanges here.

English Company

To Distribute Here

Albany, March 11.—Pinebrook, Limited, the English producing company, has filed a designation with the Secretary of State for permission to do business in this state. Pinebrook is chartered to conduct a “cine-photograph, television films and motion picture business.” Spencer, M. L., is named as a director and M. L. Axworthy as secretary.

At the offices of Fileson & Mayer, attorneys for Pinebrook, it was said that the company intended to distribute films here and that the filing was a necessary preliminary step. Although there are no definite plans at present, an announcement will be made in the near future, it was said.

Los Angeles, March 11.—“Grapes of Wrath,” in a first week at the 4 Star, Chinese and Loew’s State, grossed a total of $44,500 at $14,500 at the Chinese, $9,000 at the 4 Star and $21,000 at Loew’s. It will continue at the 4 Star but be replaced after one week at the other two.

Estimated takings for the week ending March 6:

“Gone With the Wind” (M-G-M)

CARTHAY CIRCLE—$1,049 (3d-$1.50) 7 days. Gross: $16,200. (Average: $2,029)

“Grapes of Wrath” (20th-Fox)

CHINA—$1,437 (30c-75c) 7 days. Gross: $14,500. (Average: $2,071)

“Grapes of Wrath” (20th-Fox)

LOEW’S STATE—$1,316 (30c-75c) 7 days. Gross: $13,600. (Average: $1,943)

“Pineapple” (RKO)

PANTAGES—$1,000 (30c-65c) 6 days. Gross: $1,000. (Average: $166)

“Adventure in Diamonds” (Para)

PARAMOUNT—$1,258 (30c-65c) 7 days. Gross: $1,519. (Average: $217)

“Blondie on a Budget” (Col.)

WILLIAMSON—$1,000 7 days. Gross: $1,000. (Average: $143)

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WILLIAMSON—$1,000 7 days. Gross: $1,000. (Average: $143)
Television Idea Century Old, First Picture Sent in 1906

Television, unlike many fields of scientific endeavor, was conceived long before it could possibly be accomplished whole-scale for scanning and reproducing.

This fact is pointed out in a new brochure prepared by the RCA Manufacturing Co., called “Television,” in which a program of simplifying television is described. The simplicity of what television is and how it works.

“The basic methods of providing sight-at-a-distance were deliberately sought by inventors,” the booklet points out, “some of whom arrived at the solutions for the problems long before the nucleus existed for carrying out their ideas.”

The booklet cites the following dates, each a step in the development of television:

1847—Bakewell presented the “copying telegraph,” using scanning.
1873—May discovered photo-electric properties of selenium and attempted to use it for picture transmission.
1887—Cary proposed bank of selenium cells and lamps for breaking up pictures and sending elements over wires.
1884—Nipkow proposed the rotating disc for scanning and reproducing.
1900—Elster and Geitel invented the phono-electric cell.
1905—Rignoux and Fournier sent a crude picture over wires.
1906—Deforest invented the vacuum tube amplifier.
1907—Rosing and Campbell Swinton proposed the cathode ray tube for television.
1909—Knudson sent a drawing by radio.
1923—Jenkins and Baird transmitted pictures by wire.

The decade from 1928 to 1938 was devoted to the more recent phases of television development, starting with the establishment of the RCA television laboratory in 1928, coordinating work of General Electric and Westinghouse.

In 1938, it is explained, was put into use television field pickup equipment and commercial type television station equipment was made available.

Election of Mears As CEA President

Scheduled Today

London, March 11.—Harry P. E. Mears, vice-president, is expected to be elected president of the Cinema Exhibitors Association at the annual general meeting of the C.E.A. tomorrow. Mears will succeed E. J. Hingham.

Sidney K. Lewis, at present delegate from the Birmingham and Midlands Branch, independent operating the Victory (Loughborough), will be elected vice-president, succeeding Mears.

The only major subject scheduled for discussion involves wartime procedure and a proposal to enlarge the executive committee during the war to include three circuit representatives without election. It is expected that independent theatre representatives will raise objections to such a move.

The annual C.E.A. banquet will be held tomorrow evening at Grosvenor House, with Sir John Keirs, Minister of Trade and Industry, to make the chief address at the banquet.

Grand Jury Urges Price Cut for Youth

MINNEAPOLIS, March 11.—A reduction of the admission prices for youths between 12 and 18 years of age would result in a decrease in juvenile delinquency, according to the Hennepin County Grand Jury, now in session here.

In a letter to Theodore Hays of the Minnesota Amusement Co., the jury requested such prices be cut to 10 cents an opera since a large percentage of the juvenile delinquents in the county are under 18 years of age.

Start Weekly Vaudeville

NEW HAVEN, March 11.—The Bijou, Loew-Poli subsequent run house here, has started regular weekly vaudeville the only house here using stage shows regularly.

Radio Brevities

BETTE DAVIS has agreed to make a third appearance on the Screen Guild Theatre over CBS. She and James Cagney, who was recently married for the third time, are the only S.A.G. members who have contributed their services to three productions. Performers who have agreed to be paid, all funds received going to the Motion Picture Relief Fund.

Commentators Honored

Three commentators have been honored by the New York State Board of the Woman’s International League for Peace and Freedom for fair presentation of war news—Elmer Davis, of CBS, Raymond Gram of Mutual, and Quin Hoe, of WQXR.

Personality in the News

David C. Little, formerly in charge of aviation activities for RCA Manufacturing Co., is now in service lines as a radio engineer. . . .

H. C. Jones, sales manager of KYW Philadelphi-a, came to town yesterday... .

John Benson, conductor of the WOR studio orchestra yesterday... .

Theresa Helburn, of the Columbia Broadcasting System, told Mrs. Ilka Chase’s guest on “Lunchon the Waldorf” over NBC-Blue at 1:30 Saturday.

Hockey Broadcast from Boston

Capitalizing on the closeness of the Boston Garden to Fenway, WHN which broadcasts the game from Madison Square Garden on the Boston Hockey League radio, will broadcast WHN which broadcasts the game from Madison Square Garden on the Boston Hockey League radio.

Program News

Sylvia Alguscher started a new record series over WHN last night and will continue her quarter-hours strip. Mission Bell sponsor seven quarter-hour broadcasts, while Mission Bell sponsor seven quarter-hour broadcasts. When Mission Bell sponsor seven quarter-hour broadcasts.

Two More NBC Stations

Two new stations will affiliate themselves with NBC this month, network officials announced yesterday. O March 5, KYUM, Yuma, Ariz., operated by the Yuma Broadcasting Co. of which John H. Huber is president, will join KYW which has 250 watts, day and 500 watts, night, and has been an open circuit for the last 30 months. The other station, WFMU, Youngstown, O., operated by William F. Maag, Jr., on 1,230 k.c., with 500 watts, full time, joins on March 2-3.

Aid for Metropolitan Opera

In a tieup between the Metropolitan Opera and Warner Bros., old handbills and programs used during the past performances at Piper’s Opera House in Virginia City, Nevada, will be auctioned on Saturday at Virginia City in connection with the premiere of the Warner Bros. film. Proceeds of the sale will go to the Metropolitan Opera in the sum of $1,000,000 for which it is well safeguarded.
Hays Cites Growth Of Self-Regulation By Film Industry

In the past 18 years the film industry has endeavored "to build up a successful system of self-regulation with the least possible Governmental regulation," Will H. Hays said last night in addressing students of engineering at Princeton University.

"The industry has stood ready to cooperate and has cooperated with public authority in every way, endeavoring always to maintain that proper relation which a great industry should maintain to its Government," Hays said.

Reverting industry statistics, the M.P. P. D. A. president told his audience that one-ninth of the world's population goes to motion picture theatres weekly; that the 17,000 theatres in more than 9,000 cities and towns in the United States pay some $150,000,000 for rent, maintenance, taxes and interest, and some $50,000,000 for light and heat.

He estimated that 65 per cent of the total receipts of these theatres remain in their individual communities.

Hays said the industry employs about 300,000 workers at an annual payroll of $369,000,000; has a capital investment of $1,885,000,000 in the theatres, $100,000,000 in studios and $20,000,000 in distribution facilities. It has an annual Federal tax bill of $100,000,000 and spends $80,000,000 annually for advertising, he said.

U.S. Questions Sears, Calls Skouras and Schenck Next

Gradwell L. Sears, vice-president of Warner Brothers in charge of sales, described his company's distribution policies at a pre-trial examination yesterday in the New York anti-trust suit. Sears will continue his testimony today.

Spyros Skouras, head of National Theatres, is slated to testify on March 18 with Joseph M. Schenck, chairman of the board of directors of Twentieth-Century Fox, following him. Y. Frank Freeman, vice-president of Paramount, will take the stand on March 20.

Sears claimed that his production company never discussed with affiliated theatre companies the terms upon which pictures were sold to competing theatres. He added that Warners had no regular method of handling complaints on clearance made by exhibitors.

In distributing films and determining rights, it did not make the "slightest difference" whether or not the customer was affiliated with a major company, Sears declared. Generally, in choosing theatres for first run showing, Warners was guided by the thought that it must secure the best possible return for its films, he said.

The examination was enlivened by a stream of objections to questions interposed by attorneys for the majors.

A number of questions on the general policy of Warners, asked of Sears by Special Assistant Attorney General Robert L. Wright, were termed "vague and ambiguous" by objecting attorneys.

R. W. Perkins, counsel for Warners at one point in the examination, complained that the Government is attempting to apply inflexible rules to a highly complex method of doing business.

Radio Corporation of America expects to complete construction of its new television relay system to Philadelphia before the end of 1940, it was announced yesterday by David Sarnoff, president.

This will be the first relay system which will have booster stations every 30 miles. In Schenectady at the present time there is a pickup, or re-broadcast system, which differs from the relay system.

At the same time, RCA Manufacturing Co. announced a drive to sell $8,000,000 in home receivers to the public in the metropolitan New York area, increasing the number of sets in use from 1,500-2,000, the present estimate, to about 25,000 sets.

Alfred H. Miron, vice-president in charge of television for NBC, announced an extension of programs over W2XBS by gradually increasing the number of hours used for telecasting and improving the quality by including top-notch radio shows over television.

Principal factor in the sales cam-

(Continued on page 8)
Theatres Still Push Finnish Aid Drives

Despite the fact that the Finnish Relief Fund drive for funds in theatres was scheduled Feb. 17 and 18, hundreds of theatres are holding their own drives and setting their own dates, Fund headquarters stated yesterday.

The Fund has been advised by 35 Illinois theatres that they will sponsor lobby collections in the next two weeks. Kentucky exhibitors also will hold their drive this month.

The Massachusetts committee is organizing its drive which will be held in the next few weeks, with Martin Wallin, circuit operator, assisting.

"Finland Fights!," short subject produced by the Fund, has been shown to more than 10,000,000 persons in 615 theatres, according to the Fund.

Wilcox Will Confer Here with Schaefer

Herbert Wilcox, RKO producer, who arrived from the Coast yesterday, will be in the Eastern office today. While here he will confer with George J. Schaefer, RKO president, on production plans and with S. Bar- nett McCormick, advertising and public-relations director, on campaigns for "Irene," which he completed recently.

Wilcox also will visit the British Embassy in Washington to discuss business and personal affairs.

W. E. Dividend Set

At a meeting of the directors of the Western Electric Co. yesterday a dividend of 75 cents per share on the common stock was declared. The dividend is payable March 30 to stock of record on March 25.

Luxurious Skyliner's

Stop your way over Ohio, plans and dreams. Wake up to commerce! Only America flies the smooth, Southern Sunshine Route.

Flies American's

Southern Sunshine Route

Overnight to California

And the Sun Country

FOUR TRANSCONTINENTAL FLIGHTS DAILY

• It's a delightful night's sleep to California! Only American! "New American Visa to American Airlines!" New service! departing New York to San Francisco at 9:30 PM, itinerary: New York, Los Angeles.

• Concourse lounge, Washington D.C.: Travel Again or 6:14am.

• Flying to Youngstown, Ohio, and Rockford, Ill.

AMERICAN AIRLINES, Inc.
ROUTE OF THE FLAGSIPS

A Purely Personal

NATHAN E. GOLDSMITH of Western Massachusetts Theatres, Inc., with headquarters in Springfield, will return from a two-week vacation at Hollywood, Fla.

L. E. GARES, Harry Trobee, Tom Locich, Bob Savin, Joseph Blunkett, Joseph Siedschmen, Harry Gortz, Bud Rogers and Ken Wilcox, all from "The Right Goldstein's" tavern yesterday.

James J. Grady, Cincinnati 20th Century-Fox manager, is the father of a six-and-a-half-pound son, their sixth child, born to Mrs. Grady at the Good Samaritan Hospital.

Brenda Forbes, Thomas Mitchell and Harry Turner will be among the guests of honor at the luncheon of the Banquets, newsmen's clubs, club, at the Waldorf-Astoria tomorrow.


William Taylor of the Commercial National Bank, New York, and Matthews J. Fox, Universal vice-president, will leave for the Coast by train on Friday.

Lee Garofy arrived from the Coast yesterday with a copy of "Beyond Tomorrow," his first Academy production for RKO release.

Don Higgins, publicity director of the March of Time, sails today on the Oriente for a brief vacation at Havana.

Harry Brandt, head of the Brandt circuit, will be in Washington Friday.

At Gold, Movietone News cameraman, has returned from Miami.

Dave Carter of the RKO home office is in Cincinnati.

Ampa Will Nominate For April 4 Election

An Ampa nominating committee will be elected at a luncheon meeting tomorrow at Dempsey's restaurant. The committee, which will choose a slate of officers for the coming year, will report on its selections at a meeting March 21. The elections will take place April 4.

Erpi President Returns

T. Kennedy Stevenson, Erpi president, returned from a three weeks trip of Coast visit yesterday. The trip, he said, was his first visit to the company's Hollywood office but had been advanced in order to permit him to attend the Awards dinner of the Academy of M. F. Arts and Sciences.

Films Seized in Raid

PHILADELPHIA, March 12.—Police seized more than 100 reels of allegedly obscene films and a projector in a raid late yesterday in a camera supply house in midtown. They arrested Benjamin Malcan who was held under $3,500 bail pending a hearing Saturday.

Arrival of Sudden Welles and Myron Taylor in Italy is important in connection with the amicable settlement of their disputes. Details and their contents follow:


Rites Here Saturday For Phil Lonergan

Funeral services for Phil Lonergan, 52, veteran scenario writer who died of a heart attack in Hollywood last week, are to be held at St. Mary's Church, Los Angeles, R. C. Church (The Actor's Church), 49th St. West of Broadway, on Saturday at 10 A.M. Burial will be in St. John's Cemetery, A sister, Elizabeth Lonergan, is accompanying the body from Hollywood.

1943 Louisiana film is the then-famous Thanhouser Co., as scenario editor. He also worked for World Film, Warner Brothers and Distinctive Pictures in New York.

Going to the coast in 1914 he became scenario editor for Reliance- Mfg. Co. with David O. Griffin. He returned to the Thanhauser Company in 1916, joined Warner Brothers in 1923 and wrote many screenplays:

ROCKETEER (1908)

(Registered U. S. Patent Office)

Published daily except Sunday and holidays by Quiqley Publishing Company, 100 West 46th Center, New York City. Telephone Circle 7-3100. Address all communications to 10 W. 46th St., New York City, N. Y. "Man- in-Shadow," by Quiqley, Editor-in-Chief and Publisher; Calvin Quight, Vice President, General Manager; Watsoner R. Hotchkiss, Vice-President; Sam Shahid, Editor; James A. Lee, Advertising Manager; Chicago Bureau; 35 South Michigan Avenue, Chicago, III. N. Y. Postal Union Life Building, Boone Mancini, manager, William J. Weaver, Edwin Lederer, Bureau A, and Golden Sussman, London W1, Hope, Williams, manager, cable address "Quiquipsen, Lon- don," All contents copyrighted 1940 by Quiqley Publishing Company. Other Quiqley publications: "Motors Picture Herald," "Motion Picture Daily," "New York Times." "Films Seized in Raid" published in "Motion Picture Daily." Subsequent subscriptions per year $9.00 to members of the Academy of M. F. Arts and Sciences. Single copies 10c.
**Motion Picture Daily**  
Wednesday, March 13, 1940  

**'Vigil' Milwaukee Winner at $9,300**

**Sue Circuit Owner Over Film Licenses**

**Late Flashes**

**Leases Texas House**

**'Ehrlich' Hits Good $6,300, Big in Seattle**

**'Information Please' Wins Magazine Suit**

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**Use 1872 Newspaper for 'Stanley' Display**

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**Diaper Contest on Stage: Boasts 'Another Thin Man'**

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**Attack on Oomph: Distresses Nobody**

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**'Light That Failed' $5,000 in St. Louis**

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**Orders Gross Records**

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**Wednesday, March 13, 1940**

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**Orders Gross Records**
ACTION ON THE SCREEN!

ACTION AT THE BOX-OFFICE!

SPENCER TRACY
“NORTHWEST PASSAGE”

Held over at
CAPITOL, N. Y.

Biggest Saturday since Personal Appearance Mickey Rooney, Judy Garland
(Except advanced price ‘GWTW’)

The season’s smash hit held over also at Chicago, Harrisburg, Spokane, Worcester, Minneapolis, New Haven, St. Paul, Bridgeport, Portland, Seattle, San Francisco, Philadelphia, Boston (State & Orpheum Day and Date!), Pittsburgh — More coming!
THE QUESTION:
"What is the best picture to show at the Capitol Theatre after 'Gone With the Wind'?"

THE ANSWER:
(by the critics)

“No picture is better fitted to follow GWTW than ‘NORTHWEST PASSAGE’.”
—ARCHER WINSTEN, Post

“Superb melodrama. Capitol is fortunate having a picture like ‘NORTHWEST PASSAGE’ to follow GWTW.”
—EILEEN CREELMAN, Sun

“Stirring picture. Makes the blood tingle.”
KATE CAMERON, Daily News

“Grand heroic entertainment.”
WILLIAM BOEHNEL, World-Telegram

“A pip of a pie.”
—WALTER WINCHELL, Mirror

“Handsome, stirring, first rate.”
—HOWARD BARNES, Herald Tribune

THE NEW CAPITOL HIT!
HELD OVER!

KENNETH ROBERTS’
NORTHWEST PASSAGE

(Book 1 . . . Rogers’ Rangers)
IN TECHNICOLOR starring
SPENCER TRACY

with ROBERT YOUNG
WALTER BRENNAN • RUTH HUSSEY • NAT PENDLETON
Screen Play by Laurence Stallings and Talbot Jennings
Produced by HUNT STROMBERG • Directed by
KING VIDOR • A METRO-GOLDWYN-MAYER PICTURE

Capitol, B’way & 51st St. • Major Edward Bowes, Mng. Dir.
Regular Popular Prices • Continuous Performances

ACTION IN THE ADS!
(adapt it to your local situation!)

ACTION ON THE PHONE!

“Hello M-G-M!
I want plenty of extra time for my engagement of ‘Northwest Passage’!”
**Motion Picture Daily**

**Wednesday, March 13, 1940**

**‘Rat’ and Heidt Band $19,000, Minneapolis**

MINNEAPOLIS, March 12—Horace Heidt’s band on the stage of the Orpheum, with “Brother Rat and a Baby” as the screen attraction, from a smash $19,000, “Northwest Passage,” in its second week at the State, drew $2,300, “‘Honeymoon’” drew $3,700 at the Orpheum.

Estimated takings for the week ending March 8:

**Kansas City**

**“Passage” $12,000**

KANSAS CITY, March 12—“Northwest Passage” and “Five Little Peppers” at the Tower, and “Honeymoon” at the Midland. All three were fairly well shown at the Midland. All three were fairly well shown.

Estimated takings for the week ending March 8:

- **“My Little Chickadee” (Univ.)**
  - Oscar: $8,000
  - General: $4,000
  - Total: $12,000

- **“The Farmer's Daughter” (Para.)**
  - Oscar: $6,000
  - General: $4,000
  - Total: $10,000

- **“The Man Who Knew Too Much” (RKO)**
  - Oscar: $4,000
  - General: $2,000
  - Total: $6,000

**Feature Reviews**

**“They Came by Night” (20th-Century-Fox)**

Will Fyffe, notable English actor, herein offers another of his inimitable Scotch characterizations, as the English gem expert who becomes involved with the deadly game of Wysall.

The film was produced in England by Edward Black for 20th-Century-Fox, Ltd., English producing unit of the American company. Harry Lachman, who directed from a screenplay by Sidney Gilliat and Michael Pertwee, gave the film pace and interest. The highlight is an attempt to rob a bullion vault. It is defeated by the cleverness of the elderly Fyffe.

Phyllis Calvert, as Fyffe’s niece, and Anthony Holms, the detective in love with Miss Calvert, have the chief supporting roles.

When a valuable ruby is stolen, Fyffe learns that his brother and partner is implicated, determined to find those who led him into trouble. Seeking the gem which has been sent to his brother after his death, the thieves force Fyffe to accompany them on an attempted robbery of a vault. By causing the burglar alarm to be sounded while the gang is at work, Fyffe brings their plans to a null.

Running time, 72 minutes. "G."  

**Charles S. Aaronson**

**“Little Orvie” (RKO)**

HOLLYWOOD, March 12—Delightful and unpretentious entertainment, “Little Orvie” preaches no messages, espouses no causes save that of a boy finding love and finding it in the person of his pet dog, who is one of the best-looking and colorful assortment ranging from a spaniel puppy to a Great Dane.

As portrayed by youthful John Sheffield, the title character comes even closer to thousands of homes than did the original character created in the Booth Tarkington novel. Living up to the acting standard set by Sheffield are Ernest Truex, as the boy’s father; Dorothy Tree, as his mother; young Ann Todd, as his understanding girl friend; Daisy Moshers; as the colored cook who bears the brunt of much canine abuse, and Ray Turner, as her dog-shy and whisky-loving husband.

The screenplay by Lynn Root, Frank Fenton and Robert Chapin heightens the most typical aspects of the well known book, stressing the values of breaking the ties of his boy protagonist with a manner which was enthusiastically received by old and young alike at the picture’s preview. Ray McCarty directed with a sure touch for the film’s values.

William Sistrom produced and Lee Marcus was executive producer.

Running time, 63 minutes. "G."  

**Walter Selden**

**‘Chickadee’ Gets $13,500**

FRISCO GROSS

SAN FRANCISCO, March 12—“Guinevere With the Wind” drew $32,000 for the sixth week at the Warfield. The picture was produced by the RKO. "My Little Chickadee" paired with "The Lone Wolf Stripes" to make $13,500 at Orpheum.

Estimated takings for the week ending March 8:

- **"What a Night" (RKO)***
  - Gross: $3,000 (Average, $1,000)

- **"My Little Chickadee" (Univ.)***
  - Gross: $3,000 (Average, $1,000)

- **"Grapes of Wrath" (RKO)***
  - Gross: $2,000 (Average, $1,000)

- **"The Farmer’s Daughter” (Para.)***
  - Gross: $2,000 (Average, $1,000)

- **"The Man Who Knew Too Much” (RKO)***
  - Gross: $2,000 (Average, $1,000)

**‘Mice’, Providence, Grosses Big $7,500**

PROVIDENCE, March 12—“North-West Passage” and “Blondie on a Budget” at Loew’s State for eight days, took $16,500 to lead the town. The two Steinbeck pictures, “Grapes of Wrath” at the Majestic and "Olive and Me" at the RKO-Albee, were runners up with honors even closer in.

Estimated takings for the week ending March 8:

- **“Olive and Me”** (Univ.)
  - Gross: $6,500 (Average, $1,000)

- **“Tina the Lioness” (M-G-M)**
  - Gross: $6,000 (Average, $1,000)

- **“Passage”** (20th-Fox)
  - Gross: $5,000 (Average, $1,000)

- **“The Man Who Knew Too Much” (RKO)**
  - Gross: $4,500 (Average, $1,000)

- **“Irresponsible Stripes” (20th-Fox)**
  - Gross: $3,500 (Average, $1,000)

**Plans Charity Show**

Cleveland, March 12—The Variety Club post of the American Legion, along with the midnight stage and screen show at the Circle Friday to raise funds to send underprivileged children to summer camps. In charge of the event are M. A. Goodman, Harry Goldstein, Howard Roth, John Himelstein and George Kodes.
Britain Plans Film Exchange With France

By AUBREY FLANAGAN

LONDON, Feb. 28 (By Mail)—A Franco-British exchange of documentary films is planned by Sir Kenneth Clark, director of the Films Division of the Ministry of Information. He made a recent trip to France to study the matter.

It is Sir Kenneth's idea to send British films to France to be shown with French sound tracks, and French films so dubbed in French to be brought to this country. He also advocates a non-theatrical distribution in rural areas of 16 mm. films.

First blood in the campaign for later transport facilities—sailed to be the lead in beating the black-out that scored at Newcastle where the authorities have extended the late bus service from 10 p.m. to 11 p.m.

"Pinocchio" will have its London premiere on March 18. It has been chosen to reopen the 288-seat Gallery Cinema in Regent St., closed since the war started.

Sussex exhibitors wanting to avail themselves of the Sunday opening legislation have been presented by their licensing authorities with a large number of films for accounts as a condition of opening.

A charity tax is of course imposed on percentage lines, and the accounts are claimed as necessary for a check-up on Sunday trade.

The Surrey County Council, notoriously one of the most difficult in exhibitor negotiations, will not follow London's example in imposing a seat surcharge rule. This was proposed, but the council will say it will postpone its operation for the time being.

34 College Editors To Preview 'Apollo'

Editors of college newspapers from 34 universities in the East will be guests of 20th Century-Fox at a special preview of "Johnny Apollo" at the Victoria Theatre, Oxising, N. Y., on Friday evening. Trade and newspaper representatives also will attend.

The editors will arrive here Friday afternoon, and will be quartered at the St. Moritz Hotel prior to going to their schools on Sunday. A dinner at the hotel will precede the trip by car to Oxford, where the preview will be held at 9:30. On Saturday the editors will enjoy a matinee performance of "Too Many Girls," and will participate in a special broadcast by the Collegiate Public Relations Bureau of CBS on Sunday morning.

Ostreg Due from London

LONDON, March 12.—Isidor Ostreg plans to visit New York shortly to discuss the extension of Baird Television business in the United States.

"Primrose" to Roxy

"The Primrose Path." RKO production starring Ginger Rogers, has been booked by the Roxy to open March 22.

Theatre & Personnel Notes

Interstate Opening Two

DALLAS, March 12.—Opening of the Interstate Circuit's Pershing at El Paso, Texas, is scheduled for between March 25 and April 1. It is that city's first neighborhood house, seating 750. Ground has been broken for a new neighborhood, 1,000-seat house at Houston by Interstate. Opening is planned for the Fall.

Building in Indiana

ELKHART, Ind., March 12.—The new Elkhart State Theatre Co., headed by N. N. Bernstein of this city, has been corporation of a $75,000 house to be opened June 1. Owner of the company is Mrs. Wilmur Frye of Elkhart,Bernstein is at non-theatrical distribution in rural areas of 16 mm. films.

Quits Columbia Exchange

ALBANY, March 12.—Louis Oldham, cashier in the Columbia exchange, will resign March 15 to enter business in New York. His successor will be Inez Lawrence, formerly his assistant. Sarah Sohn of the same exchange, will be advanced to Miss Lawrence's place.

Reopen Oklahoma City House

OKLAHOMA CITY, March 12.—Closed more than a year, Standard Theatre's Ritz, northeast neighborhood house, will be reopened soon after extensive redecorating and improvements, under B. Shutt, manager.

Plans Hamilton O. House

HAMILTON, O., March 12.—A new 450-seat suburban, to be known as the Linden, will be built here by Miles Vance, former operator of the suburban Crescent, at Cincinnati, at an estimated cost of $40,000.

Dismissal of Gary Trust Suit Looms

CHICAGO, March 12.—Defense counsel asked for a dismissal of the Gary Theatre anti-trust suit today and Judge William Hoge, after hearing a portion of the plea for dismissal, instructed the plaintiff's attorney, Albert Gavil, to show why he believes the trial should be continued. Gavil will make his plea tomorrow.

Indications are that the suit will be dismissed unless some wholly unexpected testimony is introduced.

Fined For Allowing Children in Theatre

MONTEAL, March 12.—Faced with prospective testimony of over 30 children from Verdun whose ages ranged from four to 14 years, Cyril Sernick, manager of the Park Theatre, Verdun, pleaded guilty today to three charges of allowing children under 16 in the theatre during performances. He was fined $30 and costs with alternative of a month in jail in each case by Judge Andrews.

"Bob, I'm not going to argue with you about right or wrong... law or duty. I'm pleading with you for the life of my brother..."
Relay System
Of Television
Ready by '41

(Continued from page 1)

paign will eliminate a public auction of set prices that is a
one-third from their present list, an increase of dealer discounts
to about 35 per cent, and a plan for
flavouring which will permit purchases
for 10 per cent down and the bal-
ance over an 18-month period. Fran-
cis will be added to a limited num-
ber of dealers and the Field-Crawford
fair trade contracts will prevent price-
cutting.

NCT estimates its present audience
at about five to a set and if the 25,000
set quota is achieved, an audience of
upwards of 100,000 should be available
to prospective advertisers, NCT offi-
cials estimate.

Simultaneously with the RCA an-
nouncement, the Cath-Ray Television
Corporation announced a new set, with
a five by six-and-a-half-inch screen, which
will sell at $149.80. The Allen B.
Dumont Laboratories, which have
had a one-thirds price cut effect since
December, although list prices have not
been officially reduced, will probably
see a reduction of their lowered prices in the near
future and back it with an intensive sales campaign. Mark B. Lajoie, gen-
eral sales manager, declared yester-
day.

In addition to the marketing of home
receivers, RCA has already started a
national publicity campaign, going to bars and
other public places. The 12-
inchesquare screen will sell at $395, in-
stead of the one-inch square, which
will sell at $295 instead of $450. Five-
inchesquare sets will sell at $169, but will
be discontinued after the present stock
is sold.

RCA will have to sell at least 35,-
000 sets to break even, according to
Thomas F. Joyce, vice-president and
advertising manager, and Mayor
Manning.

The DuMont 14-inch square set is being
retailed at $400, for which the deluxe console
would be $1,250 instead of the original price of $850.

All persons who have purchased
RCA sets at the original prices or dealers
who stocked them at higher
prices will receive a cash refund of
the difference in prices.

At a meeting attended by more than
900 dealers yesterday, it was disc-
losed that the total sales campaign
will be backed by sponsored programs on
WEAF and WJZ. Television programs will also be developed
to sell sets.

In order to increase interest in tele-
casting among broadcasters, RCA
will make available its relay system
to all broadcasters who wish to use it.
After the Philadelphia relay sys-
tem was inaugurated from
Washington and Boston, it was said.

AGVA Unit to Elect

PHILADELPHIA, March 12.—Election
of officers and advisory board for the
local branch of A. G. V. A. has been
scheduled for March 26. The election
was to be presided over by Secretary Tom Kelly. The local
branch functioned as an independent
United Artists' Entertainers' Associ-
tion until two weeks ago and was
granted an A. G. V. A. charter.

Kansas Network for Mutual
With the addition of three new sta-
tions in Kansas with which
weeks, Mutual will establish the Kan-
sas state network as part of its sys-
tem, according to Ray V. McConnell.

Two stations will join on Satur-
day. They are KSAL, Salina, which
operates on 1,500 k.c., with 250 watts,
day, and 100,000 watts, night, but has a license to switch over to 600
k.c., with 1,000 watts, day, and 500 watts, night; and
KVGB, Great Bend, on 1,370
k.c., with 100 watts, full time.

The third station, to begin on
1,650 k.c., with 500 watts, day, moves to
Wichita, and joins Mutual on that
day. The fourth member of the Kan-
sas web, KTSW, Emporia, has been
part of the Mutual system since De-
cember.

Personalities in the News
Donald Shaw has been signed to a
three month contract with Mutual as a
reporter on WMAA, Donald Flannum, president,
announced yesterday. . . . Raymond
R. Guy, radio facilities engineer at
NBC, leaves for an Atlantic City
outing to testify before the F.C.C. on
frequency modulation. . . . David
Love, who conducts the "Soundtrack" on
WNEW, has been named president of
the National Radio Film Commen-
tators Circle. . . . James K. Angell,
Dean of the University of Chicago,
will deliver the Howard Craven Mon-
orial Lecture at the University of Pennsyl-
ania on "Radio, Propaganda and War" next month.

For Baseball's Hall of Fame
A transcription of a one-hour
broadcast of baseball's centennial
celebration last June will be pre-
ounced by CBS to baseball's Hall
of Fame and National Museum at
Cooperstown, N. Y. John Fitzger-
dle, CBS director of sports, is hav-
ing his transcription made of
aluminum discs for permanent
preservation.

Program News
Richfield Oil has renewed "Confid-
ently Yours" over 26 Mutual sta-
tions for an additional four-
tive April 2. In addition, Richfield
is extending its sponsorship to three
Illinois Allied Holds
Convention Friday

CHICAGO, March 12.—Allied of
Illinois will hold its tenth annual meeting
Friday noon at the Congress Hotel.
Report of the year's activities and
future plans and election of officers will
be taken. Jack Hirsch, president, ar-
rived in town a month's ago from
Staunton yesterday. Dates of the Na-
tional Allied convention will be announced
next week.

Marcus Loew Dividend

T O R ON T O, March 12.—Another
payment on arrears of Marcus Loew's
shares in the Marcus Loew Film
Corporation was made today, with a
declaration of a dividend of 3 1/2
per cent on the 7 per cent preferred shares for the year ending June 30, 1938.

The dividend covers Loew's in
Downtown Toronto.

Illinois Allied Holds
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Downtown Toronto.
Millions Back Schwab Film Making Firm

Sam Bronston President; Major Release Fixed

HOLLYWOOD, March 13.—Entry of the Schwab millions in Hollywood made the production was disclosed today with the filing of incorporation papers for Samuel Bronston Productions, Inc., of which Edward H. Schwab, brother of the late Charles M. Schwab, is director.

Samuel Bronston is president of the company. Frank J. Perry, son-in-law of Edward Schwab, is vice-president. In addition John J. Bergen, prominent New York broker, and William V. O'Connor, nephew of J. P. T. O'Connor, former comptroller of currency, are members of the board. The former Federal official is general counsel for the company.

Capitalization of the company has been fixed at $1,000,000.

While company attaches stated officially that a release deal with a major firm has been set, it will not be announced until later this week when the production program will be made public.

Bronston and J. F. T. O'Connor last year formed Commodore Pictures, Inc., and for a while carried on negotiations with James Roosevelt to join the company.

Disney Files SEC Plea on New Stock

WASHINGTON, March 13.—Registration of 155,000 shares of six per cent cumulative convertible preferred stock with a par value of $25 per share and of a like amount of common stock at $5, into which the preferred may later be converted, was asked of the Securities and Exchange Commission today by Walt Disney Corp.

The estimated return from the preferred stock, the statement showed, will be approximately $4,030,000, which will be used to pay off bank loans and other indebtedness incurred for construction of the new Disney studio.

The principal underwriters for the issue will be Kidder, Peabody & Co., and Harriman Ridgely & Co., New York, and Pacific Coast Corp., Los Angeles.

The statement, covering the first (Continued on page 6)
U.S. Will Quiz Its Witnesses In Hollywood

(Continued from page 1)

crement will not be ready for trial before May 1 and the trial is set beyond that date is almost inevitable.

The West Coast examinations for the most part will include independent producers and exhibitors, although some of the key executives associated with company defendants may be queried as well.

Major company defendants have reappeared thus far, yet as to whether or not the Government's 300-page answers are sufficiently informative to satisfy the defendants' interrogatories.

It is possible that the answers, which are still being studied by attorneys, will be accepted without further legal maneuvering, although it is equally possible that some of the defendants, particularly Columbia, will petition the court for an order directing the Government to give additional or more specific information.

Most of the Government's proposed stipulations will be objected to by the defendants but it is believed that some effort will be made to agree upon some of them after the scheduled March 27 conference with Federal Judge Henry W. Goddard.

Sears Tests About Pooling Arrangements

The Government was charged yesterday by John Cakley, attorney for Twentieth-Century-Fox, with disregarding answers to interrogatories prepared by majors with "great labor and expense," in asking questions of film executives during pre-trial examinations.

Cakley's statement was made after Special Assistant Attorney General Robert L. Wright had questioned Gradwell L. Sears, vice-president of Warner Brothers, regarding the company's policy on pooling arrangements between Warners and other majors.

Sears testified that in carrying out contract stipulations on pooling between two houses is divided as "even as to quality and number of films as is honored by judges. No adjustments, however, are permitted at the end of the season, he stated.

Negotiations for the sale of first run picture property in the 36 key cities were described by the Warner executive. Sears spoke of two occasions when he discussed contract terms with Y. Frank Freeman and Barney Balaban of Paramount Pictures.

Freeman telephoned him two years ago, Sears said, with a "general lament on business in Detroit" and an appeal for reduced rentals. "I offered my condolences," Sears rejoined, and then explained the reason for that he rejected Freeman's request.

According to the testimony, both Sears and Joseph Bernhard, head of Warner Pictures company, many times received instructions from Harry Warner to operate their departments independently of each other.

Sears said that there is no question of financial interests in the motion picture industry. He declared that the members of management of Warners did not consult him in opening new houses.
Radio Brevities

A NEW semi-commercial program to test the technique of visual advertising and a new method of news presentation on television will start next Wednesday at 8:50 P. M. over the NBC station, under the sponsorship of Esso. Standing United Press news and photo services, James Sparrowe will briefly summarize the news items while the iconoscope will be pointed at the news photos. Large signs, stressing Esso products, will be briefly shown and will be brought to the screen when the camera flashes away from the photos to the commentator. The program will be presented weekly. The sponsor is paying for Sparrowe’s services.

Renew Benny’s Contract

Jack Benny’s contract for the Jellicle Lines has been renewed for an additional year by General Foods, it was learned yesterday. Benny’s four-year non-compete, one of the longest in radio, expires in June. When he returns to the air after his usual Summer layoff this Fall, he will begin his ninth consecutive year on the air and his seventh for the same sponsor.

Clam Eggs for Berger Tickets

Requests for tickets to the New York broadcasts of the Edgar Bergen and Charlie McCarthy show—March 17, 24, and 31—have swamped the press room of WOR and NBC, to say nothing of Standard Brands, sponsor of the show, according to A. R. Hedges, who has booked and directed the two concerts, the previous leader, by more than two-to-one.

Program News

American Tobacco has extended the “Guerrier” through CBS as additional weeks and will shift the time from Sundays at 5:30 P. M. to Wednesdays at 8 P. M., effective April 6. Lanny Ross’s program also will be shifted. Ross, who was originally booked at 11 A. M., was moved to his present 2 P. M. spot and will go to 7:15 P. M., on April 1. He will be heard immediately after Amos ‘n’ Andy on Monday, Wednesdays, Thursdays and Fridays over CBS. Campbell Soup, sponsor of both shows, will thus transformations half-hour spot between 7-7:30 P. M.

General Mills has signed a new contract with NBC-Red for the Ted Weems “Beat the Band” show, which will carry the program through Feb. 23, 1941. It is heard Sundays at 6:30 P. M. over Columbia, and cooperatively sponsored show over Mutual, has been renewed for 13 weeks, effective March 31. It is heard Sundays at 6:30 P. M.

Handbook for Gag Writers

An unusual handbook for radio and screen gag writers, “Thesaurus of Humor” will be published tomorrow by Crown Publishers. Written by two experienced writers in both fields, Mildred Meier and Jack Knapp, the volume lists humorous situations under 4,000 subject classifications.

Trade Papers’ Value LAuded At Quigley Award Luncheon

(Continued from page 1)

Angeles, and Jules Seltzer, of the publicity department of Hal Roach Studios, as director of the Quigley Publications, opened the exercises by calling on A-Mike Vogel, chairman of the Managers’ Round Table, to introduce and explain the mechanism of the showmanship competition. Rothacker then introduced Freeman, as toastmaster.

Awards Encourage Exhibitors

Freeman said, “All three branches of the trade have been looking for some encouragement, but after the producer has done his job, the job of the exhibitor becomes the most important. It has been my fortune to experience that many years of my life have been spent in the exhibition field. I’ve had also the fortune of spending a short time in the production end. I am familiar with this award and the unappreciation of even the present. Let’s start to win it. These boys are the representatives of several thousands of exhibitors striving to win these awards each year. I think we can do a little of the tributes to be paid. It is an honor to be called upon to present this silver statuette to the Los Angeles Theatre, Washington, D. C.

Winner Bell responded, “I can’t tell stories or make speeches but I hope that we can help, and win. I want to thank you, Mr. Freeman, for this Oscar and you ladies and gentlemen bring excellent response and encouragement. And I want to thank Mr. Vogel and Quigley Publications for this award and a very pleasant day in Hollywood. We have outstanding most of us in the exhibition field try to do a good job but I can sincerely say that through the encouragement of Quigley Publications we are doing a better job.”

Calls Herald Asset to Job

Toastmaster Freeman then presented the Bronze Plaque to winner David M. Cobb, of Los Angeles. I was happy and was happy to be here to accept this award and I want to thank Martin Quigley and Motion Picture Herald for their generosity. I think Motion Picture Herald is an asset to me in my job and to all of you in your jobs. It is paper through its Managers and Table that has helped us in our work. I am acutely conscious of the honor bestowed upon me and of the duty to do more and better work in the coming years.”

Ray and Lige,” Freeman resumed. “I hope I have expressed properly the feeling of the boys represent a group who have the final responsibility in this industry. I would like to make my presence felt in the common cause, and I mean by that that there is no longer a separation between production, distribution and exhibition. Unless the job is well done at the exhibiting end, production cannot live.”

Freeman Praises Quigley

Freeman then introduced Wanger, who then said: “I’d like to make a tribute to Martin Quigley, Mr. Quigley deserves our thanks and respect for his excellent publications and for the honest classification of things he has done for this industry. It’s really something to be proud of when we have someone who is as single, as interested and forthright as Martin Quigley, I say that for what he has done today and for the way he does it. I never was more impressed with the way he and I disagree about some things, it is a great satisfaction to know that the man you disagree with never does it with you for your sincerity of his beliefs and not from motives of advertising blackmail and the like. And the desire for publicity which is much too prevalent in this industry of ours.

I would like also to say at this time that I believe in good relations with Mr. Quigley and Mr. Rothacker recently in this room. We were in a serious situation, the fact that we are being molested in our efforts to achieve a livelihood in this business. Mr. Quigley made a very sage remark,

“He said, ‘How do you expect the rest of Hollywood and the rest of the world to take your business seriously if your own trade press is not run on ethical lines?’ I think he made a very important statement, because it shows that we can be rightfully proud of the pictures made in the last year.”

Hails Quigley’s Ideas

“If you will look at the 10 Academy candidates you will see that certainly pictures of great distinction have been produced in this country. There’s too much good in our industry for us to try to let other people continue to rule us for their own selfish interests. We are serving the public and I think we’re doing a good job. I am for any publication that stands for the ideals that Mr. Quigley’s publications do. Though I’ll be pleased when he is a little more on my side on some of the subjects we don’t quite agree on as of now.”

Capra said, “I didn’t come prepared to make a speech, but I don’t think that much preparation is necessary to comment. If a gentleman seems to me there are two big steps in pictures—making them and selling them. We can make them, but they are not much good until we are in audience into the theatre to see them. It is a great honor to be here today representing the Academy of Motion Picture Arts and Sciences and I appreciate the Quigley Publications for what they are doing in and for this industry.”

Industry Notables Attend

Brackett said, “We writers like to call ourselves as the forgotten men of motion pictures.” It is, therefore, a particularly great pleasure for me to extend our congratulations to Bell and Blackie and all the other forgotten men, the showmen who sell the pictures to the public.”


Governors to Head ‘Virginia City’ List

Governor Olson of California and Governor Carville of Louisiana are expected to head the guest list at the world premiere of Warner’s “Virginia City” at Reno and Virginia City, Nev., Saturday, March 14.

Governor Olson will go to the opening with a group of Hollywood players, while Warner home office executives will attend the premiere on route from New York. The guests will gather at Reno Saturday morning in time to attend the midnight show of the afternoon. A ball at the State House in the evening will climax the affair.

The Hollywood train will return at noon Sunday after the guests for the East will depart Sunday evening.

Honey Moon Island

Honey Moon Island, a free retreat for newlyweds, will be brought to the screen in a Paramount picture by Director John Ford. The island is in the Gulf of Mexico and can be reached by plane from Tampa. A wealthy Tampa business man allows each newlywed couple two weeks on the island which he owns.

We are proud of our industry. We know that a great industry is doing a great job, and who are we to argue with the masters of this environment? Of course, our editors wish to express our collective gratitude to the Quigley Publications for what they are doing in and for this industry.”
They're all On Board!

ERROL FLYNN * JEAN PARKER
MIRIAM HOPKINS * PRISCILLA LANE
HUMPHREY BOGART * ANN SHERIDAN
RANDOLPH SCOTT * MAY ROBSON * TOM MIX
ROSEMARY LANE * MARY CARLISLE * RALPH BELLAMY
GEORGE BURNS * GRACIE ALLEN * HOBART BOHSWORTH
Binnie Barnes * Warren William * Wayne Morris * Bill Boyd
SIGRID GURIE * FRED STONE * PATRICIA ELLIS
ALLEN JENKINS * BUCK JOHNSON * ALAN HALE * "BIG BOY" WILLIAMS

It's the Warner way of reminding your patrons that next week begins the national release of

ERROL FLYNN * MIRIAM HOPKINS
in "VIRGINIA CITY"

with RANDOLPH SCOTT * HUMPHREY BOGART
FRANK McHUGH * ALAN HALE * GUINN "BIG BOY" WILLIAMS
Directed by MICHAEL CURTIZ
Original Screen Play by Robert Buckner * Music by Max Steiner
A Warner Bros.-First National Picture

Listen! Coast-to-Coast!
NBC Saturday 2:15 P.M.
MBS Saturday 6 P.M.
It arrives Saturday for the Reno and Virginia City joint celebration of the

'VIRGINIA CITY' WORLD PREMIERE

A SPECTACULAR SENDOFF TO BE READ IN EVERY CORNER OF THE LAND!

They'll tell the world!
Guaranteed coverage for practically every paper in the land! The 500 passengers include correspondents for every wire service, radio commentators, favorite columnists, reporters, film critics, 2 newsreel crews!

WARNERS MADE IT A BIGGER SHOW THAN 'DODGE CITY'!
WARNERS GIVE IT A BIGGER CAMPAIGN THAN 'DODGE CITY'!
British Fight Starts
For Lower Rentals
(Continued from page 1)
taken. The committee will meet again next week to be followed by special branch meetings throughout the country. The committee has been instructed to report to the general council meeting next month.
Although no official policy has been set as yet, individual members have suggested a boycott against offending distributors. The indications are that a sharp clash on the situation is brewing.
Despite independent criticism, the general council today ratified the reversion to pre-war committees, but will retain the executive committee with major circuit representatives being elected.
The council discussed favorably the suggestion that the Board of Trade be asked to allow multiple quota films to count in the exhibitors’ quota.

Plagiarism Suit
Plagiarism suit of Henry Rose against Marc Connelly, Arthur Koerber and Mitchell Grayson was filed yesterday in the U. S. District Court. Rose claims that his play, “Silent Shears,” was imitated upon by defendants play, “Having Wonderful Time.”

Club in New Quarters
Pittsburgh, March 13.—The new headquarters for the local Variety Club will be opened Friday night with a party for members only. A private stag for the press will be held tomorrow night, and a public reception is scheduled for Saturday.

Plans Child Playrooms,
Plant Exhibit in Theatre
By WILLIAM F. CROUCH
CHICAGO, March 13.—Sam Myers, prominent independent exhibitor who operates the Teatro Del Lago and Wilmette, will build a new theatre in Glencoe, Ill., just north of here, this Spring. The new theatre, the Glencoe, will cost approximately $175,000 and is to be completed by Sept. 1, 1940. Inside the theatre extra attention will be given to playrooms for children. A conservatory for the raising of rare plants will be another feature of the new theatre. The all-year-round air-conditioning system makes this possible.

Max Factor, booker for the Great States circuit, has resigned, effective April 1, to take a position with the Lincoln Theatre circuit in Minneapolis, which operates 17 Midwestern theatres. No successor to Factor has been named.

Plans for a new 750 seat theatre in Rockford, Ill., have been announced by William Van Maire, Jr., James D. Hurst and T. M. Ellis, Illinois and Wisconsin theatre operators. This will make 10 theatres for Rockford.

Of Mouse and Men has been booked into the Apollo starting March 23. “Rebecca” goes into the United Artists April 13, following “Young Tom Edison.” Art Callin, who has been handling the advance promotion on “Of Mouse and Men” goes on a tour of Midwestern cities next week to exploit “One Million Years B.C.”

Clyde W. Eckhardt, branch manager of 20th Century-Fox here, has been named by Herbert Hoover to take charge of the drive in “Finland Fights Back,” in theatres in this territory. More than 40 prints of the six-reel subject are now being shown in this territory, Eckhardt reports.

James Roosevelt plans to discuss with the Chicago exhibitors his plans for feature and coin machine productions, on Friday. Roosevelt will leave for Hollywood on Saturday or the first of next week.

Ultimatum from 4-A
To N. Y. Fair Today
Associated Actors and Artists of America yesterday ruled that no member would be permitted to work at either the New York or San Francisco World’s Fair unless every performer was a member of one of the four unions.

A delegation of 4-A officials will meet with the New York Fair officials today to insist that contracts with the 4-A board declared yesterday that this condition would not be tolerated.

The 4-A also forwarded a strong protest to William Green, A. F. of L. president, against the granting of a charter to Ralph Whitehead for organization of circus laborers. Whitehead is executive secretary of the American Federation of Actors last August when the 4-A revoked the A.F.A. charter.

Discrimination Bill Filed in Congress
WASHINGTON, March 13.—Rep. James Seccombe of Ohio has introduced a bill in Congress making it a criminal offense to discriminate against Negroes in admittance to theaters or in segregating them from white patrons.

Similar bills have been introduced in state legislatures. The anti-discrimination movement is strong in Ohio, where theatre managers have been fined on complaints of Negro patrons.

Postpone ‘Baby’ Appeal
ALBANY, March 13.—Argument on “The Birth of a Baby,” scheduled for today before the N. Y. Court of Appeals, has been put over until the next term. Its ban for exhibition in New York State was upheld last year by the Appellate Division, one dissenting vote having given Sam Citron the right to further appeal.

Actor Guild Ball April 5
Annual ball of the Catholic Actors Guild will be held April 5 at the Commodore. Vice-President Garnier, Supreme Court Justice Frank Murphy, former Governor Alfred E. Smith, Governor Lehman and Mayor LaGuardia are among those on the sponsoring committee.

Disney Asks SEC
For Registration Of New Securities
(Continued from page 1)

public offering of stock in the Disney enterprise, which heretofore has been wholly owned by the Disney family, shows that the highest re-
nomination paid to any of its officials in 1939 was $108,296 to Walt Disney, president.

Other officials’ salaries were: $54,185 to Roy Disney, executive vice-president; $4,435 to George Lessing, vice-president; $8,099 to Edward M. Francis, treasurer, and $9,711 to George E. Morris, secretary.

It was also showed that the company paid $156,457 to Kay Kamen, Ltd., and $14,774 to Kay Kamen of Canada licensing services, and $88,000 to Leopold Stokowski for musical direction.

Warners Make Own
Ad Display Banners
Warners, effective immediately, will manufacture and distribute its own line of silk screen displays, Gradwell L. Sears, general sales manager, disclosed yesterday. The displays will be available under the Warner advertising accessories rental plan.

Contracts for such displays were procured by exhibitors only from outside sources in each territory. Four sizes of banners will be made by Warners for all films beginning with “Virginia City.”

Cincinnati’s Bingo
Receipts Decline
CINCINNATI, March 13.—January Bingo receipts were somewhat below December here. Based on playing permits issued by City Manager C. O. Sherrill, the records of Police Chief Eugene T. West shows that 235- 929 players paid a total of $178,727.23 at 202 parties in January. Prizes amounted to $42,701, leaving net profit of $136,026.23 to the sponsoring organizations. December figures show total attendance of 242,719 at 203 parties; prizes, $56,037; net profit, $146,634.07.

Payne in Squabble
At Texas Hearing
DALLAS, March 13.—Federal Trade Commissioner George H. Payne yesterday engaged in a sharp exchange with Darrell Yates, manager of KRRA, during one of a group of hearings on station ownership. Payne told Yates if he appeared before the commission he could not get a station license because of his attitude.

The hearing was to establish that Dr. James G. Umler of Tyler is the hidden owner of several Texas stations.

Hoover Asks Finn
Drive B Continued
Herbert Hoover, chairman of the President’s Relief Fund, is now engaged in the motion picture industry to continue its cooperation with the Fund, including collections from patrons in theatre lobbies, despite the signing of the Finnish-Russian armistice. The Fund will continue to function to meet emergencies among Finnish refugees.
The novel a million readers praised, now ready for a high place among 1940's box-office champions

Edward Small's distinguished production of the famous best-seller by Howard Spring
“Two Loves have I... must they break my heart...”

William Essex, the father; brilliant, strong-hearted, good...
Oliver Essex, his son; young, gay, careless of life, careless of love... and Livia, loving them both... torn between their love for her...

Edward Small presents
MADELEINE CARROLL
BRIAN AHERNE - LOUIS HAYWARD
My Son, My Son!

The year's mightiest novel brought to flaming life upon the screen by a perfect cast!

(SEE IT SOON AT YOUR FAVORITE THEATRE)
PRE-SOLD TO A MIGHTY PUBLIC OF 7,000,000 MAGAZINE READERS BY THIS SMASH NATIONAL AD CAMPAIGN . . . . .

LIFE PARENTS’ MAG. GLAMOUR MODERN SCREEN PICTURE PLAY MOTION PICTURE HOLLYWOOD MAG. MOVIE STORIES SCREENBOOK SCREEN GUIDE MOVIE MAG. MOVIE LIFE PERSONAL ROMANCES
Presenting the industry's new sensation!

CLARK GABLE • JOAN CRAWFORD
"STRANGE CARGO"

with IAN HUNTER • PETER LORRE • PAUL LUKAS • Albert Dekker • J. Edward Bromberg • Eduardo Ciannelli • A FRANK BORZAGE PRODUCTION • Screen Play by Lawrence Hazard • Based on the Book, "Not Too Narrow, Not Too Deep" by Richard Sale

Directed by Frank Borzage • Produced by Joseph L. Mankiewicz • A Metro-Goldwyn-Mayer Picture
**MOTION PICTURE DAILY**

**NEW YORK, U.S.A., FRIDAY, MARCH 15, 1940**

**TEN CENTS**

**U.S. Cancels Aim of Coast Witness Quiz**

The Government yesterday dropped its proposal to take the per trial depositions of independent exhibitors on the Coast.

The unexpected reversal in position by the Government follows modification to the local anti-trust division by Special Assistant Attorney General Paul Williams now on the Coast, that Western exhibitors will testify personally at trial instead of by deposition.

Williams further stated in a telegram that the Government was dropping its proposed action because of the stand taken by attorneys for the majors. Counsel for the defendants on Wednesday had asked for a list of those witnesses who the Government wished to examine before deciding whether to consent to the Government request.

Several attorneys had objected then.

(Continued on page 5)

**ullman Quits Pathe To Make RKO Films**

Frederic Ullman, vice-president and general manager of RKO Pathe News for the past three years, will resign April 1 to become a producer under Lee Marcus at the RKO Hollywood studio.

Frank Donovan, production manager of the newswire, will be elected vice-president of RKO Pathe News, succeeding Ullman. Walton C. Ament, news editor for the past two years, will be named general manager and editor of the newsrel, Ned E. Depinet, RKO vice-president and dis...

(Continued on page 5)

**K-A-O, Skouras Ask U.S. to Approve Deal**

Deal by which K-A-O and Skouras Theatres would take over four Bronx theatres each from the Springer-Cocals Circuit has been submitted to the Department of Justice in Washington for approval.

If the Department's approval is obtained, the deals will be concluded immediately.

The deals were reported to Washington in accordance with the stand still agreement in the Government's New York anti-trust suit, under which...

(Continued on page 5)

**Disneys Given New Contracts For 7 Years**

Walt Gets $2,000 Weekly; Life Heavily Insured

New long term contracts have been given Walt Disney and Roy Disney by Walt Disney Productions. Walt Disney's contract as executive producer manager is for seven years at $2,000 weekly plus certain traveling and other expenses. Roy Disney's contract is for seven years at $1,500 weekly and traveling expenses as business manager.

The company has insured Walt Disney's life for $1,500,000.

It was disclosed that a large part of Disney Productions new $4,000,000 studio will be to pay promissory notes held by the Bank of America Trust & Savings Association of California, with which the company's new studio and current productions were financed.

"Fantasia," one of the new productions, featuring the Philadelphia Phil.

(Continued on page 5)

**Second Exhibitor Freed of Lottery**

Special Sessions Court in Brooklyn has thrown out a second case against an exhibitor on lottery charges.

Following reversal this week of the conviction of James May, former manager of the Atlantic, Brooklyn, the court acquitted Christy Carnavos, manager of the Momart, by a three-to-one decision.

While no written opinion was given, the majority of the court pointed out that its acquittal of Carnavos was based on the fact that the theatre per-

(Continued on page 5)

**Ostrer to Survey Television in U.S.**

Isidore Ostrer, chairman of the board of Gannett British Picture Corp. and executive of Baird Television, arrived yesterday on the Rex for an indefinite stay. He said the purpose of his visit is to investigate the television situation here.

Asked whether Baird, which is controlled by Gannett British, plans to enter the American television field, Ostrer said this would depend on what is determined during his investigations.

On arrival, he was eager to learn.

(Continued on page 5)

**Foresee 'Consent Decree' End In Government Anti-Trust Suit**

Suggested changes in film trade practices and procedure which are contained in the report of the Department of Commerce, which was recently submitted for study to the Department of Justice, are now expected to constitute a basis for an out-of-court settlement of the pending anti-trust suit.

While it is, of course, not certain that an out-of-court settlement will be made, confidence is increasing that the present case may not go to trial, resulting in the saving of considerable time and expense both to the Government and to the industry.

Department of Justice officials frequently have stated that any settlement which is made should be made with the approval and consent of the court, which means that only a consent decree embodying the purpose and aims of the Government's suit would imply the Department of Justice to accept an out-of-court settlement.

The talked-of settlement centers around several important modifications of trade practices. A radical change in selling may result.

This change may mean that pictures would be screened before being offered for sale, entailing an elimination of required block booking. Localized buying of pictures, rather than national circuit buying, is under discussion.

As to divestiture, it is pointed out that Thurman Arnold, in a recent statement, proposed an arrangement under which the circuits would become separated from distribution over a protracted period, perhaps as long as 10 years.

**Films Don't Launch Trends—Ramsaye**

Motion pictures of "socially conscious," or propaganda content are more likely to follow trends and movements than to start them, Terry Ramsaye, editor of Motion Picture Herald, told a Princeton University class studying "Public Opinion," in a lecture there yesterday.

"The makers of motion pictures of what is called 'the industry,'" observed Mr. Ramsaye, "are engaged in a business marked by getting the customers to buy seats at the boxoffice. They do not profess to be educators, reformers, uplifters or authors of movements. They should not be asked to be any of those things either.

"The many pressures toward a 'socially conscious' screen are from those who have what they think is a message that they would like to have...

(Continued on page 8)

**U' Directors Elect, Hear Profits Today**

Financial report of Universal Pictures Co., Inc., for the first quarter of the current fiscal year, which Wall Street estimates will disclose a net of approximately $300,000, will be submitted to the company's stockholders at their annual meeting in Wilmington today.

Profit for the corresponding quarter a year ago was $157,990.

J. Cheever Cowdrey, Universal board

(Continued on page 2)

**Critics Board Train Virginia City-Bound**

By SAM SHAIN

ABoard the Forty-Niner, En Route to Reno, March 14—The Commmodore Vanderbilt brought Mort Blumenthal and 29 feature writers, critics and trade paper reporters into Chicago this morning en route to the premiere of "Warner's Virginia City" at Virginia City, Nevada.

The New York party was joined in Chicago by Critics Harold W. Cohen, Pittsburgh Post-Gazette; Karl Krug, Pittsburgh Sun-Telegraph; Harry Martin, Memphis Commercial Appeal; Earl Pomrow, Minneapolis Tribune; Isabel McDonald, Milwaukee Sentinel; Nat Gross, Chicago Herald-American; Tom Schaefer, Acne News Service; Dan Thripp, United Press. At Omaha tonight the party will pick up Barney Oldfield, Nebraska State Journal.

About 20 members of the party will...

(Continued on page 5)

**Plan Network Show To Battle Neely Bill**

A suggestion for a radio network program outlining public support against the Neely bill was discussed at a meeting yesterday in the office of Howard Ditz, M-G-M advertising and publicity director.

Among those attending were Harry Brandt, head of the Brand circuit and president of the New York I.T.O.A.; Oscar A. Doob, Loew theatres adver-

(Continued on page 5)

**Foresee 'Consent Decree' End In Government Anti-Trust Suit**

(Continued on page 5)
U' Directors Elect, Hear Profits Today

(Continued from page 1)

chairman; Nate J. Blumberg, president; Charles D. Prattman, vice-president, and Percy Gibson, secretary, will attend the meeting in Wilming- ton today. All directors are scheduled to be reelected.

No recapitalization plan for the company has been completed so there will be no action on this matter at today's meeting.

Universal Corp., parent holding company of Universal Pictures Co. Inc., reported a profit of $99,110 for the fiscal year ended Oct. 29, 1939. For the preceding fiscal year the company reported a loss of $872,396.

At the corporation's annual meeting the following directors were reelected: Blumberg, Paul G. Brown, Daniel C. Collins, Cowdin, Preston Davies, William Freistad, Ottavio Prochet, Pratman, J. Arthur Rank, Paul Rogers, Daniel M. Sheaffer and W. H. Taylor, Jr.

Annual election of officers is scheduled for April 4.

Stahl and Roosevelt Break Negotiations

Hollywood, March 14—Negotiations whereby John M. Stahl would produce one picture for James Roosevelt's Globe Pictures for United Art-

ists release have been discontinued. It could not be learned whether the action is final or if the negotiations will be resumed at some later date.

Stahl's negotiations for a multiple picture deal with Columbia are still in progress and may be concluded within the next few days.

Exhibitors in R. I. Oppose Neely Bill

PROVIDENCE, March 14—Rhode Island exhibitors are opposed to the Neely bill. A state-wide poll shows that 31 theatre managers opposed the legislation and seven favor it. The survey was undertaken by William E. Spragg of M. & F. Antonio Romano of Associated and Edward E. Reed of the Strand. The figures include both independent and circuit houses.

ROYAL PRESENTS THE NEW No. 1

GREATEST typewriter ever produced

With MAGIC® Margin and other sen-

sational Features of the Future. See this

sensation! New Easy-Writing Royal now.

* Trade Mark

Royal Typewriter Company, Inc.
2 Park Avenue, New York, N. Y.
Branches and Agencies the World Over

ROYAL WORLD'S NO. 1 TYPEWRITER

Purely Personal

BARNEY BALABAN, Paramount pre-

sent, will accompany Para-

mount newsreel officials to Wash-

ington tomorrow to attend the annual dinner given by the White House cor-

respondents for President Roosevelt at the Willard Hotel. Paramount News has produced a political satire re-

feevil for the.

FRANK GILMORE, president of As-

sociated Artists of America, and Paul N. Turner, general counsel, leave tonight for a vacation trip to the West Indies.

EDWIN A. AARON, assistant to Wil-

liam F. Rondine, sales manager, leaves for M-G-M, leaves tonight for three weeks of deep sea fishing off Florida.

HARRY COIN, Columbia president, will come New York from Florida with Jack COIN and NATE SINGOLD on Monday, before returning to the Coast.

MAURICE SILVERSTONE, EMANUEL

Silverstone and Charles Schwartz of United Artists are expected from the Coast early next week.

SIB EHRLICH of Williar Photo En-

graving is the father of a boy born to Mr. and Mrs. J. CLAIRE, at Madison Park Hospital.

CHARLES BARRON, M-G-M explo-

sion representative in Pittsburgh, observs a birthday today.

MEL HEYMANN of HOWARD DIETZ'S

publicity staff at M-G-M leaves today for a Florida vacation.

GEORGE J. SCHAEFER, RKO pres-

ident, will leave for Florida today for a brief vacation.

Y. FRANK FREEMAN, Paramount studio head, is expected from the Coast on Monday.

MATTHEW J. FOX, Universal vice-

president, will leave for the Coast today.

‘Apollo’ Screening At OSSining Tonight

Editors of 31 college newspapers, as well as a group of about 20 newspaper and trade paper representatives, will gather at the St. Moritz Hotel this evening (for dinner) prior to screening of 20th Century-Fox, prior to a screening of ‘Johnny Apollo’ at the Vic-

toria Theatre, OSSining.

The home town of Sing Sing Prison was selected for the premiere for collegiate since it is the home of St. John’s College (the college boy who ends his career in prison). Warden Lewis E. Lawes and other officials of Sing Sing will see the film at the Victoria. The visiting editors will be guests of 20th Cen-

tury-Fox here for three days, leaving on the 27th, afternoon after a round of entertainment.

First Academy Release

Beyond Tomorrow,” first feature made by Academy Productions for RKO, will be released April 19. The original title was “And So Goodbye.” Lee Garmes, president of Academy, is in New York editing the film, the first of three Academy will make for RKO release.

Newsreel Parade

The Rusto-Film peace pact as discus-

sed by Herbert Hoover and French

Minister Procope, and the Byrd ex-

pedition to the South Pole share the

headlines. The results and their con-

sequences follow.

MOVIETONE NEWS, No. 56—Byrd at

South Pole. The Byrd expedition in

a situation in which America's Volunteers to the Expedition, opened up the way to the South Pole. Byrd plans to


PARAMOUNT NEWS, No. 97—Ranger

vs. Brudos hockey game. Paycheck in

trade. Complete the cast.

Paint Golden Gate bridge, Adolph Zolot in Brazil. Mrs. Roosevelt "adopted" Philadelphia girl. Primary election in New Hampshire. Lafcadio address a

Poles in New York. Herbert Hoover

speech. Peace pact. Byrd expedition to

the South Pole.

RKO PATHE NEWS, No. 8—Byrd ex-


NEWREEL, No. 858—War in Finland ends. British King and Queen visit the Bond cinema in forma-

tion flight over California. New wood


RKO's Annual Ball To Be Held Monday

RKO's annual ball, which this year in-

cludes a La Cucia contest, will be held in the Grand Ballroom of the Waldorf Astor Monday night with the Rima and Bob Chester's orchestra supplying the music. The entire cast and the past and present members of the theatre circuit in the field, this affair will be attended by home office representatives as will all guests.

Among those expected to attend are:


Yates Enroute East


MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and legal holidays by Quigley Publishing Company, Inc., 1750 Sixth Avenue, Rockefeller Center, New York City.

Cable address "Quigpube, New York." Mar-

ket in Quigley, Editor-in-Chief and Publisher: Victor C. Quigley; Secretary and General Manager: Watters T. Rotheraker; Vice-

President, Sales Manager: E. B. Emde, Ad-

vertising manager; Chicago Bureau; 40 North Michigan Ave., E. O'Reilly, manager; Hollywood Bureau, Postal Union Building (Dept. 10); R. B. VanDoren, manager; London Bureau, 4, Great Portland St., London (W1), England (Dept. 10); William H. Stahl, manager; cable address "Quigpube, London." Copyright reserved 1940 by Quig-


Friday, March 15, 1940
THOSE SMILING

THEY'RE COUNTING THE MINS

Because that's when they (and over 200 other smiling showmen) play 1940's No. 1 laff-special

"3 CHEER

It's the down-to-earth comedy

Look! The cast is magnificent!

Starring PRISCILLA LANE (Mc) MIT
G IRISH EYES!

UTES TO ST. PATRICK'S DAY

S FOR THE IRISH

You've been screaming for!

Dennis

with

MORGAN

VIRGINIA GREY • IRENE HERVEY
WM. LUNDIGAN • Directed by LLOYD BACON
Original Screen Play by Richard Macaulay and Jerry Wald
A Warner Bros.-First National Picture

Confucius talk too much.
McBuddha say:

. . . "Three Cheers for the Irish" bring Ten
Thousand cheers for WARNERS, begorra!
Motion Picture Daily

Friday, March 15, 1940

Critics Board Train
Virginia City-Bound

(Continued from page 1)

continue to Hollywood following the
premiere.

At Clinton, Iowa, local exhibitors
boarded the train and handed the trade
delivery a petition to give
Darryl Zanuck asking him to hold the
premiere of "Lillian Russell" at Clinton,
where the actress was born.

Jake Wilk, Warner story editor,
presented many a palette with an advance
vite to a Chicago deli, ordering
small delicacies delivered aboard
the train on its arrival there. As a
result, many were spared from doing
without their accustomed smoked sal-
mon, pumpernickel bread, sturgeon
and smoked white fish.

One writer, anxious to be the
others to breakfast as the Commodore
Vanderbilt neared Chicago found him-
self suddenly cut off between eggs and
coffee when trainmen, without warn-
ing, detached the diner preparatory to
cutting the special cars to the
Forty-Niner. The writer, carrying
the writer's order, disbelieved his eyes
when he saw himself being slowly
moved away from his customer on the
other part of the train.

Helping Blumenstock to play host
are Old Reckon, Jerry Keyser, John
Harkins and Ralph Bode of Warners.
Blumenstock presented the women
guests aboard the train with souvenir
compacts. The men just ride.

Many Notables to Attend
Virginia City Ceremonies

Virginia City, March 14.—Death
Valley Scatty is curator here with a

"Double Alibi"
( Universal )

A mystery-newspaper yarn involving a triple murder, an innocent nun
hunted for the crime, a romance with a newspaper woman, and the
uncovering of an unsuspected culprit make up an active and entertaining
piece of screen merchandise.

In the lead is Wayne Morris, aided by Margaret Lindsay, and Wil-
liam Gargan, in particular, Philip Rosen's direction serves to keep the
suspect at a high pitch and the pace lively throughout. Ben Pivar
produced from a screenplay by Harold Buchman, Roy Chanslor and
Charles Grayson, based on a story by Frederick C. Davis.

Morris is suspected of the murder of his divorced wife when he is
seen fleeing from the house after she is killed. Escaping, he enters a
newspaper office, poses as an expected, but unknown new reporter, and
falls in with Miss Lindsay, who is working for Gargan, city editor. She
learns the true identity of Morris, seeks to help him, with the aid of
Roscoe Karns, photographer, and is led to believe that he is the real
killer. But Morris gathers his wits cleverly, and at a police show-up,
discloses the real murderer.

Running time, 60 minutes. "G."

Charles S. Amronson

Monogram Branch
To Stubbins, Hulling

Hollywood, March 14.—Howard
Stubbins and Mel Hulling today
bought out the interest in the Pacific
Coast Monogram franchise of Ray
Olmstead.

Stubbins, becomes president of the
company, which has exchanges in Los
Angeles, San Francisco, Portland and
Seattle. Stubbins and Olmstead have
been partners in the Monogram enter-
pri.se for years, the latter retiring to
devote his time to the circuit of Ari-
zona theatres in which he is interested.

Hulling, former West Coast district
manager for Monogram, will make his
headquarters in San Francisco. Martin
Solomon has been named head of the
Los Angeles exchange.

Senate in Kentucky
Passes Tax Slash

Frankfort, Ky., March 14.—The
Kentucky Senate last night passed the
bill to permanently cut state income
tax on admissions of more than $1, by a
vote of 40 to 0. The measure, which
has gone to Gov. Johnson for signa-
ture, also exempts from the tax dra-
matic productions and other forms of
amusement presented for religious,
charitable or educational purposes.

The measure was approved last
week by the House by a vote of 74 to 1.
Officials of Louisville see the
tax as an incentive to road shows,
which have in the past avoided the
city because of the high admission
tax.

Films Don't Launch
Trends—Ramsaye

(Continued from page 3)

delivered to the audience which the
screen theatre has assembled by offer-
ing entertainment.

Hollywood attempts to study econ-
omics, politics and social movements
he can go home and read a book. No
research is to be done in an opera
chair.

"The adoption of themes of 'sight
purpose,' which we may observe
on the screen, is progressive.

"In an attempt to capture a part of the public in-
terest for the amusement boxoffice.

"An old-fashioned picture can add to the
existing moods and movements;
the hysteries, encourage the
maladies, the tilts, the con-
stellations. If it can't start anything—and should not,
will not. The broad audience of the
screen is such that must turn to
what it has heard about—explora-
tion is to be made by the mil-
ions."

"The day, perhaps, motion pictures
will be inexpensive enough, in
the making, the distribution and the show-
ning, so that theatres and audiences
will be classified, and the minorities
with special levels of taste and dis-
 crimination will not, as now, have to
seek the stimulation of the masses whose support is necessary to the
very costly medium. A few thou-
sand readers can make a book a suc-
cess, but that many patrons of a mo-
tion picture can not pay for the grease
point in an 'A' production.

In the Public Opinion course at
Princeton is conducted by Dr. Har-
wood L. Childs of the School of Pub-
lic and International Affairs at Prince-
ton. He is also managing editor of
Public Opinion Quarterly, which has
devoted attention to the screen.

Denver Exhibitors
To Meet March 30

Denver, March 14.—The Theatre
Owners and Managers of the Rocky
Mountain Region will hold their an-
ual convention at the Cosmopolitan
Hotel here March 30. Charles R.
Olmstead, president, and the ad-
mittance committee.

Founders' Day will be celebrated
with a banquet and midnight show
in the City Auditorium, and the repub-
lations will be held at the Shirley Savoy Hotel. Robert
D'Onofrio, chief Barker of the Dal-
las Variety Club, and Harris, national
chief Barker, from Pitts-
burgh, will speak.

Rick Ricketson, president of the
Rocky Mountain Screen Club, will be
toastmaster. Proceeds of a midnight
show at the Broadway Theatre will
be given to charity.

Schedule Bowling Match

A bowling match between mem-
bers of the RKO publicity depart-
ment and trade press representa-
atives will be held next Wednesday
night at the Radio City alleys. Lou
Ga-
treau, Ken Hallum, Jack Lewis, Jack
Mueler and Jimmy Fisk are to hurl for
the film company, and Al Steen, Joe
Prior, Lionel Tolle, Lew Mentlik and
Ray Gallagher for the trade papers.

'Wind' in 982 Cities

Bookings to date on "Gone With the
Wind" total 1,104 in 982 cities in
the United States and Canada, in-
cluding 20 shows. It is no surprise
when engagements are set by M-G-M yesterday.
NK127 40 DL 5 EXTRA=MEMPHIS TENN 6 141P
QUIGLEY PUBLISHING CO=
ROCKFELLER CENTER

HAVE JUST TRANSFERRED OUR OFFICES TO MEMPHIS AND FIND IT IMPOSSIBLE TO ORGANIZE OR GET OUR BOOKING DEPARTMENT TO RUNNING SMOOTHLY WITHOUT THE HERALD PLEASE MAIL CURRENT ISSUE TODAY AND START OUR SUBSCRIPTION WITH SAME=

DAVID FLEXER H AND F THEATRES   RITZ THEATRE BLDG
MEMPHIS TENN..
High hat, hard to please, Time Magazine's critical critic writes rave review, enthusing: "In the 24 years since young Jack Pickford played Willie Baxter in the silent screen version of 'Seventeen', cinemadicts forgot how much charm there is in that classic of calf love on Main Street. Deftly making youth's callow crisis also a crisis of adult intelligence, Director Louis King has made one of the few recent Hollywood remakes worth remodeling."

Mass-minded N.Y. Daily News joins Time in raving about mass appeal of "Seventeen." "A delightful comedy that will entertain adults as well as the Harold Teens and Lillumses. The latter flocked to the theatre in such droves that the police were called to keep them from stampeding up and down the aisles. Jackie Cooper is a perfect choice... Betty Field is the most promising young actress on the stage and screen today."

Records established by "Seventeen" at New York Paramount: Best week-end gross (Saturday and Sunday) in 7 Years; Best Second Week Business in 2 Years.

And in key cities from coast to coast "Seventeen" is running more than 25% ahead of the Jackie Cooper-Betty Field success "What a Life."

Jackie Cooper and Betty Field in "SEVENTEEN"

with Otto Kruger • Betty Moran • Directed by Louis King

Screen play by Agnes Christine Johnston and Stuart Palmer • Based on the Story by Booth Tarkington and the Play by Stuart Walker, Hugh Stanislaus Stange and Stannard Meaux
First Quarter
Net $460,631
By Universal

More than Doubles Profit
That of Year Ago

Universal on Saturday reported net earnings of $460,631 for the first quarter of its current fiscal year, the 13 weeks ended Jan. 27, last. The report compares with net of $157,990 for the corresponding quarter a year ago.

The current year's figure is before Federal income taxes and special amortization adjustment reserves, the latter amounting to $5,000 per week. After deduction of such reserves, but before Federal income taxes, net for the quarter was $395,631.

The amortization adjustment was made, according to J. Cheever Cowdin, Universal chairman, because of a trend toward increasing domestic income in ratio to the foreign receipts of the company.

Cowdin stated, however, that foreign receipts are holding up well in view of current international market conditions.

All Universal Directors
Reelected by Stockholders

WILMINGTON, March 17—Stockholders of Universal Pictures Co., reelected all directors at their annual meeting here Friday.


First preferred holders reelected J. Dabney Perick and Samuel I. Posen. Second preferred holders reelected William Freiday.

Nevadans Awed by Glamor
At 'Virginia City' Premiere

By SAM SHAIN

VIRGINIA CITY, March 17—Hollywood transported its gladiators to this ghost mining town, and the Nevadans, dressed in their best store clothes, gazed in awe at this film of the "in" look in the lavish show which marked the premiere of Warner Brothers' "Virginia City."

More than 20,000 persons composed the record influx into the town, overburdening all accommodations. In one section of a "tent city," constructed by Ted Baker, Reno banker, to take care of visitors unfortunate enough not to find shelter elsewhere.

From dawn yesterday until the wee hours of this morning, excitement gripped Virginia City as it re-lived the booming days of its past. Everyone from the urchin to the town's leading "sawdust" citizens were in convivial moods.

Special trains, one from Hollywood and the other from New York, were greeted with heavy honors. Aboard them came Warner Brothers stars, studio and home office officials and more than 100 writers who sent back reports on the show.

The Departmen of Justice has granted Columbia an additional two weeks in which to determine whether or not the Government's answers to defendants' consolidated interrogatories meet with its requirements.

Columbia originally was scheduled to appear in Federal District court here today either to accept the Government's answers or to file petition for additional or more detailed information.

It now has until March 28 to file its answer.

Columbia did not consent to join with other defendants in serving consolidated interrogatories on the Government, and the company's right to request additional information of the Government was upheld by Federal Judge Henry W. Goddard in the event it found the Government's consolidated answers unsatisfactory.

Answers to all 59 Government interrogatories were served upon the New York Anti-trust Division Friday by Universal Pictures. Major part of the replies were marked confidential by Universal and will remain undissected.

U.S. Extends Time
For Columbia Plea

Public to See Big
Screen Television

Camden, N. J., March 17.—Large screen television will be in public for the first time Sunday, demonstration by RCA at the Home Appliance Show to be conducted by the Electrical League of South Jersey at Convention Hall here from April 3 to 8.

The television pictures will be projected on a large screen in the auditorium of Convention Hall. RCA previously demonstrated the large screen set to the F.C.C. at a private showing.

Bioff Appeals
To High Court
In 1922 Case

LOSES Chicago Decision;
Still Free on Bail

CHICAGO, March 17—Having lost his petition for a writ of habeas corpus, William Bioff, Hollywood I.A.T.S.E. leader, yesterday filed an appeal with the Illinois Supreme Court in his fight to escape a jail sentence imposed on him in 1922.

Chief Justice John Prystalski Friday ruled that Bioff be remanded to the House of Correction to finish his incomplete jail term, but delayed entering the order until March 25, thus giving Bioff time to make a State Supreme Court plea.

Bioff's bail of $5,000 was continued.

Judge Prystalski said that after considering the evidence, he was convinced that his court had no jurisdiction to give Bioff his freedom.

"This court has no pardonining power," he said. "This is a matter of executive clemency."

Judge Prystalski said that the issue

(Continued on page 8)

‘Apollo’ Previewed
By College Editors

In the shadow of the Big House, 30 campus rah-rah journalists and some half-dozen film trade paper reporters were given a 10-minute preview of Century Fox at a sneak preview in Ossining of "Johnny Apollo" at Prof. George Stokowski's Victoria Theatre Friday night.

It had occurred to Charles E. McCarthy, 30th Century-Fox advertising and publicity director, that it would be a fine thing if the editors of Eastern college publications would assemble in a prison town to pass critical judgment on Darryl F. Zaneck's newest picture. So he sent the boys "up the river" by the Hudson River.

The task on which the stunt was hung was the fact that Tyrone Power in the film plays the part of a young student who winds up in prison not without some consolation from a sarong-less Dorothy Lamour, however...

The proximity to Sing Sing College, where some of our more notorious alumnus— who have taken other things—now are housed, was a plus. From Dean Lewis E. Laves, gave the setting of the preview a unique flavor.

The college—editors of campus

(Continued on page 8)
20th-Fox Plans Four Conventions Abroad

Four European sales conventions are planned by 20th-Century-Fox this spring and summer. Details and arrangements depend on developments in the European war.

Regional meetings will also be held in Stockholm, for the Scandinavian countries; in Rumania, Portugal or Zagreb for Central and Southeastern Europe.

The 20th-Century-Fox has released a major outlet in South Africa for 20th-Century-Fox and United Artists films. The two distributing companies are encouraging the instruction of English films in that country as means of obtaining adequate representation.

Kane Sails Abroad After U. S. Parleys

Robert T. Kane, managing director of 20th Century-Fox, in England, sailed on the Rer Saturday to resume British production for 20th Century-Fox. He was in this country for three weeks, during which he conferred with Darryl F. Zanuck, production chief.

The season's British quota requirements of 20th Century-Fox are virtually completed, according to the company.

Plans for the new quota year are indefinite, but the company plans to make a maximum of eight or nine features in that country during the year, which are scheduled for American release during 1941.

City Theatres Sued

Breach of contract suit for $150,000 damages was filed today in Supreme Court by Walter Reade against City Theatres of New York, Inc., and General Man¬ager, Walter T. Heidemann, of the defendant's City Theatre, 114 E. 44th St., New York, at $200 weekly. Complaint charges wrongful discharge of Reade in October, 1939.

CBS Stock Sold

Twenty thousand shares of CBS stock of the Consolidated Broadcasting Company Class B offered for sale by William S. Paley, CBS president, 25% after the close of the market on Thursday, were sold early Friday, to a group of underwriters announced.

Kirsch Renamed By Illinois Allied

CHICAGO, March 17—Jack Kirsch was reelected president of Allied Theatre Owners of Illinois for a three-year term at meetings yesterday. Heretofore, officer's terms have been for one year only.

Members of the board of directors were reelected with one exception. Nate Wolf replaced John Jones.

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Republic Revises Westerns Lineup

Republic is planning to revise its lineup of Westerns for 1940-41, provided it can complete them instead of three series of each as heretofore.

The new group will feature either James R. Grainger, president, there will also be four serials, as in the past.

The studio is speeding up production and expects to have the present season's program completed by July 15.

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Libel Suit Dropped

Libel suit for $50,000 damages against NBC and Walter Winchell was dismissed Friday by N. Y. Su¬preme Court. The plaintiff, Minnie Smith, claimed to have been libelated in a broadcast in January, 1939.

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HER 7th SUCCESSIVE HIT!

The HIT that sees her graduated to beautiful young womanhood!

The HIT that rollicks along with her to the melodies of seven great songs!

The HIT that finds her in the most glamorous setting of her career!

The HIT that brings with her the greatest supporting cast of all her pictures!
Deanna in her seventh

"It's A"

with KAY FRANCIS

EUGENE PALLETTE - LEWIS HOWARD - SAMUEL S. HIND

Harry Owens and his Royal Hawaiians

Directed by WILLIAM SEITER
Produced by JOE PASTERNAK
Radiant, Romantic

Durbin

glorious triumph!

DATE

WALTER PIDGEON

CILIA LOFTUS · HENRY STEPHENSON · FRITZ FELD · S. Z. SAKALL
Screenplay by NORMAN KRASNA

JOE PASTERNAK Production
The star and stars who will make this Easter's parade head right for your box office!

"It's A DATE" Now!

Because Universal has prints now!

Released March 22nd!
asz of Charity

Cincinnati, March 17.—Report to be presented to the Variety Club national convention at Dallas, April 18-20, by Arthur Frutencold, local chairman, will show that the tent here last year furnished milk, cream and butter for 4,456 patients at St. Mary Hospital, placed 100 underprivileged boys between nine and 14 years old in the local Y. M. C. A. for educational, vocational and physical training, gave a Christmas party and presents to 2,000 orphans, and 104 picture shows to a total audience of 28,000 warts of local institutions.

It also provided monetary assistance and hospitalization for 68 cases brought to its attention, and gave substantial contributions to many charitable agencies, at a total expenditure of approximately $25,000.

Extend Hyde's Contract

Hollywood, March 17.—Alex Hyde yesterday had his contract extended as director of the M-G-M studio orchestras. Twenty-six years with Loew's, Hyde started as orchestra conductor in Loew's American Theatre in New York in 1914.

New French Film Here

French Cinema Center, Inc., has received the negative of a new French film, "Sciopérés," produced by Marcel Pagnol. The film is a satire on the film industry and the public, and stars Fernandel.

Film Supply During War-Time Pressed

By Chinese Report

An insight into official views of the importance of a motion picture supply in wartime is afforded in a report from American consular sources in China, copies of which were received in New York Saturday.

The report relates that a completely equipped motion picture unit is maintained at Chungking by the Chinese National Government. Every precaution has been taken, both in the construction of the studio and in providing it with bombproof shelters for equipment and films, to safeguard it from destruction.

The studio, known as the China Motion Picture Co., has been in operation since Aug., 1937, and once had been removed in its entirety from Hankow to Chungking.

Since its establishment it has turned out five feature length documentaries, war documentary films totaling 45 reels; nine multi-subject newsreels averaging 24 1/2 feet; and single sub-
ject newsreels totaling 9,000 feet; 10 cartoons of war songs and slogans, amounting to 10,575 feet, and five newsreels of the hot news type, totaling 3,505 feet.

The films are exhibited in theaters wherever available outside of Japanese control, and in temples, schools, colleges and universities in Chinese areas. In addition, mobile military groups have entertained American units by the films to soldiers wherever quartered.

No feature productions which have been in work at the studio for the past few months are scheduled to be completed this month.

"Studio equipment," the report states, "although in daily use, stands prepared for hasty removal to bomb-proofed camps in the event of a landed attack over the solid rock beneath the hill on which the studio is built. Valuable negatives remain stored in these caverns."

U. S. Extends Time For Columbia Plea

(Continued from page 1)

closed. The answers were immediately forwarded to Washington for examination by the Department of Justice. Spyros Skouaras, head of National Theatres, will be examined today by Special Assistant Attorney General Robert L. Wright, Joseph M. Schenck, chairman of the board of directors of Twentieth Century-Fox, and Y. Frank Freeman, vice-president of Paramount, are slated to follow Skouaras.


(Continued from page 1)
tes mean more to the domestic economy of the State of Minnesota than to the producer-owned chains, the earnings of which do not remain in the state but are remitted to the parent companies in New York," he reminded the Congressman.

"Your remarks have been given wide publicity in the trade press and unless you cooperate in getting the underlying facts before the public they may do grave injury to the cause of the independent theatre owner," Steffes wrote.

Chickadee' Does $17,900, Los Angeles

Los Angeles, March 17.—Pleasant weather, which sent many people on weekend trips hurt grosses here. "My Little Chickadee" and "Music in My Heart" took $17,900 at two houses, $9,000 at the Pantages and $8,900 at the Hililscreen.

Estimated takings for the week ending March 13:

"Gone With the Wind" (M-G-M) CARTHART $15,500 (24c-$1.50) 7 days. Gross; $15,500. (Average, $2,700)

"Northwest Passage" (M-G-M) CHINESE (2,500) (30c-$1.50) 7 days. Gross; $7,000. (Average, $1,100)

"The Grapes of Wrath" (Wash.-Fox) 4 STAR (1,500) (30c-$1.50) 7 days, 2nd week. Gross; $6,900. (Average, $1,200)

"My Little Chickadee" (Univ.) HILLSTREET (2,000) (30c-$1.50) 6 days. Gross; $8,900. (Average, $1,500)

"Music in My Heart" (Col.) "Magic Bullet" (W. B.) PANTAGES (1,000) (20c-$1.00) 6 days. Gross; $7,000. (Average, $1,000)

"The Light That Failed" (Para.) "Blonde on a Budget" (Col.) PARAMOUNT (1,500) (30c-$1.50) 7 days. Stage: Vera Vague. Alvino Rey and or- chestra. Gross; $16,900. (Average, $1,200)

"Gene With the Wind" (M-G-M) "Blonde on a Budget" (Col.) UNITED ARTISTS (2,000) (50c-$1.00) 7 days, 1st week. Gross; $16,000. (Average, $1,100)

"Chickadee" (W. B.) "Blonde on a Budget" (Col.) WARNER BROS. (Hollywood) (3,000) (20c-$1.00) 7 days, 2nd week. Gross; $9,000. (Average, $1,200)

"Magic Bullet" (W. B.) "Blonde on a Budget" (Col.) WARNER BROS. (Downtown) (3,000) (20c-$1.00) 7 days, 2nd week. Gross; $9,000. (Average, $1,200)

Infringement Suit Names RKO, NBC

An infringement action seeking an accounting of royalties and profits from a motion picture, radio broadcasts, recordings and sheet music sales of a song, believed to aggregate several million dollars was filed in Federal court in Los Angeles last week by a contention paper served on defendants here over the weekend.

The suit was brought by Evelyn Carew of Los Angeles, who also alleges her unpublished musical composition, "Chatter Box," was plagiarized by a song of the same name in the RKO picture, "That's Right, You're Wrong," and by recordings, radio broadcasts and sheet music sales of the same song.

The plaintiff asks an injunction, a $100,000 actual damages and an accounting of the profits and royalties from the picture, the radio broadcasts on which it was used, the record and sheet music sales, according to Schwartz & Frank, attorneys for a number of the defendants.

Defendants named include RKO Radio Pictures, Kay Kyser, NBC, Mutual, Ascap, Gene Buck, Chappell & Co., Decca, Columbia and Allan Roberts and Jerome Brainin, authors of the song used in the picture.

Harold Lloyd Testifies

Harold Lloyd testified Friday in U. S. District Court in his own behalf in the plagiarism suit of Lowell Brennan and William Rapp against Lloyd and the Harold Lloyd Corp. Federal Judge Goldad reserved decision after viewing the film, "Professor Beware," which plaintiffs claim infringed upon their scenario, "Greek to You."
Hollywood Glamor
For Virginia City

(Continued from page 1)

thousands of words to their respective pages.

The parade, colorful in every detail, awed the natives. In costumes which prevailed during the golden days of the early seventeenth century, municipal officials and society leaders, riding horseback or in carriages and stagecoaches, rode at the head of the procession. Thousands lined the streets and cheered.

Five state governors—Olson of California, Smith of Wyoming, Carr of Colorado, Miles of New Mexico, and Carville of Nevada—were present for the celebration.

Besides Mario Chamile, from the concert world, came Bronislav Gimpel, Y-Yock, Chicago, and the South-Jacob, pianist. They participated in a special Metropolitan Opera-XBS broadcast from the Old Piper's Opera House. Bosworth presented the daggier scene from "Hamlet," as he did when he enacted it here 50 years ago.

Another lavish celebration was held simultaneously at Reno, where "Virginia City" was rerun. A full 20,000 persons turned out at the divorce capital.

Festivities there started the presence of James F. Jeffries, former Nevada governor.

S. Charles Einfeld, vice-president and advertising and publicity director for Columbia portraits the state for the Virginia City and Reno celebrations, Mort Blumenthal, Eastern advertising and publicity manager, came from New York with about 30 newspapermen and women guests. With him also from the Warner home office was Tom Dixon, Ralph McCarty, Ralph Bud and John Harkins.

Most of the guests who came from New York have been correspondents covering the Warner Picture"s and will return to their homes later. Some left for the East today.

Illinois High Court
Gets Blooff's Appeal

(Continued from page 1)

in the case is: "Has the State the right after 17 years to enforce this judgment?"

"Blooff to Lead Negotiations
Even If from Cell," Say Unions

Hollywood, March 17.—"William Blooff will remain as our chairman and will continue to direct film labor negotiations, even if he has to do it from a jail cell."

This statement came from the Conference of American Federation of Labor Studio Unions following receipt of notice that Blooff had lost his legal effort to gain freedom from a 1922 conviction.

Don Lee Seeking
FM Station Permit

Hollywood, March 17.—Don Lee network has applied to the F. C. C. for permission to construct a frequency modulation station, Thomas S. Mann's post at the week-end. Power sought is 1,000 watts. Frank Kennedy, chief engineer for the network, left for the F. C. C. hearings on FM which start Monday.

Hollywood Review

"Primrose Path"

RKO

Hollywood, March 17.—Last co-starred five years ago, Ginger Rogers and Joel McCrea here exemplify the rising screen precipitation with the sordid, that same half-decade has brought to its films.

Miss Rogers is seen as the youthful descendant of a line of women driven by circumstance to ignore the usual conventions as to the source of their income. Their chief asset is the ability to attract the local girls to the hamburger stand owned by his grandfather. It is in the order of things fictional that the romance and marriage of the two should be hindered by the girl's attempts to lie about her family in order to hide their real characteristics.

It is in the new screen order of things "realistic" that the family should consist of a mother who resents any other men as a means of bringing her family food, a father whose education earns him only the distinction of continual drunkenness, a grandmother who is the perfect prototype of the harridan, and a tough and articulate younger sister. The element of the story derived from the novel is underscored by reference both in the main leader and in the body of the film to Menander's aphorism to the effect that "we live not as we wish, but as we can."

Based on the stage play by Robert L. Buckner and Walter Hart, the film was long, the film directed, as well as collaborating on the screenplay with Alan Scott. The character previously defined are depicted by Marjorie Rambeau as the mother, Queenie Vassar as the acidulous grandmother, Miles Mander as the father, Joan Carroll as the young sister, and Henry Hall as the young man in the case.

The interest-compelling names of the stars and of La Cava are pitted against, rather than abetted by, their story material.

Running time, 90 minutes. "A." W. S.

"A" denotes adult classification.

"Apollo" Previewed by College Editors

(Continued from page 1)

papers from Pittsburgh to Brunswick, Me., were guests of 20th Century-Fox over the weekend. Before trekking long in nimblesteeds driven by liveried chauffeurs, they were honored at a state dinner at the St. Moritz Hotel by the editors of the Harvard Lampoon, and Douglas Campbell of the Yale Report, sat cheek-by-jowl with those of the 20th Century-Fox publicity staff. None of the neophyte journalists asked Mc- Carthy to participate in the graduation next Summer. (McCarthy was prepared to drink at that one.) Nor was anyone challenged to a duel. The boys, it seems, had forgotten their vendettas for the time being.

The party—some 40 in all—made the hour's trip to Ogunquit and back, under the guidance of McCarthy's staff, including Rodney Bush, Earl Winkler, Irving Bill, Cam- bliss and Steve Freelander. Henry Knohlkamp, manager of the theatre, greeted the visitors and handed on preview response cards. Present were local dignitaries and officials of civic organizations, in addition to the members of the press. The sumptuous meals were preceded with the work of journalism over the week-end. The students were advised to nothing more exuberant than cheers at 7:15 when they were dressed in tuxedos and apassante at the finale.

The visiting college men were guests of 20th Century-Fox at Saturday's opening of the new performance comedy, "Too Many Girls." A selected group participated in a special broad- cast of the show from the studio. They were ready to confide Johnnny Apollo with Apollo Belvedere, that ancient and well known Greek.

Lido Reopens After Fire

The Lido, Brooklyn house, closed by fire recently, has reopened.

Radio Brevities

WHEN the frequency modulation hearings get under way this morning before the F.C.C. at Washington, one of the chief issues to be determined will be the assignment of additional frequency bands to the FM broadcasters. The latter, taking advantage of the FCC's race to get on the air and get on the air, will seek to have the Commission cut down these three bands and turn them over to FM.

Wanted: A Name for Television

Meticulous executives are dis- inters the word "television" as a a noun to describe the transmission of sight waves over the air. Besides being inaccurate, they say, it is too long.

"Radiovision" has the advantage of length, but it is longer than television by one letter. "Video" has been used by many newsman, but although "video art" is more generally favored.

If readers have any suggestions, they may be sent this column. They will be referred to the hard-working executives who have to worry about things like this.

Program News

Procter & Gamble has bought time for its "Ribs B.S." spot, which was announced over the weekend. The latest, on behalf of Ivory Soap, will be a quiz show, "Truth and Consequences," Ralph Ear- condor, CBS announcer, who will act as enquirer. It will be heard over four network stations from 9:45 P.M., beginning March 23.

Laurny Ross, who is scheduled to be heard four times weekly, beginning March 25, will get a regular Monday through Friday spot on April 30 when the 7:15 P.M. time on Tuesdays be- come free. "Laurny," the cancel- ation of Jimmie Fidler's program.

Diathermy Interference

The Federal Communications Commission is reported to be conducting private talks with the American Medical Association to limit the nuisance created by the interference of diathermy machines on radio reception. Although 40,000 of these machines now estimated in use, the F.C.C. regards the interference as something which must be dealt with. It is understood that commission is considering the assignment of a definite wave length for these machines and requiring that the sets be equipped with monitoring devices to prevent reception of radio waves outside its assigned frequency.

Personalities in the News

Walter Duncan, WNEX New sales manager, was named vice-president of the station by General Electric, after a five-year tour over the weekend.

... Grady Cole, of WBT, Charlotte, Harwood Hull, WAPI, Atlanta, announced his resignation Saturday. WIBW, Topeka, has added to the staff covering news for CBS "America's Singer." Kay Kyser rounds out two years as dean of the "College of Musical Knowledge" over WOS-CD on West Monday, March 17.

... Granville Steel speaks before the Overseas Press Club on Wednesday,
Vaude Circuits Will Face Five Unions Today

Parleys with Moskowitz, Fair Officials Stated

Representatives of Screen Actors Guild, Actors Equity, American Federation of Radio Artists and Chorus Equity will accompany Hoyt S. Haddock, executive secretary of the American Guild of Variety Artists, this afternoon when he meets with executives of all major vaudeville circuits.

The meeting will be held at the office of C. C. Moskowitz, in charge of metropolitan houses for Local 3.

The four sister unions of A.G.V.A. have passed resolutions forbidding their memberships to work in vaudeville, except where A.G.V.A. is recognized as sole bargaining agency and officials will be present today to present a united appeal for recognition.

At 11 A. M. today, the same officials will meet with New York World’s Fair authorities for a closed shop at the Fair for the 1940 season. At 1 P. M. Haddock will meet Richard K. Gregory, attorney for 24 Brooklyn and Queens night clubs, to start negotiations.

Signing of a contract with the Havana-Madrid, a night club, was announced by A.G.V.A. yesterday. Minimum salaries for principals were increased from $35 weekly to $45, and from $22.50 to $30 for chorus, the union declared.

Stars, Writers Back From Virginia City

By SAM SHAIN

Aboard the Forti-Niner, en route to Chicago, March 18.—Virginia City and it scant 2,000 inhabitants today returned to the obscurity out of which they were shaken this weekend by the excitement and glamour of a Hollywood premiere attended by governors of five states, film stars and newspaper writers from the nation’s largest cities.

The town and its people will not soon forget the few hours of a re-created past they were given by way of launching, in as conscious a manner as possible, the Warner production, “Virginia City.”

Warner’s $35,000 party now is part and parcel of Virginia City history. The premiere, held in that town and Reno, can be called a success.

The 250 guests started homeward

City Bans ‘Monopoly’ Theatre Ownership

Morriston, Ark., March 18.—The City Council has passed an ordinance prohibiting “any persons, firms, corporation or association of persons” from operating or being interested in the operation of more than one film theatre within this city’s limits.

The ordinance was adopted after Sid Metcalf and S. B. McSwain, operators of the Ritz, which will be reopened shortly in a new building, appeared before the council protesting “monopolistic policies of chain theatre firms.”

Holy Week Causes Slump in Grosses

Weekend grosses continued off Broadway first runs with managers generally attributing the lack of business to the usual drop at the advent of Holy Week.

On the Paramount, however, “Road to Singapore,” with Tommy Dorsey’s band on the stage, achieved a big gross from an estimated $25,000 over the previous week.

(Continued on page 10)

Settlement Made By Fox Theatres In Wm. Fox Case

William Fox will receive a cash payment of $80,000 from Fox Theatres, Inc., for a final settlement of his claim of $7,186,672 against the company, an application of trustees of Fox Theatres filed in the N. Y. Supreme Court yesterday for a final discharge revealed.

Settlement provides for Fox’s claim to be allowed in the sum of $1,000,000 for which he will receive an 8 per cent dividend similar to that paid to other creditors. In addition, a claim of the Fox Theatres against Fox for $7,000,000 will be cancelled, the application stated.

Petition of Milton C. Weissman and Kenneth Swenirch, trustees, also asked for judicial approval of the plan of operations and budget of estimated 1940 expenditures and for the fixing of final allowances to the trustees. Justice Aarom J. Levy took the application under advisement.

Fox Theatres has cash at hand of $168,248, the petition said, part of which will be devoted to payment of settlement to Fox and the balance for payment of taxes, allowances and a number of claims. Trustees were appointed on March 16, 1939, after approval of plan of liquidation by former Circuit Judge Mantor.

U.S. Questions Schenck Upon Star Loan System

Stars are only loaned by Twentieth Century-Fox to other producing companies when the player’s reputation will be enhanced by the part to be played, Joseph M. Schenck, chairman of the board, stated yesterday at a pre-trial examination in the Government’s key anti-trust suit.

In determining the advisability of loaning a star the main consideration is given to the story, part played and reputation of the director and cameraman, Schenck declared. If the director is to be a “top notch” man such as Capra, Vidor or King, Schenck said, Twentieth Century-Fox is more inclined to make the loan, the executive stated.

Moreover, he continued, no consideration was given to whether a picture was to be exhibited in the best houses. Schenck explained at length that a film which had been produced with a good story and proper directing must be shown in the finest theatres.

Schenck denied that producing companies had agreed upon standard payments for the borrowing of talent. Generally speaking, he said, directors, writers and technical men were paid for the actual time for which they were borrowed.

On the other hand, Schenck continued.

(Continued on page 3)

Suit Settlement Hinges on Five Theatre Firms

No Official Stand Taken By Other Defendants

Discussions of an out-of-court settlement of the Government’s New York anti-trust suit in recent weeks have been confined to representatives of the five defendant companies having theatre affiliates.

This was due to the fact that any settlement program which did not first offer some solution for theatre difficulties would have failed.

The three non-theatre owning defendants were advised of the new settlement efforts for the first time only within the last few days.

Representatives of these companies are privately skeptical of the significance to them of any consent decree but officially they have taken no stand, and are not likely to do so pending further developments and more detailed reports of the proposals under consideration.

Cohn Denies Stand On Consent Decree

Columbia Pictures has done nothing “to indicate an official attitude or position” in the Government’s New York anti-trust suit, Jack Cohn, vice-president, said yesterday.

His statement was directed to a report published yesterday, but not in Motion Picture Daily, that Columbia would refuse to be a party to a consent decree in settlement of the Government action.

Cohn denied any official knowledge of any official act which would give credence to the report.

“No executives of our company,” he said, “have ever entered into a discussion which would tend to be a basis for such a report. If Columbia pictures adopt an attitude in regard to this question an official announcement will be made at the proper time.”

Zukor Arrives, Sees 2-Months Stay Here

Adolph Zukor, Paramount board chairman, will remain at the home office “about two months,” he stated yesterday on his return with John W. Hicks, Paramount vice-president and foreign head, from a two and one

(Continued on page 8)
306 Will Picket 15 Non-Union Houses

Operators Union, Local 306, late next week will start a picketing campaign against New York City houses employing non-union projectionists, union sources disclosed yesterday. The campaign will be directed against the managers who employ non-union operators and will not involve a fight with Empire State Operators Union, it was said.

Picketing will start at two houses in Manhattan and two in Brooklyn and the campaign will be expanded gradually. Union officials estimate that there are about 15 houses in the city which do not employ union projectionists.

Bert Popkin, Manhattan business agent, and Jack Teitel, Brooklyn business agent, will be in charge of their drive in their respective boroughs.

Restrains Game Ban

WASHINGTON COURT HOUSE, O., March 18—Hoy Simons, operating the Fayette here, has obtained a temporary restraining order in Common Pleas Court to prevent City Manager Edwin Ducy and Police Chief Jack Wolf from interfering with Bank Night. The officials had ordered the game discontinued on the ground that it is a lottery.

Caldwell Brown Dies

ZANESVILLE, O., March 18—Caldwell Brown, 55, secretary and treasurer of Zanesville Theatres, Inc., operating the Grand, Liberty, Imperial and Quality here, died Saturday of septicaemia. He had been reelected a director of the L.T.O. Ohio at its convention in Columbus on Feb. 29.

Purely Personal

E MANUEL SILVERSTONE, American representative for Alexander Korda, will arrive from the Continent today. Maurice Silverstone, United Artists chief executive, will leave the Coast by train today, arrival here Friday.

CARL E. MILLIKEN, secretary of the Motion Picture Producers and Distributors of America, will address the annual convention of the Indiana League of Business and Professional Women in Indianapolis on May 23.

Edward Ward, screen composer, leaves for Hawaii today to make a study of South Seas music for Edward Small, United Artists producer.

Y. FRANK FREEMAN, Paramount vice-president and studio head, arrived from the Coast yesterday. He will be here until the end of the week.

I. H. LEVINE, Imperial Pictures of New Haven, is recuperating from an emergency operation at Grace Hospital, New Haven.

W. FRENCH GUTHRIE, president of Newsfilm Theatres, Inc., addressed the Columbia Scholastic Press Association convention lunch weekend.

JOE GOERTZ, RKO assistant division manager in Cincinnati, has been appointed zone chairman of the Community Chest drive there.

Joseph Kmoswitz, 29th Century-Fox studio representative in New York, returns tomorrow from the Coast.

W. G. O'BRIEN, formerly Universal News representative in Paris, has arrived from Europe.

CHARLES A. SMAKWITZ, district manager for Warner Theatres in Alabama, has returned from Miami Beach.

MAURICE SCHEINER of Loew's representative in New York, is recuperating from a vacation in Hot Springs, Ark.

CLAYTON T. LYNCH, M-G-M manager in Los Angeles, observes a birthday today.

HARRY COHEN, Jack Cohen and Nate Spingold returned to New York yesterday from Florida.

OTIS SKINNER arrives in New York today, completing a 38-day cruise to Chile.

WILLIAM A. SCULLY will return from Boston Wednesday.

GUY F. NAVARRE, who resigned as Seattle branch manager for United Artists, will become business manager for Gene Dennis, psychic. Miss Dennis is Mrs. J. G. Vorhees.

Golden's Tour Finds Business Optimism

Edward A. Golden, Monogram general sales manager, reported exhibitors "highly optimistic regarding the current prospects" for picture house sales, added yesterday from a six-week swing around the country.

"Picture centers are reaping from war activity in various industries," said Golden. "These gains are finding their way into theatre tillars. Also, exhibitors say that people are going to theatres to escape from the discouraging war news from abroad."

Golden visited 15 exchanges where he held sales meetings on the company's 'Spirit of Independence' playbooks yesterday. Also, exhibitors said, the American League is Dunlap, umpire, Frankie Darro, mascot, and Tex Trotter. Johnson, booking the American League as umpire with Martin Spelman as mascot and Boris Karloff as catcher.

Captain of the various teams are as follows: in the National League, Charles Trampe, Milwaukee; the Leo Fidler, "the big guns"; Bob Taylor, St. Louis, "the Wild Cats"; W. Benjamin, Kansas City, "the Tigers".

In the American League: Harry Thomas, New York, "the Giants"; Steve Brody, Boston, "the Red Sox"; Tom O'Brien, Cincinnati, "the Tigers"; John Francon, Dallas, "White Sox".

BERG, wife of the head of the Jensen-Vonherberth theatre circuit.

BARRY BALABAN, Y. FRANK FREEMAN, AUDRINE KNOTHE, MAURICE MAYER, LEONARD GOLDSMITH, MICHAEL WHALEN, MAURICE BERGMAN, ROBERT WEITMAN, DAVID FARRALA and ARTHUR LOWE are in New York for lunch yesterday.

HAROLD EVANS, manager of the Loew's State, St. Louis, is in Cleveland for a vacation. M. J. Cullen, district manager for Loew's, is subsituting for Evans.

C. D. GARRISON of the United States Theatre of Los Angeles and just arrived, head of a circuit there, has returned from Florida, with their wives.

ANDREW ROY, manager of Warner's Strand, Albany, is ill, with the grippe.

Schenck Tells Of Star Loans In U. S. Probe

(Continued from page 1)

ned, star's union member contract to make a fixed number of films yearly were paid for the number of pictures the star had been booked for, regardless of the star's talent.

Companies loaning ordinary featured players would receive the equivalent of the player's salary plus a bonus of three weeks' pay, Schenck said.

The Twentieth Century-Fox charged 10 per cent of the cost of any set loaned to United Artists.

Tells of United Artists Days

The Twentieth Century-Fox chairman told Special Assistant Attorney General Robert L. Wright that he had found it considerably easier to honor his agreements with heads of United Artists in the late twenties. It was easier, then, he said, "because stars had not been given the importance and attention that the industry had put on them and the major company of pictures that United Artists had then."

According to the testimony, Schenck talked generally about the economics and policies of National Theatres. Conferences between Schenck and Spyros Skouras, head of National Theatres, are held about twenty times yearly, Wright was told.

Schenck stated that he visited his brother, Nicholas, president of Loew's, about once a day, "to keep in touch and tell him what I was doing and how things were going around the world."

Criticisms Exchanged

Criticisms of various aspects of their respective studios are exchanged, he explained. "I tell him that he spends too much money for pictures, but he says, 'You are just a revenue machine. He tells me that he makes good pictures.'"

Schenck stated that he had no interests in the film industry outside of his work on the Twentieth Century-Fox and United Artists Circuit Theatres. Advantages to his company in the conversion of Spyros' company into the four companies' circuit is that it will better exploitation of films, longer first runs, and an ability to advertise the company's name, the witness said.

Spyros Skouras will testify today. Y. Frank Freeman is slated to appear tomorrow.

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MOTION PICTURE DAILY

MOTION PICTURE DAILY

(Registered U. S. Patent Office)


MOTION PICTURE DAILY
Stars, Writers Back From Virginia City

(Continued from page 1)

Sunday aboard special trains, tired but happy after a day and a night of noisy excitement.

Ralph Budd of the Warner home office, who managed the trip out of New York so well, had returned to the Capital from Reno. So have Mort Blumstock, Warners’ eastern advertising and publicity director; Jake With, story editor, and Sid Rechetnik is accompanying the eastern delegation back to New York, with Bill Gaglione and Ben Centrella, who was loaned by that railroad to assist with arrangements, returning with the same group.

Bill Guthrie, Warner’s location chief, is shepherding the California party.

Reno Chamber Gives $6,000

Of the money which has been spent on the affair, $6,000 is said to have been contributed by the Reno Chamber of Commerce. Of this, about $2,500 was contributed by the Southern Pacific Railroad. Reno residents say:

Transportation of the 215 Hollywood guests is estimated to have cost $6,500. Dining-car charges on the special trains cost about $700 per day, according to railroad officials. The refresher cost from midnight to 7 A.M. on that train was an additional $125.

The 40 members of the New York and Chicago press bureau are said to have contributed about $170 in refreshment charges, railroad men said. Transportation costs to Reno and return for the group amounted to about $10,000. Dining-car charges, additionally, were around $200 daily.

Preparatory expense, including advertising with Warner Bros., amounted to about $10,000, of which $2,500 was hotel expense. In Reno, officials estimated that Telegraph charges aboard the Coast special are estimated at $1,000.

Relics of Past Still Standing

Reno didn’t seem as concerned over the picture as was the little ghost mining town 25 years ago. Virginia City, home of the one-time famous Comstock lode which yielded $700,000,000 in gold, is now only a skeleton of the roaring, bustling mining city it was in the early 70s. Still standing are the Crystal Palace, Bucket of Blood and Chandelier sa- loons and Piper’s Opera House, and yesterday the old-timer gayety of these spots was revived. But Virginia City today is only a relic of the past.

The final chapter of the affair consisted of an old Frontier Parade in Reno.

Two gay visitors slipped inside a hearse that brought up the rear of the parade. The vehicle hadn’t gone 100 yards, however, before the long arm of the law reached in after them.

“Hi you two corpses it would be difficult to find a good name,” commented one of the officers, “but you’re just tight, so you’ll have to get out.”

Drops Stage Shows

CINCINNATI, March 18.—The 2,150-seater Music Hall was literally playing stage shows and pictures since the opening of the season, goes to a straight picture policy March 29, with scale reduced from 40 to 60 cents to 35 and 42 cents.

Hollywood Reviews

“Viva Cisco Kid” (20th Century-Fox)

Hollywood, March 18.—The second in the series starring Cesar Romero as “Viva Cisco Kid,” is a blending of comedy and adventure in the best tradition of outdoor action pictures. The popular Romero in the title role similar to “Don Quixote” and Chris- Pin Martin as “Sancho Panza” are an ideal combination. This time, the “Cisco Kid” falls in love with the daughter of a criminal, and to save him, outruns the gang’s leader and helps the father to rehabilitation.

Samuel G. Engel and Hal Long’s screenplay, suggested by O. Henry’s character “Cisco Kid,” aptly intermingles comedy, suspense, romance and action, all brought out to a high degree by the direction of Norman Foster. Sol M. Wurtzel was the executive producer.

Supplying the love interest is Jean Rogers. Others in the cast are Minor Watson, Stanley Fields, Nigel De Bruiir, Harold Goodwin, Francis Ford and Charles Judels.

Running time, 65 minutes. G.*

**G” denotes general classification.

“Broken Strings” (International Roadshows-Goldport)

Hollywood, March 18.—“Broken Strings,” produced by Goldberg and Port for International Roadshows distribution, is another of the all-Negro films made especially for exhibition in the 400 theatres with colored patronage in the United States. It stars Clarence Muse, the widely known singer, writer and stage-screen actor, as a famed concert violinist who has been called to give his last performance. His son, being torn by his fight for the classics, as opposed to their being “swung” by modernists, exemplified by his 12-year-old son, played by William Williams.

Supporting are Sybil Lewis, Tommy Moore, Stymie Beard, Pete Webster, Eddie Thompson, Buck Woods, Jessie Lee Brooks, Darby Jones, Earl Mortix, the Stovall Sisters and Squire Carter.

Carl Krasuda, Muse and Dave Arel were the screenplay. L. C. Borden was the associate producer.

Running time, 60 minutes. G.**

**G” denotes general classification.

Fight New Albany Discrimination Bill

ALBANY, March 18.—The Committee on Criminal Courts Law and Proceed- ure of the Assembly of the State of New York has strongly disapproved Assemblyman Ir- win Davidson’s bill providing sentences of public penal- ity in cases of public intoxication to refit to admit any individual over 21 years of age who presents a ticket of admission.

There is no need for this proposed law,” the committee said in a memo- randum to the legislature over the weekend. “Section 40 of the civil rights law now affords to all persons equal rights and privileges in places of public accommodation, resort and amusement and Section 41 provides penalties for a violation of Section 40.”

Louisville Unit Now Opposes Neely Bill

LOUISVILLE, March 18.—Support of the “Bingo Bill,” the new law for the sale of “Bingo” or “Tic-Tac-Toe,” has been withdrawn by the council’s legislative committee, according to Mrs. R. V. Love, legis- lative chairman.

The council previously had gone on record favoring the passage of the legis- lation and setting up the gambling device. Proponents of the Neely bill was chairman of a committee of the Neely fire company which arranged the Bingo game for a test.

The council this week decided to have the law on Bingo in Lancaster County. Judge C. V. Henry, the member of that circuit court, said the only question to decide was whether or not Bingo is gambling.

Pennsylvania Jury Calls Bingo Illegal

Lancaster, Pa., March 18.—Bingo is gambling, it was decided by a county jury here in convicting Rich- ard Landis, of Rohnville, of maintain- ing and setting up a gambling device. Landis was chairman of a committee of the Neely fire company which arranged the Bingo game for a test.

An acquittal would have left the law on Bingo in Lancaster County. Judge C. V. Henry, in charging the jury, said the evidence was to the effect that Bingo is not gambling.

Kill Mississippi Bill For New Ticket Tax

JACKSON, Miss., March 18.—Without a dissenting vote, the Mississippi House ways and means committee killed the Senate-approved bill which would have allowed the city of Jackson to levy a 10-cent tax on a $25,000 annual city tax. The bill, supported by the Jackson council, who contended it needed added revenue and would match state levies on theatre admissions in addition to other taxes, would have called for a 60 cent per majority vote of the public of any city over 35,000 population in the state. The state levies a maximum tax of 10 per cent on admissions.

Cooper Gets ‘Doc’ Lead

Hollywood, March 18.—Gary Cooper has been borrowed from Samuel Goldwyn to play the title role in “The Life of John Doe,” in production by Frank Capra for Warner release.
Theatre and Personnel Notes

Warner Exchange Shifts

SWEENEY, March 18—J. W. Perry, head of the book department of the local Warner exchange, will be succeeded by Craig Turner, former relief book department. Turner's position will be filled by Dan Weston, and Earl Bangasser will be sent to the former's relief. Morton Upton, a former manager of Paramount's local branch, will join Warner's as sales department.

Buys Two Houses

NEW ORLEANS, March 18—J. C. Noble has purchased the Rex and Relx at Leland, Miss., from Mr. and Mrs. W. R. Pattee. The theatre, largest house in Leland, will be remodeled and a new cooling system installed. The Rex is a negro house.

O'Neil Quits 20th-Fox

DES MOINES, March 18—Edward P. O'Neil, former office manager and sales agent at the 20th Century-Fox exchange, for the past eight years, has resigned and returned to his former home in Kansas City.

Plans Negro Theatre

Galveston, Tex., March 18—Mrs. Anita Martin, owner of the Dixie, is planning the opening of a new negro theatre here. The theatre will be named the Carver.

Belasco Succeeds Brower

SAN FRANCISCO, March 18—Al Belasco of Chicago has succeeded Jay Brown, veteran Coast showman, as musical director at the Golden Gate Theatre.

Provide Theatre Parking

ST. LOUIS, March 18—Fanchon & Marco has started preparations for a theatre parking lot for use by patrons of the Fox, St. Louis and Missouri Theatres in the Grand Boulevard theatre belt.

Plan Birmingham Theatre

BIRMINGHAM, Ala., March 18—Birmingham Theatre Operating Co., owned by the Wilby interests, has purchased a lot here for a suburban theatre.

Takes Illinois Theatre

ST. LOUIS, March 18—Charles Goldman, owner of the Rivoli and Senate, neighborhood houses, has purchased the O'Fallon Theatre in O'Fallon, Ill.

Building Kentucky House

MUNSTORFVILLE, Ky., March 18—Construction of a new theatre here will begin within a few weeks and is expected to be completed by early Fall.

Open in Jackson, Miss.

JACKSON, Miss., March 18—The Pic Theatre, new house, has opened here. It seats 600. W. H. Jones has been named manager.

Buys House in Iowa

ELOM, Iowa, March 18—A. L. Hafel has bought the Rio theatre from Paul Walter.

Alter St. Louis House

ST. LOUIS, March 18—The Salisbury, neighborhood house owned by the Kaiman Brothers, is undergoing alterations.

U. A. Promotes Mariner

Davenport, March 18—Benn Mariner, office manager of the United Artists Theatre exchange, has been promoted to sales manager, covering the northern territory. The man who succeeded him, P. Liod, who resigned to devote all his time to his theatres at Rifle, Colo. The office manager post goes to George H. McComb, brought here from Omaha.

Enlarge Cincinnati House

CINCINNATI, March 18—Maurice Chase, who recently leased the 200-seat suburban Crescent, will build an addition to the rear and install new seats to increase the capacity to over 500. The house, owned by John and Adeline Croyne until sold to the Harris Realty Co. some months ago, formerly was operated by Miles Vance.

Takes Two in Pennsylvania

PHILADELPHIA, March 18—R. L. Schmidt, operator of the Strand and Temple at Berwick, Pa., will open a theatre for Negroes. He has taken over the former Agnew Opera House, which will be rebuilt and called the Moanaka Theatre, the former Cort Theatre.

Manager Transferred

LOUISVILLE, March 18—Formerly manager of the Elks, New Albany, Ind., Ford Tracy has replaced Thomas Muchmore as manager of the Vogue here. Muchmore left early in the week for Hollywood, it was reported.

Cinema Circuit Acquires Savoy

The Savoy, 752-seat theatre at 112 W. 34th St., has been acquired by the Cinema Circuit (Max A. Cohen). Walter Reade is the former owner of the house.

Operates Garden at Trenton

Margina Co. is the new operator of the Garden, Trenton. Buying and booking of the house will be handled by Isaac Levy.

Building at Corpus Christie

CORPUS CHRISTI, Texas, March 18—Consolidated Theatres, Inc., is building a 400-seat house costing $17,000 and scheduled to be opened early in April.

Rebuild Arkansas House

DIXIE, Ark., March 18—The Allied Theatre, which burned Dec. 30, has been rebuilt and reopened by C. H. McCrosky, owner and manager.

House Re-Named Fine-Arts

The Filmmate, 800-seat house taken over by Di Carlo Brothers after having been closed for some time, has been re-named the Fine Arts.

To Remodel Kansas House

KANSAS CITY, March 18—Charles R. Gregg has completed plans for completely remodeling the Liberty at Caney, Kan., this spring.

Operates Bronx House

Carnegie Amusement Corp., is the new operator of the Devon at 241 E. Tremont Ave., Bronx.

Century Gets New House

Century Circuit is now operating the Glenwood, 1475 Flatbush Ave., Brooklyn.

RCA Photophone Deals Set

RCA Photophone has closed deals for a new Century Theatres, for a 500-car drive-in theatre at Memphis; the Town Hall at Canton, Va., which is being remodeled; the Hampden Amusement Co., building a new drive-in at Waynesboro, Md., and John L., which is building a house taken over at Carmichaels, Pa.

Shift Loew Managers

SPRINGFIELD, Mass., March 18—Louis Cohen, of the Palace, Hartford, Conn., has been transferred to manage the Loew-Poli here temporarily, while manager George Freeman is recuperating from an operation at Mt. Sinai.

Plans Rhode Island House

WESTERLY, R. I., March 18—The Zoning Board of Review has approved the plan of Samuel Nardone & Co. to have land on the Boston Post Road at Shelter Harbor rezoned from residential to business, explaining that a theatre will be erected on the rezoned site, work to start April 1 and to be completed by June 15.

Means Shifts Name, Policy

KANSAS CITY, March 18—The Bagdad, Jay Means' suburban house here has changed front, name, and policy. Now the Carroll, the house has eliminated its $15-a-sitting at 10 cents and gone to 15 cents for all three changes of the week. It also has a new sign.

Lease Kentucky Theatre

CINCINNATI, March 18—Ebersole Crawford and John F. Loober, operating the suburban Cheviot, will lease the 650-seat house to be built by nearby Ft. Mitchell, Ky. This will be the first theatre in the town.

Build Drive-in Near Albany

ALBANY, March 18—Owen Holmes and John Gately, Springfield, Mass., exhibitors, have started work on a new theatre three miles outside of Albany. The theatre is scheduled to open May 15.

Manages Columbus House

COLUMBUS, O., March 18—M. J. Cullen, Loew's Western division manager, has applied Joseph Sloan as manager of the local Broad Theatre, succeeding Clinton G. Wider, resigned.

Schines Plans New House

MINNEAPOLIS, O., March 18—Schines, who operate the local Forum and Moose, will build a new $100,000 theatre here, for which plans have been completed.

Buy Iowa Theatre

OTTUMWA, Iowa, March 18—The Ottumwa Theatre Co. purchased the O'Byro Theatre Co., operated here by Jacob Cohen and the Tri-States Theatre Corp., have bought the Grand Opera House.

Opens Theatre in Texas

WEST COLUMBIA, Texas, March 18—The new Capitol has been opened by L. O. Wallace, who operates the Loug Theatres.
she was afraid of men...

one stolen kiss...
she knew what she wanted!
THE SPICY ROMANCE OF A "DEAD-END" GIRL AND A LIVE-WIRE BOY!

Even hard-boiled New York gasped and laughed at the audacity of the characters in the stage play. Now Ginger puts new ginger in the role of the right girl from the wrong side of town who wise-cracked through love and disillusionment—and back again!... A show right in the groove for filling your best playing time!

GINGER ROGERS  JOEL MCCREA

with MARJORIE RAMBEAU  HENRY TRAVERS  MILES MANDER  QUEENIE VASSAR  JOAN CARROLL

Produced and directed by GREGORY LA CAVA

Screenplay by Allan Scott and Gregory La Cava

Produced by RKO RADIO PICTURES
**Woman’s Hits Good $11,000 Denver Gross**

DENVER, March 18.—In spite of heavy show and first runs were above average with “I Take This Woman” at the Denver taking $11,000. “Dr. Slop” drew $8,000 at the Denver, “Brotherly Love,” a “Lone Wolf” and “British Intelligence” were good for $4,500 at the Paramount.

Estimated takeoffs for the week ending March 15:

- **Grapes of Wrath** (20th-Fox). ALADDIN—(4,000) $11,000. Gas: $3,100. (Average, $2,750.)
- **Broadway Melody of 1940** (M-G-M) DEBUT—(5,500) $11,000. Gas: $3,300. (Average, $2,400.)
- **Lester’s Double BROADWAY**—(1,000) $11,000. Gas: $3,000. (Average, $3,000.)
- **Double Alibi**—(Univ.) PENNSYLVANIA—(8,000) $11,000. Gas: $4,100. (Average, $512.50.)
- **My Son, My Son**—(Small U.A.) PENNSYLVANIA—(4,000) $9,000. Gas: $2,300. (Average, $625.)

**Critics’ Quotes . . .**

**“TOO MANY HUSBANDS”** (Columbia)

Nets far comedy trick of many a movieloon is to be found in “Too Many Husbands” . . . . The heroine couldn’t make up her mind . . . between cases of hysteric, the audience couldn’t do any better. . . .

Too much nonsense . . . . Too many Husbands” has much to offer of rich humor, and goes along freely to present the marriage of its stars. . . . Plot is a comedy treatment of the Enoch Arden idea. —Edwin Schellert, L. A. Times.

More than slightly “touched in the haid,” but nevertheless, a giggle provoking . . . from beginning to end . . . First rate comedy.—Wanda Hale, N. Y. Daily News.

The gayest, sprightliest comedy of the season. . . . Claude Binyon’s adaptation of the Somerset Maugham play is an expertly fashioned piece of work with fast plot and super-sophisticated laugh provoking lines.—Lee Mortimer, N. Y. Daily Mirror.

Wesley Ruggles and Claude Binyon have made a gem, if sometimes a tiresome screen comedy out of Somerset Maugham’s successful play . . . Depends almost entirely on smart dialogue and smarter acting. —Robert W. Dana, N. Y. Herald Tribune.

A gay little comedy, “Too Many Husbands” is a matter of slick direction, writing and acting. The story is practically featherweight, but deft handling makes it a success of amusing incidents. —N. Y. Journal and American.

Jean Arthur, Fred MacMurray and Melvyn Douglas are combined for farce comedy in a completely frivolous film . . . Director Wesley Ruggles has let his cast go nonsensically slapstick, and they have a heck of a time. —Irene Thirer, N. Y. Sun.

A nonsensical, flippant tale that develops with considerable wit and humor . . . Ends on an inconclusive note but not before its single situation has started to show signs of wear and tear.—Newswave.

**MY SON, MY SON** (Small U.A.)

Very much in the adult class as a picture event, “My Son, My Son” assists the forwarding of much of intelligent entertainment, which seems to have arrived at new goals during the present season . . . An unusually well-chosen cast.—Edwin Schellert, L. A. Times.

With more charm and drama than Howard Spring’s inspiring novel has been brought to the screen . . . It is fine. It is beautiful . . . Brian Aherne gives a performance that definitely makes him a candidate for Academy honors.—Jimmy Starr, L. A. Herald Express.

**THREE CHERS FOR THE IRISH** (Warners)

The loud petal is on all the way in noisy, boisterous “Three Cheers for the Irish” is the height of its fanciful idea that is handi-capped by veritable tornadoes of stentorian talk.—Los Angeles Times.

Amusing and gusy, and entertaining. The title doesn’t make any sense. No other comment for the “Irish” is called all the way through . . . Isn’t a great picture, but it’s a lot of fun.—L. A. Examiner.

The rambling, windy story of a retired Irish-American cop . . . Those who are not allergic to some broad comedy of the brogue-and-deck-chairs variety . . . School may enjoy the film’s legitimately homely moments.—Newswave.

**STRANGE CARGO** (M-G-M)

“Strange Cargo” is a strange film, more remarkable for its effort than attainment . . . A ponderous and only occasionally interesting film . . . It is Miss Crawford’s picture.—Lauren Lee, Philadelphia Bulletin.

Any way you look at it, “Strange Cargo” is a strange movie. Strange and fascinating, it may be added, in its own peculiar way. . . Part rite, part melodrama, part mystical miracle play.—Philadelphia Inquirer.

In the guise of a romantic adventure yarn, the film delivers a sermon . . . Has melodramatic interest.—Elsie Finn, Philadelphia Record.

Mysticism is the theme . . . Clark Gable and Joan Crawford make the most of their vehicle, but the usual photoplay, mixing melodrama with dashes of mysticism . . . Sometimes the mixture doesn’t quite jell.—Philadelphia Ledger.

**Short Subject Reviews**

**Two of a Kind** (Paramount)

This Grantland Rice Sportlight subject has the brother and sister combination in the sporting world, and should be enjoyable to all. See cited success of its predecessor, “Rideout twins, Texas track stars; the Patrick brothers, sons of Lester Patrick, New York Rangers hockey coach; the two expert sons of Charles Brickley, famous drop kick; the Di-Maggio brothers of baseball fame, and others. Running time, 10 mins.

**Ants in the Plants** (Paramount)

An amusing cartoon novelty in color, this pictures the preparations of the ant colony for protection against the ant-eater. When he appears, the ants sound the alarm, and forces are called out. It is an intruder. Running time, 7 mins.

**George Olsen and His Music** (Paramount)

One of the Paramount Headliner series, this musical subject features the Olsen band rendering popular numbers, with vocal arrangements by Laz Benez and the Bachelors. It is an entertaining subject of its kind. Running time, 10 mins.

**Heidt Band, ‘Ehrlich’ Highlight Milwaukee**

MILWAUKEE, March 18.—Show and show coordinated with the annual Home Show in the auditorium hurt grosses. Best was Horace Heidt and his band at the Riverside, with gross taking $12,500. “Dr. Ehrlich’s Magic Bullet” and “Millionaire Playground” collected $5,000 at the Orpheum and “Broadway Melody of 1940” and “The Earl of Chicago” hit $6,800 at Fox’s Wisconsin.

Estimated takeoffs for the week ending March 14:

- **Music In My Heart** (Col.)
  - **Tute Girl Friday** (Col.) PALACE—(2,600) (25c-35c-50c) 7 days. Gross: $4,000. (Average, $400.)
  - **The Lone Wolf Strikers** (Col.) RIVERSIDE—(2,500) (25c-35c-50c) 7 days. Stage. Harry Heidt. Gross: $2,500. (Average, $445.)

- **The Three Straw Hat Getaway** (M-G-M) STRAND—(1,500) (35c-50c-75c) 7 days. (Average, $500.)

- **Dr. Ehrlich’s Magic Bullet** (W. B.) MELROSE—(2,000) (25c-35c-50c) 7 days. WARNER—(2,000) (25c-35c-50c) 7 days. Gross: $4,500. (Average, $642.50.)

- **Broadway Melody of 1940** (M-G-M)
  - **The Earl of Chicago** (M-G-M) WISCONSIN—(1,200) (25c-35c-50c) 7 days. Gross: $2,400. (Average, $550.)

**Nixon Changes Mind**

Topeka, March 18.—H. C. Nixon, Provincial Secretary of Ontario, has withdrawn his resignation from the Provincial Cabinet because of his opposition to the condemning of “Canada at War” by Premier Hepburn for political reasons. The episode came to a close following a conference between Nixon and Hepburn when their differences were patched up.
**New York Review**

### Forgotten Girls

**Republic**

"Forgotten Girls" is a variation on the familiar theme of the newspaperman and the girl who is sent to prison for a crime she did not commit, the variation being that Louise Platt, the convicted girl, believes she actually committed the crime.

The prison to which she is sent, however, resembles a comfortable summer vacation colony more than a prison. Despite the protests of her roommate that the prison is an undesirable place, Miss Platt finds the institution a haven more desirable than the factory in which she had worked.

While attempting to repulse the attentions of Jack LaRue, Miss Platt strikes him and flees, thinking that he is dead. Her stepmother, Wynne Gibson, finds LaRue still alive and kills him because he has transferred his attentions from her to Miss Platt. Donald Woods, the reporter assigned to cover the case, suspects Miss Gibson and ultimately proves her guilt.


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

### Court Ruling in Gary Case Delayed Week

**Chicago, March 18.—Due to the illness of Albert Gallivat, attorney for the Gary Theatre Co., which accuses Balaban & Katz and the majors of monopolistic practices, a decision in the case will not be rendered until March 25. The court has orally announced its intention of dismissing the case due to a lack of evidence.**

**Coast Flashes**

**Hollywood, March 18.—Samuel Goldwyn and his wife left today for Phoenix, Ariz., for a vacation of three to four weeks.**

Jake Wilk and Mort Blumenstock arrived today for conferences with Jack L. Warner and Hal B. Wallis.

Ed Stein of the Goldwyn New York office has taken over the publicity duties of Jack Lawrence who will take a month's leave of absence to recuperate fully from a pneumonia attack.

Barrett McCormick and Herbert Wilcox arrived at RKO today for conferences. McCormick will spend 10 days here with Perry Lieber, studio publicity head, while Wilcox will decide on production plans.

William Saal, Republic studio sales representative; Walter Compton, studio publicity director, and Sam Abarbanel, his aide, left over the weekend to arrange for the world premiere of "Dark Command," at Lawrence, Kan., about April 6.

### Atlas in Big Merger With Curtiss-Wright

(Continued from page 1)

and all shares of the separate corporations will be owned by the present common stockholders of Atlas.

At the conclusion of the contemplated transactions, Atlas common stockholders will own in part Curtiss-Wright shares obtained in the merger and in part common shares of this new separate corporation.

Odlum, in a special statement, said in part:

"While a merger of an industrial company with an investment company is unique in the history of finance, it is entirely logical and, in this instance, mutually advantageous."

"For Curtiss-Wright it is a new method of finance coupled with an effective way of improving the capital structure, and there seem to be other corporate advantages."

"For Atlas Corporation common stockholders it opens the way for the same management to carry on for the same stockholders in the field which said management considers most profitable."

"By this proposed merger, the multiple capital structure of Atlas is eliminated. . . ."
Hollywood Studio Notes

Hollywood, March 18.—Margaret Webster, New York stage director, dramatist and actress, has signed a novel contract with Paramount, under which she will be permitted to write, act or work with directors and producers for a period of six months before receiving a definite assignment.

The end of that time, either party will the right to drop or continue the pact. Daughter of Dame May Whitty and Ben Webster, Miss Webster wrote the play “Royal Highness,” played in Lunt and Fontanne’s production of “The Sea Gull,” and last year co-starred with Judith Anderson in “Family Portrait” as well as director.

Paramount is right across the street from RKO, where Producer-Writer-Director — Actor Orson Welles works.

Vina Delmar and her husband, Eugen Delmar, have been signed to do the script for M-G-M’s “The World We Make,” which Hunt Stromberg will produce. . . . Walter Wanger has leased the Tiffany Vivid Ford to Universal for a lead in “Trouble in B Flat.” W. S. Van Dyke II will direct William Powell and Myrna Loy in “I Love You Again,” romantic comedy at M-G-M. Lawrence Weirgarten will produce. . . . Edward Spiel has signed Gene Lockhart for “South of Pago Pago,” featuring Jon Hall, Victor McLaglen and Frances Farmer.

Madeleine Carroll will be starred in Paramount’s “Virginia,” and the picture has been postponed by producing director E. H. Griffith to permit the blonde actress to finish her role in DeMille’s “North West Mounted Police.” . . . Helen Westley joins the cast of Warners’ “All This and Heaven, Too.” . . . The Merry Macs, featured on the Fred Allen air show, will be seen and heard in Paramount’s picture starring Jack Benny. Warners has given Claude Rains a contract extension.

M-G-M is reported dusting off a number of William Haines vehicles of silent days with a view to fitting them to George Murphy. . . . William Menzies has been signed by Walter Wanger to assist in the production of “Personal History.” . . . Gregg Toland, Academy photography award winner for 1939, has been signed by John Ford to photograph “The Long Voyage Home.” Another author signed for screen work is Dorothy Canfield, who will adapt her Readers’ Digest story, “New Americans in Vermont,” at M-G-M. . . . Bradbury Foote is doing the script of “Osborne of Sing Sing” at M-G-M. . . . Steve Seely, film director, has been signed by the Don Lee experimental television station WNOA to direct two one-hour plays, first productions of that length to be essays on the Coast.

Smiley Burnette may head his own radio show, it was indicated following the dropping of negotiations under which Burnette would have joined Gene Autry’s program. . . . Grant Withers has stepped down temporarily from his associate producer’s post at Monogram to work as an actor in “Tomboy,” co-starring Jackie Moran and Marcia Mae Jones. . . . Ann Sothern, Humphrey Bogart and Donald Crisp go into Warners’ “Brother Orchid.” . . . Frederick March has been signed to star in “Victory” from the Joseph Conrad novel, at Paramount. . . . 20th Century Fox has signed Adolph Menjou for the title role in “The Great Profile.”

Mrs. Scully Rites Held in Brookline

Boston, March 18.—Services for Mrs. Mary Scully, mother of William A. Scully, local vice-president of general sales manager, were held in Brookline today. Burial was in Cemetery.

Mrs. Scully died last Thursday following a long illness. She is survived by two other sons, John Scully, Universal branch manager at Buffalo, and Frank Scully, M-G-M salesman in Washington, and a daughter, Florence.

Theatre Profit $41,905

Toronto, March 18—Eastern Theatres, Ltd., Toronto subsidiary of Famous Players Canadian Corp., operating the Imperial Theatre, has reported a profit of $41,905 for the fiscal year ending Dec. 28 after provision for all charges, this being equal to $8.58 for each of the 5,000 seven per cent preferred shares.

Cut Auditorium Loss

Kansas City, March 18.—The Municipal Auditorium lost about $140,000 in operating expenses during the fiscal year ending April 30, it is estimated. This amount, which the taxpayers will distribute, is about $60,000 less than the amount lost in the preceding year.

File Interrogatory In Boston Trust Suit

Boston, March 18.—Four of the plaintiffs in the Boston anti-trust suit, which will appear on the March term calendar, filed a list of interrogatories to defendant, Loew’s Inc. The plaintiff who filed were: Lynn Open Air Theatre, Inc., E. M. Loew, Inc., Miami Drive-In Theatre, Inc., and the Winchester Theatre Corp.

The interrogatories were filed and acknowledged. Judge Ford extended the time of Loew’s, Inc., for filing answer to the plaintiff’s interrogatories to April 1, and the time in which the defendant may present any objections to March 27.

Suspend License

Seattle, March 18.—The license of the Rialto, film and burlesque house, has been permanently revoked by the City Council after a public hearing which brought forth numerous witnesses to alleged immoral and indecent stage shows.

Bank Night in Canada

St. Andrews, N. B., March 18.—Bank Night is being offered two nights weekly at the Marina here. Under the plan, if a winner is not in the house when his name is called, $10 is added to the next drawing.
New York Review

**The Outsider**  
(Alliance Films)

The story of the leading of a supposedly hopeless cripple, who has felt himself a winner because of her disability to walk properly, by a bone specialist who is considered an outsider by the medical profession, is a dramatic film.  

Produced by Associated British Pictures, with Walter C. Mycroft in charge of production, the film stars Mary Maguire as the crippled girl, who, with a kindly unethical practitioner, whose therapeutic machine accomplishes the cure.  

The girl, daughter of one of London's leading surgeons, who has a habit of such unlicensed practitioners as Sanders, finally goes to Sanders as a last hope against her father's will. She is able to bear the pain of the year-long operation because of her love for Peter Murray Hill, musical comedy song writer who has collaborated with her in musical work.  

As Hill's interest wanes, Sanders keeps the truth from her, at the same time falling in love with her himself. At the test of her ability to walk, with several doctors as witnesses, the girl asks for such a love for Sanders gives her strength to prove her treatment a success.  

Running time, 90 minutes.  

**“G”**  
CHARLES S. AARONSON

“**C**” denotes general classification.

**London Business**

Off 50%—Raymond

Theatre business in London's West End, the principal theatrical section, is now down to 90 per cent of the pre-war level, excepting some of the war restrictions, it is reported by Charles Raymond, who has been general manager of M-G-M houses in the British capital.  

Raymond, appearing yesterday on the Manhattan, plans to remain here and will be given a new assignment by Loew's. Sam Eckman, M-G-M's managing director in England, has added supervision of the London theatres to his duties.  

The independent staggers system of closing at West End theatres has drastically cut grosses, but theatre business in the provinces is much better, said Raymond. Under the stagger system, theatres close at 10-minute intervals beginning at 10:50 P.M. national theatres must be closed by 11:50 P.M.,  

One of the restrictions was that no more than 2,000 patrons may be in a theatre after 6 P.M. This directly affected the Empire, Loew's ace house, which seats 2,500, sharply cutting the grosses, and made it necessary for the theatre to curtail the sale of tickets after 4 P.M. After some negotiations, Eckman was successful in persuading the authorities to permit unlimited attendance. The other Loew theatre in London is the Ritz, used as a moverover from the Empire.  

Raymond, who has been with Loew's since 1927, has built up the theatrical circuits for the circuit in this country, including the Valencia in Jacksonville, by which he and others opened the Million Dollar theatre in Johannesburg in 1932. A year later he was transferred to London.  

**Missouri Tax Shows 1939 Theatre Gain**

KANSAS CITY, March 18—If sales tax collections are any indication, film and other theatres did over $600,000 more business in Missouri in 1939 than they did in 1938. The $315,816,163 gross was $1,110,008.88 more than 1938. In 1938, Missouri collected $303,086,37, which represents a business of $15,154,318.50. Total tax collections in 1938 were $20,735,730.09; in 1939, $22,624,473.34, a new high.  

Film competition, represented by 13 new stations, has added to the general increase in amusement, (2) athletic contests, and (3) dances, did a total business of $4,101,711 in 1938 and $4,216,335 in 1939, on the basis of the sales taxes collected from them. Dances fell off slightly, from $249,119.50 to $229,750.50, but the athletic contests increased from $1,524,318.50 to $1,635,154.  

**Anti-Neely Radio Program Dropped**

Plans for a nationwide radio network program to enlist public opposition to the Neely bill have been dropped by Harry Brandt, and a meeting on the subject was held in the office of Howard Dietz at M-G-M late last week.  

The Aampa Neely bill committee, which is lining up industry and public opinion to the measure, held a meeting yesterday at the Astor Hotel. Among the speakers present: Martin Starr, chairman; Kenneth Clark of the Hays office; Leon Bamberger, RKO; Herbert Berg, Paramount; Paul Lauder, Aampa's president, and Eli Sugarman.  

**N. J. Allied Meeting**

A meeting of the Allied Theatre Owners of New Jersey will be held Thursday at the Ritz Restaurant in Passaic with a beefsteak dinner following.

Photographers’ Dance  
George Jessel, Harry Youngman, Youngman, Harry Hershfeld and Milton Berle were among the estimated 4,000 who attended the annual dance and entertainment of the Press Photographer’s Association of New York at the Astor on April 12. About 3,500, including scene, stage and radio personalities, are expected to attend.

Irish Rule at Strand  
Vying for the distinction of the most Celtic bill in the city over the St. Patrick’s Day weekend was the Strand theatre with “Three Cheers for the Irish” on the screen and Johnny McGee’s orchestra and Morton Downey on the stage.

Radio Brevities

A SERIES of world-wide broadcasts, boosting the New York World’s Fair, will begin Saturday and continue through April 7, and continue each Sunday at 2 P.M. for 12 weeks ending June 23. Coming from America, the series will feature personal settings and native music from the capitals of 12 nations south of the United States.  

The series will be short-waved to this country and rebroadcasted by the Mexican and Cuba CBC. In addition, the programs will be re-transmitted by short wave around the globe. The long program will come from Rio de Janeiro.

A Portrait for Bergen  
An oil portrait of Charlie McCarthy and Mortimer Snerd will be presented to Edgar Bergen at a cocktail party this afternoon by Lenox M. Lohr, NBC president. The portrait was made by George Humphrey while he was an NBC page boy.

Personalities in the News  
Tony Martin opens an engagement at the Club Versailles Thursday night... Judith Anderson, starred in the Yesteryears’ return from Hollywood yesterday and will be heard in scenes from the film on the stage. Show over CBS Friday at 8 P.M.  
Raymond Gram Swing, Mutual’s cracks will appear in 13 new stations added by his sponsor, White Owl cigars, beginning Monday... Victor Schertzinger, film director, will be guest on the “Kraft Music Hall” Thursday at 10 P.M. over NBC... Red. Mrs. Lionel Stander will be interviewed by Polly Martin at the WHN tomorrow at 10:30 A.M.

Shoe Advertising on Air  
Radio sales departments which have been concentrating on convincing shoe manufacturers that air advertising pays, should be interested to learn that Melville Shoe Co., makers for the Irish, have decided to renew the early morning news periods over WABC for an additional 52 weeks. For some reason not immediately apparent, shoe companies have concentrated their advertising in newspapers and magazines.

9 of 12 New Pictures Approved by Legion

The National Legion of Decency has approved nine of the 12 films reviewed in the current issue of the Legion’s five for general patronage and five for adults. Two pictures were given special approval, one for general patronage and one was separately classified. New films and their classification follow:  

Circuits Begin Vaude Union Negotiations

Cooperation Marks First Industry-Wide Parley

Unionization of all vaudeville and motion picture presentation houses got under way yesterday as representatives of every major circuit met with the American Guild of Variety Artists to start negotiations.

The meeting marked the first time that an industry-wide group had met with a union representing vaudeville performers to discuss a vaudeville contract.

Represented were deluxe presentation houses, vaudeville circuits and houses with a one-night policy.

Although both sides declared after the meeting that discussions had started in a spirit of cooperation, neither side would go into details.

Committees will be appointed within the next few days and the details of the agreement will be discussed point by point.

Hoyt S. Haddock, A.G.V.A. executive, was named chairman of the conference.

New Philadelphia

Trust Suit Started

Philadelphia, March 19.—David Milgrim, head of Affiliated Theatres, operating 18 neighborhood houses in this area, today filed an antitrust suit in U. S. District Court against Warner Theatres and the major distributors.

The action, filed by Maurice Sterne, attorney, on behalf of Affiliated, M. F. S. Corp. and the Rialto Theatre Corp., charges collusion and asks

IA Strike Threatens

Philly WB Theatres

Philadelphia, March 19.—Receiving a "road call" notice late yesterday from George Browne, head of the International Alliance of Theatrical Stage Employees, Lew Krouse, head of I. A. Local 8 here, served immediate notice on Warner Bros. theatre circuit that unless the union strike against Warner Bros. now in its fourth month, is settled by April 1, all stagehands, projectionists and electricians will walk out in sympathy with the union.

A walkout will completely cripple

U.S. Ends Skouras Questioning, Hears Y. Freeman Today

National Theatres does not acquire theatres in territory where other exhibitors have built up their business over a long period, Spyros Skouras, president of that company, testified yesterday at a pre-trial examination in the Government's "key" anti-trust suit.

"You probably don't believe it, but that's our policy," Skouras declared to Special Assistant Attorney General Robert L. Wright. National Theatres has not increased the number of its houses since the reorganization of Twentieth Century-Fox in 1934, the film executive added.

Examination of Skouras was completed after he had testified for four hours. Y. Frank Freeman, Paramount production head, is slated to take the stand today with the Government expecting to call Neil F. Anderson, president in charge of sales for Paramount, to testify next week.

The Government will also ask Nicolas M. Schenck, I. B. F. Meyer, and Louis B. Mayer of Loew's to appear for examination next week, it was reported.

Skouras stated that he does not confer with Twentieth Century-Fox executives on the distribution policy of that company. Since the volume of National Theatres business depends largely on the production of the parent company, he declared.

Skouras also stated that he will not produce pictures, either by himself or anyone else, to compete with the parent company's output.

The National Theatres head detailed

Zukor, Hicks Report Good Business in Latin America

Taxation, censorship and other legislation confronting the film industry in South America are neither discriminatory nor seriously burdensome on distributors, Adolph Zukor, Paramount board chairman, and John W. Hicks, vice-president and foreign department head, said during an interview yesterday following their return from a two- and one-half months trip to Central and South America.

The South American countries have been very good to this industry," Zukor said. "They have nationalistic and economic problems which are reflected in occasional legislation touching this and other industries. But they cannot be expected to change their views to suit us any more than we would change ours to suit them."

"In any event," he continued, "monetary problems are not the major problems of our company. Our business is to produce the best pictures we are able to produce and then sell them on the best possible terms. If you have good pictures you do good business."

"The two Paramount executives were enthusiastic about business conditions in the principal South American countries and reported widespread evidence of prosperity. They added, however, that it was "nonsensical" for industry officials to say that European losses can be recouped in Latin America.

"It is just a healthy market," they said, "which will deliver only in ratio to the quality that is sent into it."

WILCOX, RKO PLAN ALLIED WAR FILM

$5,000,000 Boost In Film Business Volume Reported

Washington, March 19.—Seven motion picture producer-distributors have agreed to form an "Allied War Film" with an initial capitalization of $5,000,000 to produce and market to the central government and the Securities and Exchange Commission had a combined volume of business in 1938 of $410,000,000, an increase of $5,000,000 over the preceding year, it was reported tonight by the commission in a survey of American listed corporations.

However, it was shown, profits took a decided slump, amounting to only $21,000,000, or 5.1 per cent of sales, in 1938 compared with $32,000,000, or 8.2 per cent of sales in 1937.

The commission received reports from six companies for each of four years ending with 1938, which showed that between 1935 and 1938 the assets of the group increased from $496,000,000 to $528,000,000, and the volume of business increased from $334,000,000 to $408,000,000.

Net profit after all charges, however, which increased from $11,000,000 in 1935 to $27,000,000 in 1936 and $34,000,000 in 1937, dropped to $21,000,000 in 1938, and dividends paid, after increasing from $6,000,000 in

Scribbs Due Today

From Virginia City

By SAM SHAIN

Chicago, March 19.—Not more than half of those who started from New York a week ago for the premiere of Warners' "Virginia City" in the Nevada town of that name were aboard the Forty-Niner when it headed west. The missing members of the party continued to Hollywood after the premiere.

The returning contingent will leave here today on the New York Central's Commodore Vanderbilt. The train reaches New York at 9 a. m. tomorrow.

Happiest to be returning from Reno and Virginia City is "Buck," the Pullman porter.

"They think they got somethin' out here," he said about Reno. "Well, you've got more out of it." When the Forty-Niner was racing across the Continental Divide at Cres- ton, Wyoming, said, "we were in a car window looking out and humming to himself, 'I'm comin' down the mountain, Oh, I'm comin' down the mountain.'"
U.S. Ends Skouras Trust Questioning

(Continued from page 1)
at length a number of situations in
which the company competes with
other affiliated exhibition companies.
Skouras made it clear that he felt
that there was no understanding be-
tween exhibitors to divide territory
as contended by the Government.

In acquiring theaters, his company
had found that many independents
were paying less for films than affilia-
ted houses, Skouras stated. He also
contended that the system of clearance
meant larger returns for both the ex-
hibitor and the producer and cited an
case of $1,000 in his own theater.

Skouras holds 5,000 shares of stock in
Twentieth Century-Fox, according to
his testimony. He takes no active
part in the management of the
Skouras Theatres, he concluded.

Wilcox, RKO Plan
Allied War Picture

(Continued from page 1)
participants in the cooperative enter-
prise are Charles Chaplin, Alfred
Hitchcock, Ronald Colman, Anna
Neagle, Frank Lloyd, Alexander Kor-
da, Merle Oberon and Ingrid Bergman.

It is understood that the project
contemplates that profits for the
distribution of the picture are to be allo-
cated to charity within each state of
the United States where it is
shown, and to local charities in each
foreign territory where it may be
shown.

The picture, it is said, is to be
financed and distributed by RKO as a
studio project in regular order of
production.

Luxurious Skylkeepers!

Block your way over Dixie.
Plain and decent. Wake up in
comfort! Only American flies the smooth, Southern
Sunshine Route!

Fly America's

Southern Sunshine Route
Overnight to California
And the Sun Country
FOUR CONTINENTAL FLIGHTS DAILY

- It's a delightful night's sleep to California and the Southwest via America's only overnights. Save days of travel! For reservations, call your Travel Agent or
Hавенер, 6-5800, or 6-5800. Tickets: 48 Vandelbilt Golden Gate, 511 W. 48th St.

AMERICAN AIRLINES INC.
ROUTE OF THE FLAGSHIPS

Purely

W. Ray Johnston, Mon-
gram president, returns to
the home office today from
conferences with studio heads on the Coast.

- C. C. Kellensberg, office manager of
the 20th Century Fox Exchange, in
Pittsburgh, and assistant chief banker of
the Variety Club there, will head
the Americanization Day program for
the city May 1, upon appointment by
American Legion Commander Daniel
Hartman.

- Lee Games, RKO producer, who
has been in New York for a week,
left Monday evening by train for Hol-
lywood. He will start back to New York
next Monday for conferences with
President George J. Schaefer.

- Director William Wyler and his
wife, the former Margaret Tall-
cott, are vacationing in Miami as
one stop on a West Indies cruise.

- John Farrow, RKO director, has
enlisted as a lieutenant in the Royal
Canadian Navy and been assigned to
the headquarters staff.

- Timothy Cleary, M-G-M Indianap-
solis salesmen, is a father of a son,
born to Mrs. Cleary in St. Vincent's
Hospital on Sunday.

- Ben Greenberg, manager of the
Stadium, Woosocket, R. I., is spend-
ing the week in New York.

- Grace Fields was married in Hol-
lywood Monday to Monte Banks,
British producer.

- Max A. Cohn, head of the Cinema
Circuit, has returned from a month's
vacation in Florida.

Personal

Maurice Bergman, Columbia
advertising and publicity di-
grector, left for the studio last
night by plane. He will return in about
a week.

- Adolph Zukor, John Hicks, Bar-
ry Barnet, Y. T. Hyman, Fred
Harby Brant, Charles E. Mc-
Carty, George Weltner, Erno Raff,
Ted O’Shea, Tom Conkors and
Max A. Cohen's staffs, are in the Room
in the Astor for lunch yesterday.

- Lillian Powers has been elected
president of the M-G-M Club in Se-
attle; Emma Blairland, vice-presi-
dent; Jack Redmond, treasurer; Ber-
nice Kelly, secretary.

- Gravett Sears, Burgess Mere-
thuy, Guy Bolton, Joseph Lee, Nat
Karson, Ben Boyar, Donald Gines
and William Phillips lunching at
Sardi's yesterday.

- Jacques Tourneur, M-G-M direc-
tor, is here making background shots
for "Andy Hardy Meets a Debutante."

- Harry Cohn will leave for the
Coast Sunday.

A Strike Threatens
Philly WB Theatres

(Continued from page 1)
the operators of Warren theatres here,
it was declared. The "road call" was
the result of pressure brought
upon Joseph N. Weber, A.F.M.
president, as a result of the failure of
Warner to effect a settlement with
the union last week at a meeting in
Miami.

Neither Krouse nor William Harri-
er, who heads the stagehands
union, would comment on the strike
notice. Since Ted Schlab, Warner head
here, is still in Florida, no other the-
atre official would make any statement
on the matter.

At the Musicians' Union, A. Rex
Riccardi, secretary, said that
Warner had made no attempt as yet to
tact the union and the feeling is that
the circuit will fight the "road call" in
court.

Riccardi further pointed out that
the threatened walkout would not be
in violation of the I. A. contract with
Warner which is still in force since
all contracts of both unions are sub-
ject to mutual assistance contract
between the A. F. M. and I. A.

Industry Abandons
Fair Exhibit Plans

Plans for industry participation in
the N. Y. World's Fair this year were
finally declared to be still in force since
all contracts of both unions are sub-
ject to mutual assistance contract
between the A. F. M. and I. A.

Atlas Merger Won't
Affect Film Holdings

The proposed merger of Atlas Corp.
and Curtiss-Wright that will have
no effect on the investment company's
interests and holdings in RKO and
Paramount, an Atlas spokesman said
yesterday.

Holdings in the two film companies
would be included in the Atlas special
investments which would be turned
over to a new investment com-
pany. The new company will retain
the Atlas name and风波. Odlum, Atlas
president, will devote most of his
time to the new company, it was said.

MOTION PICTURE
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Yes, indeed—
March came in
like an M-G-M Lion
bringing a worthy
successor to
“Gone With The
Wind” at the
Capitol Theatre.
And now they’re
packing Broadway’s
big show-shop
all over again!
It’s a Hold-Over
picture if ever
there was one
because Tom tells
Dick and Dick tells
Harry and every-
body flocks over
to enjoy the
Technicolorful
Thrills! Have you
arranged for
Extra Time yet?

“NORTHWEST PASSAGE” (Book 1—Rogers’ Rangers)
in Technicolor • Starring SPENCER TRACY with Robert
Young, Walter Brennan, Ruth Hussey, Nat Pendleton
Screen Play by Laurence Stallings and Talbot Jennings
Based on the Novel by Kenneth Roberts • Directed by King
Vidor • Produced by Hunt Stromberg • An M-G-M Picture
Scribes Due Today From Virginia City

Hollywood Review

“Virginia City” (Warner)

Hollywood, March 19—Produced and introduced in the showmanly tradition of last year’s “Dodge City,” this vigorous western melodrama contains all of the things that have made for success in this field of entertainment for a quarter of a century. It is a bigger picture than “Dodge City,” tells a more vital story in greater detail and supplies list with a name for marquetry and ad copy. It would seem plausible to conclude that it will exceed that picture’s notable profit record, although only a period of public test can determine that.

The names of Errol Flynn, Miriam Hopkins, Randolph Scott, Humphrey Bogart, Alan Hale, Gail Williams, Frank McHugh and John Litel stand out from a long cast list. The name of Michael Curtiz, director accountable for this picture, for “Dodge City” and an imposing sequence of Warner action hits, is a guarantee no showman should fail to bring to the attention of his public.

The story, an original by Robert Bartcom, is billed as historically accurate and the film seems to bear out the billing. The time is the latter months of the Civil War and the plot hinges upon an attempt of Southern sympathizers in Virginia City to transport $5,000,000 in gold bullion to the Confederacy.

Flynn plays a Union officer sent to prevent the shipment.

Scott plays a Confederate officer commissioned to bring it in. Miss Hopkins is seen as a dance hall girl loved by both men and whose sympathy with the Southern cause conflicts with her romantic interest in the Union officer. Bogart is melodramatically present as a bandit who wants the gold. There are many sequences of battles, chases, finally the long adventure of the wagon train carrying the gold. It is here that the story develops most power.

The picture is expensively produced and carefully integrated. Robert Fellows served Hal B. Wallis as associate producer and Solomon's camera caught many exterior set beauty.

Running time, 115 minutes. "G."*"G" denotes general classification.

Roscoe Williams

Indians Trust Suit Is Dismissed

Indianapolis, March 19—Judge Robert C. Baltzell of the U. S. District Court here dismissed “prejudice at the plaintiff’s cost” the Indianapolis Amusement Co. anti-trust suit against major distributors. Also terminated was a counter-suit of the majors against the local firm, with the company also bearing the cost of the suit by R. R. Bair, former operator of his own circuit here and now an executive of the company. The settlement is under the agreement on settlement of the case was reached by the parties in interest a few weeks ago, including judge Eric Hoff. The litigation began in 1931 and involved complaints arising out of the old arbitration clauses, now outworn. The Indianapolis Amusement Co. disbanded several years ago.

Theatres Expect Big Easter Week Trade

Broadway first runs are preparing for a big upswing in business during Easter Week. Some of the big film hits at the Music Hall, Paramount, Roxy and Strand will feature an Easter theme that is expected to bring in larger than usual admissions. Admission scales will not be raised and extra shows will be added if business warrants. Easter Sunday will find the picture film shows at the Music Hall, Paramount, Capitol and Astor. It’s a “date” goes the phrase on children, "I’ll Take The Promenade Path" into the Roxy on Friday and “Virginia City” into the Strand on the same day. Easter Sunday Service will be observed at the Music Hall.

Officials of Finnish Fund Yorke Guests

Emerson Yorke, producer of the short, “Finland Fights” for the Finnish Relief Fund, was host at a dinner in the Trojan Room of the Wynnham Hotel last night to officials of the Fund and those associated in the production of the film.

Finnish Relief executives included John Jay Hopkins, vice-chairman; L. Thompson of RKO and Vincent Hart of the Fund’s motion picture division; Raymond Sawtelle, treasurer; and A. Palosimo of the Finnish consulate.


Expect 900 at ITO Banquet Saturday

Nearly 900 reservations have been received for the seventh annual banquet and dance of the Norwegian Lodge 0. A. Saturday night at the Hotel Astor.

The grand ballroom will be especially decorated in a Scandinavian motive, while which will be carried out in the orchestra. William Brandt is arranging a large entertainment program. David Weinstock is general chairman. The affair will start at 8 P. M.

Exhibitors Protest Slot Machine Films

Chicago, March 18—James Roose-
velt today defended his slot-machine picture plan against the objections of a group of local exhibitor leaders, who contended that the same films would constitute theatre competition.

The exhibitors contended shorts eventually would be eliminated and profitable feature films would become necessary to meet the competition. They emphasized also the possibility of the showing of salacious films by undermine their slot machine operators, especially in taverns.

Roosevelt countered with the opinion that public more motion picture conscious, and that it is better to have the product supplied by reputable producers than by outsiders.

He said the machines will not be ready for 90 days. He said the deal with Miller & Novy Co. has not yet been signed. Roosevelt added that he does not plan to use film stars for the shorts. Hays Office approval will be required for all pictures Roosevelt will left today by train for New York.

Denver Plans to Tax Film Houses

DENVER, March 19—City officials are planning for the next-in-a-slot motion picture houses. Harry Huff-
mans, manager for Fox, in a letter to the City council, suggested the new machines might escape their just share of taxes as well as be unfair competition for theatres unless they paid their just share of supervision.

The proposed bill would make the fees $200 for operators, $50 for each machine placed by an operator, and $100 on any machine owned by the location owner.

Famous Players Net For Year $904,324

TORONTO, March 19—Famous Play-
ers Canadian Corp., has reported net profit for the year 1938 of $904,324, equal to $1.12 per common share. The net compares with profit of $974,789, or $3.22 per common share, for 1937. The company’s net income was $830,717 Dec. 31, last total, $2,145,258, com-
pares with $2,331,659 in 1938. Sur-
plus carried forward amounted to $46,496, an increase of nearly $50,000 over the previous year. Total assets are put at $16,055,602. A first divi-
dend of 25 cents per share for the current year has been declared, payable March 30.

Basketball March 30

The Loew-Metro basketball team will p lay the undefeated National Screen Service team at the Riverside Plaza Hotel March 30 to decide the motion picture championship. The Loew-Metro team, managed by Sidney Saltsky, is sponsoring a dance at the hotel in conjunction with the game.

Finnish Film on Ukraine

The “Tragedy of Carpatho-Ukraine,” a film of the turmoil in the European “Ukraine,” has been completed under the super-
vision of Michael J. Gaum. The film will be distributed here by Kobrat Film Corp.
Frank Lloyd and Jack H. Skirball announce

FRANK LLOYD PICTURES INC.

Now In Preparation

THE TREE OF LIBERTY

by Elizabeth Page

A COLUMBIA RELEASE
Theatre Subsidized By U.S. Is Favorable

Advisability of seeking a Government subsidy for legitimate theatres or a national theatre directed and subsidized by the Government was referred to a special committee for study by the council of Actors Equity yesterday.

Martin Popper, who was counsel for the Federation of Art Unions last year, appeared before the council to urge that Equity initiate such a movement.

Lloyd Gough, counsel for a national theatre, will appear before the council next week. John Lorenc and Robert Reinhart, members of the committee to study the idea.

Allen Hewitt accepted the post of council member vacated when Eddie Dowling retracted his acceptance.

The three council members to the appearing committee yesterday were Miss McLeod, Dudley Digges and Glenn Anders. The remaining six members of the council will be selected at the next quarterly meeting.

FCC Asks Feasible FM Broadcast Plan

WASHINGTON, March 19—Submission of a "feasible" scheme of operation for frequency modulation broadcast- ers was demanded today by the FCC.

C. C. Gough, before the commission, retracted a statement that it is true that high fidelity broadcasting, and that it is far more practical than frequency alternating, will attempt to prove it by broadcasting three channels of regular NBC programs over a new channel of WZAP, the television station starting today.

The broadcasts will take place between 7 and 10 P.M. at times when the station will not be on the air. Besides providing an argument against the Armstrong FM system, it is believed that the programs will provide an additional sales argument for television set dealers.

Personnelities in the News

FREDERICK MORDANIA HALL, film critic for the New York Times for 12 years, magazine critic for the Boston Evening Transcript, has joined the magazine division of CBS publicity department. Hall was man- agement of the film Fox Co. Ltd. of London from 1919-1921...

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Marilyn Monroe and Robert Mitchum will be heard in the Screen Guild show Sunday at 7:30 P. M. over CBS.

Circuits Start Vaude Union Negotiations

(Continued from page 1).......

British Labor Asks Retention of Quota

LONDON, March 19—Spokesmen for film labor interests asked today the Board of Trade yesterday for reten- tion of the present quota and the em- ployment of British talent exclusively in all British films.

Budd Rogers to Coast

Budd Rogers, vice-president and general manager of the Rogers-Circuits Corp., leaves for the Coast today accompanied by Maxwell Setton. They will confer with Erich Pommer and Charles Laughton, with whom Setton was associated in England. En route, Rogers will visit Alliance franchise holders.

Approve Odeon Plan

FOR SOLDIER MATINEES

LONDON, March 19—Oscar Deutsch, head of the Odeon Circuit, has obtained the permission of the London County Council for a series of matinees starting on Sunday afternoon, April 7, at his Ley- cester Square theatre for the British armed forces.

The Cinematograph Exhibitors As- sociation had protested vigorously against Deutsch’s plan for the free shows.

Radio Brevities

HAVING contended for some time that amplitude modulation transmission in the ultra-high frequency band is the only real high fidelity broadcasting, and that it is far more practical than frequency alternating, will attempt to prove it by broadcasting three channels of regular NBC programs over a new channel of WZAP, the television station, starting today.

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A Statement by
The Radio Corporation of America on
TELEVISION for the Home!

It is now possible for the RCA to announce the extension of its plans, to provide, first, a regular television program service in the New York area; second, the offering to the public of receiving sets at moderate prices within the reach of the average American family; and third, the initial step in the construction of a television radio relay system as a means of interconnecting television transmitters for simultaneous service to and from other communities.

An improved program service has been evolved by the National Broadcasting Company, and is now available to residents in the New York area within the transmission range of the RCA transmitter atop the Empire State Building. As soon as network relays are erected, the National Broadcasting Company will provide a program service for other communities. This relay service also will be available to other broadcasting companies desiring to transmit television programs.

During the past ten months RCA Victor Television Receivers have been sold throughout a wide service area in and around New York City. The owners of those sets, some living as far as 90 miles from the transmitter, regularly see and hear NBC's television programs. They report fine, clear reception. They are enthusiastic about the technical performance of their RCA Victor Television Receivers, and the quality and entertainment value of the programs.

In order to provide every facility for the expansion of television service throughout the nation, RCA has licensed more than 45 competing manufacturers to use its inventions for the manufacture of television receiving sets. RCA also has licensed others in the industry to use its inventions in building television transmitting stations and manufacturing studio equipment.

In developing television and making possible the simultaneous transmission of sight and sound through space by radio, the Radio Corporation of America has translated many years of pioneering technical research, and the expenditure of many millions of dollars, into a public service.

In this evolution of an engineering achievement into a public service, it has been necessary for RCA to draw on its experience in all fields of radio, worldwide communication knowledge, development and manufacture of every type of radio apparatus, and the creation of a national broadcasting program service, each have contributed to the fundamental requirements of a television service for the home.

A great new industry, therefore, is in prospect which will call on the technical and financial resources of the radio industry. Television affords great promise in the creation of a new art and the utilization of every form of artistic talent, and is capable of an almost unlimited expansion of service to the public.

We urge, therefore, that the residents of the New York metropolitan area acquaint themselves with the interesting television program service now made available by the National Broadcasting Company. RCA Victor dealers throughout the area are ready to demonstrate the new combination television and radio receivers, which reflect in their price a reversal of usual merchandising methods. The prices at which these receivers are offered are based upon quantity production before volume sales have been realized.

Plans are under way for the construction of a television radio relay service between New York and Philadelphia. It is contemplated that similar connections with other cities will follow.

We invite the participation of the public in this effort of American private enterprise to create a new art and new industry, which should provide additional employment for the human and material resources of the nation, and contribute to greater prosperity and happiness for all of us in the years ahead.

David Sarnoff
PRESIDENT

RADIO CORPORATION OF AMERICA
RADIO CITY - NEW YORK

Thrilling Dramas and Plays
Exciting Boxing Bouts
History-Making Parades
Spot News Events
Not with magic...not with sleight-of-hand!...But with TRAILERS... LOBBY DISPLAYS...ACCESSORIES...Best Sellers in the Business!

Using cold, hard showman's sense plus the piled-up knowledge of twenty-one years experience NATIONAL SCREEN SERVICE boils the whole advertising campaign down to short, sharp, stream-lined low-cost SELLING right in your show-window...your screen...your lobby...your theatre.

Result: The best theatre advertising ever devised...reaching more people...selling more tickets...costing less than any other advertising you can buy.
New York, March 20.—The present British film quota will continue during the next quota year, beginning April 1. This was assured today, when the British government announced that the Parliament would meet tomorrow for a holiday extending until late in April.

At the start of the war last Septem-ber, it was decided to continue the present quota for six months from Oct. 1, and then to take action if such were needed.

All indications point to a long postponement of any action relative to a new quota based on film costs rather than footage, as at present, or any other amending film legislation. Meanwhile, the present quota continues.

Financial circles have indicated that the Government is closely studying the plan for a Films Credit Bank, and that a similar study is under way by the Bank of England. However, observers doubt any Government action on this line in the matter before the Fall session of Parliament.

Practically all American companies are ahead of their quota requirements for the current quota year. Their ability to meet those obligations in the next period, however, is dependent upon the production situation in England in ensuing months.

Ascap Bares Radio Pact Terms Today

Terms of Ascap's new contracts for radio broadcasters are scheduled to be made public today following a meeting of Ascap officials with a selected list of station operators.

The Ascap radio committee completed its report on the new contracts at a meeting yesterday and the report was turned over to the Ascap board of directors at a special session last night. The board cleared the contract for submission to broadcasters today after accepting the committee report.

The general effect of Ascap's new terms will be to lower the rates payable to the society by the smaller, independent stations, while increasing it for networks and program originating stations.

The contracts will not go into effect until next Jan. 1, but Ascap hastened

Freeman Explains Theatre Affiliations in Trust Inquiry

Paramount Pictures first embarked on a policy of acquiring theatres because exhibitor associations had cut down its film output. Y. Frank Freeman, production head, declared yesterday at a pre-trial examination in the Government's New York anti-trust suit, that in the examination period, during his examination yesterday in the Government's anti-trust suit, gave his own recipe for a settlement of the suit. He said:

“Any way of settling this dispute is to let these fellows (referring to the Government) run a studio for about six weeks. Then they'll say: 'Give the whole industry back to the Indians.'”

Korda Plans First Two Films in U.S.

Preparatory to organizing an American production company which is scheduled to make two pictures in Hollywood during the new season, Alexander Korda yesterday named Morosis Helpin as his new production assistant here.

Helpin, who for the past four years has been American publicity and advertising representative for Korda, will leave for the Coast Monday to begin his new duties in connection with the shooting of two pictures for “Thief of Baghdad.”

Emanuel Silverstone, Korda's American sales representative, also will leave for the Coast on Monday to assist the producer with the organization of his new Hollywood production company. He will be engaged for about two weeks on financial and business phases of the organizing work and will return to New York there after.

Korda will leave for the Coast to

Freeman's Recipe For Settling Suit

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Admission Tax Yield Jumps in February

Washington, March 20.—February collections of the Federal admission tax totaled $1,852,764, compared with $1,486,534 in January and $1,503,127 in February, 1939, it was reported to-night by the Internal Revenue Bureau. With both January and February collections at a high level, the total for the two months, $3,390,288, was $767,000 above the $2,623,261 collected in the same period last year.

For the first eight months of the fiscal year, the bureau reported, admission tax collections reached $14,389,383, an increase of $677,000 over the $13,381,836 reported a year ago.

War Charity Film to Have Super Talent

Hollywood, March 20.—Preparations moved swiftly today as studio executives, stars, directors and writers all eagerly pledged their support to the film projects, whose profits will be exclusively shared by charity organizations in the United States and abroad.

Production of the feature-length picture, described as starring a cavalcade of internationally-famous actors and actresses, will be started soon with top-flight acting and producing talent contributing their services free.

President George J. Schaefer of RKO will advance funds for financing of the project, free of charges save the interest, and the film will be distributed internationally through that company's exchanges at actual cost.

Entire profits of the venture are to go to the Community Chest, which embraces 88 member charities, the British and French Red Cross and the war charity organizations of Belgium, Finland and each nation where the film is to be exhibited.

The decision as to which nations will be included in the distribution plans rests with a board of trustees, yet unnamed, which will be headed by Dr. A. H. Giannini, campaign chairman of the Los Angeles Community Chest. The trustees will determine how the earnings shall be allocated.

Dr. Giannini, in describing the film, said:

"This will be the first great motion

New Union Formed By Rebel IA Chiefs

Hollywood, March 20.—Pressing a possible lengthy battle against certain IA members of I.A.T.S.E., several former members of the Alliance who refused a "thanksgiving amnesty" offered them when an insurgent attempt to overthrow the regime failed last fall, today filed in Sacramento incorporation papers for "Hollywood and Culver City Studio Technicians Local 37." The incorporators are George H. Davis, Charles Guthrie, Charles Ross and Attorney Howard Hurd, the latter once-time business representative of Photographers Local 659.

Davis, Guthrie and Ross were rebel leaders of the since dissoluted Studio Technicians Local 37 of I.A.T.S.E.
Purely Personal

S. D. R. KENT, president of the Century-Fox, left yesterday with Mrs. Kent for Florida. They will be gone about two weeks.


Victor M. Shapiro left for air for Hollywood last night to resume his publicity campaign for Eddie E. Patterson's Candid Camera, of California, who plans to run for U.S. senator from that state. Shapiro came East to attend funeral services for his only sister.

Bill Sahl, Radio studio representative, is in Kansas City in connection with the forthcoming opening of "Dark Command" at Lawrence. Kas. He has been in a conference with H. J. Yates early this week.

Loren L. Ryder, head of the Paramount studio sound department, will come to New York with a group of Hollywood sound technicians to attend three day operation of the S.M.P.E. here, April 5.

Fred Ostrel挫折, publicist director of the Capitol and Ohio, Columbus, will conduct a class in motion picture appreciation at the Adult School of Ohio State University.

Bernie Kreissler, Universal's Washington manager, returned to Washington by plane yesterday after three weeks at the studio as part of his prize for winning a sales drive.

Jack Sichelman, assistant to Herman Wober, 20th-Century Fox general sales manager, returns today from Chicago where he made plans for the annual sales convention April 12.

Lou Phillips, manager in New Haven for the Modern Theatre Equipment Co., has left for a three-week Florida vacation.

Thornton Hee, Disney director generally known as Hee Hiee, is due today from the Coast for a few weeks' vacation.

Linda Darnell, 20th-Century Fox player, is due from the Coast Monday for her first visit in the East.

Truman H. Talley, chief of Movietone News, is vacationing in Miami.

D. M. Clove, editor of News of the Day, is in Miami.

Want to See 'Wind'? Poll Asks Patrons

Calais, Me., March 29—The State Theatre here is polling patrons on whether they wish to see "Go With the Wind" at increased prices of 35 cents to $1.10. The vote is by printed ballot. If the majority votes "Yes," the theatre will book the film for two or three days. Calais is in the United States-Canada border and residents on both sides of the line are voting.

RKO Foreign Sales Drive Is Launched

The RKO foreign department has launched the Phil Reisman Treasury Chest Contest, based on the amount of billings, among 27 contestants in countries throughout the world. The contest, which went to 15 winners, will be awarded for the best weekly performance and for the full period. Prizes to be given to various territories competing in the contest honoring the general manager of the foreign department, are: Ralph H. Gunther, United Kingdom; Ralph Doyle, Australia and New Zealand; Reginald Armour, Belgium; Bohemia-Moravia, Czechoslovakia; Egyptian, Egypt; Portuguese, Rumania, Spain, Sueden, Switzerland; Leon Britton, China; Dutch East Indies, India, Japan, Philippines, Straits Settlements; Nat Leshkin, Argentina, Brazil, Chile, Peru; Gus Schaefer, Cuba, Mexico, Panama, Puerto Rico, Trinidad.

West Orange to Get "Edison Premiere"

M-G-M will hold the world premiere of "Edison, the Man" at West Orange, N. J., home of the family of Thomas A. Edison and the Edison Motion Pictures. The fact that the city and date of the premiere is indecipherable, although it is planned for mid-May. Max Warnebank, M-G-M advertising manager, has left for the Coast after four days here supervising the filming of a newsreel story which will be released in conjunction with "Edison, the Man."

Herman Hoffman, assistant to Warnebank, is shooting the short at West Orange. The subject will be released before the feature as an advertising film on Edison's work. Its title will be "The Wizard of Menlo Park." Hoffman leaves for the Coast late this week.

Nick Loses Request For St. Louis Retrial

St. Louis, March 29—Circuit Judge W. J. Harlan has overruled a motion for a new trial in the case in which he permanently enjoined John P. Nick of St. Louis, owner of the Motion Picture Operators' Union, and his chief aid, Clyde Weston, from interfering in affairs of the union. The court indicated the case will be appealed to a higher court.

Ross Promotes Jolley

B. E. Jolley, research production manager for Ross Federal Research Corp., has been appointed director of research planning and production at John Holzapel succeeds him as research production head.

AGVA in Midwest, Vaudeville Drive

Having successfully initiated negotiations for recognition in New York, the American Guild of Vaudeville will start a drive this week in Chicago and Pittsburgh. The American Guild of Vaudeville and Labor Council has issued a call to all performers to organize a local of A.G.V.A. in that city. Hoyt S. Hubler, A.G.V.A., general manager, leaves today by plane for Chicago where he will confer with local officials. A.G.V.A. is a cooperative organization. After conferences about Midwest, he will proceed to Pittsburgh.

The campaign in Chicago will be a two-week project and the hope is to have a local affiliate of the union. The plans of the working population of the city is about $45 per month. The average weekly monetary expenditure on entertainment for the city is about $350, bull fights, second to the screen in popularity, draw about $37, per month, and legitimate theaters approximately $33,500.

Reno Cardona, Mexican producer plans a series of 12 features this year.

Station XEW is the most powerful in Mexico City by virtue of an increase in power to 200,000 watt resulting from the installation of a new dynamos. The new plant was completed in 1930 with 5,000 watts.

N. Y. Senate Passes Recording Measure

Albany, March 29—The bill of Senator C. D. Perry to outlaw authorized recording of broadcasts by artists, orchestras and others without their permission has passed the N. Y. Senate.

Assemblyman Russell Wright's bill providing the Public Works Law a regular billboard, certifying that he has been advanced to third reading for final action before adjournment of the state legislature next week.

Units Back C. E. A. Drive on Rental

London, March 29—Various local Exhibitors Association are expected to authorize the national organization to prosecute a vigorous campaign for reduction of Motion Picture rentals.

The C.E.A. committee charged with the development of the fight on rental increases is expected to announce upon which it will report to the meeting of the general council next month.

Mexico

Film Notes

BY JAMES LOCKHART

Mexico City, March 29—Gross weekly income of all local film houses amounts to approximately $216,500 according to the report of the Municipal Treasurers.

The theater "27" is on the city, which has a population of 1,500,000. The average top admission through the gates of the working population of the city is about $45 per month. The average monthly expenditure on entertainment for the city is about $350, bull fights, second to the screen in popularity, draw about $37, per month, and legitimate theatres approximately $33,500.

Reno Cardona, Mexican producer plans a series of $2 features this year.
TIE
THIS!

VIRGINIA CITY

AND Next Week

Here's delivery! No company can match either - and WARNERS have both!
**Freeman Explains Theatre Affiliations in Trust Inquiry**

(Continued from page 1)

of production companies having affiliation with theatres. "Every picture produced today is a gamble," he said. "The money spent on a film does not warrant its success. It is therefore essential that a production company have, at least, the assurance of a sympathetic theatre group."

Paramount, then called Famous Players-Lasky, formed Southern Enterprises in conjunction with S. A. Lynch Enterprises, to overcome the difficulties presented by exhibitor associations which were determined not to buy Paramount product, Freeman said. These associations were determined to build up a unit of distribution, production and exhibition which would control the industry, the film executive stated. To combat this threat, Paramount entered the exhibition field, he concluded.

Paramount does not regard money spent on a film, proposed exploitation or possibility of borrowing stars in determining the value of a picture, Mr. star, Freeman said earlier in the examination. The only factors to be considered in deciding the question of loan-outs were the type of picture to be played, the director and what other players would be in the film, he testified.

Wright questioned the witness on a large number of deals in which Paramount exercises joint control with other companies of theatres. The Government attorney constantly consulted the confidential answers of Mr. Wright to interrogatories, playing out details of these transactions.

The company has a "definite rule" which forbids through the loan-out of a film from supplying the distribution branch with information on licensing contracts made by the theatres with other companies. "We will pursue the theatre department's desire not to reveal the terms of its deals," he stated.

**Two Weeks at State For First Run Film**

Loew's State today starts a first run double feature of United Artists' "Straw Hat Revue" and "The Bay" and a stage show headed by George Jessel which will be held two weeks. This is unprecedented, as the Broadway house changes shows weekly. It plays second run films as a rule.

The strong Easter show was set to parallel "Gone With the Wind" engagements at Loewc subsequent runs here. The film opens today at the Theatre in Jamaica and the Paradise in the Bronx for two weeks, and March 28 at 11 Loew theaters in Greater New York. Four additional engagements will start April 4. Advance sale of tickets for the night show at the neighborhood theaters totals about $185,000, according to the circuit.

Jimmie Fidler, newspaper columnist and radio commentator on films, wound up a week's engagement with Hollywood players in support at the State last night. The gross was $28,500, against the house average of $25,000. The film attraction was a second run of "Remember the Night." Fidler and his companion, the Loew's Capitol in Washington and the Palace, Cleveland, making six weeks of personal appearance in all Balaban & Katz cancelled the tentatively scheduled Fidler show which was to go into the Chicago Theatre.

**Paramount Opening 'Eater' in Georgia**

Paramount will hold the world premiere of "The Biscuit Eater" at the Albany Theatre, Albany, Ga., on April 11. City executives have arranged to finance a Chamber of Commerce goodwill tour into Florida on behalf of the film. Billy Lee, nine-year-old star of the film, will do in-person appearances throughout Georgia. Y. Frank Freeman, Jr., and Jack Dailey, from the studio, will assist Adolph C. Gortatowsky, Georgia exhibitor, with plans for the premiere.
A DRAMA OF UNDYING LOVE

DARK COMMAND

RAOUL WALSH—DIRECTOR

with

CLAIRE JOHN WALTER TREvor WAYNE PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER HALL
MARJORIE MAIN • RAYMOND WALBURN

A Republic PICTURE

World Premiere
April 4th
GRANADA THEATRE • DICKINSON THEATRE
LAWRENCE, KANSAS
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Radio Brevities

TELEVISION’S first regular series of commercially sponsored programs—"Esso Reporter"—with United Press news and Acme photos, started last month and did not appear to be an immediate threat either to newspapers or newspapers.

Still photos used to supplement news summaries provided by a commentator failed to reproduce with much clarity or detail. Photo captions were difficult to read and the announcer referred constantly to his script rather than speak directly to his audience.

The selection of photos, although varied in subject matter, could stand considerable editorial improvement.

From the commercial standpoint, the program proved that the actual exhibit of the product can be of immense value, sales, as at Broadcasters’ Ball Session luncheon.

Multi, in accordance with its annual custom, will tele a half-hour Sunday for a three-week period. Dave Driscoll, director of special events, will describe the Easter Parade from a perch atop the Waldorf and will interview various on route.

Included in his entourage will be Ethel Merman and Bert Lahr, of "Dyna-Horse, a Lady"; Monty Woolsey, "Of the Man Who Came to Dinner"; Peggy LeBoutillier, Tony Williams and Lusitza Beebe, social lifers; Peyton Downes, Fox Movietone News fashion commentator; and Frank Carroll, sportswriter.

Personalities in the News

Ronald Liss, juvenile actor in "Beck Johnson’s" "Wighborhood House," has founded a "Boy’s Club," with membership limited to youngsters heard on daily network serials. A vote decided in favor of feminine members.

Bill Slater, football sports commentator for Mutual on "Fifth Avenue," has assumed a new role—a presenter on a children’s show. He will be heard over WOR Saturdays at 9:30 A.M. in "Junior Sports" on CBS. Slater, heard over CBS on Mondays at 10 P.M., will bring his orchestra back to New York from Hollywood on April 15.

Henry Lee Smith, who has been guessing in the name of state of members of the studio audience by the way they pronounce key words over WQXR, will start a weekly series called "Where Are You From?" over WOR, beginning Wednesday, April 3, at 8:30 P.M.

Smith, a lecturer at Columbia University, has been successful in his identifications about 75 per cent of the time, according to WOR, and occasionally can name the section of the city where a speaker was reared.

Radio

FM to Replace Present Broadcasting System in 10 Years, F.C.C. Advised

Washington, March 20.—Frequency modulation broadcasting will not be ready to supplant the present system of broadcasting for 10 years, John Shepard, III, president of FM Broadcasters, Inc., told the FCC before a Columbia Broadcasting System luncheon.

The shift will be gradual, and will not inconvenience either the industry or the public, he declared.

Shepard testified that the FM group wants assigned to it all the frequencies between 41,000 and 41,000 k.c., parts of which are now assigned to educational radio and television. He stated that FM would not disturb the frequencies assigned to educational radio.

The bill, if enacted, would make FM a non-commercial system.

NBC's Short Wave Rate Card Revised

Expansion of the NBC campaign for sponsors of programs over its two short wave stations, WRC and WNBI, was announced yesterday by L. P. Yandell, executive in charge of Broadcasters’ Ball Session luncheon.

A new rate card which will allow sponsors to continue for a minimum of 15 weeks, instead of 52 weeks heretofore required, and for a minimum of five minutes per program, instead of one hour, is now available. The new rate card will be ready for use within the next few weeks, Yandell said.

The new rate card, the first ever to be prepared for short wave stations, provides for unusually high discounts and rebates in order to encourage purchases of time for longer periods, Yandell said. While 13 week shows will be permitted, the policy will be to charge for high premiums to longer shows.

Three languages will be used for programs devoted to Latin America—Spanish, Portuguese and English. Portuguese programs will cost less because of the smaller number of such language groups as compared with those understanding Spanish or English, the rate card will provide.

Preliminary proofs of the rate card combined for both short wave stations, were distributed at the luncheon. Spanish and English programs will cost $300 per hour for Class A stations, and while Portuguese programs will cost $1800 discounts range up to 20 per cent for $300 weekly billings, and rebates range up to 50 per cent for 52 week contracts.

Columbia Broadcasters Report

In Quota Film Deal

London, March 20.—It is understood here that Columbia has almost concluded negotiations with Two Cities Films Co., producer of the film, "French Without Tears," to supply quota product for Columbia here.

Ascap Bares Radio Pact Terms Today

(Continued from page 1)

their submission to the broadcasters due to the fact that stock purchased agreements and licensing commitments of broadcasters with Broadcast Music, Inc., will become due April 1.

Broadcast Music, Inc., was organized by the broadcasters to develop a music catalogue independent of Ascap because of past dissatisfaction with Ascap contracts and apprehension over the terms of the new ones.

Ohio Tax Case Due For Action in June

COLUMBUS, March 20.—The mandamus suit of John V. Bostwick, a taxpayer, against the Ohio Tax Commission, seeking to enforce collection of sales tax on films rentals, will not be docketed before June at least, when the Franklin County Court of Appeals, now conducting sessions in other sections of Ohio, reconvenes here.

Canada Radio Set Sales at New High

MONTREAL, March 20.—Because of the war, the radio industry in Canada is reporting a boom in radio, show that the production of radio sets in Canada last year hit a new all-time high. The war has increased the demand for more powerful sets.

The Dominion Bureau of Statistics reports that 348,507 sets were produced in January, last year, 26,907 of them made in the last six months. The year’s total exceeds by more than 50,000 the former record year of 1939. The present total at list prices of all the radio sets sold in Canada last year amounted to $50,005,519.

Factor Dinner Friday

CHICAGO, March 20.—A testimonial dinner for Max Factor, Great States booking has been made by the name of the city where a speaker was reared.

Albany Bill Asks Booth Restrictions

ALBANY, March 20.—N. Y. State Senator William Condon of Westchester County has introduced a bill calling for sweeping amendments to the General Business Law with relation to plans and specifications for the construction of booths for projecting motion pictures.

The bill provides that the projection room shall be easy of access and shall not open directly into the auditorium or balcony unless a vestibule with fire resistive doors is provided. At least two means of egress from every projection room containing more than one projector also is specified. Access by trap doors is prohibited. Further, all wires in the room shall be in conduit and the conduit system thoroughly grounded. Every projection room shall be provided with not less than two approved fire extinguishers of not less than one-quarter size. Each room shall be equipped with a type of enclosed film rewinder or separate fire resistant rewinder room. The act is not to apply to cities which have local laws providing for fireproof booths.

"The Dark Command"

RAoul Walsh * DIRECTOR

with

CLAIRe TREVOR * JOHN WAYNE

WALTER PIDGEON

ROY ROGERS * GEORGE HAYES

MARGO MAIN * RAYMOND WALTERSON
WORLD PREMIERE, Radio City Music Hall, Thursday, March 28th...

Selznick International presents

Rebecca

The newest triumphant attraction from DAVID O. SELZNICK, this year's winner of the coveted Irving Thalberg Award and ten Academy Awards. Cast with typical Selznick adroitness to give you LAURENCE OLIVIER, sensational star of "Wuthering Heights"...and JOAN FONTAINE in her first starring role.

starring
LAURENCE OLIVIER
JOAN FONTAINE

with
GEORGE SANDERS • JUDITH ANDERSON

Directed by ALFRED HITCHCOCK
From the best selling novel by DAPHNE DU MAURIER
Released thru UNITED ARTISTS
Broadcasters Assail Ascap's New Contracts

100% Boost in Payments Draws Miller Attack

Disclosure yesterday of Ascap's new contract terms for radio broadcasters drew a sharp response from Neville Miller, president of National Association of Broadcasters, who declared that payments proposed would mean a 100 per cent increase.

"Ascap has this time overreached itself and has made demands which the broadcasting industry must resist as a matter of life and death," Miller asserted.

Miller said that radio is now paying Ascap $5,000,000 a year and that the present demands would strengthen Broadcast Music, Inc., which has 285 station members at the present time.

BMI was organized to originate music sources independent of Ascap.

Concessions to Small Stations

Although making concessions to small stations grossing $50,000 or less per annum, the Ascap committee outlined a plan which would add a new charge of 7 1/2 per cent of all revenue received from sponsors to be paid by the networks. At present there is a flat charge of 5 per cent on commercial programs for all stations with no charge upon the networks.

Under the new plan, stations grossing $50,000 or less would pay 3 per cent of their gross; "an intermediate group," not defined specifically, would pay 4 per cent; large stations would pay 5 per cent.

End of Government's Film Service

Washington, March 21.—Termination of the film activities of the U. S. Government is indicated in the refusal of the House Appropriations Committee to continue funds for the film service operated by the Federal Security Agency.

The House committee denied the requested funds in reporting the agency's supply bill for the fiscal year beginning July 1. The radio service of the agency likewise was refused funds.

The Film Service had asked $106,000 for the coming fiscal year and the radio service $10,000.

For the current year the film service received $168,500 from the Public Works Agency, WPA and Farm Security Administration and an additional $162,500 under a Works Projects Administration Allocation, with which it completed "Fight For Life" and will complete "Ecce Homo" before the end of the year.

"Fight For Life," produced for the U. S. Film Service by Pare Lorentz, is currently playing on Broadway at regular admissions and in competition with regular run films.

Ticket Taxes Disclose Huge Jump in Broadway Grosses

February Earnings 70% Above January; Credit Given to Hit Shows

Strong pictures and bit legitimate shows in the Broadway zone during February brought an announced rise in amusement grosses.

Figures on Government admission taxes indicate an increase of about 70 per cent in amusement grosses on Broadway over January and about 60 per cent over February of last year.

Federal admission taxes collected during February in the third New York district (Broadway zone) totaled $706,814, compared with $412,814.

752 New Theatres

Built in U. S. in '39

WASHINGTON, March 21.—There were approximately 67,129 motion picture theatres in 98 countries throughout the world last year, according to a world market survey prepared by Nathan D. Golden, chief of the Motion Picture Division of the Bureau of Foreign and Domestic Commerce.

The 1939 total compares with a total of 92,816 on Jan. 1, 1939. The large decrease, Golden points out, is the result of the elimination in the 1939 figures of nearly 30,000 closed theatres in Russia. Actually, these were not.

RKO Claims Likely

To Reach $1,500,000

The RKO trustee's final report on the company's reorganization will be filed in U. S. District court on Monday, together with the final applications for allowances of Irving Trust Co., trustee, and its counsel for services during the seven-year reorganization.

Monday is the last day for filing the applications for allowances. It is estimated that the total of all applications will be in the neighborhood of $2,000.

$1,500,000 for First

Paramount Quarter

Paramount earnings for the first quarter of the current year, ending March 31, are expected to be better than the same period last year, and it is estimated by Wall Street sources that the earnings will reach about $1,500,000.

Yesterday, the company reported estimated earnings and interest and all charges for the fourth quarter ended Dec. 31, 1939, at $1,630,000.

The earnings do not include $245,000 of dividends declared by the corporation and its consolidated subsidiaries from non-consolidated subsidiaries.

Estimated earnings for the year ended Dec. 30, 1939, are $3,870,000, including $1,110,000, the share of un-
February Grosses in London on Broadway

(Continued from page 1)
233 in January and $514,748 in February, 1939. All types of admissions over 40 cents are included. Exhibitors were advised that box office ticket sales rose from $134,644 in January to $91,829 last month. This is $145,000 above the $460,555 reported for February last year.

While the month had only 29 days, Lincoln’s and Washington’s Birthdays fell on the 15th and 22nd, both at film and legitimate theatres.

Among the big-grossing pictures playing on Broadway during the month were “Gone With the Wind” at the Astor and Capitol; “Grapes of Wrath” at the Rivoli; “The Fighting 69th” at the Strand; “The Show Around the Corner” at the Radio City Music Hall; “Of Mice and Men” at the Roxy, and “Pinocchio” at the Center. The Astor, Capitol, Rivoli and Strand played the same attractions during the entire month.

Legitimate theatres on Broadway reached a peak for the season during February, with 21 shows grossing an estimated $900,000 for the month.

Leading shows were “The Man Who Came to Dinner,” “DuBarry Was a Lady,” “Hellzapoppin’,” “Too Many Girls,” “The Man About the House,” “Shine,” “Skydancer” and “Margin for Error.” There were fewer shows than in February last year, but the aggregate grosses were higher.

All other entertainment categories participated in the improvement. Revenues from theatre admissions increased from $2,256 to $7,301; tickets sold by brokers from $122,660 to $218,138; tickets sold by proprietors in excess of the established price from $307 to $327; permanent use or lease of boxes and seats for public entertainment and admissions to roof gardens and cabaret from $27 to $89,820.

S. Agency Urged To Govern Industry

(Continued from page 1)
responsible industry executives show little enthusiasm for the proposed legislation and suggestion, and according to reports, Department of Justice officials are not entirely satisfied with the “agreeable” bill.

The settlement discussions are likely to be continued despite this disposition toward present suggestions. However, failing in a compromise on or alternative for theatre divestment, the legislation is quite dependent on the industry that the anti-trust suit trial will begin May 1 as scheduled.

Screen War Gossip Pictures in London

London, March 21.—The first three Ministry of Information films—designed as warnings against the spread of Nazi influence—were previewed here today. All of them are excellent thriller entertainment, leaving the moral convincingly. General distribution to all theatres early in April will be handled by Metro.

U’Leaders Buy Out Of Cochrane’s Stock

(Continued from page 1)
in the purchase are: Peyton Gibson, secretary and treasurer; Samuel I. Machovitch, financial officer, and Milton Feld, producer.

The purchase price, number of shares acquired and the manner of distribution among the purchasers were not disclosed. However, at the time of Cochrane’s withdrawal from Universal in December, 1937, it was reported that his holdings amounted to almost 20% of Universal stock, leaving him with an estimated market value of $450,000 at the time.

Cochrane’s common has greatly appreciated in value since then, but it is probable that Cochrane’s holdings have been reduced in the interim.

Griffith Bros. Beats State Lottery Action

NEBRASKA CITY, Neb., March 21st — Judge T. S. Morton this week dismissed the state’s lottery action against Griffith Bros., Inc., in effect holding that the circuit’s weekly good will cash award was not a violation of the state lottery laws.

Morton declared that a Nebraska lottery must have three things: prize, chance and consideration. He chose to reject out of hand the state’s contention, which he did not find an ingredient necessary to winning the award. He then upheld the terms and prize whether the winner was present or absent and had or had not purchased an admission ticket.

The ruling is a much more lenient than an earlier one on Bank Night. In that case the effort extended in registration of a contestant’s name was held to be a consideration.

Associates Dance Set

Annual dinner dance of the Motion Picture Associates will be held at the Hotel Astor Thanksgiving eve, Nov. 27. The committee was set early to perm the drive for the sale of tickets and advertising in the annual journal. The organization has decided to hold regular business meetings on the fourth Friday of each month except during June, July and August.

Mangham Reports Stock

WASHINGTON, March 21—John W. Mangham of Atlanta, elected to the board of directors of Monogram Pictures on Jan. 23, has purchased 15% of the common stock direct and 3,500 shares of common and 8,304 options for common through Monogram Southern Exchanges, Inc., when he joined the board, it was reported tonight by the Securities and Exchange Commission.

Newsreel Parade

Most significant of the various events covered in the new issues are the Queen Mary and Mauritania in the Mediterranean and the New York war duty. The reels and their contents follow:


Yates and Granger To Kansas Premiere

Herbert J. Yates, chairman of the Motion Picture News, and James C. Granger, president, are scheduled to attend the twin premiere of "Dark Command" at the Grand and Dickson theatres in Kansas City, on the evening of April 4. The visitors will include a studio delegation of producers and branch managers from Chicago, St. Louis, Cleveland, Cincinnati, Kansas City, Oklahoma City, New Orleans and Atlanta.

Following the premiere, the film will start an indefinite run at the Minnesota Theatre. General release is in April 15.

William Saal, studio representative, is in Lawrence making arrangements, with the Lawrence Board of Trade and city officials cooperating.

Motion Picture Daily

THE 4 BIG HOLD-OVERS ON BROADWAY!

"Northwest Passage" — 3rd week — Capitol

"Young Tom Edison" — 2nd week — Music Hall

"Earl of Chicago" — 2nd week — Criterion

and in its 14th week, the Selznick-International Production, "GWTW" bigger than ever after capturing 10 out of 14 Academy Awards
Vineland Trust Case Postponed to April 8

PITHEHLA, March 21.—The final hearing in the Vineland, N. J. Trust case against the studio of Samuel Goldwyn, Inc., was postponed on Monday by Judge Richard H. C. Parker, in Federal Court here. The case involves about $54,559, in damages, for which suit Goldwyn, Inc., was served with a complaint in May of 1938, and which is being heard by Judge Parker.

The case involves a dispute between the trustees who are attempting to collect settlement for a number of films that were produced by the studio of Samuel Goldwyn, Inc., and the studio itself. The studio, which had produced a number of films in the early 1930s, was dissolved in 1936, and the trustees were appointed to collect the proceeds from the sale of the films.

Death Takes Gwinn, Prominent on Coast

SEATTLE, Wash., March 21.—Cecil Gwinn, 43, prominent exhibitor at Centralia, Chehalis and Montesano, died in a hospital here today following an operation. He was formerly with the West circuit and active in the Pacific Northwest exhibitor group, including a period as director of the Washington State Theatre Owners Association.

Goldwyn Bonus Suit Gets Answer by U.A.

United Artists charged Samuel Goldwyn, Inc., with arbitrarily refusing to agree to modifications of the "Silvery Bonus Plan" in an answer to Goldwyn's action for $3,549,000, filed yesterday in U.S. District Court.

Although these modifications had been ratified by a U.A. stockholders' meeting in January, 1939, and amended contracts had been signed by all other producers, Goldwyn refused to give his consent, the answer states. As a result, the plan, as modified by stockholders, had to be revised, and the producers are now offering better terms to producers of pictures made and distributed in foreign countries, U.A. contends.

The defendant asserts that it offered the sum sued for to Goldwyn, despite his stand, "in order to avoid controversy" and that it was rejected. Application to dismiss Goldwyn's suit to upset his contract is now pending in District Court.

Rights to 1,000 Films Educational's Assets

Referee John E. Joyce was told yesterday at a creditor's meeting of Educational Films Corp., that the sole asset of that company was ownership of 16 min. rights to 1,000 films in the possession of the trustee of Grand National Pictures, GN, which owns the 35 mm. rights to these films, expects to receive $15,000 for their use in the next few years, it was stated.

William S. Brown, 261 Broadway, N.Y., was appointed trustee of Educational Film Corp. by Referee Joyce after attempts to elect Harry G. Fromberg, trustee of GN, and James A. Davidson, referee of Educational Pictures, failed.

Educational Pictures, parent company, will file a claim for $97,985 against Educational Films for a loan extended, Davidson announced.

The above chart, prepared by the Motion Picture Division of the Bureau of Foreign and Domestic Commerce, indicates in graph form the number of theatres in the world, divided into areas, with the number of silent houses indicated by the shaded portions of the bars.
10 in a row
...for Western Electric recorded Sound!

1930 — Metro-Goldwyn-Mayer
1931 — Paramount
1932 — Paramount
1933 — Paramount
1934 — Columbia
1935 — Metro-Goldwyn-Mayer
1936 — Metro-Goldwyn-Mayer
1937 — United Artists
1938 — United Artists
1939 — Universal

It is significant that throughout its 10 year history, the sound recording award of the Academy of Motion Picture Arts and Sciences has been made every year to ERPI licensees using Western Electric equipment. Congratulations to the individuals and Sound Departments who have won the awards!

Electrical Research Products Inc.
195 BROADWAY, NEW YORK, N. Y.

SUBSIDIARY OF
Western Electric Company
Motion Picture Daily

6

'Cargo' Draws

High $18,700,
Philadelphia
—

though weather conditions were favorable, the Lenten observance kept film
The best
grosses down generally.
business was done at the Stanley, $18,700 with "Strange Cargo."
"Dr. EhrLich's Magic Bullet" (W. B.)

ALDINE — (1,700)

week,

2nd
(Average, 7

(32c-42c-57c-68c)

Gross:

days.

5

$8,200.

days, $8,000)
of 1940" (M-G-M)
days,
(32c-42c-57c)
7

"Broadway Melody

ARCADIA— (600)

Gross:

2nd run. 2nd week.

(Aver-

$3,800.

age. $2,600)

"Abe Lincoln

in Illinois" (RKO)
(32c -42c -57c -68c)

BOYD— (2,400)

6

days.

(Average, $13,000)
Gross: $12,000.
"Gone With the Wind" (M-G-M)
EARLE— (4,000) (75c-$1.14) 7 days, 8th
week. Gross: $26,000. (Average, $14,000)
"The Grapes of Wrath" (2€th-Fox)
FOX— (3,000) (32c-42c-57c-68c) 7 days, 2nd
(Average, $13,000)

"Seventeen" (Para.)

KARLTON — (1,000)

days.

Gross:

(32c-42c-57c-68c)

7

(Average, $3,000)

$3,800.

New

2nd run.
Gross:
"Strange Cargo"

York Review

Jolts Grosses

"The Courageous Dr. Christian"

In Twin Cities

(RKO)
Jean Hersholt, whose crusade as a small town doctor in "Meet Dr.
Christian," the first of a series by
this year, brought the city
councilmen around to erecting a town hospital, follows up his victory
with a second project municipal housing for the poor.
Principally, the story centers around Hersholt, who once again gives
a lovable and kindly portrayal of a community physician who has devoted his life to the people he knows and treats as patients and friends.
Judy Price and Robert Baldwin again are cast as the romantic young
lovers, while Tom Neal also gives an effective performance as a calloused and world-weary member of a squatter colony.
Hersholt, who has most of the colony as his patients, sees the need of
aiding those unfortunates by providing them with proper housing. He
fails to convince the town council of the potential health menace created
by their unsanitary living quarters until the squatters move into the
town from the outskirts and an epidemic breaks out. Hersholt checks

RKO

—

ASTER-(900)

7

days.

$4,500)

CARMAN— (2,500)

subse(26c-32c-42c)
days, 2nd week, with vaudeincluding Liazeed Troupe; Charles

ville bill

7

Carrer; Mann, Dupree and Lee; Nash and
Evans; and Five Herzogs. Gross: $5,500.
(Average, $5,200)
"Honeymoon Deferred" (Univ.)

FAY'S —

days,

(15c-25c-32c-40c-57c)

(2,000)

with

vaudeville

7

Jean

including

bill

Joan Wade; Charles Timlin and
Co.; Three Murtah Sisters; Ross and Page;
Gross: $7,000.
and Starnes and Ana van.

Mode;

(Average, $7,200)

To Pace Pittsburgh
— Loew's
Pittsburgh, March
21.

(Average,

—

Providence, March 21.— The RKOstrictions did not affect attendance at Albee's double, "My Little Chickadee"
Melody of 1940" and "A Child Is $8,400. "Strange Cargo" and "The
Born" drew $16,000 at the Michigan, Ghost Comes Home" drew a good
while "Black Friday" and "The House $13,800 at Loew's State.
of the Seven Gables" took $6,500 at "My Little Chickadee" (Univ.)
"The Witness Vanishes" (Univ.)
the Adams.

March

Detroit,

21.

Lenten

re-

Estimated takings for the week end-

ADAMS— (1,600)

(15c-50c) 7 days.

RKO-ALBEE — (2,239)
Gross:

days.

(25c-35c-50c)

(Average,

$8,400.

Gross:

Gross: $6,500. (Average, $5,000)
"Balalaika" (M-G-M)
"Allegheny Uprising" (RKO)

STATE— (2,300)

7

Gross: $13,800. (Average. $11,000)
"Castle on the Hudson" (W. B.)
days.

MAJESTIC— (2.250)
Gross:

$5,500.

ALVIN— (1,750)

PALMS— (2,000)

(25c-35c-50c)

days, 2nd

7

(Average. $7,500)
Gross: $9,000.
"Our Neighbors, the Carters" (Para)
"The Big Guy" (Univ.)
FULTON (1,700) (25c-40c) 6 days. Gross:
$2.4C0.
(Average, 7 days, $5,000)
week.

—

"Strange Cargo"

(M-G-M)

Gross:

(25c-35c-50c)
(Average, $13,500)

$15,000.

week.

Gross:

(25c-35c-50c)
$4,800.

7

2nd

days,

(Average. $4,000)

St.

"Grapes

(Average, $7,000)

of Seven Gables" (Univ.)
"Black Friday" (Univ.)

(25c-40c)

(1,750)

7

days.

Gross $3,200. (Average, $3,500)
"Crstle on the Hudson" (W. B.)

STANLEY —

(3,600)

(25c-40c-60c).

On

stage: Dixie Dunbar, Sibyl Bowan, Johnny
Perkins, Lowe, Hio
Stanley. Maurice
Spitalny.
7 days.
Gross: $12,500.
(Average, $17,000)
"Gene With the Wind" (M-G-M)

&

WARNER —

days. 7th week.

(2.000)

(75c-$1.10-$1.65)

Gross: $25,000.

7

(Average.

$5,000)

—

O., March 21.
Troy
Amusement Co., operating the Mayflower, at Troy, has asked the Second
District Court of Apeals to defer
action on its recent ruling that Bank
Night is in violation of the Ohio lottery law, and to continue the temporary injunction to prevent Andrew
Attenweiler, plaintiff, from seizing

Bank Night equipment.

7th week, 7 days.

(75c-$1.10Gross: $33,000.

"Gone With the Wind" (M-G-M)

WILSON —
7 days.

(75c-$1.10-$1.50)
Gross: $25,000.

(1,912)

7th

Gross:

(Aver-

"Remember

the Night" (Para.) (3 days)
"British Intelligence" (W. B.) (3 days)
"The Fighting 69th" (W. B.) (4 days)
"A Child Is Born" (W. B.) (4 days)

Gross:

Whiteman's Band

days.

7

$3,800.

age. $3,500)

EMPIRE— (2,200)
.

$1,300.

2nd

(20c-30c)

run

(Average, $1,700)

21.

ly

and "Broadway Melody of 1940,"
good for $8,000 at Loew's, were the
only shows above average in a quiet
week.
"Gone With the Wind" (M-G-M)
000,

(75c-$1.10)

Gross:

7

$4,000.

Re(Average.

days.

$2,500)

of Wrath" (ZOth-Fox)
(25c-40c)
6 days, 2nd
(Average, $6,000)
Gross: $3,000.
Lincoln in Illinois" (RKO)

"Grapes

CIRCLE— (2,800)
week.

"Abe

"Millionaire Playboy"

INDIANA— (3,200)

Gross:

$4,800.

(RKO)
(25c-40c)

days.

7

(Average,

"Broadway Melody

$5,000)
of 1940" (M-G-M)

"Outside the Three-Mile Limit" (Col.)
LOEW'S— (2.80O) (25c-40c) 7 days. Gross:
$8,000.
(Average, $7,000)
"Slightly Honorable" (U. A.)

LYRIC— (2,000)

(25c-40c)

7

days.

Paul Whiteman's band and show.
$11,000.
(Average, $8,000)

days,

5

thirol

(Average, $1,600)

Paul:

Wrath"

(ZOth-Fox)

PARAMOUNT— (2,500)

Gross:

(25c-40c)

days.

7

(Average, $4,500)
the Night" (Para.)

$6,200.

"Remember

ORPHEUM— (2,000)

(25c-40c)

days.

7

(25c)

days.

7

Stage:
Gross:

(Univ.)
(25c)

days.

7

Gross:

(Average, $1,600)
"Green Hell" (Univ.)

$1,600.

WORLD— (400)

$1,100.

(25c-55c)

7

days.

Gross:

(Average, $1,000)

'Cargo' at $15

M0

Cleveland Winner

—

Cleveland, March 21.
"Strange
Cargo" had the best comparative gross
here at $15,000 at Loew's State. "Gone
With the Wind," in its seventh week'
at the Stillman, drew $22,000; and
"Rulers of the Sea" took $3,000 at
Loew's Park.
Estimated takings for the week ending

March

14:

ALLEN— (3,000)

Gross:

$2,000.

(30c-35c-42c)

7

of

HIPPODROME —

(30c -35c -42c)

7

days,

WARNERS*

$10,500.

"My

days.

(Average, $4,000)
Wrath" (ZOth-Fox)

"The Grapes

2nd

week.

(3,800)

Gross:

(Average, $11,000)

Chickadee" (Univ.)
Vancouver radio stations have volunRKO PALACE— (3,100) (30c-42c-55c) 7
tarily gone off the air to relieve over- days. Prof. Quiz and show on stage. Gross:
crowding in Canada's western prov- $12,500. (Average. $14,000)
"Rulers of the Sea" (Para.)
In addition to the Canadian
ince.
LOEW'S PARK— (3,000) (25c-35c) 7 days.
Broadcasting station. CBR, there were Gross: $3,000. (Average, $2,500)
"Strange
Cargo" (M-G-M)
five commercial stations here. CKCD,
LOEW'S STATE— (3,500) (30c-35c-42c) 7
backed bv the Daitv Province, news- days.
Gross: $15,000. (Average. $11,000)
naper. and CKFC, backed by the Van- "Gene With the Wind" (M-G-M)
7

cently.

Little

LOEW'S STILLMAN— (1,900)

couver Sun, suspended operations re-

days, 7th

week. Gross:

(75c-$1.13)
$22,000.

CKWX
CKMO Denver Houses Use Duals

Stations CJOR and
will
be allowed to step up their power to
1,000 watts as a result, while
remains as before, with 100 watts.
CBR operates at 5,000 watts. The
nuestion of improved radio service for
British

Columbia,

northern
poor is

sections
still

particularly

where reception

being studied.

:

Gross:.

(Average, $1,800)
"Cisco Kid and the Lady" (20th-Fox)

$1,700.

21.

APOLLO— (1,100)

Gross:

"Black Friday" (Univ.)

High Vancouver Stations
— Paul Off to End Crowding
Indianapolis, March
Whiteman's band, which with "SlightVancouver, B. G, March
—Two
Honorable," gave the Lyric $11,-

turn engagement.

Asks Game Ruling Delay
Springfield,

$1.50)

(75c-$1.10)

Return engagement.

ARTISTS— (2,000)

UNITED

"Gore With the Wind" (M-G-M)

CARLTON— (1,526)

"Gone With the Wind" (M-G-M)

of

TOWER— (1,000)

Indianapolis

"The House

SENATOR —

Gross:

7

"Northwest Passage" (M-G-M)

RITZ— (800)

$7,000.

week,

LOEW'S PENN— (3,400)

days.

(15c-50c) 7 days.
(Average, $7,000)

days.

8

(25c-55c)

Gross: $900.

:

(ZOth-Fox)

(25c-40c)

WORLD— (400)

week.

"Oh Johnny"

days.

7

(20th-Fox)

(35c-55c) 7 days with

"We Are Not

"Grannv Get Your Gun" (W.

B.)
(25c-35c-50c)

$2,-

(Average $4,400)
Alone" (W. B.)

$11,500.

RIVIERA-(1,000)

(25c-35c-50c)

FISHER— (2,700) (15c-55c) 7 days. Gross: "Dr. Cyclops" (Para.)
drew $15,000 with "Strange
(Average, $7,000)
$6,500.
"Five Little Peppers at Home" (Col.)
"Gone With the Wind" was "The Grapes of Wrath" (20th-Fox)
STRAND— (2,200) (25c-35c-50c) 7 days.
week.
2nd
days,
(25c-55c)
7
still good for $25,000 at the Warner
FOX— (5,000)
Gross: $6,800. (Average, $6,000)
(Average,
$15,000)
$15,000.
Gross:
"The Grapes of Wrath" (20th-Fox)
"The Grapes of
in the seventh week.
"Broadway Melody of 1940" (M-G-M)
FAY'S— (1,800) (25c-35c-40c) 7 days, 2nd
Wrath" took $9,000 in the second "A Child Is Born" (W. B.)
week. Stage show with Terry Howard and
week at the Alvin.
MICHIGAN— (4,000) (15c-65c) 7 days. Jack
Talley The Six Virginians; Raymond
Estimated takings for the week end- Gross: $16,000. (Average, $12,000)
Pike: Captain Gregory and Bullets Black;
(M-G-M)
Woman"
This
"I Take
and Ted Mack.
Gross: $5,300.
(Average,
ing March 14:
"The Return of Dr. X" (W. B.)
$6 500)
Wrath"

days. Gross:

7

Gross: $3,200.
(Average, $3,200)
"Slightly Honorable" (U. A.)

"Strange Cargo" (M-G-M)
"The Ghost Comes Home" (M-G-M)

LOEW'S STATE— (3,232)

ORPHEUM— (2,900)

7

$6,000)

Cargo."

of

(25c)
$2,500)

Martha Raye stage show.
Gross: $8,700.
(Average without stage show, $4,400)
"Grapes of Wrath" (ZOth-Fox)

Penn

"Grapes

bill

(Average, $1,000)
(U. A.)

"He Married His Wife"

'Chickadee' Takes
'Black Friday* and
$8,400, Providence
'Gables' Detroit Hit

ing March 14
"Black Friday" (Univ.)
"The House of Seven Gables" (Univ.)

'Cargo' Hits $15,000

(15c-25c) 7 days, dual

GOPHER— (990)

classification^

7

$14,000)

(32c-42c-57c)

(Average.
"His Girl Friday" (Col.)
$4,200.

quent run,

*"G" denotes general

900.

(32c-42c-57c-68c)

STANTON— (1,700)

Gross:

Minneapolis:
(RKO)

"Saint's Double Trouble"
"Oh Johnny" (Univ.)

"Slightly Honorable"

(Average, $3,500)

(Average,
Nights" (Para.)

of

Tht
1

$1,100.

Gross: $18,700.

"The Night

—

21.

Gross: $2,200.
(Average, $1,800)
Williams Stephens produced and Bernard Vorhaus directed. The orig- "Gone
With the Wind" (M-G-M)
CENTURY— (1,600) (75c-$1.10) 6th ano
inal screenplay was written by Ring Lardner, Jr., and Ian McLellan
last week.
Gross: $6,6*0. (Average, $4,000'"i
Hunter.
"A Chump at Oxford" (U. A.)
'Edward
Greif
ESQUIRE— (290) (25c-40c) 7 days. Gross;,
Running time, 67 minutes. "G."*

(M-G-M)

STANLEY— (3,700)

days.

March

Minneapolis,

heaviest snowfall of the winter hit th(
Twin Cities last week, practically tiea
up traffic for two days and bijk hi
box-office receipts down materia^.
Best business in Minneapolis was!
recorded at the State where "Grape;!
of Wrath" drew $11,500. In St. Paul
|
the same picture was the leader with!
$6,200 at the Paramount.
Estimated takings for the week end-;
ing March 14

the epidemic and wins support for his project.

(32c-42c-57c-68c) 7 days,

$5,900.

22, 1941

Winter Storm

"Northwest Passage" (M-G-M)

KEITH'S — (2,200)

March

Friday,

in
is

—

Denver. March 21. The Denver
and Aladdin, Fox houses, have both
gone to double bills.
Both are first
run.
This leaves the Denham first)
run, with Paramount product, the only"
single bill house in town.


Short Subject Reviews

"International Revels" (Universal)
OL conditioning background lends an air of authenticity to this musical two-acter in which is presented an array of dancers and singers in an "International Cafe." Ten acts representing various lands include a Cossack dance, an Indian folk dance, an African voodoo number, vocals and other specialties. Running time, 17 mins.

"Tom Thumb, Jr." (Universal)
The cartoon character here provides a few laughs as he and a grasshopper search for food in an old lady's house. Enemies are found in a goose, a mouse and a few other typical cartoon characters with the usual pursuit. Running time, 7 mins.

"Stronger Than Fiction, No. 73" (Universal)
This latest in the "Stronger Than Fiction" series concerns itself with five unusual items: a stone mansion in miniature; a school conducted for only one pupil; pictures carved in wood; a man for a pet and finally a Texas photographer who resembles Abraham Lincoln. Nine minutes.

"Stronger Than Fiction, No. 72" (Universal)
Six oddities shown here make for fair entertainment. They include a "dream house" in North Carolina, a 36-year-old race horse on a Kentucky farm; a collection of horseshoes; a railroad operated by one man in a remote part of Utah; a sidewalk paved with tombstones and a friendship existing between a boy and a duck. Running time, 9 mins.

"Going Places, No. 72" (Universal)
While the filmed matter is run of the mine, Graham McNamee's narration concerning Cecil Rhodes and the history of Rhodesia is extremely interesting. Shown are electric dairies, waterfalls, coal mines, etc., in that southern part of Africa. Shots of the Cape-to-Cairo Railroad and Victoria Falls complete the picture. Running time, 9 mins.

"Going Places, No. 73" (Universal)
Two subjects, dogs and railroads, share the footage here. The railroad phase is concerned with the welding and laying of rails. Running out the rear are pictures of a dog hospital, a dog beauty shop and finally a swank dog show. Running time, 9 mins.

Dixie Exchange Moves
ATLANTA, March 21—Dixie Film Exchange has moved to larger quarters here. The company, headed by Ted Todd, president, and S. Hickman, distributes the films of Dixie National Pictures, Inc., all made with Negro casts.

'Girl Friday' Strong in Hub Pulls $36,000

BOSTON, March 21—"His Girl Friday" and "Convicted Woman" grossed $21,000 at Loew's Orpheum and $15,000 at Shubert for the best busy week of the season. "My Little Chickadee" and "Honeymoon Deferred" took $17,000 at the Keith Memorial.

George Beatty scheduled a vaudeville show at the Keith Boston for four days along with a double feature. This is expected to give the theater an average gross for the week.

Estimated takings for the week ending March 13:

<table>
<thead>
<tr>
<th>Film Title</th>
<th>House</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Convicted Woman&quot; (RKO)</td>
<td>P.M.</td>
<td>$15,000</td>
</tr>
<tr>
<td>&quot;Hunchback of Notre Dame&quot; (RKO)</td>
<td>P.M.</td>
<td>$15,000</td>
</tr>
<tr>
<td>&quot;Charlie McCarthy, Detective&quot; (Univ.)</td>
<td>P.M.</td>
<td>$12,000</td>
</tr>
<tr>
<td>&quot;My Little Chickadee&quot; (Univ.)</td>
<td>P.M.</td>
<td>$6,500</td>
</tr>
<tr>
<td>&quot;Honeymoon Deferred&quot; (Univ.)</td>
<td>P.M.</td>
<td>$6,500</td>
</tr>
<tr>
<td>KEITH MEMORIAL (2,907)</td>
<td>25c-35c-40c</td>
<td>Gross: $17,000 (Average: $5,700)</td>
</tr>
<tr>
<td>SOUTHWARDS OF LONDON (Pam.)</td>
<td>25c-35c-40c</td>
<td>Gross: $8,000 (Average: $2,667)</td>
</tr>
<tr>
<td>&quot;Judge Hardy and Son&quot; (M-G-M)</td>
<td>Metro</td>
<td>$12,000</td>
</tr>
<tr>
<td>&quot;British Intelligence&quot; (W. B.)</td>
<td>Metro</td>
<td>$4,800</td>
</tr>
<tr>
<td>&quot;Judge Hardy and Son&quot; (M-G-M)</td>
<td>Metro</td>
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</tr>
<tr>
<td>&quot;British Intelligence&quot; (W. B.)</td>
<td>Metro</td>
<td>$4,800</td>
</tr>
<tr>
<td>&quot;Horses&quot; (Paramount)</td>
<td>25c-35c-40c-50c</td>
<td>Gross: $8,000 (Average: $2,667)</td>
</tr>
<tr>
<td>&quot;Married Wife&quot; (25c-35c-40c-50c)</td>
<td>2 days</td>
<td>Gross: $4,000 (Average: $2,000)</td>
</tr>
<tr>
<td>&quot;His Girl Friday&quot; (Col.)</td>
<td>Loew's State</td>
<td>$29,000 (Average: $14,500)</td>
</tr>
<tr>
<td>&quot;Convicted Woman&quot; (Col.)</td>
<td>Loew's Orpheum</td>
<td>$29,000 (Average: $14,500)</td>
</tr>
</tbody>
</table>

5 Special Programs Set by Film Library


The programs will be shown daily at 4 P.M. and on Sundays at 2 and 4 P.M. The first pictures of the progress of the animated cartoon, the second is devoted to Ferdinand Zecca, Emile Cohl and Jean Durand. The program on the abstract films pictures produced from 1921 to 1939, indicating the development of the medium. Actresses of the past include Gabrielle Ray, Sarah Bernhardt, Mimi Madden, Fiske and Eleonora Duse, while the last program includes the seven most outstanding issues of the March of Time.

New Pawtucket House

PAWTUCKET, R. L., March 21—William A. Pinault, local druggist, is making rushing plans for a 480-seat second run house here. The house is scheduled to open in the fall under the management of Chester Currie and Walton Harmon, lessees.
Broadcasters Assail Ascap's New Contracts

(Continued from page 1)

pay 5 per cent, and networks, 7½ per cent.

Charges for sustaining shows would be $12 annually for the first group; a 25 per cent reduction for those in the second group, and a third group remaining on the present scale.

Ascap's policy with regard to educational, municipal, charitable, or religious stations would remain unchanged.

The contracts are slated to become effective this week, but the effective term may be from one to 10 years at the election of the individual licensee.

Terms of the contract were drawn by Ascap's radio negotiating committee, consisting of Walter Fischer, chairman, Frank Hammerstein, II, and Herman Starr.

$1,500,000内 Payment 1st Quarter Net Seen

(Continued from page 1)

distributed earnings of partially owned non-consolidated subsidiaries.

Earnings for the quarter ended Dec. 31, 1938, were $2,279,000, including $360,000 representing net capital and non-recurring income, and $87,000 profit on the purchase of debenture stock of Paramount Pictures, Inc.

Earnings for the year ended Dec. 31, 1938, were $4,181,672, including $292,361 of net capital and non-recurring income, profit on debenture purchase and direct and indirect net earnings paid to the holder in the combined undistributed earnings of partially owned non-consolidated subsidiaries. After dividends on the first and second preferred, the 1938 earnings were equal to $1,18 per share.

They were $1,636,147, including $190,467 of net capital and non-recurring income, profit on debenture purchase and direct and indirect net earnings paid to the holder in the combined undistributed earnings of partially owned non-consolidated subsidiaries. After dividends on the first and second preferred, the 1937 earnings were equal to $1.81 per share.

Smash State Gross

For ‘House’, Jessel

(Continued from page 1)

master of ceremonies for the weekly amateur “Opportunity Hour” on Monday evening, an outstanding gross for the week is expected.

Young Tom Edison” ended its first week of run at the Music Hall with an estimated $82,000. The film is holding a second week. “Three Cheers for the Troops” closed its second week at the Strand with an estimated $18,000, making way for “Virginia City,” which starts today.

The Capitol drew an estimated $35,000 for the second week of “Northwest Passage,” ending yesterday. The third week starts today. My Little Chickadee accounted for an estimated $35,000 for its week at the Roxy, being replaced today by “Primrose, Pother development.”

“Grapes of Wrath” yesterday concluded its run of eight weeks and two days at the Rivoli. It’s a Duke starts there today.

“Pinocchio” drew more than $20,000 in the seventh week, ending Wednesday. The Capitol is still run, and will end its run next Wednesday, and will open on the RKO circuit on Thursday.

Coast Sound Chief’s Coming Next Month

A group of sound directors of major studios on the Coast will arrive here early next month to study new developments in film recording and reproduction.

As guests of Epri, the sound men will attend the first demonstration of stereophonic sound reproduction by Bell Telephone Laboratories at Carnegie Hall April 9, visit the Kearny, N. J. station, of Western Electric, and the coast stations.

Clifford W. Smith, Hollywood vice-president of Epri, will be in charge of arrangements. On April 2, Douglas Shearer, M-G-M; Elmer Rages, Hal Roach; E. H. Hansen, 3rd Century-Fox; Loren L. Ryder, Columbia; John J. Farrow, Universal; W. C. Whitney, General Service Studios; K. F. Morgan, commercial manager of Epri.

Trial April 15 Tests

Florida Ascap Law

Trial of the action to test the constitutionality of Florida's anti-Ascap law will be held April 15 before a Federal statutory court at Gainesville, Fla.

Ascap is seeking a permanent injunction to restrain and enjoining the law. A temporary injunction has been in effect for about two years.

D. F. Frohlich of Schwartz & Frohlich, Ascap counsel, and E. C. Mills, chairman of the Ascap administrative committee, will go to Gainesville for the trial.

Edward Harding Dies

PROVIDENCE, March 21.—Edward Harding, 57, for many years a ticket-taker and doorman in downtown theatres here, died today. He had been ill for four months. Funeral services will be held here tomorrow.

Theatre Is Offered

For Church Service

Avoca, Iowa, March 21.—The Harris-Avoca theatre was opened for the noon Passion Week services from 12:30 to 1 P.M. during the week, the ministers of the town conducting the services. The theatre is located at the centre of the town, so that all men and women could attend the half-hour services.

FCC Studies Single

Band for Television

WASHINGTON, March 21.—The Federal Communications Commission today studied the desirability of coordinating all frequencies assigned to television within a single band.

The study was undertaken after a number of broadcast companies concluded their appeal for the use of all frequencies between 41 and 44 megacycles, part of which are now used for television.

Dr. Greenleaf W. Pickard, consulting engineer of the Yankee network, suggested that the change from the present consolidated use to a single-use would simplify the coordination and make the production of FM receivers less costly.

Pickard advised the Commission that the change would render it feasible for the frequency modification broadcasters continued their appeal for the use of all frequencies between 41 and 44 megacycles, part of which are now used for television.

Dr. Greenleaf W. Pickard, consulting engineer of the Yankee network, suggested that the change from the present consolidated use to a single-use would simplify the coordination and make the production of FM receivers less costly.

Films Needn’t Fear

Television—Seldes

Television "will have to be good" to compete with films, and how good it will be remains to be seen, declared Elia Kazan, director of "A Tree Grows in Brooklyn," to the Screen Actors Guild yesterday.

"Scare heads in Hollywood who are afraid of television as a potentially strong competitor probably really call the turmoil with the coming of sound," said Seldes. "Television will be a gradual development, one will be unprepared for its coming."

Seldes said there probably will be two or three periods of television programs, one for the home and another for the theatres. There are several ways in which films and television can cooperate, he pointed out, just as the press, radio and films have cooperated with one another for their mutual benefit.

Television will compete with all other amusements and pastimes, even as they now compete with each other. It will be competition to radio eventually, he said, but the radio field anticipates this with fear."

Giovanni, a "master pickpocket," amused with tricks on Jack Dempsey, J. Popp and others. Danny Kaye sang. Entertainment was provided by the Columbia Artists Bureau.

Radio

Brevis

“THERE are four types of audiences to whom American companies engaged in Latin American trade will sell their sales talks,” says L. P. Yandell, NBC executive in charge of short wave. "First are the official government broadcasting of other countries, and friends of radio. They are looking for favor or disadvantages to tariffs. Second are wealthy mine and land owners who wish to live in the land but who wish to keep abreast of the latest news and make large purchases.

Third is the third, the vapid middle class audience, comparable to the American listening public, and, last, is the large number of regular radio sets, but listens in the public squares and parks from government-owned sets.”

"Prof. Quiz" to Hollywood

"Prof. Quiz" will make his next three CBS broadcasts from Hollywood and the sixth will try to arrange with Paramount for the production of a series of shorts based on his quiz show.

Program Notes

H. V. Kaltenborn, who has been with CBS as a commentator since the inception of the network, will move over to NBC on March 30, taking over on WMCA at 7-4 P. M., and Sundays at 3:45 P. M. Kaltenborn will sail for Rome on March 25, and will resume his talks in the United States on May 28 under the sponsorship of the Pure Oil Co.

The Bell System will sponsor a half-hour show, "Telephone Hour," over 70 NBC-Red stations on Monday, April 29, at 8 P. M. It will be a live program which will feature James Melton and the Don Voorhees Symphony Orchestra.

Confidentially, NBC expands to three Mutual stations, effective April 2. A 2½-minute transcription program for Lucky Strike cigarettes, "In Hollywood," every Saturday, at 11 P. M., 6:30, and at 7 A.M., 1 A.M. and 2 A.M., starts over WABC on Monday, April. Songs currently in the hit parade will be featured.

The Screen Actors Guild show for Gulf Oil will be dropped for the Summer, as is customary, after the April 21 broadcast, and will be replaced by the "Ellery Queen" show which will be sponsored for the first time by the S.A.G. sponsor. It will be heard over 66 CBS stations on Sundays at 7:30 P.M., starting April 28.

New WMCA Business

Eight hours and 45 minutes of new business, including news programs, spot announcements and variety shows is reported in WMCA’s bi-monthly report of new business.

CBS Sales Post to Fagan

CBS is developing the service end of the sales department, William C. Gittinger, vice-president in charge of sales, announced yesterday in connection with a trip of William G. Fagan to New York. J. Fagan as assistant sales manager effective April 1. Fagan was with CBS from 1929 to 1937, and will take the post of business manager of the radio department of Benton & Bowles.
W.B. Demand Unions Abide By Contracts

Fights New Strike Threat In Philadelphia

PHILADELPHIA, March 24.—Warner Theatres expects the I.A.T.S.E. unions here to live up to the terms of existing contracts, Morris Wolf, Warner attorney, declared in letters to union heads.

The letters were sent to the leaders of the stagehands, projectionists, electricians' unions in a Warner move to combat the ultimatum of the I.A.T.S.E. here to walk out in sympathy with the musicians striking against Warner houses.

May Take Fight Into Courts

"If they ignore the requests," said Wolf, "it will be necessary to resort to the courts for relief. However, I do not think we will have to do that."

George Browne, president of the I.A.T.S.E., last week sent out a resolution calling on Warner producers that unless the musicians' strike is settled by April 1, all stagehands, projectionists and electricians will walk out in sympathy with the musicians' strike.

The strike, now in its fourth month, was called by the musicians when Warner refused to hire musicians in any Philadelphia theatres except the Balaban and Katz chain.

See Smash Gross

For Easter Week

Despite a general drop in business on Good Friday, Broadway business swelled swiftly to the Easter weekend, and is headed for smash grosses this week.

With strong product at all houses and the Eastern weekend holiday filling the city with out-of-town visitors and the downtown streets with children on a school vacation, business is expected to be unusually strong.

"It's a Date" opened Friday at the Rialto. "Virginia City" started its run at the Strand on the same day, as did "Primrose Path" at the Roxy.

HOLLYWOOD, March 24.—Hollywood last week saw Deanna Durbin achieve the well-nigh impossible—the graceful transition from an adolescent youngster, first famed for her singing, through the "awkward stage" into the full bloom of the adult, with a seemingly inherent richness of maturity, both in voice and in acting.

She has become one of the rare specimens of cinematic history—a youngster retaining a box-office personality through the tender years to the grownup stage, while still giving full promise of years and years in which to entertain the American and the world public.

This phenomenon was disclosed at the preview of "It's a Date," one of the finest examples of sheer entertainment ever achieved. It is to be reported that the "gallery gods," as well as the professional audience, gave a virtually unprecedented ovation during and after the picture's preview. There was more unanimously favorable lobby comment from
Philly Variety Club
To Fete Pasternak

William A. Scully, Universal vice-president and general sales manager; Lou Pollock, eastern advertising and publicity director, and Hank Line, Eastern exploitation manager, left for Philadelphia last night to attend the Variety Club testimonial luncheon for Joe Pasternak, Universal producer, there today.

More than 50 Philadelphia exhibitors and civic leaders will attend the luncheon in Pasternak’s “home town.” Pasternak will entertain the Philadelphia press representatives later in the day and will come to New York tomorrow night. He will spend about a week here seeing plays and confering with home office executives.

Illinois Allied Fights Threat of Coin Films

Chicago, March 24—The Illinois Allied board of directors has passed a resolution voicing opposition to coin-operated motion picture machines, and have announced that they will fight any competition which such machines may create. The board reiterated its stand against double and triple features.

Takes East Haven House

East Haven, Conn., March 24—Irving C. Jacobs, Jr., producer of the Bradford Theatre, will take over the Capitol Theatre property, including the 748-seat theatre and two stores, in April. The current Hoyt-Herr lease stands for the next nine years.

Crafty Diner

Cincinnati, March 24—George H. Blake, theatre editor of the Cincinnati Times-Star, writing under the caption of “Crafty Publicity Director,” says the following about E. V. Dinerman, RKO radio publicity chief: “Whenever the film critics signify, by their painted expression at the conclusion of a film, that they have witnessed a turkey, Dinerman is always on hand with this: ‘Naturally, boys, this one won’t appeal to you intelligent people. But it has audience appeal, gentlemen. Don’t make the mistake of offending the public in your reviews.’”

Give Away 10 Cars

In 12 K. C. Houses

Kansas City, March 24—Biggest giveaway promotion by theatres since Bank Night was inaugurated here this week by Fox Midwest Theatres, involving 12 theatres. For ten weeks from March 22 to May 30 the 12 Fox Kansas City houses, including the Uptown and Esquire, first runs, will give away a Ford V-8 and $500 in cash for a total of 10 Ford cars and $500 in cash for the period.

Weekly prize awards include a Ford, two prizes of $50 each, 20 prizes of $10 each, 40 prizes of $5 each and 100 pairs of tickets, for 150 each week.

Participating besides the Uptown and Esquire, are the Plaza, Rockhill, Warwick, Madrid, Vista, Linwood, Isis, Waldc, Gladstone and Brookside.

Purely Personal

Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, returned to the Coast on the week-end.

Harry Carey is returning to the Broadway stage for the first time in twenty-seven years. The vehicle is “Heavenly Express,” which goes to Washington today for a week’s run before it starts its New England engagement.

Emmanuel Silverstone, American representative for Alexander Komis, and Monie Hrynlev, Korda’s production assistant, will leave for the Coast by plane today. Korda left Friday by train and will arrive in Los Angeles today.

Charles Segall, board chairman of French in the United States, was to return to Montreal Friday to arrange Canadian distribution on the company’s imported French product.

Charles Raymond, formerly managing director of M-G-M British theatres, who arrived last week from England with his family, is visiting in Washington.

A. Mike Vogel, chairman of the Manager’s Round Table of Motion Picture Herald, is spending a few days in Phoenix, Ariz., before returning here from the Coast.

Capt. Frank C. Badger, director of the Canadian Government Motion Picture Bureau, has been recalled as president of the Red Chevrons Club, an organization of war veterans.

Irwin Steinman, manager of the Moor Theatre, Toronto, and Roy Lerner of Grand National Films, Ltd., Toronto, have enlisted in the Royal Canadian Navy.

I.Goldsmith, British producer now in this country, has returned to the Coast after a short stay in New York.

Lucy Flack, owner of the Capitol, Milford, Conn., has returned home after having been confined to the hospital.

Lee Newbury of Belmar, N. J., president of Allied of New Jersey, returns today from an extended vacation in Florida.

Gene Marcus, veteran Philadelphia film man, has recovered from a long illness.

Homer Lambert, M-G-M exploitation representative in Omaha, observes a birthday today.

Judith Anderson left for the Coast Saturday after a radio broadcast here.

Norman C. Nicholson, attorney, is in Florida.

Trade Chiefs Among 900 at ITOA Dance

Seventh annual dinner-dance of the New York I.T.O.A. was held Saturday night in the grand ballroom of the Hotel Americana. It was attended by 900 leaders of the industry and city officials.

The ballroom was decorated to resemble a Spanish patio. Music was provided by Ben Nelson’s NBC orchestra and Goddy’s rhythm band. The dance was master of ceremonies. David Weinstock was general chairman.


Coast Flashes

Hollywood, March 24—Personnel changes were announced in the Warner Brothers shorts department over the week-end. Ira Genet, who had been missing from the scenes of the Brooklyn Vitaphone studios (now closed), will work under Gordon Hollingshead here.

Charles Teford, writer, has been shifted to the feature department and Owen Crump will handle stories and scripts.

RKO has borrowed Louis Hayward from Edward Small to co-star him with Maureen O’Hara in “Have It My Way,” new title for “One of Six Girls.”

Your ALTEC service man

Al. Tec says

The sound equipment in the projection room of your theatre produces, believe it or not—a “spectrum.” Nebot, can bear a “spectrum,” but your Altec engineer, aided by telephones they have wired in, can analyze it and change it. The sound your patrons hear is better, as a result.

Everywhere

Your

ALTEC service man

250 West 57th Street, New York City

The SERVICE ORGANIZATION of the MOTION PICTURE INDUSTRY

MOTION PICTURE DAILY
Monday, March 25, 1940

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EVERY OPE
(New York! New Haven! Hartford! Bridgeport!)
Worcester! Springfield! Hot Springs!

Allow plenty of time for this one - business demands it! It's even ahead of 'The 69th' - which again puts
Neely Fate Hinges On Suit Settlement

(Continued from page 1)

posals which may be offered to that end.
Within the industry, however, it is reported that new methods of selling pictures have been worked out which, it is hoped, will satisfy both distributors and exhibitors, eliminating many of the criticized features of block booking while permitting the producers to go ahead with production.
With the block booking issue, one of the major issues of the case, settled to the satisfaction of the Government, the Department of Justice, it is said, would then line up with the distributors in an appeal to the House committee to hold its hand until the results of new selling practices could be determined.

Negotiations for the consent decree are being conducted with the utmost secrecy, but it is being estimated that all efforts are being exerted to reach an agreement before the committee begins its hearings, so that the results of the conference, said now to be going on, can be laid before the committee, either in a recommendation that it abandon the legislation or, in some manner, a disclosure that the distributors have failed to offer a satisfactory and workable solution of the problem.

Proceeds for Opera

Proceeds of the opening day of "The Life of Giuseppe Verdi," Italian film, at the Fine-Arts Theatre April 2 will be donated to the Metropolitan Opera Fund.

"It's A Date"

(Continued from page 1)

the press than there has been, perhaps, since the preview of "Go With the Wind."

Featured by excellent support of a cast headed by Kay Francis and Walter Pidgeon, a delightful screenplay by Norman Krasna, fine direction by William A. Seiter, who guided the youngster for the first time, and flawless offstage technical aid, the Joe Pasternak production is just about what any theatre man, from luxurious first run house to the fringe of the zone, will be proud to screen. It is a picture to go to town on with.

Krasna, in adapting the original story by Jane Hall, Frederick Kohner and Ralph Block, worked into the screenplay a contrasting array of human qualities. One conflict is that of a mother's love for a man with whom her daughter pretends to be infatuated and the other, the burning desire for a story to be told, which the mother is不同的 Mel Blanc, making his American debut; Fritz Feld and Eddie Polo.

Seiter was at his best in guiding the nuances, turning in an outstanding directorial effort. The sound recording, directed by Bernard B. Brown, is of the same caliber which won for Brown the last Academy award for recording. In contrast with the negatives, which shifts from the New York's to Maine and thence to Honolulu, was enhanced greatly by the efforts of Jack Otterton, art director.

There are seven songs in the picture—"I Love Is All," by Pinky Tomlin and Harry Tobias; "It Happened in Kaloula," by Ralph Freed and Frank Skinner; "Rhythm of the Islands," by Jack and Beryl Press and Leon Belasco; "Gypsy Lullaby," lyrics by Freed; Schubert's "Ave Maria;" "Loch Lomond," and "Musetta's Street Song," from Puccini's "La Boheme." Harry Owens and his Royal Hawaiians also appear. Running time, 100 minutes. "G." (Continued from page 1)

*G" denotes general classification.

Para. Invites Press To Georgia Opening

Trade paper and newspaper representatives have been invited by Paramount to attend the world premiere of "The Biscuit Eater" at the Albany Theatre, Albany, Ga., on April 18. The group will leave New York by plane on April 16, spending the night in Atlanta, and continuing from there to Albany the following day for the premiere.

Oscar Morgan, Paramount's Southern division sales manager, will head a home office delegation attending the premiere.

Freeman Silent After Washington Mission

(Continued from page 1)

L. Weisl, Paramount board member, were at the train Friday to see Freeman off.
On his arrival in Hollywood today, the Paramount studio head, who is also president of the M.P. Players' Assn. and chairman of the negotiating committee, will arrange with J. W. Buzzell, executive secretary of the Los Angeles Central Labor Council, on a date for resumption of negotiations on relinquishment of the 10 percent wage increase granted studio employees last November. The negotiations are expected to be resumed within the week.

Remodels Conn. Theatre

STRATFORD, Conn., March 24—Albert Pickus, operator of the Stratford here, reports he will remodel his floor plan, and increase the present 500 seating capacity to 800.

Perfume Co. Loses Fight Against RKO

N. Y. State Supreme Court Justice Pecora on Friday refused an injunction to the Caron Corporation, perfume manufacturers, against RKO. The latter seeks to use exclusive material also was a factor, although Movietone received material which was not used as much as possible, with the result that there was advantage in maintaining the mutual agreement because the war films were more or less identical to Government control. Also, Talley felt that Movietone, with a large staff, was in a position to have a financial burden out of proportion to what his newswires was obtaining in return.

The fact that Movietone had to give up work on the newswires to the other newsreel company was a factor, although Movietone received material which was not used as much as possible.

The chief problem for the newswires in Europe today is how to get films to New York quickly. Air transport is used as much as possible, with the result that there was advantage in maintaining the mutual agreement because the war films were more or less identical to Government control.

Talley said that Movietone, with a large staff, was in a position to have a financial burden out of proportion to what his newswires was obtaining in return.

There are numerous and involved problems in getting the films out of the European countries, he says. The newswires prints obtain no preference in France and are handled as ordinary mail, with the result that they may be left behind if not on a plane by the time the mail mail reaches capacity.

It costs $150 to send an average newswire shipment from Paris to New York via clipper plane from Lisbon, not counting freight charges from Paris.

Buddy says the company which has the best setup for relaying prints to the destination point has the best chance. While no-long-range plans are possible, preparations for transport have to be made carefully in advance, beginning at the point where an anticipated story may break. Sheer luck plays a large part in the entire procedure.

Censorship, which was dropped down at the beginning of the war, still presents a serious problem. Efforts are being made to have censorship of the American market relaxed.

File RKO Claims

Kommel & Rosenberg, attorneys for H. Kamins, who fought control of the RKO plan of reorganization of the Supreme Court, filed application for court's approval of $15,000 and $1,871 disbursements.
New York Reviews

"Rancho Grande" (Republic)


Gene Autry, Smiley Burnette and little Mary Lee each contribute several songs, with June Storey and Dick Hagan in supporting roles. Miss Lee is improving with each new role and her performance in "Rancho Grande" should win her many new friends.

As western films go, this one has little action to offer. Its chief attraction is the music. Autry, as foreman of a ranch, finds that two young easterners, Miss Storey and Hagan, have inherited the ranch. He is faced with the problem of constructing an irrigation system in order to get an extension of a mortgage. After overcoming the opposition of the heirs he succeeds in completing the system.

Frank McDonald and Bradford Ropes directed. William Berk produced.

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

EDWARD GEFF

"Monkey Into Man" (World Pictures)

Produced in England by Strand Films and released here by World Pictures, this film is scientific theory expounded via the screen. The film was supervised by Julian Huxley and S. Zuckerman, two English scientists, and made with the cooperation of the Zoological Society of London and the Museum of Natural History in Paris.

The film, directed by Stanley Hawes, Evelyn Spence and Donald Alexander, presents the theory of the evolutionary development of man. It uses occasional diagrams and an interesting commentary by John Martin to explain the theory of man's development from a one-celled organism to his present stature.

The material is occasionally amusing in its picturization of the activity of various types of monkeys, and is well presented, but its value as theatrical entertainment is problematical. It is essentially a documentary film, having a theme which is largely academic.

Running time, 65 minutes. "G."**

CHARLES S. AARONSON

*"G" denotes general classification.

Personal Appearances Aid Profit of Suburban Houses

PITTSBURGH, March 24—Neighborhood and suburban motion picture theatres could show bigger profits if more vaudeville talent from Hollywood were available for personal appearances, Sam Fleishman, owner of the Roxian, maintained in a statement on box-office results of several recent stage attractions at his suburban house.

Currently presenting " Sons of the Pioneers," on his stage, a singing company headed by songwriter Bob Nolan of Columbia western pictures reputation, Fleishman claims that "most neighborhood theatres get a big kick out of stage talent, particularly when the entertainers come in with a previous buildup from film, radio or record appearances." Several months ago, the Roxian drew $600 for a four-show day featuring Smiley Burnette and three musicians, against an average $200 daily gross. The act usually cost the man $15 a day plus percentage, or a $200 guarantee.

The Roxian, and other theatres around Pittsburgh, have played Ken Maynard, Tom Mix and Hoot Gibson in past years, following the belief that western stars can't afford name radio acts or front rank screen players. Many theatres within a 100-mile radius of Pittsburgh also present traveling units sporadically.

Downtown vaudeville is restricted to the Stanley. It usually features a name band and two to four single acts or five or six specialties backed by Max Adkins' house orchestra.

The Senator inaugurated a stage and pictures policy in mid-December, but dropped it three weeks later, when it failed to show a profit because the added expense outweighed the increased income.

Carnivals Restricted

TORONTO, March 24—The Toronto City Council has placed a restriction on carnivals in the neighborhood parks throughout the municipality by the adoption of a resolution prohibiting the operation of a carnival company for more than two days.

Picketing Enjoined

MEMPHIS, March 24—Union men here have enjoined Chancery Court from picketing the Royal, owned by Walter M. Parham. Chancellor Swepston ruled the picketing—which began Feb. 20—should be discontinued because there is no strike in progress at the theatre.
English Attack Films on Radio As Competition

LONDON, March 7 (By Mail).—The 5. The problem of radio competition with theatres has reached Great Britain, and the increasing number of radio dramatizations of films, is causing widespread concern among British exhibitors.

The theatre owners contend that all too frequently the broadcasts keep people away from theatres.

The matter is likely to be raised in the C.F.A., general council in the near future if district objections develop into national action. At least one branch, that at Sheffield Yorke, is to discuss the matter at the instigation of Dennis Walls, general manager of the Empire Circuit and a general council delegate.

Exhibitors assert that the broadcasting of radio versions of current films should be controlled by some central trade organization or committee, which would approve not only the subjects, but the treatment and artistry employed.

Walls cited the cases of "Babes in Arms" and "The Proud Valley" broadcasts which, he said, disappointed large numbers of followers of the pictures' stars by giving them wrong impressions of the pictures' contents and discouraged them from attending theatres where the films are shown.

Walls also cited a "Wizard of Oz" broadcast and a planned radio version of "Ninotchka."

"The DARK COMMAND"
RAOUL WALSH • DIRECTOR
CLAIRE TREYVOR • JOHN WAYNE • WALTER PIDGEON
ROY ROGERS • GEORGE HAYES • PORTER MILLER
MARJORIE MAIN • RAYMOND WAUBORN

"The DARK COMMAND"

Plan East Hartford House
East Hartford, Conn., March 24—Officers of the Sycamore Corp., which will build a 1,000-seat theatre here, are: Morris Joffe of West Hartford, president and treasurer; F. Brook Rattner, New York, secretary, and Lililau L. Joffeoff, vice-president.

Kieffer Quits Dickinson
Kansas City, March 24—Ralph Kieffer, for several years booker for the Glen W. Dickinson Theatres and later for Griffith-Dickinson Theatres, Inc., has gone with W. D. Fulton as manager of the Vogue, subsequent run house here.

Remodels Kansas House
Holden, Mo., March 24—Nick Kotis, who has completed remodeling the Holden here, has started to improve the Nu-Era at Osage, Kan., where he will install new seats, air conditioning, marquee and other new equipment.

Theatre Firm Formed
Savannah, Ga., March 24—Samuel Hornstein and Ellis and Herman Blumenthal of Charlotte have formed B. & B. Theatres Corp. to operate theatres.

Takes Wisconsin House
Manawa, Wis., March 24—Robert Fox, operator of the Fox at Marion, Wis., has taken over the Manawa from Ray Goggins.

Buys Kansas City Theatre
Kansas City, March 24—Charles Potter's Sahine Theatre Corp., has taken over operation of the Bijou from C. E. Eaterley, who also has the Rosanoke and State. Potter's company now has five houses: the Mary Lee, Bijou, Admiral, Ballis and Murray.

Open Ontario Theatre
Toronto, March 24—The Palace Theatre at Guelph, Ont., has been opened by Famous Players Canadian Corp., with R. McMillan, formerly of the Royal, Guelph, as manager. McMillan has been succeeded at the Royal by S. Andrews, manager of the Capitol, Guelph, while Martin Simpson of the Capitol at Hamilton, Ont., has been transferred to the position vacated by Andrews.

Takes Over Spokane House
Spokane, Wash., March 24—C. A. Theatre Co., which operates the Granada here, has taken over operation of the Dishman. William R. Cross, manager, also will manage the new house.

Improve Miami Drive-In
Miami, March 24—The Miami Drive-In Theatre will spend $35,000 this spring to install a new sound system, new generator, new screen and general improvements, according to Ira Low, on.

Manages Miami Theatre
Miami, March 24—Harvey Fleischman, former manager of the Surf, has taken over as manager of the new Center. Succeeding him at the Surf is Fred Green, former assistant manager of the Surf. Both theatres are units of the Wometco Circuit.

Sell Philadelphia House
Philadelphia March 24—The Girard Theatre has been sold by the R. B. Amusement Co., to Howard Abraham J. Rovner. Purchase price for the theatre involved $17,000 and a mortgage of $40,000.

Install New Marquee
East Greenwich, R. I., March 24—A new neon-lighted March marquee is being installed at the Greenwich theatre, managed by Joseph Stanzler.

Plan to Add Parking Lot
Providence, March 24—Edward Bomes, manager of the Liberty, second run house operated by the Elmwood Amusement Co., plans to build a 35-car parking lot and will soon reshape the facade of the house with black glass along modern lines.

Form Theatre Company
Newtown, N. C., March 24—Newtown Theatres, Inc., of Newtown, has been incorporated here.

Operate Virginia House
Franklin, Va., March 24—Way- erly Theatre Corp., capitalized at $25,000, has been chartered to operate a motion picture theatre. H. J. Lyon is president.

Pond Theatre in London
Fontanelle, Ark., March 24—C. C. Parker, owner of the Fontanelle house, has finished the remodeling of the

"Seventeen" Denver High

DENVER, March 24—"Northwest Passage" and "Married and in Love" drew $11,300 at the Orpheum. "Seventeen" accounted for $8,000 at the Denver.

Estimated takings for the week ending March 20:

"I Take This Woman" (M-G-M) (F)
ALADDIN—(2,500) (25¢-40¢) 7 days Gross: $6,000. (Average, $800)

"Vigil in the Night" (RKO) (F)
ALADDIN—(2,500) (25¢-40¢) 7 days Gross: $2,000. (Average, $286)

"Seventeen" (Para.)
DENHAM—(1,250) (25¢-40¢) 7 days Gross: $1,500. (Average, $214)

"Northwest Passage" (M-G-M) (F)
ALADDIN—(2,500) (25¢-40¢) 7 days Gross: $2,000. (Average, $286)

"Married and in Love" (RKO) (F)
ALADDIN—(1,250) (25¢-40¢) 7 days Gross: $1,500. (Average, $214)

"Girls Were Good" (Univ.)
"Lone Wolf Strikes" (Col.)
PARAMOUNT—(2,200) (25¢-40¢) 7 days Gross: $2,500. (Average, $357)

"Grapes of Wrath" (M-G-M-F)
PARAMOUNT—(2,300) (25¢-40¢) 7 days Gross: $3,000. (Average, $429)

"Boy Meets Girl" (20th-Fox)
PARAMOUNT—(2,000) (25¢-40¢) 7 days Gross: $1,500. (Average, $214)

"Raging Moon" (20th-Fox)
ALADDIN—(2,720) (25¢-40¢) 7 days Gross: $3,000. (Average, $429)

"Mail Call" (Viv.)
ALADDIN—(2,720) (25¢-40¢) 7 days Gross: $3,000. (Average, $429)

building he bought some time ago and has opened the new Parker Theatre there.

Plans 800-Seat S. C. House
CHARLOTTE, N. C., March 24—George Parr of Lancaster, S. C., is planning to erect a new theatre at Lancaster with the opening scheduled for about Aug. 1. The house will seat 800. Earl G. Stillwell of Henderson, N. C., is the architect.

Opens Theatre in Texas
DALLAS, Texas, March 24—R. E. Eken opened the Flange Theatre here. He was connected formerly with Tri-States Theatres at DeKalb.

Negro House in San Antonio
SAN ANTONIO, Texas, March 24—The first exclusively negro theatre, the Avon, is being built here at a cost of $25,000, by Carl A. Miller, who also operates houses in East Texas. It will seat 750.

Renovate 2 Lincoln Houses
Lincoln, Neb., March 24—Approximately $100,000 in theatre improvements is to be spent on two Lincoln theatres this Spring, the Stuart, 1,884-seat J. H. Cooper-Paramount theatre, and the 480-seat house of the L. L. Dent affiliated Nebraska Theaters, Inc.

Roth Joins Warners
CHICAGO, March 24—Max Roth, former district manager of Republic, has become a salesman for Warners.

Named Manager's Aide
MIDDLETOWN, Conn., March 24—Emile DuPaul, formerly at the Greendale, Worcester, is assistant to Ernest Dorau in managing the Capitol and Middlexess Theatres here.

Conn. House Ready April 10
HAMDEN, Conn., March 24—The new Bailey-operated 935-seat Whitney Theatre here will be ready for opening about April 10.
Motion Picture Daily

Tips on Exploitation

Balloon Barrage Used
To Advertise "Rebecca"

Providence, March 24.—Edward McAuliffe used an aerial campaign for "Rebecca," releasing 500 balloons from the roof of the theatre, 25 with passes for the show, the rest carrying signs plugging the picture. McBride also used teasers in the newspaper campaign.

Identifying "Raffles"

Brings Albany Prizes

Albany, March 24.—For their campaign on "Raffles," Andrew M. Roy, manager of Warners' Strand, and Jules Curley, zone advertising manager, had a man circulating during lunch hour in the downtown section, passing designated corners at publicized times. Persons with copies of the Times-Union might win $10 if they accosted the right man and accused him of being "Raffles."

Handbag Street Play

Used on Mystery Dual

Providence, March 24.—Publicizing the RKO AlbeTs "Mystery Drama Week" program, featuring "House of Seven Gables" and "Black Friday," George French and George Morton planted two dozen ladies' handbags on downtown sidewalks, offering finders free passes.

Cops Give Tickets
To "Cheers for Irish"

Exhibitors in a number of cities, playing "Three Cheers for the Irish," used the stunt suggested in the Warner press book. By arrangement with the local police departments, policemen on traffic duty distributed free tickets to the film to careful drivers.

Code Desecrating Stunt
Helps 'U-Boat 29'

Toronto, March 24.—For "U-Boat 29," Don Doberer, manager of the Granada, Dunville, Ont., distributed contest blotters bearing a pressbook illustration which includes a message in code and gave passes to the first six persons who brought the correct answer to the theatre before a designated hour.

"Pinocchio" Subject
Of Lectures on Dance

Walt Disney's "Pinocchio" is the subject of detective lectures conducted daily at the Museum of Modern Art by Paul Magriel, curator of the new dance archives. The Art and Importance of Walt Disney is one of his topics of discussion, in which Disney's contribution to the dance in animation is pointed out.

Columbus House Uses
Birthday Club Stunt

COLUMBUS, O., March 24.— Loces's Broad, in cooperation with Kroger Grocery and Baking Co., held a "Your Birthday Club" party, in connection with "The Blowers." For those attending, candy Easter eggs were distributed to members, 12 years of age or under, upon presentation of registration cards, obtainable at Kroger stores. The cards will be kept on file at the theatre.

Critics' Quotes...

"YOUNG TOM EDISON" (M-G-M)

Magnificent ... the casting in the film is amazingly perfect ... There are enough thrills, tears, laughs and excitement in the film to satisfy even the most jaded. —New York Daily Mirror

Inspirational ... cause for much laughter throughout the film. Mickey Rooney's Edison is a master of his trade at New York Daily News.

Young Rooney's Edison is a knowing and restrained piece of portraiture, while Fay Bainter and the other players in the film give it a persuasive texture of make believe. —Howard Barnes, New York Herald Tribune.

The question we must face is insoluble: did Edison create Mickey Rooney, or is Mickey Rooney creating young Edison. —Frank Nugent, New York Times.

Mickey Rooney gave the role his most sober and restrained performance to date. —Time.

Young Rooney is a comic talent. —New York World-Journal.

More Rooney than Edison. ... a warm tale of American boyhood. —Laura Lee, Philadelphia Bulletin.

"ROAD TO SINGAPORE" (Paramount)

Bing Crosby and Bob Hope do a lot to redeem otherwise dull fillers and keep the show with humorous elements. —Together they whip up amusement at almost any point when the plot is not tripping them up. —Howard Barnes, New York Herald Tribune.

Separately they're (Crosby and Hope) good, but together they're a riot of ballyhoo —naughty but nifty. —New York Daily Mirror.

The picture is tuneful and Miss Lamour, in excellent voice, never was more beautiful. —Bob Hope's best job to date. —New York Daily Mirror.

A lot of fun and a guaranteed cure for that low-down feeling and nothing much to think about once the picture's over. —Lee Mortimer, New York Post.

One of the most delightful wacky entertainments seen hereabouts in a long time ... the story here serves as little more than the framework for a succession of hilarious lines and gags. —Rose Pelswick, New York Journal-American.

Its one and only purpose is to make you laugh and keep you entertained, and this it does from beginning to end with considerable gusto and glee. —William Boehnel, New York World-Telegram.

A happy, tuneful comedy about nothing at all ... shabby nonsense, and thanks to stars and songs, a nice picture for the holidays. —New York Sun.

"PRIMROSE PATH" (RKO)

Previewed before an amazed, even startled, but enthralled audience by Ginger Rogers' remarkable and excellent performance. —Personally, I enjoyed every moment of it. —Jimmy Starr, Los Angeles Herald-Express.

The censors may choose to shoot at "Primrose Path." —Ginger Rogers is very well cast ... Drew an attentive interest from its audience because it is full of surprises. —Edwin Schallert, L. A. Times.

Gregory LaCava has done a magnificent job ... On the whole a solid story ... Don't ever underestimate Ginger Rogers' ability as a dramatic actress. It's Ginger at her best. —L. A. Examiner.

"THE EARL OF CHICAGO" (M-G-M)

Robert Montgomery gives a fine, moving performance ... the film, somewhat confused as to purpose, turns out to be absorbing entertainment ... with New York World-Telegram.

An unusual gangster picture ... Montgomery's performance is an excellent one and he is ably assisted by Edward Arnold and by Edmund Gwenn, New York Journal-American.

To miss it would be to miss a major treat ... a film to wonder at. —Frank Nugent, New York Times.

A deep and true study of characters, of which Montgomery's Kilburn is a brilliant and tragic case, with an expert blending of light and heavy drama. —New York Herald Tribune.

The picture has a strong psychological hang-over from "Night Must Fall," and must be recommended if for no other reason than it is directed by the grand Edward Arnold, New York Post.

Lee Mortimer, New York Daily Mirror.

A fascinating story so deftly told that you have the feeling that you are reading an intriguing book you don't want to end but one which you can't put down till you have finished. —Kate Cameron, New York Daily News.

'Singapore' Hits $22,000, Los Angeles

Los Angeles, March 24.—"The Road to Singapore," plus a stage show at the Paramount, drew $22,000; "Strange Cargo" and "Young As You Feel" took $13,500 at the Chinese and $7,200 at Loew's State.

Estimated takings for the week ending March 20:

"Gone With the Wind" (M-G-M) CATHAY CIRCLE—(1,350) 7/5-15c. 7 days, Gross: $3,100. (Average, $1,420.00)

"Strange Cargo" (M-G-M) "Young As You Feel" (20th-Fox) CHINESE—(2,000) 7/5-15c. 7 days, Gross: $1,600. (Average, $250.00)

"The Grapes of Wrath" (20th-Fox) 10c, 90c—(900) 7/5-15c. 3rd week, Gross: $1,600. (Average, $520.00)

"My Little Chickadee" (Univ.) HILLSTREET—(3,595) 7/5-15c. 7 days, Gross: $3,250. (Average, $480.00)

"Young As You Feel" (20th-Fox) LOEW'S STATE—(2,500) 7/5-15c. 7 days, Gross: $3,250. (Average, $480.00)

"My Little Chickadee" (Univ.) "Young As You Feel" (20th-Fox) Music in My Heart (Col.) PANTAGES—(1,000) 7/5-15c. 7 days, 2nd week, Gross: $3,250. (Average, $910.00)

"Road to Singapore" (Para.) PARAMOUNT—(5,395) 7/5-15c. 7 days, Stage: P. M. revue, Newman Key and others. Gross: $2,000. (Average, $310.00)

"Three Cheers for the Irish" (W. B.) WARNER BROS. BROS. (HOLLYWOOD) — (6,000) 7/5-15c. 7 days, Gross: $6,300. (Average, $900.00)

"The Lone Wolf Strides" (Col.) UNITED ARTISTS—(2,100) 7/5-15c. 7 days, 2nd week, Gross: $7,000. (Average, $1,000.00)

"Strikes" (20th-Fox) Drops" (20th-Fox) THIRTY-NINE DOWNTOWN—(1,400) 7/5-15c. 6th week, Gross: $8,300. (Average, $1,300.00)
Radio Briefs

Audience ratings of television shows gave the March 10 broadcast of the Metropolitan Opera concert a rating of 272, a survey revealed over the broadcast. The rating was 200 for good and 3.00 for excellent.

The opera figure is the second highest received thus far this year, being exceeded only by the "release of the" television "Earth," which received 285.

Lowell Thomas, who is telecast simultaneously with his broadcast, received ratings of 2.48, 2.49 and 2.53 for his first three talks.

Ratings which go to "Homes of Today," a short film, which received 1.57. Average for the week was 2.11.

Educators to Meet Paley

At the invitation of William S. Paley, 14 leaders in educational and public life, members of the CBS Adult Education Board, will meet in New York April 8 with the network president. They will review CBS educational activities in the past year and discuss proposals for new educational programs.

Personalities in the News

Jerry Baker has landed a new commercial over WMAQ with Stewart William. Baker, promoting a song above his joining Tuesday, April 2. He will be heard Tuesdays, Thursdays and Saturdays at 230 P. M. Sam Taylor will move his "Hollywood Sound Stage" over WHN tomorrow to a new time, 6:15 P. M. instead of 7:30.

Gene Speck, of the NBC news and special events department, leaves tomorrow for 30 days to check vacation spots in Steel, Mutual's Loudon correspondent, and Wavelry Root, Ports man, will go to Wednesdays instead of Fridays for their alternating talk shows from Europe, effective April 3.

Don E. Gilman, vice-president in charge of NBC Tele-Feature division, has been named to the board of directors of the Los Angeles Community College. A graduate of the University of California, Armore has joined WCNW as announcer and director of choral singing.

WOV Seeks FM License

WOV is the latest Metropolitan station to have applied for an F.C.C. license to construct a 1,000 watt FM transmitter.

Radio Men Form Fraternity

The Static Club of Philadelphia, fraternal organization of radio men, has been organized. The membership comprises program managers, news and sports commentators, announcers and radio editors. Officers include William Lang, KNYW president; Mort Borow, WPEN, vice president; Edward Mayer, WIP, recording secretary; Patrick Stanton, WDAS, treasurer; Powers Gourl, WCAU, chairman of the board, comprising James Allen, WFL; Joseph Hotting, radio cartoonist, Wood, WIP, and Mort Lawrence, WCAU.

Trout Show on 112 Stations

For the first time in the history of the network, all of the 112 CBS stations in the United States will be used to carry the Bob Trout shows, which Peapi-Cola starts sponsorship of the Bob Trout shows at April 30, will be heard at 8 and 6 and 11 P. M. on Tuesdays, Wednesdays and Thursdays.

ASCAP Negotiations

To Start on April 15

Negotiations between ASCAP and radio broadcasters on the society's new contract are scheduled to begin April 15. The negotiations will not affect the basic terms of the contract but are concerned with changes for example, to the classification of radio stations into the three income groups on which the new ASCAP rates will be based.

The negotiations will also determine whether the ASCAP formula for revising a station's classification upward or downward as its revenue increases or decreases.

The term of the new contract also will be discussed during the negotiations. ASCAP is disposed to permit stations to select any term they desire between one and ten years.

Defending its new contract in a statement issued over the weekend, John G. Paine, ASCAP general manager, asserted that radio's revenue from advertisers has lagged from $250,000,000 annually in 1932 to $171,000,000 in 1939. Broadcasting, Inc., Music, Inc., stated on Friday that the new ASCAP contract "demonstrated the increasing need for better rates for B.M.I." and would drive members into the new organization, which was formed by the broad- casters to develop a supply of popular music.

The B.M.I. board elected Merritt E. Tompkins, general manager, to the post of vice-president.

Unions Must Obey Contracts, Says W.B.

(Continued from page 1)

where they actually were needed for stage shows.

The road call was the result of pressure brought upon Browne by Joseph N. Weber, president of the American Federation of Musicians, following failure to effect a settlement.

A. officials here still maintain silence on the ultimatum, although the general feeling of the membership is that it may be honored in some fashion before the deadline on April 1.

At the musicians' union, A. Rex Riccieri, secretary, maintained that the walkout started in retaliation of the L.A. contract, in view of the A. F. of M. mutual assistance clause incorporated in all L. A. contracts.

5-Boro Managers

Resume from TMAT

All managers and assistant managers of the Five Boro Circuit have declined to accept the bargaining agent for them and that they wish to negotiate a contract with the employers directly.

The New York Daily News has reported that the T.M.A.T. has a closed shop contract with Five Boro which still has a year and a half to run and that the proposed employee decision would have no effect. A spokesman for the circuit said that the employees apparently are dissatisfied with the union.
20th-Fox Reports '39 Profits Slump; Net of $4,146,813

Twentieth Century-Fox Film Corp., yesterday reported net profit, after all income taxes, of $4,146,813 for the 52 weeks ending Dec. 30, 1939.

This compares with a net profit of $7,252,466 for 1938. Dividends from National Theatres for 1939 included in the figure amounted to $726,000, compared with $882,000 in 1938.

Profit for the fourth quarter of 1939 of 20th Century-Fox was $994,218, compared with $2,630,374 in the same period of 1938, and $827,069 in the third quarter of 1939.

National Theatres Corp., and its subsidiaries controlled domestic subsidiaries had a consolidated net income of $2,311,108 for 1939, compared with $3,060,244 in 1938.

(RCA ‘Politics’ Cry Fights FCC Order)

Charging that "pressure" and "politics" were behind the decision by the F.C.C. to re-open the question of television semi-commercial programs, and the commission's rebuke to Radio Corporation of America for its marketing campaign for television sets, RCA officials yesterday prepared to battle the verdict at the April 8 hearing.

The company's notice of appearance will be filed within the next few days and a vigorous defense of the Commission.

(Continued on page 8)

All RKO Claims Are Filed, Reach Total of $1,732,984

Final applications for allowances for services rendered to RKO during reorganization proceedings totaled $1,732,984 as last minute petitions for $1,357,238 were filed in U. S. District Court yesterday.

The total is exclusive of any allowance which Federal Judge William Bondy is expected to fix a date for hearings within the next few days. At least two applications, represented by Arthur L. Barnes and30 employees of the company, will be held for four weeks.

"Young Tom Edison," with stage

(Continued on page 5)
Union Defies Green On Film Delegates

(Continued from page 1)
to this ruling which I have made and carry it out without reservation or modification," Green wrote.

It was brought out at the meeting by Joseph H. Eshelby, member of the pressmen's union, that an injunction issued by Circuit Judge Ernest F. Oakley restrained John Nick and Browne from interfering with the local's legitimate members and a violation of the order would place the central body and its membership in contempt of court.

Ignores Green's command the members voted overwhelmingly to send the delegates.

Meanwhile it was learned that members of Nick's faction have received new membership cards from the international office.

Lyon Case Appeal

Lost by Playwrights

(Continued from page 1)
play had contributed only in part to the production and success of the film, much of which was due to the popular actors, scenery and expert producers and directors.

Even though the plagiarism involved was found to be deliberate and extensive, the court said, the compensation awarded the copyright proprietor should not be excessive, but "equity is concerned with making a fair apportionment so that neither party will have what justly belongs to the other."

MORT BLUMENSTOCK, director of advertising and publicity for Warners in the East, has returned from the Coast.

R. C. Rodnick, manager of the Capitols, Halifax, has returned to his post after an operation, and Larry Graburn, who substituted for him, has returned to his job. The Famous Players Canadian home office in Toronto.

Major General J. O. McAuley, Chief Signal Officer of the U. S. Army, has arrived in Hollywood for his annual inspection of Signal Corps officers' training in film work at the studios under the guidance of the Academy Research Council.

Arthur Menken, Paramount cameraman, is in Stockholm with a leg fracture suffered while covering the revolution. Mrs. Menken, who is a New Yorker, went to Europe shortly after the war started.

Mr. and Mrs. Abe Fishman of Fishman Theatres, New Haven, have returned from Miami Beach. They were Mrs. Philip Sasaul, wife of an executive of the circuit.

Robert M. Whitehead, managing director of the Paramount Theatre, left yesterday for a week's vacation in Miami. Ben Goeter, theatre manager, is in charge during his absence.

J. P. Mansfield, director of commercial engineering of Erpf, led a discussion at the Massachusetts Institute of Technology yesterday, discussing orthotone acoustics.

Mossie Neneh, head of Progressive Premiers, New Haven, and Mrs. Neneh, have left for a vacation in Florida and Havana.

John A. Schwalm, manager of the Rialto, Northio house at Hamilton, Ohio, has returned from a Florida vacation.

Mitchell Franklin, manager of the Matfair and Regent in St. John, N.B., has returned from Miami and Havana.

John Shannon, owner of the Shannon and Maxon in Portageville, Mo., has returned from a vacation in Florida.

Heber Griffin, vice-president of International Projector Corp., has returned to his office following a short illness.

Milton Jacobs, M-G-M salesman in Columbus, O., is in the Grant Hospital in that city with an ear ailment.

Gene Raymond is in Springfield, Ill., for a recital this week with his wife, Jeanette L. MacDonald.

John Quinn, M-G-M St. Louis branch manager, will leave for a Florida vacation on April 8.

Mrs. T. J. Jordan, theatre owner of Jordan's,表决 has left for a vacation in California.

Ben Rhemgold, 30th-Fox branch manager in St. Louis, is back from a vacation in the South.

Australia Business

Pleases Michalove

Theatre business in Australia is keeping an even keel despite the war, reports Dan Michalove, assistant to Sidney R. Kent, president of 20th Century-Fox, who returned yesterday from Australia. He was gone six and a half months.

The proposed merger of the large Australian circuit, with Grenew Union Theatres is progressing satisfactorily and is expected to be completed shortly, Michalove said. His trip to Australia was in connection with an amalgamation and was his second visit to that country in two years.

Production in Australia offers little competition to American companies. Michalove believes. Efforts of the studios to obtain Government support has resulted in low subsidies from New South Wales (about $300,000) for five pictures, but American films will continue to supply most of the product on that market, he said.

The subsidies have been criticized by Australian leaders as unnecessary.

In addition to currency restrictions, Australian films are faced with an exchange shrinkage in the Australian pound, which is now $3, a drop of about 22 per cent.

Variety reports a rise in Australian exports to England and increased industrial activity, including the establishment of an animation industry, Michalove reported. This has helped business in general to maintain the volume balance, but there has been no boom.

Zanuck, Kent Going To Chicago Parley

Darryl F. Zanuck, vice-president of 20th Century-Fox in charge of production, will arrive in New York early in April and will attend the company's annual sales convention in Chicago, April 12 to 14.

Sidney R. Kent, president, is scheduled to return from his vacation in Florida the first of April and will be a principal speaker at the convention. Joseph M. Schenck, chairman of the board, also will be present.

Herman Webber, general sales manager, who is now on the Coast, will go from there directly to the convention, over which he will preside.

Sears Wins Sketk Prizes

Gradwell L. Sears, general sales manager for Warner's, on Sunday, won the doubles handicap prize at the Westchester County Club skew shoot at Rye, N. Y. in the singles, Sears tied for first place in the 1st. Round.

Gary Decision Delayed

Chicago, March 25.—Decision in the suit of Gary Theatre Co. against Balan & Katz and the major distributors was delayed until Friday.
UNRIVALED PERFORMANCE

NO wonder cameramen place full confidence in Eastman's three negative films. They know that each offers specialized ability to meet modern production demands. Even more important, they know that every foot will have the same high quality, the same unvarying dependability. Eastman Kodak Co., Rochester, N.Y. (J. E. Bruratour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS
**Critics’ Quotes . . .**

"IT'S A DATE" (Universal)

The loveliest Easter present that Hollywood could possibly have given to New York—Lee Mariner, New York Daily News—"It's a Date" is a delightful comedy . . . appropriately brightening the house for the Easter season . . . Although this is not the best and brightest . . . the Durbin is pleasant. S. J. Sitter has done a creditable job.—Kate Cameron, New York Daily News.

A joyous and utterly captivating film . . . Under Mr. Pasternak's wise guidance, Miss Durbin's seventh picture is not only one of her best, but how not to be missed.—Howard Harral, New York Herald Tribune.

A practically compendious recipe. It is, in the main, a charming, if highly improbable entertainment.—New York Times.

"Primrose Path" is a picture of brilliant, sunny season that have afforded more genuine inspiration for laughter . . . It's just about as satisfactory entertainment as anyone might wish . . . A combination of gaiety in dialogue, smart direction and almost perfectly timed portrayals.—Edwin Schallert, Los Angeles Times.

Deanna Durbin has added another accomplishment to her repertoire. She now acts as well as she sings, proving that she is one of our best dramatic actresses. "It's a Date" is easily her best picture.—L. A. Examiner.

No star in the fabulous history of Hollywood has ever enjoyed the privilege of having seven successive hits . . . Deanna Durbin has done the impossible . . . Highly amusing and suspense-filled.—Jimmy Starr, L. A. Examiner.

**SMPE Convention Is Set for April 22**

The annual Spring convention of the Society of Motion Picture Engineers will be held April 22-25 at Had- don Hall, Atlantic City. Convention plans are being formulated by E. A. Williford, president; W. C. Kunzmann, convention vice-president; J. L. West, editorial chairman; and Sylavan Harris, chairman of the committees.

A detailed technical program will be read. The opening day's session will feature an address on "The General Outlook for Television" by Thomas F. Joyce, vice-president and advertising director for RCA Manufacturing Co. The semi-annual banquet will be held in the Rutland Room of the hotel on April 24. Harvey Blumberg of Philadelphia, is chairman of the arrangements committee in the Atlantic City.

**RKO '39 Operations Show $186,494 Loss**

Net loss of $186,494 is estimated for RKO's 1939 operations in the end of the fiscal year ended Dec. 31, 1938 for RKO trustee, which was filed with U. S. District Court here yesterday.

The estimate is after all charges but before the current dividend of $7 per share on the 14,433 shares of Keith-Albee-Orphenic preferred. The estimate includes the $400,000 non-recurring charge off a lease settlement and $927,777 for film inventory adjustments due to the European war.

For 1938, the company reported net profit of $18,604.

The RKO theatre subsidiaries showed net profit of $1,234,523 for 1939 before interest of $209,215 on indebtedness to the parent company but after all other charges and $400,000 of non-recurring expense from a lease settlement. Theatre company income was $3,284,293 before interest of $307,319 interest on indebtedness to RKO.

RKO's operations' loss for 1939 is estimated at $545,126 before accrual of $1,086,316 interest on indebtedness to RKO. It includes, however, extraneous write-off of $927,777 because of war conditions and a "book" loss on foreign exchange of $19,000. Net loss for 1938 was $18,474, 1939 before interest of $307,319 interest on indebtedness to the parent company.

RKO Pathe News showed net profit of $97,292 last year, compared with net loss of $3,722,912 in 1938.

Gross income for 1939 was $51,451,223, of which $32,001,078 was from theatres, $13,786,175 from film sales and rentals, $3,045,615 from sales and general administration, $2,643,302.

Total current and working assets were $55,703,160, compared with $57,673,100 in 1938, cash and $9,660,401 in pictures inventories. Total assets amount to $71,075,871. Current liabilities were $13,794,394.

**Bioff Appeal Plea Delayed to April 8**

CHICAGO, March 25.—The hearing on a plea for an appeal by William Bioff, Coast I.A.T.S.E. leader, before the Supreme Court of Illinois, today was postponed until April 8 because of the illness of Chief Justice Francis S. Wilson.

At the same time, Chief Justice Prystalski of Criminal Court granted Bioff a two-week stay on his return to jail to allow additional time for the appeal to be heard.

**Billboards Upheld In Theatrical Areas**

Restrictions on areas where billboards may be used in New York City were recommended in the second annual report of the City Planning Commission.

Through the Commission pointed out that such signs serve a useful function in the theatrical district and downtown community by encouraging curbside and in that section, neighborhood houses in residential areas would be affected under such a restriction.

The Commission proposes that billboards be restricted in certain business and retail areas and eliminated in residential sections.

**40 Papers Are Billed At Operators Parley**

LOUISVILLE, Ky., March 25.—Nearby 40 technical papers covering the subjects of projection, sound, theatre developments, film emulsions and lighting to television and film production will be read at the annual convention of the Stage Em- ployers and Motion Picture Operators’ Unions here on June 3. Among the speakers will be F. H. Richardson of the Quigley Publishing Co., who will discuss "Advanced in Projection Practice."

**Harris Father Dies**

Funeral services were held Thursday for Morris C. Harris, 71, father of Dave Harris of the field service staff of Quigley Publications, Burial will be at Mt. Hebron Cemetery, Flassing, L. I.

**Eastman Wage Dividend**

ROCHESTER, March 25.—The East- man Kodak Co. today paid $2,626,321 in an annual wage dividend to 30,934 employees. The amount is an increase of $21,997 over the payment of last year due to the increase of personnel.
Keep Theatre Affiliations, Hays Pleads

(Continued from page 1)

The report does not mention name either the pending Government anti-trust suit, which will affect the mov-  

e continues the record of improvement through  

self-regulation, "there should be any  

s the following:

The report made many references  

Hays also asserted that the industry  

His reported used a weekly theatre  

The report commended producers  

Hays also asserted that films have  

Repairs on Lincoln

Hose Cost $65,000

LINCOLN, Neb., March 25.—Bids  

82,167,653 for 1938. Twentieth  

The film company paid dividends  

A further dividend of $1,622,072  

The report shows net assets in  

The consolidated balance sheet of  

“Rosy Theatre 53-Week

Surplus Put at $73,043

Rosy Theatre, Inc., wholly owned  

Kalmenson on Tour;

Roy Haines Returns

Ben Kalmenson, Western and  

Kalmenson, eastern and  

Miles Joins Lloyd

Hollywood, March 25.—John Peere  

Pathé Votes Dividends

The board of directors of Pathé  

Exhibitor Arrested

For Film Ad Stunt

BUFFALO, March 25.—Garson M.  

10% Boost Enjoyed

By Easter Grosses

(Continued from page 1)

show, grossed an estimated $60,000  

In its 14th capacity week at the  

At Variety Luncheon

PHILADELPHIA, March 25—Joseph  

Bingo Test Case April 1

BUFFALO, March 25.—District At-  

…what a dramatic wallop  

he'll hand your audiences!
**Guard Against Losses Avoid Tax Troubles**

**This New Easy Accounting System**

**DEvised EXPRESSLY For Exhibitors**

**Time-Saving $2.00 INDIVIDUAL SECTIONS FOR SIMPLE POSTPAID EVERY ITEM**

Just published for the first time, Theatre Management Record and Annual Tax Register, meets the urgent need of exhibitors for a simplified theatre bookkeeping system. Devised to cover all operating data, the Record enables you to keep a complete and up-to-the-minute account of every phase of your business without any bookkeeping experience. Exhibitors, this accounting system has been compiled expressly for your convenience. It is designed particularly for your needs and is a self-operating safeguard against losses and tax troubles. Once tried, you will be amazed at its utter simplicity. Order today and take advantage of the special introductory price.

**QUIGLEY BOOKSHOP ROCKEFELLER CENTER NEW YORK**

**SHORT SUBJECT REVIEWS**

**"Jack Pot"**
*(M-G-M)*

Punch-packed, thrilling and entertaining, this "Crime Does Not Pay" subject describes how a large city crime ring is built on gambling slot machines. Starting with the nickels and dimes poured into the "iron men" in corner drugstores, the racket pyramid into a big business octopus that ensnares supposedly reputable city officials and leaves murder and havoc in its wake. This film will open the eyes of many who condone the "harmless games." Roy Rowland directed a large and capable cast. Running time, 19 mins.

**"Seattle, Gateway to The Northwest"**
*(M-G-M)*

The color camera of James A. Fitz-Patrick describes this Gem City of the Pacific Coast with his usual thoroughness. Included is the story of the growth of Seattle from a village to its present status as a lumber and aviation center, set in the midst of a scene of wonderland. Well done from every angle. Running time, nine mins.

**"Home on the Range"**
*(M-G-M)*

Hector, a playful calf of the lone prairie, is introduced by Hugh Harman in this color cartoon. He well may become a standard character; he is that likeable a little chap. Hector prefers to roam away from his mother and frolic with his friends of the forest, but almost falls prey to villainous Mr. Wolf, from whom he escapes after hair-raising adventures. Running time, nine mins.

**"The Big Premiere"**
*(M-G-M)*

Chased by a cop from a de luxe premiere at the Carthay Circle, the kids of Our Gang make their own "film," and stage their own "premeer," in Spanky's barn. A few comedians and actors in their own picture, the youngsters are always funny, and growups have a lot of fun watching them. Running time, 10 mins.

**"A Door Will Open"**
*(M-G-M)*

Of all Carey Wilson's subjects on supernatural phenomena, this is perhaps the strangest. A young composer, struggling for recognition, is given his first encouragement by the spirit of his dead landlady, which leads him to success. Years later, when defending a plagiarism suit which threatens his career, the composer is guided by the spirit to an inexplicable solution to his worries. Absurd and intriguing, the film is bound to create comment. 11 mins.

**"The Domineering Male"**
*(M-G-M)*

Prof. Pete Smith, with hilarious humor, here presents a course on how to ensure the male while making him think he is the aggressor. Both sexes will find the film enlightening and funny. A blood at a party meets the man of her dreams—he has a bank account—and forthwith sets her cap for him. She has a narrow escape, but finally lands the fish. This is Johnny Hines' first effort at script writing and directing. Running time, 10 mins.

**Miss Steber, Kent Win Met Auditions**

Eleanor Steber, soprano, and Arthur Kent, baritone, were named winners of the Metropolitan Opera "Auditions of the Air" by Edward Johnson, director, during a nationwide hookup on Sunday. The event marked the end of the fifth 25-week series in the talent hunt for new operatic talent. The winners received $1,000 each, bronze plaques and places in the Metropolitan Opera Co. Emery Darcey, tenor, was awarded a fellowship of $500. Among those in the audience of 1,300 were Lily Pons, Rose Bampton, Giovanni Martinelli and Bruna Castagna.

**Air Religious Music**

CBS will present a special broadcast of ancient liturgical music with the Vatican choristers featured on Sunday at 2 P.M. in a pickup from Rome. Brief accounts of the religious sections and interpretation of the Latin phrases will be used in the music.

**Songwriters Meet Today**

Annual meeting of the Songwriters Protective Association will be held at the Hotel Astor at 2:30 P.M. today. Election of officers, report of the president, Irving Caesar, and discussion of relations with music publishers are scheduled.

**Six New Films Win Legion's Approval**

The National Legion of Decency has approved six of the seven films reviewed and classified for the current week. Three were found objectionable for general patronage, three unobjectionable for adults and one was condemned.


**Hays Postpones Silverstone Talks**

The meeting between Will H. Hays and Maurice Silverstone, United Artists chief executive, which had been scheduled for yesterday to discuss the company's resignation from the M.P.P.D.A., was postponed because of the presence of other engagements on the part of both. The meeting is expected to be held in several days.

**Extend Museum Showing**

The Museum of Modern Art is holding two showings this week of its film program, "A Short History of Animation," to accommodate children on Easter vacation from school.
Hollywood, March 25.—Eleven pictures finished last week and seven started, to bring the total to 27 produced since the camera to 31, four less than last week. Nineteen are being prepared and 43 are being edited. A lot of M-G-M is where six are shooting. Next is Warners with five.

**M-G-M**

**Republic**

**Small**


**Warners**

Hollywood, March 25.—Sound Technicians, Local 699, I.A.T.S.E., whose last week made demands for what amounts to $4 hours' pay for a 42-hour week on independent studios and sound service organizations, today continued its hourly strike. Several companies are reported to have signed contracts, but this could not be confirmed.

**Buzzell Acquired**
Los Angeles, March 25.—J. W. Buzzell, vice-chairman of the American Federation of Studio Unions, was acquitted of a charge of reckless driving today.

**Horror Double Good But Providence Off**

PROVIDENCE, March 25.—Grosses have been down here because of the European war and the opposition of the American Film League at the Rhode Island Theatre. The only good business was at the RKO Albee, where "House of the Seven Gables" and "Black Friday" played. Estimated takings for the week ending March 20-21:

- "House of the Seven Gables" (Univ.)
- "Black Friday" (Univ.)
- "House of the Seven Gables" (RKO ALBEE—(2,250) (25c-35c-50c) 7 days. Gross: $4,200. (Average, $600)
- "Black Friday" (RKO ALBEE—(2,250) (25c-35c-50c) 7 days. Gross: $4,200. (Average, $600)
- "The Man from Dakota" (M-G-M)
- "Pals Without a Cause" (PARA)—(1,250) (25c-35c-50c) 7 days. Gross: $2,750. (Average, $385)
- "Three Cheers for the Irish" (W. B.)
- "Calling While Vance" (M-G-M—(2,250) (25c-35c-50c) 7 days. Gross: $4,200. (Average, $600)
- "The Farmer’s Daughter" (Par.)
- "The Home Front" (MGM)
- STRAND—(2,200) (25c-35c-50c) 7 days. Gross: $4,200. (Average, $600)

**Holy Week Causes Slump in Montreal**

MONTREAL, March 25.—The poorest box-office period of the year, Holy Week, found "Gone With the Wind," playing to $12,000 for its fifth week and "Laura," "Little Old New York," grossed $4,600 at the Palace for the top showing among regular runs. Swiss Family Robinson, a double bill at the Capitol, accounted for $4,200. Estimated takings for the week ending March 20-21:

- "Swiss Family Robinson" (RKO)
- "Gone With the Wind" (M-G-M)
- "Laura" (2,000) (75c-$1.13) 7 days. Gross: $4,200. (Average, $600)
- "Little Old New York" (2,000) (25c-40c) 7 days. Gross: $2,500. (Average, $357)
- "Swiss Family Robinson" (CAPITOL—(2,250) (25c-35c-50c-65c) 7 days. Gross: $4,200. (Average, $592)
- "Gone With the Wind" (LOEW’S—(2,800) (75c-$1.13) 7 days. Gross: $4,200. (Average, $592)
- "Swiss Family Robinson" (PALACE—(2,000) (25c-35c-50c-65c) 7 days. Gross: $4,200. (Average, $592)
- "Gone With the Wind" (LENOX—(2,000) (25c-35c-50c-65c) 7 days. Gross: $4,200. (Average, $592)

**‘Me’lody’ Hits $9,000, High In Twin Cities**

MINNEAPOLIS, March 25.—Unseasonable weather and the pre-Easter effect on box office receipts in the Twin Cities. Best business in Minneapolis was done by "Broadway Melody of 1940" for a picture grossed $6,000. In St. Paul the picture was high gross at the Paramount with $3,900. "Seveneens" did well in the Arco at $2,200 at the Minneapolis Gopher and $3,400 at the St. Paul Rivera. Estimated grosses for the week ending March 23:

- Minneapolis:
  - "Knights of the Range" (Para.)
  - "Young as You Feel" (8th-Fox)
  - "Personal Orpheus" (RKO)—(3,200) (25c-35c-40c) 7 days. Gross: $9,500. (Average, $1,357)
  - "Grapes of Wrath" (20th-Fox)
  - CENTURY—(1,000) (25c-35c-40c) 7 days. Gross: $2,900. (Average, $414)
  - "Chump at Oxford" (U. A.)
  - "After the Dance" (Univ.)
  - "Never Give a Sucker an Even Break" (25c-40c) 7 days. Gross: $1,000. (Average, $143)
  - "Seveneens" (Para.)
  - "Orpheum"—(1,200) (25c-35c-40c) 7 days. Gross: $2,200. (Average, $314)
  - "Slightly Honorable" (U. A.)

- St. Paul:
  - "Vigil in the Night" (RKO) Gross: $1,400. (Average, $200)
  - "Seveneens" (Para.)
  - "Orpheum"—(1,200) (25c-35c-40c) 7 days. Gross: $2,200. (Average, $314)
  - "British Intelligentsia" (W. B.)
  - "Charlie Chan in Panama." (20th-Fox)
  - "Broadway Melody of 1940" (M-G-M)
  - "Emergency Squad" (Para.)
  - "Seveneens" (Para.)

- "Orpheum"—(1,200) (25c-35c-40c) 7 days. Gross: $2,200. (Average, $314)
  - "British Intelligentsia" (W. B.)
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- "Charlie Chan in Panama." (20th-Fox)
- "Broadway Melody of 1940" (M-G-M)
- "Emergency Squad" (Para.)

**Majestic Reorganization**
CHICAGO, March 25.—A reorganization plan for Majestic Radio & Television Corp., has been filed in Federal Court, which provides for $150,000 of new capital and continued use of the name Majestic by the reorganized company. Unsecured creditors would be paid in new convertible stock and stockholders would be given rights to new debentures and common stock.
Radio

Brevities

A NEW distance record for television was set when NBC, W2XBS, NBC station in New York, transmitted two Easter services—one Protestant and the other Catholic. The General Electric station near Scranton, Pa., also picked up the signal and retransmitted it. In a weather observatory atop Whiteface Mountain, third highest peak in the Adirondacks, three scientists and a party of observers saw and heard the services. The G. E. station, incidentally, is now retransmitting all W2XBS programs on weekends and is expected to announce a regular schedule within the next few months.

‘Father of Wireless’ Dies

Edouard Branly, known in France as the “father of wireless,” died Sunday at the age of 76 in his Paris laboratory.

New Television Shows

Two new television shows are planned—one of considerable interest. On Friday, March 29, A. Finkenberg’s Sons, furniture dealers, will sponsor a home-building program, entitled “See, Build, Buy.” In April, an intercollegiate debate will be televised with the speakers using diagrams and blackboards to illustrate their talks.

Personalities in the News

Oscar Levant, musical expert on “Information, Please,” will be a guest on Bing Crosby’s “Kraft Music Hall” over NBC-Red at 10 P. M. on Thursday. Judy Canova and Brenda Marshall will also be guests on the same show. Kenneth Clayton, theatre columnist, will become sales manager of Register and Tribune, and his wife have been signed for a series of 15-minute programs over KNX, Des Moines. Sonya Landis, star of network programs, will also appear in the program. The program will feature comedians on films. Ed Lachman, program director for KNX-KRO, is the father of a baby daughter, Elizabeth Ann.

Robert C. Mayo of the WABC sales staff is engaged to marry Miss Barbara Jacoby. “Barnacle Bill,” radio entertainer, and I. Almuller, World-Telegram photographer, will be guests of Maria Morricy on “Let Your Hair Down” over WCAU Saturday at 9 P. M. Morton Gould, WOR broadcaster, will have his latest composition, “Cowboy Rhapsody,” on the air for the first time on Thursday, 9:30 P. M., over WOR.

Sunspots Hurt Broadcasting

Under the threat of being sued by the freak current set up by sunspots on Sunday and yesterday although it was necessary to reschedule several shows, trans-Atlantic broadcasts could not be picked up. CBS was forced to cancel its news rounds from European correspondents. Wire service, which was also badly affected, prevented transmission of the summaries of baseball games on Sunday from Florida, and WOR was compelled to delay the broadcast for one hour before the wire cleared.

High Court Upholds FCC Licensing Of Station Despite ‘Economic Injury’

Washington, March 23.—Possible economic injury to an existing broadcasting station by the licensing of a new station need not be considered by the F.C.C., the U. S. Supreme Court ruled today in reversal of a decision by the Sixth Circuit Court of Appeals.

WBKB, Dubuque, Ia., had brought injunction proceedings seeking construction of a competing station by the Dubuque Telegraph-Herald, on the grounds that WBKB had been operating at a loss and that the new station would draw revenue from the same advertisers.

Associate Justice Roberts pointed out that if such economic loss were a valid reason for refusing license to an existing station, the Commission’s function “is to grant a monopoly in the field of broadcasting, a result which the net itself expressly negatives.”

RCA Cries ‘Politics as FCC’

Suspend Television Order

(Continued from page 1)

mission’s original ruling is planned. Although RCA will not suspend its television plans, it did state that all advertising had been temporarily cancelled. The NBC station, W2XBS, will continue with its present program schedule.

Executives of RCA, NBC and RCA Manufacturing were in a conference from 11 A.M. until 4 P.M. yesterday, during which they discussed a possible comment on either the decision of their future plans. New York City officials, who flooded the FCC to learn future plans were told that RCA is continuing to sell television equipment.

Observers noted the likelihood that RCA would charge that the Commission was interfering with private business and preventing the orderly growth of a new industry. It was also pointed out that although the Commission refused to permit television set sales because of a fear of, the obscurity, its current hearings on frequency modulation would result in the FCC revoking KGFI license.

Revocation of the license of KGFI, Brownsville, Texas, effective April 15, was ordered by the F.C.C. over theSeguin station. KGFI was in arrears pending the outcome of a hearing, if the station requests a trial this week, the FCC will hear it.

Unauthorized transfer of management of the station on Oct. 7, 1938 by the Eagle Broadcasting Co., the license, to James G. Ulmer and M. D. Gallagher, and the subsequent transfer to Lawrence D. Yates on April 22, 1939 was alleged by the F.C.C. to be in violation of Section 310 of the Communications Act.

The FCC declared that premature exploitation might leave the public with obsolete receivers in the event of a major decision and might tend to freeze standards at the present level.

Trans-Lux Houses

Show Profits Drop

Net profit of $85,858, equivalent to 11.92 cents a share on the outstanding stock, reported by Trans-Lux Corp., for the year ended last Dec. 31. This compares with net of $133,711, equivalent to 18.5 cents a share, for the year ended Dec. 31, 1939 a share was paid in each year.

Business at our new theatre operating chain increased an average of $13,000 a week in the last four months of 1939, due to interest in war news, and the gross business at these theatres was about equal that of the year before, Percy N. Furber, chairman of the board, reported. However, general conditions affected the three Trans-Lux houses operated as sub-sequent run feature theatres, including two in New York and one in Boston.

Theatre of the “Boston has just recently turned down new operations re- turned on a paying basis,” said Furber. The report shows $312,189 in profit from theatres operated by wholly-owned subsidiaries, with $3,081,138 operating expenses, exclusive of depre- ciation and amortization.

F-M Stations Plan Submitted to FCC

Washington, March 25.—Patterns for the placement of frequency modulation services in the broadcast band were submitted to the Commission today by F-M Broadcasters, Inc. The technical data would be required for national coverage, it was said. Forty high-power stations, on six channels could cover the entire half of the country while several stations could cover intermediate areas of population. For example, the project is based on the northwestern Pacific coast and San Francisco and Los Angeles. Separation of stations on the same channel would be required, it was said.

Lower powered stations could be used in covering small communities with a separation of not less than 30 miles between stations on the same channel. The F-M Broadcasters complete their testimony it is expected that RCA representatives will oppose the position, which would deprive television of any of the channels now assigned to it.

WOW Aids N. Y. Fund

WOW was the first metropolitan station to offer its facilities to the Greater New York Fund which begins its drive on April 1 with a meet- ing at Madison Square Garden.
Circuits Push For Revival Of Vaudeville

AGVA Negotiates Deals; New Policy Offered

The American Guild of Variety Artists is considering a plan to offer special inducements to film houses for the restoration of vaudeville in the theaters which previously had a vaudeville or stage show policy. Hoyt S. Haddock, executive secretary, is sponsoring the plan.

Haddock, who made the disclosure at a membership meeting which ended at dawn yesterday, did not reveal the details. However, it is understood to involve a slate deal whereby the exhibitor will receive all the acts for a flat sum. In houses where the policy will be tried experimentally, complete five talent shows will be provided for weekends or single nights if desired, it was said.

Haddock declared that negotiations with a committee of circuits interested in vaudeville had progressed to a stage where there was agreement on all points except two which have to specify what had been agreed upon, but that he expected a complete agreement within the next two weeks.

The committee representing the vaudeville circuits includes Sidney (Continued on page 2)

K-A-O Shows Slight Drop in Net Profit

Keith-Albee-Orpheum Corp. and subsidiaries yesterday reported net profit for 1939 of $976,022 after all charges, equivalent to $15.18 per share on 64,369 shares of 7 1/2 per cent cumulative preferred stock outstanding.

Net profit for 1938 after all charges was $996,995, equivalent to $15.50 per share on the preferred.

B. F. Keith Corp. and subsidiary companies reported net profit for 1939 of $753,271 after all charges, as compared with $752,011 for 1938.

The Keith-Albee-Orpheum report for 1939 includes a non-recurring charge of $400,000 for a lease settlement. The company's report to stockholders shows income of $15,259,929 for last year, of which theatre admissions amounted to $13,554,669. Film costs were $3,803,182; salaries and wages, $3,340,035; and operating expenses and theatre overhead were $5,062,265.

The report shows current assets of $3,279,717, of which $3,263,520 was cash, and current liabilities of $1,164,421.

No 'Snooping' on License Terms, Rodgers Tells U.S.

It would be "presumptuous" and "unethical" for a sales head to inquire into the licensing terms that affiliated theatres obtain from other film companies, William F. Rodgers declared yesterday at a pre-trial examination in the Government's "key" antitrust suit.

Rodgers, who testified for a full afternoon, will continue on the stand this morning. Neil F. Agnew, sales manager of Paramount Pictures, will testify in the afternoon.

The Government interrogated Rodgers on a transcript of conversations held at offices of the M.P.P.D.A., inquiring that film executives exchanged notes on sales policies at these meetings. The Loew's official emphatically denied the Government inference. At the few meetings he had attended, no such conversations took place, Rodgers said.

It would serve no useful purpose for Loew's sales department to learn what clearance and rentals were imposed upon Loew's theatres by other distributors, Rodgers asserted. "I get what I think is a sufficient price for our films without regard for what others ask," Rodgers stated.

Discussions between the Loew's sales and theatre departments are confined to questions of exploitation and the reaction of the public to M-G-M films, the sales executive maintained. Frequently pictures are bracketed as to price classifications after test runs in out of town Loew's theatres, he continued.

Rodgers stated that clearance was attended on the report (Continued on page 2)
Unethical Methods Denied by Rodgers

(Continued from page 1)

first imposed upon films at the request of exhibitors who desired protection from competing houses. In 1924 provisions were inserted in licensing contracts covering admission prices because a number of theaters had opened with "ridiculous admission prices" in some instances with charges as low as 1c, he said.

Regret was expressed by Rodgers for fixing permanent clearance in some of the long-term franchises which he had signed up with theaters. The advent of new houses and a switch in playing policies by others had caused some inconvenience because of fixed clearance terms, Rodgers stated. He told Special Assistant Attorney General Robert L. Wright that he was making efforts to change this system.

The majority of M-G-M films are rented to Loew's metropolitan theaters on a percentage basis, Rodgers testified. Rentals were fixed at the beginning of the season and a picture designated to go on a percentage is distributed to all Loew's houses on percentage terms, he declared.

Rodgers testified at the examination by John W. Davis and J. Robert Rubin, general counsel for M-G-M.

Make Historical Shorts

Academic Film Co. has been organized for the production and distribution of a series of two-reel films based on important events in American history. The first subject, now ready for release, is "Our Constitution," portraying the causes and events immediately leading to the Constitutional Convention in 1787. The company is headed by Milton J. Salzburg and Harold Baumstone.

Circuits Back Drive To Revolve Vaudeville

(Continued from page 1)

Pierson, Locw, William Howard, RKO; Harry Mayer, Warners; Harry Kalichstein, Paramount; William Brandt, Brandt theaters; and Aubrey Schenck, Skouras theaters.

Negotiations with the motion picture presentation business were started yesterday. Members of the latter committee include Irving Leser, managing director of the Rosy, Pierson and Mayer. Negotiations with the Entertainment Managers Association, club bookers, will start tomorrow.

The meeting yesterday adopted a resolution condemning attempts to involve the United States in the war and urging members not to act as "stooges" at benefits where the attempt is to favor any of the belligerents and involve this country.

Cash to Robbers, Tears to Manager

Indianapolis, March 26—Caught in the safe of the Olson Circuit's Strand Theatre here failed to deter yeggs who broke into the establishment.

They hauled the 400-pound safe to the outskirts of the city, opened the door, blew air and made away with $170 in cash and a $65 microscope.

Run of 'Pinocchio' Extended at Center

(Continued from page 1)

It will open at the Palace tomorrow as scheduled, and thus will be playing at two Broadway theaters simultaneously for the remainder of the week. It is also being held for a second week at the Brooklyn Avery.

Estimated gross for the picture's seventh week ended yesterday is $29,000.

Set Educational Hearing

WASHINGTON, March 26.—The Securities and Exchange Commission yesterday ordered a hearing on April 23 at the New York regional offices to determine whether the 60-cent dividend certificate preferred stock of $5 par value and $1 par common of Educational Pictures, Inc., should not be suspended or withdrawn from registration on the Chicago Board of Trade.
Projectionists Given 15% Wage Increase

(Continued from page 1)

the necessity of any arbitrator's decision.

Acting with Prof. Handler on the arbitration board were C. C. Moskowitz, vice-president of Loew's in charge of metropolitan theatres, and Major L. E. Thompson, in charge of RKO theatre operations, representing the B.C.I.; James F. Fox, president of 306, and Bert Popkin, New York business agent, representing the union.

About $100,000 will be paid in back wages to Sept. 1, but no estimate could be made of the total amount to be paid for the wage increases in the future because of varying booth costs, union officials said.

On Nov. 14, arbitration proceedings between the union and the I.T.O.A. of New York resulted in an award of a 10 per cent increase, retroactive to Sept. 1, and a second week's vacation. However, the contract with the I.T.O.A. does not expire until 1947 and the question of wages and hours may be reopened in the future.

N.Y. Senate Passes Bill on Pari-Mutual

ALBANY, March 26—The N. Y. State Senate today passed Senator John Dunnigan's pari-mutual race betting bill by a vote of 32 to 14 after rejecting several amendments. The bill goes to the Assembly for a vote tomorrow.

The measure of Senator Condon embodying restrictions on projection booths, was reported favorably to day by the Senate labor and Industries Committee and was advanced from general orders to the third reading calendar.

The Assembly today passed unanimously the Goldstein bill extending the provisions relating to false advertising in radio broadcasts.

Expect Film Spurt By British 20th-Fox

LONDON, March 26—On his arrival here from the United States, Robert Kane, head of 20th Century-Fox British production, has announced plans for a major production schedule.

It is understood here that 20th Century-Fox is going to build single quota films. One film, starring Will Fyffe, and titled "Neutral Port," already has a unit on location in France. It will be followed by "Inspector Hornleigh Joins Up," starring Gordon Harker.

'Singapore' Gross Big in 38 Key Cities

Paramount’s "Road to Singapore" grossed $227,168 over the three-day Easter weekend in 38 initial key city engagements, Robert M. Gilliam, director of advertising and publicity, reported yesterday.

The figure is approximately $50,000 greater than the gross of "Union Pacific" during the opening three days in the same 38 cities last April. The latter picture’s gross was $177,045.

Dies on 80th Birthday

SAN FRANCISCO, March 26—Hugo D. Keil, veteran owner of the New Mission Theatre, died here on his 80th birthday.

Hollywood Review

"Rebecca" (Selznick-U. A.)

HOLLYWOOD, March 26—Alfred Hitchcock's first American film is a highly disciplined and workmanlike production of a Daphne Du Maurier novel dealing morbidly with a sordid incident in the life of an English gentleman.

As expertly fashioned for screen by Robert E. Sherwood and Joan Harrison after adaptation by Philip MacDonald and Michael Hogan, the story emphasizes the contractive development, studying at length and in persistent detail the mood and temperament of an individual dwelling within the central figure's sphere of influence. It is lavishly staged and meticulously produced.

Obviously adult fare, the film's salability may be determined by the fact that it has behind it an enormously popular and comparatively recent novel.

The interpretation of that story, heavily laden with overtones of dramatic conflict as it is, nevertheless has been accomplished with consummate skill, in direction, acting and atmosphere. A basically human conflict, it should have strong appeal.

Laurence Olivier and Joan Fontaine head an accomplished cast which includes George Sanders, Judith Anderson, Nigel Bruce, Reginald Denny, C. Aubrey Smith, Florence Bates, Gladys Cooper and Melville Cooper, to name but a few. All of these perform skillfully.

The story is not pretty. Olivier meets and marries Miss Fontaine, takes to his English estate and allows her to be compared, by servants and friends, to his first wife, a social leader whose tragic death a year previously has been set down as accidental. The spirit of the departed, kept alive by the household in a hundred ways, makes the new wife's life miserable.

That in a sunless sea reveals the body of the departed in the hold of her sunken boat and Olivier, who believes himself responsible for her death, tells Miss Fontaine the circumstances of her demise, revealing also that she was a faithless woman.

After much exploring of sordid evidence, by a coroner's jury and by court, Olivier's formation of a woman in the girl tomorrow, it is discovered that the departed was afflicted with cancer and determined to end her life in a way calculated to bring her husband under suspicion of her murder. This discovery saves him from conviction.

Running time, 125 minutes. "A." *

Roscoe Williams

"A" denotes adult classification.

Bank Night Action Awaits Ohio Appeal

WASHINGTON COURT HOUSE, O., March 26—Through an agreement by both sides, the temporary injunction obtained by James Adkins and Robert Ray against Hoy Simons and Alice Smoots Payne, operating the Fayette, restraining City Manager Edwin Duley and Police Chief William J. Gunlock from closing Bank Night, will continue in force.

It will continue pending final outcome of a similar case against George Mayflower, at Troy, O., in which the second District Court of Appeals recently upheld a decision of the lower court declaring Bank Night a game of chance, and in violation of the state lottery laws. The Troy case is to be carried to the Ohio Supreme Court.

Chicago Drive Starts

CHICAGO, March 26—The Jewish Welfare Fund starts work on their drive for funds with a luncheon at the Congress Hotel tomorrow. Jack Rose, chairman, John Balaban, Edwin Silve and Jackers will head the nine-man committee, which has a quota of $105,000.

Extend Car Giveaway

KANSAS CITY, March 26—The giveaway of a Ford car, $500 in 62 cash prizes, and 100 pairs of tickets to be given away, was sponsored by the 5th District Theatre and Fox Midwest Theatres, Inc., is being participated in by 105 of the circuit's theatres in western Missouri, Iowa, Illinois, Nebraska and Kansas.

AGVA Formulating Drive in Pittsburgh

PITTSBURGH, March 26—Plans for organizing performers in motion picture presentation houses, vaudeville and legitimate theatres will be formulated at a meeting on Thursday at a special committee meeting of the American Guild of Variety Artists.

Performers joining in this area will be waivered until May 1. Duces will be $12 annually for chorus and $16 for principals. The drive will be headed by Tom Kelly, head of Philadelphia's A. G. V. A. local.

After the Pittsburgh drive gets under way, the next cities to be organized will be Detroit, Cleveland, Buffalo, Seattle, Montreal, St. Louis and Kansas City, according to Hoyt S. Haddock, A. G. V. A. executive secretary.

Allied Unit Fights Chicago Dual Bills

CHICAGO, March 26—A committee has been named by Allied Theatre Operators to work out a plan for the elimination of double and triple features, premiums and giveaways and other problems of the theatre business.

The committee, named for this purpose, consists of Jack Kirsch, Allied president, Jack Rose of Indiana-Illi- nois, George T. DeBak, of White, Langdon, Van Nomikos and Charles Nelson, independent theatre operators. The first meeting of the committee is scheduled for late this week.

Stars Aid N.Y. Fund Campaign on April 1

Screen, stage and radio stars will contribute their services to a Town Meeting at Madison Square Garden April 1 in aid of a capital campaign of the Greater New York Fund, according to John A. Brown, president of the Custom Oil Co., chairman of the drive.

General Hugh S. Johnson will be the chief speaker, Fred Waring will be master of ceremonies and James G. Blaine, Fund president, will preside. A feature will be a dramatic musical, "A Day's Vacation," called "Give Us This Day." Entertainers will include Glenn Miller, Tommy Dorsey, Don Ameche, Lily Pons and others.

The Fund serves 390 voluntary social-welfare and health agencies aiding all races and creed throughout Greater New York. The Town Meeting will not benefit, with no money being solicited, Brown declared.

Pittsburgh Promotes Local Conventions

PITTSBURGH, March 26—Theatres, night clubs, hotels, etc., have agreed that any play calls may soon receive box-office stimulation through a City Council subsidy and funds from a variety of business organizations even if plans contemplated by the mayor and commercial leaders are approved.

Pointing to a revenue of $4,034,000 coming to the city from conventions during the past year, estimated by the Convention and Tourist Bureau, Mayor Cort, yesterday gave the go-ahead to local committees for a convention of the future, that he will ask the council for an appropriation to help defray the expenses of the program.

Theatre owners are expected to have received about $200,000 from the 79,162 delegates to 147 conventions here last year, and other amusement enterprises collectively, about the same amount. Hotels are supposed to have grossed at least approximately $1,000,000 from conventioners and restaurants outside of hotels, $400,000.

Settlement of Fox Claims Approved

CAMDEN N. J., March 26—A $500,000 settlement of $1,400,000 on claims against the bankrupt estate of William Fox was approved yesterday by Judge John Boyd Avis in Federal District Court here.

The settlement has been accepted, subject to court approval, by Allen B. Endicott, Jr., of Atlantic City, Federal trustee in bankruptcy. It was offered by the All-Continent Corp., Fox family holding company. Judge Avis gave creditors the right to appeal within 30 days.

Palumbo on Golfing Honor Roll for Year

Leonard Palumbo of the Warner home office publicity department has been named on the Metropolitan Golf Association 1940 honor roll for outstanding service to the 18-hole handicap group, and takes his place on the list among a field of 62 outstanding players in the Metro metropolitan area. Palumbo in past years has been a consistent high scorer in the annual Film Daily tournament, winning the low gross awards in 1937 and 1939.
MARCH CAME IN LIKE A LION!

"NORTHWEST PASSAGE" (Book I - Roget's Rangers) in Technicolor
Starring SPENCER TRACY with Robert Young, Walter Brennan, Ruth Hussey,
Nat Pendleton • Screen Play by
Laurence Stallings and Talbot Jennings • Based on the Novel by
Kenneth Roberts • Directed by King Vidor • Produced by Hunt Stromberg
A Metro-Goldwyn-Mayer Picture

"NORTHWEST PASSAGE" THE WORD-OF-MOUTH HOLD-OVER SENSATION!

4th Week Chicago, Portland, Seattle
3rd Week New York, San Francisco, Worcester
2nd Week Denver, Louisville, Spokane,
Cincinnati, Pittsburgh, Philadelphia,
Washington, D. C., Wilmington, New Haven,
Harrisburg, Bridgeport, Boston (Day and Date
at State and Orpheum), Los Angeles. Salt Lake
City 11 days. More Hold-Overs Reported Daily!
MARCH GOES OUT LIKE A LION!

"STRANGE CARGO" IS BOX OFFICE SUCCESSOR TO "NORTHWEST PASSAGE!"

Another powerful M-G-M Show! It’s what the ticket-buyers want! Packing Theatres everywhere! Clark Gable in the kind of role they love! Joan the way they want her! M-G-M showmanship gets the dough again!

CLARK GABLE, JOAN CRAWFORD in "STRANGE CARGO" with Ian Hunter, Peter Lorre, Paul Lukas, Albert Dekker, J. Edward Bromberg, Eduardo Ciannelli
A Frank Borzage Production - Screen Play by Lawrence Hazard - Based on the Book "Not Too Narrow, Not Too Deep" by Richard Sale - Directed by Frank Borzage
Produced by Joseph L. Mankiewicz
A Metro-Goldwyn-Mayer Picture
**Hollywood Review**

**Beyond Tomorrow**

**RKO**

Hollywood, March 26—This first of Lee Garmes’ Academy Produc-
tions for RKO release is the first film since “On Borrowed Time”
dead realistically with the Hereafter and the manner of bridging over
from Here to There. Three of the principal characters, Charles Win-
ingham, Aubrey Smith and Harry Carey, die in unreality but
continue present in wraith-like substance, visible only to the audience,
striving to influence beneficially the lives of loved ones left behind them.
These are Richard Carlson, Jean Parker, Maria Ouspenskaya and Alex
Mashel. Helen Vinson and Rod LaRoque are others in the living cast.
From the technical possibilities, apart from the notion of the same
time, there are such as have been available to exhibitors playing pictures
of this unusual variety since the days of “Earthbound.” A
highly imaginative chronicle, it lends itself to imaginative showmanship,
implies no restrictions on inventiveness in all, save copy, of course,
the burden of taxation.

Adele Camandini wrote the screenplay from an original by herself
and Mildred Cram. The story is about three old men who take two
young people into their care and, following sudden death, remain on
earth, invisibly, to watch the romance flower, fade, encounter tragedy
and, finally, triumph. Miss Camandini also served as associate producer,
with A. Edward Sutherland directing.

Running time, 85 minutes.

**Roscro Williams.**

**Sale of G. N. Assets Scheduled Today**

Harry G. Fromberg, trustee of Grand National Pictures, was
authorized to conduct Coast exhibitions of E. H. Allen, vice-president of Edu-
cational, Studios, Inc., Richard J. Pearl, and Horace L. Lehman in
Yesterdays... General Judge Murray Hubert signed yesterday.

Examinations arise out of a contro-
versy between G. N. and Educational as to the ownership of films, fixtures,
and other properties held by Educa-
tional. Fromberg’s application stated,
Sale of G. N. assets will be held to
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**Guild, Equity Discuss Theatre Experiments**

The Dramatists Guild yesterday offered to meet with Actors Equity
to discuss concessions to be made to aid experimental theatre groups. Con-
cessions would probably include lowered royalty rates for dramaticists and sub-
minimum salaries for performers. Equity replied that the Guild meet to
discuss the problem last year but the
Guild failed to respond. Elmer Rice, president of the Guild, yesterday
declared that meetings could start as
soon as Robert Sherwood, former
president, is available.

**Party Aids Buffalo Blind**

BUFFALO, March 26—Proceeds of a theatre party to be held April 15-
17 at Shea’s Buffalo, under the joint sponsorship of the Buffalo Lions Club
and Shea interests, will be diverted to a local fund to aid blind persons.

**Boston Gives ‘Chickadee’ Good$16,500**

Boston, March 26—Although grosses sagged a bit because of Holy
Week, a couple of films opened, with “My Little Chickadee” and “Honeymoon
Deferred,” grossed $16,500 in
its third week.

The Metropolitan, with “I Take This Woman” and “Man from Da-
bota,” grossed $15,500, while “Dance and “Five Little Peppers” drew
$12,000 at Loews’ State and $15,000 at Loews’ Orpheum.

Boston stand for the week ending
March 20:

- *Marines Fly* (RKO)
- *Three Fly* (Warwick)
- *One Hour to Live* (Univ.)
- *Special Inspector* (Warwick)

**Keith—BOSTON—(3,200) (25c-45c-90c) six days, 4 and 5 days, Thursday Miracle Show on stage first half.

**Boston—(1,100) (25c-40c-55c) 7 days, 2nd week.

**Copley—(900) (25c-45c-90c) 7 days, 2nd week.

**Shaw—(900) (25c-45c-90c) 7 days, 2nd week.

**Grand—(1,300) (25c-45c-90c) 5 days.

**Loew’s State—(1,600) (1,700) 8 days, Gross: $1,150.

**Loew’s Orpheum—(1,400) (1,500) 8 days, Gross: $1,300.

**Loew’s State—(1,400) (1,500) 8 days, Gross: $1,300.

**Metropolitan—(4,200) (25c-35c-40c) 5 days, Gross: $5,400.

**Metro—(3,200) (25c-35c-40c) 5 days, Gross: $3,600.

**Orpheum—(3,200) (25c-35c-40c) 5 days, Gross: $3,600.

**State—(2,500) (25c-35c-40c) 5 days, Gross: $3,700.

**Metropolitan—(3,200) (25c-35c-40c) 5 days, Gross: $3,700.

**Metro—(3,200) (25c-35c-40c) 5 days, Gross: $3,700.

**Little People’s (M.-H.)—(200) (25c-35c-40c) 5 days, Gross: $200.

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**Loew’s State—(3,200) (25c-35c-40c) 5 days, Gross: $200.

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Glorifying the Usher
Glorifying the movie usher, "On Your Job" will dramatize the job of the young man in uniform at film houses in "This Way Please" over NBC-Red on Sunday, April 7, at 12:15 p.m. Edward Jennings, chief of staff at the Radio City Music Hall, will act as guest on the program. Incidents dramatized will be based on the actual experience of ushers.

Pasternak Advises More Big Pictures
"High quality pictures, not Governmental legislation, can accomplish more to cure whatever ails the industry."
This opinion was expressed yesterday by Joseph Pasternak, Universal producer, as he arrived from Philadelphia to speak at the "Last Radio Theatre" over CBS next Monday at 9 p.m. Mel Allen has been signed to do the play-by-play announcing, and the names of the New York Yankees and Giants over WABC.

Benny Shows from New York
In connection with the premiere of his latest Paramount film, "Buck Benny Rides Again," which opens at the Paramount on April 24, the radio comedian will bring his NBC show to New York for broadcasts from the local NBC studios on two Saturdays, April 21 and 28.

Program Notes
"Musical America," the Westinghouse show, will add KYW, Yuma, to the network carrying the show, bringing the total to 99 NBC-radio stations and two short wave stations. "Dr. J.Q." moves its Monday NBC-Red show from Grauman's Chinese Theatre, Hollywood, to the Palace in Dallas on April 8. "Revue of Chez Harry," night club shows, will be shown except Mondays over WMCA at 12:15 A.M. beginning today.

Sam Taylor's "Hollywood Sound Stage" has been re-rented for an additional 52 weeks by its sponsor, Kay Preparations, of WHN. The show moved to a new studio on P. M. and will be heard Tuesdays, Thursdays and Saturdays for the sponsor.

F-M Broadcasters in Alternative Offer
WASHINGTON, March 26.—Objectors to the allocation of additional frequencies for F-M broadcasting in the 40 mc. band will propose as an alternative that frequency modulation stations be given channels in the area above 100 mc., the F.C.C. was informed today.
Frank W. Wozeznak, counsel for the R.C.A., disclosed that his witnesses tomorrow would testify that adequate operation of one of the three classes of stations proposed by F-M Broadcasters, Inc., could be operated satisfactorily in the higher band and will show that receivers to pick up programs in those frequencies can be made available at moderate costs.
Paul A. De Mars, technical director for the Yankee Network and first witness for the F-M group, testified today that only 30 or 40 channels would be necessary for complete coverage of the United States by F-M stations, he suggested that a probable F-M structure could consist of five Class One stations to two Class Two and one Class Three.

Ticket Control Bill Gets Third Reading
ALBANY, March 26.—The Senate today advanced to third reading Assemblyman Mitchell's measure transferring from the Secretary of State to local licensing authorities the registration and licensing of ticket brokers and providing a maximum premium at which admission tickets may be resold, not to exceed 75 cents, above the original price.
IT'S RUNNING AHEAD OF "STAGECOACH" EVERYWHERE!

2 HOUSE RECORDS...4 HOLD-OVERS IN THIS FLASH NEWS OF GREAT PERFORMANCE IN THE FIRST 7 OPENINGS!

ATLANTA, LOEW'S GRAND
Opening day biggest in two years. Three hundred dollars better than "Stagecoach"!

MIAMI BEACH, LINCOLN
Top Wanger gross in history of the house. Business 150% of "Stagecoach"!

PHILADELPHIA, ALDINE
HELD OVER for second sensational week following biggest opening gross in six months—which was $600 over "Stagecoach"!

SAN FRANCISCO, UNITED ARTISTS
GOES TWO WEEKS as first week zooms to $1,500 better than "Stagecoach"!

SEATTLE, LIBERTY
SECOND WEEK OF S.R.O. "It's big!" reports Variety.

CHARLESTON, W. VA., KEARSE
NEW HOUSE RECORD set on opening day with smash $2,412.

NEW YORK CITY, LOEW'S STATE
NEW OPENING DAY RECORD...beating every first day in recent years with single exception of Eddie Cantor's personal appearance! HELD OVER!
Biggest RKO Year Ahead; 66 Films Set

20 by Outside Producers and Six Westerns

Hollywood, March 27—RKO, according to current indications, will have a new season release schedule of 61 to 66 pictures, far by the largest in the company’s history.

RKO’s own production units will account for 40 features, while a probable 20 additional features will be supplied by outside producers. In addition, the company will have six George O’Brien westerns.

Of the studio’s own 40, half will be top budget productions clearing through Harry Edington and half will be from the Lee Marcus program picture units.

In the top budget group are two Carol Lombard vehicles, two Charles Laughtons, four Ginger Rogers, two Maureen O’Haras, two with Henry LaCava, producing and directing, two from Leo McCarey and two from David Butler.

Outside producers who will contribute approximately 20 pictures to the RKO 1940-41 schedule include Lee Garmes’ Academy Prod., which will make two; Stephens-Lang Prod., (Continued on page 4)

Columbia’s Sales Chiefs to Convene

Columbia sales officials will meet at the Gotham Hotel here tomorrow and Saturday to map sales plans for the final half of the current Montague 15th Anniversary campaign.

District and branch managers who will attend include: Phil Dumas, mid-western division manager; Carl Shalit, central division manager; Sam Galanty, mid-east division manager; Jerome Safron, western division manager; Nat Cohn, New York division manager, and branch managers Phil Fox, Albany; Joe Miller, Buffalo; T. F. O’Toole, New Haven; L. H. Rogovin, Boston; H. E. Weiner, Philadelphia, and Irving Wormser, New York.

Sam莫斯科, southern district manager, will be unable to attend because of illness.

Home office executives who will participate in the meetings are A. Montague, Rube Jackter, Lou Weinberg, Louis Astor and Max Weisfeld.

‘U’ to Give Backing To Consent Decree As Suit Settlement

Universal would cooperate with other companies on a consent decree in settlement of the Government’s New York anti-trust suit if such a decree was for the good of the industry and did not impose too harsh a burden on the company’s operation, it was learned on good authority yesterday.

Universal’s stand is the first breach in the non-committal attitude of the current settlement discussions which has prevailed among the three non-theatre owning defendants in recent weeks. United Artists, reportedly, may adopt a similar stand. Columbia’s attitude has not been made known.

Since the Government has shown a disposition to abandon its demands for outright divestiture of affiliated theatres, the attitudes of the three non-theatre owning companies toward the out-of-court settlement becomes increasingly more important.

Theatre owning companies naturally would be inclined, as a result, to make concessions on sales policies and production practices which might not be viewed sympathetically by the defendants without theatres.

However, the proposed method of selling in small blocks of pictures, which may be the key to an agreement with the Government on sales policies, would not vitally affect A. I. S. Artists. It is pointed out, since that company has frequently maintained that it does not sell en bloc. Thus, if other regulations fitting into a settlement pattern were not too severe, informed sources believe that United Artists would not be altogether opposed to becoming a party to a settlement.

Mohawk Bid Buys G.N.’s Film Rights

Sale of all rights to films owned by Grand National Pictures was awarded yesterday at a meeting of creditors to the Mohawk Film Corp. after that company had bid $17,500 and the payment of $50 per cent on the gross of the films up to $100,000 and 50 per cent above that figure.

Mohawk’s bid was accepted by creditors and Referee Peter B. Ochey, Jr., in preference to one made by Gustave De Lemas for $27,250. Bids were also made by Leon Horowitz of $26,000 and by Dino Rossini of $17,000.

Under the award, story rights and accessory property is included but 16 mm. rights are expressly exempted as belonging to Educational Films Corp. of America.

Columbia Will Ask For More Trust Facts

Columbia will join defendants in the Government’s New York anti-trust suit in tomorrow in asking for additional answers and more detailed information in response to defendants’ interrogatories.

Other defendants, who served consolidated interrogatories on the Government, filed notice early this week that they would ask Federal Judge Henry W. Goddard some time ago to ask for additional information if it found the Government’s answers to the other defendants’ interrogatories insufficient.

‘Cargo’, ‘Primrose’ Banned by Detroit

DETROIT, Mich., March 27.—“Strange Cargo,” co-starring Clark Gable and Joan Crawford, and “Primrose Path,” with Ginger Rogers as its star, were banned from exhibit in Detroit by the police today. It is the first time in many years that major American-produced movies have met complete censorship here.

Following the recommendation of the police censor, Sgt. Charles W. Snyder, that the pictures be denied display here on the ground that they were “obscene and indecent,” Commissioner Frank D. Eaman viewed them and sustained the decision.

A letter has been sent to M-G-M by Eaman notifying the studio that “Strange Cargo” would not be permitted on Detroit screens and a similar letter was to be sent to R-K-O-Radio concerning “Primrose Path.” In both cases, it was revealed that undesirable characters were portrayed.

Zanuck to Get New Contract For 5 Years

Similar Deal Scheduled For Joseph Schenck

Twentieth Century-Fox has offered Darryl F. Zanuck a new 5-year employ picture receice as vice-president in charge of production at his present salary, plus an option to purchase 15 per cent of the company’s common stock.

Zanuck’s new contract will run from Aug. 22, 1942, when his current contract expires.

Stockholders at their annual meeting on April 16 will be asked to approve the proposals granting him the option to purchase the 100,000 shares of stock.

Zanuck’s option may be exercised in whole or in part at any time, but the stock purchase rate is the rate of $14,000 shares a year.

In connection with the execution of a new employment contract to Zanuck, Joseph M. Schenck, chairman of the board, also will enter into a new employment agreement for an additional five year period ending in 1947 at his

Agnew Quizzed On Cancellation Rights

Neil F. Agnew, sales manager of Paramount Pictures, told Government attorneys at a pre-trial examination of the “key” anti-trust suit yesterday that Paramount grants a 20 per cent cancellation clause to 86 per cent of the theatres buying its product.

Earlier in the day, William F. Rodgers, Loece’s sales manager, completed his testimony which he started yesterday. Agnew will continue on the stand today.

All theatre customers of Paramount that pay less than an average of $100 per picture receive 20 per cent cancellation rights, theatres paying between $100 and $250 obtain a 15 per cent clause, and those over $250, 10 per cent, Agnew stated. Paramount’s purpose is to give smaller houses a better break, he added.

A rigid rule prohibited the examination of Paramount pictures from the sales department information from the company’s sales was limited to reports of the grosses of other films for comparison with Paramount film grosses, he stated.

The sales executive admitted the practice of showing double features. His opinion was backed by Sidney R.
Prospects in Spain Reported Gloomy

Foreign department executives of the major companies yesterday heard reports on trade conditions in Spain from Ben Miggins of 20th Century-Fox and Fred Lange of Paramount, both of whom currently are making their annual home office visits.

The reports of both foreign representatives are described as having presented a dark picture of trade prospects in Spain, due largely to that country's monetary problems, which continue unabated, and the embargo, indefinitely. In addition, it was said, Spain's production quota requirement is a serious handicap due to the reported absence of necessary production facilities and equipment in that country.

Under existing conditions, it was explained, it does not appear possible to make a type of quota product in Spain that could be marketed profitably in Spanish language markets elsewhere.

Despite the present currency embargo in Spain, a considerable number of new American films are being sent into the country, according to report. These will all leave for Europe Sunday and Lange plans to leave in about a week.

Lytell Decision Today

Bert Lytell, president of Actors Equity, is scheduled to make known his decision today on his acceptance of a nomination for re-election. The ultimate decision will be left for Europe tomorrow at which a nominating committee will be held. If Lytell declines the nomination, there is a possibility of an opposition ticket.

What Happens When Sales Officials Meet

The Government's inquisitiveness about what is discussed when two rival sales managers meet on the street yielded an explanation from Neil Agnew of Paramount who was questioned at a pre-trial hearing yesterday.

Agnew, in relating a street encounter with Gradwell L. Sears of Warners, said: "I brag about my pictures, and he lies a little about his —that's trade practice!"

Must Post $50,000 To Fight Fox Case

CAMDEN, N. J., March 27—Creditors opposing a $500,000 compromise settlement of the claims against William Fox must post $50,000 if they desire to pursue further litigation, it was ruled yesterday by Federal Judge John Boyd Avis here.

If the settlement is accepted by the creditors, following approval earlier this week by Judge Avis, it will terminate a six-year court fight over the Fox bankruptcy.

The $500,000 settlement was recommended in November, 1938, by Allen B. Endicott, referee in bankruptcy. Creditors had charged Fox transferred all his assets to the All-Continent Corp., set up to handle the "irreceiv- able" trust fund formed for Fox's wife and daughter.

In yesterday's ruling, Judge Avis declared creditors must file a $100,000 bond above the $50,000 to satisfy any additional claims for administrative expense.

Agnew Quizzed On Cancellation Rights

(Continued from page 1)

Kent, president of Twentieth Century-Fox, Agnew said and added "but no one listens to my objections."

Rentals for pictures licensed to Paramount affiliated circuits are usually determined by precedent and analysis of the theatre chain's grossing ability, he stated. This system applied to Guido & Katz in Chicago and the Fox First Circuit in New England, Agnew declared.

Rodgers testified that product of M-G-M was split between theatres merely because the customers desired it that way. There was no advantage to his company in that arrangement, he said.

It was out of the question for a company to undertake the sale of pictures individually, Rodgers continued. The only film handled in that manner was "Waste of the Wind" because of a specific request by the producer, the sales executive said. To sell pictures individually would involve a terrific amount of effort, he added.

An affiliated theatre will give a picture firm exploitation, he said, which must be obtained from another house. Rodgers stated. No film can be properly sold if its advertisements and promotion are "sterotyped," Rodgers concluded.

Hughes Negotiating Deal with 20th-Fox

HOLLYWOOD, March 27—Howard Hughes is negotiating with 20th Century-Fox for a releasing deal providing for the physical handling of four features during 1940-41, the pictures to cost between $75,000 and $1,000,000 each. Warners some time ago also started negotiations with Hughes, whose last picture was "Scarface" in 1932.

Twenty Century-Fox, for the first time, is open to deals with outside producers to add to its next season's program. It has been reported that talks have been held with Samuel Goldwyn, but a deal with him is considered out of the question by company officials, while he still has contractual ties with United Artists.

Altec Creates New Cincinnati District

Altec Service Corp. has created a new district, with headquarters in Cincinnati, according to L. W. Conrow, president.

Effective April 1, the following shifts in personnel have been made. Warren Conner, former Philadelphia branch manager, has been named manager of the new district, with M. G. Thomas as district supervisor. D. A. Peterson and W. R. Widenor have been named district supervisors in the Philadelphia district. The Detroit district, divided to form the new area, remains under the management of F. C. Dickley.

Fete Pasternak Today

Nate J. Blumberg, Universal president, and other home office executives will be host to Joe Pasternak, Universal producer, at a trade luncheon at the hotel. About 50 film and circuit executives and trade press representatives will attend.

Purely Personal

LEON NETTER, Paramount home office theatre executive, is en route to New York for business conferences. He is expected back in about 10 days.

HOWARD DIETZ, WILLIAM F. RODGERS, GEORGE SKOURAS, HARRY GERTZ, SAM SHAIN, MORT BLUMENTHAL, FREDERICK LANGE, TROY GRAY, OWEN DAVIS, HARRY BICKFORD, HERMAN GUCLUCKMAN and J. R. GRAINGER at Nick's Hunting Room in the Astor for lunch yesterday.


MAURICE SILVERSTONE, R. V. JOHNSTON, AL. ALTMAN, GEORGE WEEKS, ARNOLD LEE, JOSEPH MALCOLM, JACOB COHEN, ANDRÉ SCHNEIDER and ALBERT ROTHACKER at the Aladdin Theatre for lunch at Bob Goldstein's Tavern yesterday.

TEX RITTER, Monogram western star, will open a picture appearance next week, starting at the Rio, Odessa, Texas, and extending for six weeks.

OSCAR DOHR, FRED SCHWARTZ, ADOLPH ZUKOR, BILLY BALABAN, TED O'SHEA, CHARLES SOTIN and LEW SANTLEY at Sadie's for lunch yesterday.

CHUB POLICE, manager for Fox Midwest Theatres, at Mabelry, Mo., is in Research Hospital, Kansas City, recuperating from two operations.

HERMAN FINKELSTEIN of Schwartz & Frohlich, Ascap counsel, will return to New York today from Omaha.

H. L. NATHANSON, general manager of Regal Films, Ltd., Toronto, is spending several weeks in Florida.

HARRY F. SHAW, Loew-Poli division manager at New Haven, and his wife are vacationing in Mexico.

ARE MONTAGUE, RUBE JACKER and LOU WEINBERG lunching at Lindy's (50th St.) yesterday.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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You'd better meet JOHNNY APOLLO

see this week's Motion Picture Herald
The big new story by Louis Bromfield (he wrote ‘The Rains Came’)! And no other star in all Hollywood could play its teasing, tempting, man-handling heroine the way it's done by

Ann Sheridan

in the big role that makes her a No. 1 Star Name now and for all time!

with

JEFFREY LYNN  HUMPHREY BOGART
ZASU PITTS  UNA O’CONNOR  JESSIE BUSLEY
JOHN LITEL  Directed by LEWIS SEILER
Screen Play by Michael Fessier and Lawrence Kimble
A Warner Bros. - First National Picture

WARNERS for Showmanship!
66 Films to Make Biggest RKO Year

(Continued from page 1)
which will deliver three Dr. Christian films; Franklyn Warner's Fine Arts Prod., on the schedule for two in Cosmopolitan, Sam Coslow, and Jack Volin's Volin Prod., which will deliver one Lum and Abner vehicle, with options for two more, and Orson Welles, who is doing one for at least two. Also, Herbert Wilcox, scheduled for two; Harold Lloyd, scheduled for one or two; Gene Towne's and Graham Baker's The Play's the Thing Prod., three or four pictures; Max Gordon and Harry Goetz, at least one, and Harry Franklin's "The Villain Still Pursued Her."

In addition, Boris Morros may deliver several, and there is a possibility that a deal will be closed for a picture based on the Scourbuttractive Raines radio program. J. J. Nolan, studio head; Edington, March 26 on the Proctor and company, and publicity director, and Perry Lieber, studio publicity director, are conferring on the new schedule this week, and all are expected to leave for New York by plane Sunday.

Kentucky Admission Tax Cut Is Now Law
LOUISVILLE, March 27.—Gov. Kerr Johnson of Kentucky last night permitted the bill to lower state admission taxes to become law without his signature, thus making the final adjournment of the legislature expired at midnight.

The new law, effective June 12, will exempt from the tax civic, religious or charitable productions in municipally-owned park theatres. It also lowers the admission fee on the first day of a more than 39 cents from one cent on each additional five cents to one cent on each additional 25 cents.

Gov. Johnson signed a bill for a tax up to $1.35 on admission tickets, and the high-and awards and prizes offered in connection with admissions, including Bingo. This also becomes effective June 12.

Van Schmus to Take Operation of Center
W. G. Van Schmus, managing director of the Radio City Music Hall, will take over control of the operation of the Center Theatre on April 1. At the same time, Kenneth L. Hays, in charge of the theatre for the past five years, will be transferred to the Rockefeller Center executive office.

Future policy of the Center, following the closing of "Pinocchio" on Sunday, has not been determined as yet.

Wanger Alters Sheean Title To Keep Pace with History

HOLLYWOOD, March 27.—History has altered Walter Wanger's

Events since his acquisition of VINCENT SHEEAN'S non-fiction book, "Personal History," have so changed the image of the controversial play that, after having had the screen-play rewritten several times at the suggestion of Sheean, Wanger has decided not to retain the name of the book.

The new title has been set for the film, which has JORI McCREE, LAINE DAY, HIBERT MARSHALL and ROBERT BENCIEY in the principal roles.

The story to be used in the picture is entirely new.

"Rather than compromise a brilliant literary work or attempt to benefit from the renown of its title we are producing a new story and will give it a new title," Wanger said. "We are, however, filmi a story suggested by SHEEAN'S romantic quest for news and howorca plays the role of an American reporter whose career is likewise a symbol of zealous inquiry and high adventure. The film will offer a parallel to many events well known to the public without depending on the activities of the portly, sentimental, dramatic color, according to WANGER.

GEORGE DILLON, manager of WANGERS' operations in New Zealand, is in Hollywood on a short trip for studio conferences and a vacation. 

James A. FitzPatrick, traveller producer, for five more years and he has signed a 12-year contract to produce pictures. 

OLIVIA DE HAVILLAND will get the top feminine role in "Epilogue," from the WALTER KIESS best seller at WARNERs.

WILLIAM DIETZLIE has been assigned to direct "The World of Edward G. Robinson will portray the founder of the famous international news agency. MILTON SEIDELT, now president of E. P. R Ronk, is now associated with JOHN LEVY JOHNSTON in handling WANGERS' publicity. MARCH GUNTHER is thinking up a story giving the background of the founding of the Red Cross. It will be based on the book "Dumant," by MARTIN GUNTHER, NORMAN BURSIE is doing the treatment.

CHARLES LAUGHTON and CAROLE LOBARD will be co-directed by RKO in "They Knew What They Wanted," from the play of the late SIDNEY Howard. Ethel Wurtz will produce, and GABOR KANIZY direct. 

M-G-M has extended the contract of RUDOLPH VALENTINE, et. for the last 18 years. MISRAI C. COPPER has left for Washington on a business trip. JEAN MURPHY plays the heroine in Columbia's "The Lone Wolf Meets a Lady," starring WARREN WILLIAM... CHARLES E. DUNING is not likely to appear in "Our Little Girl," his announced role in "Girl," "A Girl's Best Friend Is Wall Street," magazine story by JANE KESSEY, LORRAINE YOUNG may do the lead.

LLOYD NOLAN has been set for the role of "Pier 13." SOL M. WURTZ production at 20th Century-Fox. 

LOUIS BROMFIELD has joined RKO to write the script for the CHARLES LAUGHTON vehicle, "Half a Rogue." . . . ALEX COPLAY has been set by SOL LESSER to do the musical score for "Our Town." The colored comedy team of TONY RANDOLPH and CLYDE BRUCKBURY will play the leads of Mr. and Mrs. Washington Goes to Town" which ED BENTZ is producing for DIXC National Pictures, Inc. MAXIE E. SHEFFIELD is associate producer and will play a featured role. . . COLIN TAYLOR has joined cast of "North West Mounted Police," a DeMille Paramount film.

300 Are Expected At 'Eater' Premiere

More than 300 exhibitors and newspapermen are expected to attend the world premiere of Paramount's "The Biscuit Eater" at the Albany in Albany, Ga., April 16. Another theatre operator who are scheduled to attend will be: William M. Jenkins, Lucas & Jenkins; R. B. Young, Willy-Knie Melvin Lightman, Malco Theatres; Mrs. Alma King, Brunswick, Ga., theatre operators and others.

This year-old film of the star, will make a series of personal appearances in connection with the opening.

Exhibitors in N. E. To Honor Veteran
PROVIDENCE, March 27—Beloved by the New England community, one of the pioneers in motion picture exhibition, A. A. SPITZ, jr., known as "The King of the Distributors" will be honored in Boston on April 30, on the eve of his 90th birthday. The party will be handled by the Boston Friers Club, with George Jenkins, a veteran exhibitor from Rhode Island, Spitz built several theatres in Rhode Island, and is now a partner in the Associated circuit.

Ziegfeld Girls Club Annual Ball April 27
The Ziegfeld Girls Club will hold its annual ball and entertainment on April 27, at the Starlight Roof of the historic Eldorado Hotel. George JESSEL and former mayor James W. Walker will be the masters of ceremonies. Tickets are $7.50 and $10. The committee consists of Joyce Laughton, Rose Vozzi, Kay English and Pearl Harris.

Ross Killed in Fire
TORONTO, March 27—C. T. ROSS, 44, former president of the Allied Exhibitors of Ontario and owner of the Royal, Bowmowville, Ont., since 1921, was burned to death when fire gutted his residence at Bowmowville. Ross was alone in the house at the time and a nearby neighbour, Robert Rigby, and David Arey, 14, and his wife, Louise, 16, were in the studio when the fire swept through the house. A 13-year-old neighbour, having fallen asleep, Surviving are his wife, and three children, of whom was born a few weeks ago.

"1,000,000 B.C." Premiere
The world premiere of Hal Roach's new production, "One Million B.C.", will take place April 5 at Loew's State Theatre in Louisville. The picture is a United Artists release.

Tips on Exploitation

"Rebecca" Search Used At Music Hall Opening
With the opening of "Rebecca" at the Music Hall today, United Artists, owners of the Film. The Music Hall will start a search for the patron who most closely resembles the heroine, a character, who never appears, is combatively described. Finals will be held at the house tomorrow, the winner to receive a $50 prize.

A "Rebecca" dance, with $50 cash prizes for the man and woman dancing at a given time, "Rebecca" and "Maxim de Winter," film characters, will be held tomorrow evening at Mecca Ballroom, Professional models will impersonate the characters.

In cooperation with the New York Journal-American, U. A. and the Music Hall have launched a "Rebecca" essay contest, offering $325 in cash prizes for the best letters on the film's most dramatic scene.

Illustrators' Society Invites "Pinocchio"
John K. Hyatt, manager of the Center, in promoting the run of "Pinocchio" at the Society of Illustrators to attend in a body. They were photographed at the theatre and several sent in drawings of "Pinocchio" to the Society of Illustrators, to some appropriate for newspaper reproduction.

100 Stars Expected At Cameramen's Ball
More than 100 radio, film and stage personalities are scheduled to make personal appearances at the Press Photographers Association's 11th annual dance and entertainment at the Pantages. The Soci of Illustrators to attend in a body. They were photographed at the theatre and several sent in drawings of "Pinocchio" to the Society of Illustrators, to some appropriate for newspaper reproduction.

B-K to Retire Preferred
CHICAGO, March 27.—All remaining preferred stock in the Balaban & Katz Corp.—1,725 shares—will be retired May 31. A bond loan negotiated recently on the preferred stock is due in the summer of 1940, and the preferred is seven per cent cumulative with $100 par value.

Canadian Pioneers Dine
TORONTO, March 27.—The charter dinner of the Canadian Pioneers Club, of which Claire Hague, Canadian Universal representative, is temporary chairman, was held tonight, with several guests from the United States in attendance.
The Girl of the Year

in the Picture of the Week...
“VASTLY ENTERTAINING... The chances are slim that we will see a better screen achievement the rest of this year”—N.Y. Herald-Tribune.

“DEEPLY MOVING... One of the tenderest, funniest pictures of the year”—N.Y. Sun.

“ARTFUL ROMANTIC COMEDY... Trips its way blithely, briskly, humorously and cannily”—N.Y. Times.

“ROBUST COMEDY, brought out superbly by Gregory La Cava”—N.Y. World-Telegram.
Zanuck to Get New Contract For 5 Years

(Continued from page 1)

present salary. Schenck last year was paid $255,000.

Zanuck's compensation last year, under his present contract, was $255,000. The stock option runs through to March 1, 1940, with the new employment agreement, which will have the same terms and condi-
tions as his present one.

The price that Zanuck shall pay for the stock, if it is provided, shall be whichever of the following two amounts is higher: $13 a share, or an amount which is 8% in excess of the average price per share at which the common stock was sold on the New York Stock Exchange in lots of 100 shares or multiples thereof on the day prior to the stockholders' formal ap-

Granting of the option is condi-
tioned on the execution of the new employment agreement, and the signing of the contract by Sidney R. Kent, presi-
dent of 20th Century-Fox, of his cu-
mulative stock option. Kent has agreed to use his influence upon the stockholders' approval of the op-
tion to Zanuck. For his cumulative option, provided in his employment contract and ap-
proved in 1935, provides that he may purchase 10,000 shares of the company's stock each year, not to exceed in the aggregate 60,000 shares at $18.24 a share. This option, which has not been exercised, was voted in addition to salary.

Kent's salary last year as principal executive officer of the corporation was $275,000, in addition to expenses of $10,400, at the rate of $200 a week for which he does not have to account. Zanuck's option upon the stock in cash or New York bank-

ably funds. The money is to be used for general corporate purposes as de-
termined by the directors.

The cumulative number of shares to be delivered to Zanuck over the seven-
year option period is as follows:

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<tr>
<th>During the Period</th>
<th>Shares</th>
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</thead>
<tbody>
<tr>
<td>Aug. 22, 1940, to Aug. 31, 1941</td>
<td>12,284</td>
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<tr>
<td>Aug. 22, 1941, to Aug. 31, 1942</td>
<td>6,143</td>
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<tr>
<td>Aug. 22, 1942, to Aug. 31, 1943</td>
<td>4,323</td>
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<tr>
<td>Aug. 22, 1943, to Aug. 31, 1944</td>
<td>2,746</td>
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<tr>
<td>Aug. 22, 1944, to Aug. 31, 1945</td>
<td>1,711</td>
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<tr>
<td>Aug. 22, 1945, to Mar. 1, 1946</td>
<td>100</td>
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</tbody>
</table>

Assembly Defeats

The important part played by the make-up artist in the film studio will be described on the "Americans at Work" program over CBS next Tuesday at 10:15 P.M. The program will also be pickup directly from the Max Factor laboratories in Hollywood and will feature Dr. Howard Keyes, consulting chem-

"Cargo, 'Primrose' Banned by Detroit

(Continued from page 1)

Wolf Wins Contest

PHILADELPHIA, March 27—William Wolf of the Allegheny was awarded first prize for the exploitation of the English horror dual, "The Demon With the Glass Eyes" and "Disco of the Frock." The prizes were offered by the International Pictures Exchange here among Stanley-Warner managers in the territory.

Mrs. Breese Dies

BEVERLY HILLS, Calif., March 27—Mrs. Harriet Breese, widow of Ed-
mund Breese, screen veteran, died here yesterday.

20th-Fox Will Re-Elect 12 Directors; Salaries Bared

Assemble Defeats

Bill on Billboards

Albany, March 27.—The Assembly today defeated the Wright bill-

RCA Gives Support

To F-M Broadcasts

WASHINGTON, March 27.—RCA believes that the time is ripe for use of ultra-high frequencies and that fre-

Independent Studios

Signed by Soundmen

Hollywood, March 27.—Eight independ-
ent studios and sound service or-

Radio

Brevities

The F.C.C. has no authority to compel a station to accept or reject a broadcast program if listeners stop not to listening from sending complaints about shows. Here is a sample of some of the programs that have received complaints.

A New Hampshire man wants radio to ban war songs.

A Philadelphia favorite put: "I'm not interested in the facts of the case."

A New Yorker wants a particular religious program banned while an-
other similar program is aired. He also dis-continues another religious pro-
gram.

A Brooklyn dentist resents jibes about his profession, while from Ma-

Program Notes

Revivals of noted radio plays, "Landmarks of Radio Drama" will be broadcast daily on the Saturday and Sunday, 8 P.M. spot while Arch Oboler is on vacation beginning this Saturday. The "Perry Mason" series will be heard in New York for the first time on Monday when sponsorship of trans-
cribed salon music is been over. "The Big

Film Makeup Radio Topic

"Cargo, 'Primrose' Banned by Detroit"
Holiday Pictures Are Held Over; ‘Rebecca’ Opens Strong At Music Hall

The tremendous holiday business at the Broadway boxoffice continues. There will be only one departure before next week’s regular openings. This Sunday will be “Pinocchio” which will end a 7½-week run at the Center.

Business is up 10-15 per cent all along the street. First shows are selling out almost as soon as the boxoffice opens and almost every house has added extra shows for the week.

With children out of school, matine trade has jumped, while evening business is also way ahead because of the presence of many visitors in the city and families rejoined for the Easter holiday. Movie queues are present at all boxoffices.

Two new pictures opened yesterday as both had day draws near to a close. They were “Rebecca” and “Broadway Melody of 1940.” All other films hold over.

“Rebecca” opened big at the Music Hall yesterday with an estimated gross of more than $16,000. “Broadway Melody of 1940” also opened strong at the Capitol.

“Primrose Path” with stage show at the Roxy grossed an estimated $5,000 for the week and is held over.

At the Strand, “Virginia City,” with George Olsen’s band on the stage, drew an estimated $40,000 and is also held over.

A plan for financial reorganization of Consolidated Film Industries, Inc. is being considered by the management and may be submitted to the stockholders this year, stockholders were informed at their annual meeting yesterday by M. H. Lavenstein, general counsel of Consolidated.

Lavenstein said that within the next six months the Delaware courts are expected to hand down a decision which will clarify the legal situation affecting recapitalizations of Delaware corporations. Consolidated’s original recapitalization plan was invalidated in Delaware about three years ago.

Stockholders who spoke at the meeting showed interest in speeding a plan with the aim of wiping out dividend arrearages of $8 a share on the first preferred stock, now amounting to about $3,200,000. In such event, the common stock would be placed in a better earning position.

With a total of 56,079 shares of preferred and common stock represented, the stockholders reelected four directors for three years, including Herbert J. Yates, Walter W. Vincent, Ralph J. Poucher and W. P. Stevens. The directors later reselected the following officers: H. J. Yates, president; J. L. Allen, R. J. Poucher, M. J. Siegel, W. W. Vincent, vice-presidents; H. J. Yates, Jr., vice-president and treasurer; J. E. Mahon, secretary; R. S. Rodgers, E. H. Seifert, N. K. Loder, assistant treasurers; A. G. Mcclure, New Zealand Post

A. G. Mcclure has been appointed managing director for Warners in New Zealand, succeeding George Dillon, who has arrived in New York for medical treatment. Mcclure had been assistant to Dillon, who will be given a new post later.

Ascap Ruling Lost

By Nebraska State

Omaha, March 28.—Nebraska’s application for a new trial of the action testing the constitutionality of its anti-Ascap law was denied by a three-judge Federal statutory court today.

Arguments on the state’s application were heard by the court last Monday. Herman Finkelstein of the law firm of Schwartz & Prohlich, Ascap’s New York counsel, opposed the state’s application.

It could not be learned whether the state would appeal the case to the U. S. Supreme Court, as ranking officials of the Attorney General’s office said they could not be reached for comment.

The Federal statutory court several months ago held the Nebraska anti-Ascap law to be unconstitutional.

Four Reasons Cited for Delay Of Trial

Start on May 1 Unlikely; Pre-Trial Quiz Slow

Four reasons for a delay in the start of the trial of the Government’s New York trust suit against the major Columbia suppliers, which were filed for today, have developed in the past week.

The first factor, which will in all likelihood necessitate a request for postponement of the initial pre-trial procedure, is the delay in the oil litigation, which started before Justice Samuel I. Rosenman six weeks ago, will continue for a minimum of two months. It was authorized.

The second reason for delay is the lag in pre-trial examinations of government officers who, as planned for, should be ready for the trial. These attorneys are John W. Davis, chief trial counsel for Paramount, and Ralph Harris, slated to represent Twentieth Century-Fox. The oil litigation, which started before Justice Samuel I. Rosenman six weeks ago, will continue for a minimum of two months, it was authorized.

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U.S. Questions Fox Sales Officials Next

William Kupper and William Sussman, Western area sales managers of Twentieth Century-Fox, will be questioned Wednesday on Fox distribution policies in reference to the Government’s ‘entity trust suit.’ Government attorneys announced yesterday, Abe Montague, sales head of Columbia, will testify Thursday.

Government attorneys also stated that efforts were being made to arrange for the appearance of Adolph Zuckoff, general counsel of the board of Paramount, and Darryl F. Zanuck, production chief of Twentieth Century-Fox, some time during the coming week.

Neil F. Agnew, vice-president of Paramount in charge of sales, yesterday was wired by the Government to describing negotiations of his company for first-run sales in the Government’s list of 36 key cities. Most of Paramount’s first-run accounts have re-
Lytell Likely to Stay As Equity President

Continuation of Bert Lytell as presi- dent of Actors Equity loomed as a certainty yesterday as he announced that he would accept renomination for the post if it is offered to him. His renomination is said to determine any contest for the presidency.

Equity will hold a special meeting at 2 P.M. today at the Hotel Astor for the purpose of designating six additional members of the nominating committee which will select the regular candidate for office. The meeting will last three years, 16 members of the council for five-year terms and three replace- ments.

Maida Reade, Dudley Digges and Glen Anders are the three members of the committee who have been design- ated by the council.

Immediately after the special meet- ing, the first quarterly meeting of the year will follow. Unemployment in the theatre and the advisability of raising the minimum salaries of $40 weekly will receive priority on the agenda. Electors will take place dur- ing the last week in May or the first in June.

M’Guire to Organize Production Company

HOLLYWOOD, March 28.—Negotia- tions under way whereby McLea- thony McGillie to form a new pro- duction company, McGillie will act as writer-producer.

First of the proposed pictures will be “Faith, Hope and Mary Potter,” an original by McGillie, Claudette Col- lins and Robert L. Halsey. The lead for the best, McGillie is now on a picture-to-picture deal as writer-producer at 20th Century-Fox, where he is filming a picture on the life of Sam Draven, who he conferred with E. V. Lucas and Arthur Jenkins, Netter is en route to Golden Gate for a Florida vacation.

Fred Lange, general European rep- resentative for Paramount, is sched- uled to sail for Europe, April 6, on the Washington, following a six-week home office visit.

Fred Uelman, former vice-presi- dent of RKO Pathé News, will leave for the Coast Monday by train to beg- gin his new assignment as an RKO producer.

Stanton Griffis, chairman of the Paramount executive committee, will return to New York today from a month’s vacation in Florida.

L. J. Ludwig and John J. Friel of the Shubert office, will take a vacation in New York for Paramount home office conferences.

O. C. Doering, Jr., of counsel for RKO, will leave tomorrow for a week’s vacation in Canada.

Adolph Schiele, Universal home office attorney, is expected from the Coast by plane today.

Tosti Spitzer of the RKO publicity staff leaves today for a vacation in St. Augustine, Fla.

Gene Raymon is in town for a week from the Coast.

George Harris Dies

In Manila Accident

George F. Harris, veteran film man, was killed in an automobile accident in Manila, Philippines, last Thursday accord- ing to wire received in New York yesterday by friends.

Harris had just finished in native film production in the Philippine Islands for a number of years. One of his last productions to be distrib- uted in America was “Zambonga,” which was distributed by the former First Division exchanges in 1937.
NEVER MIND
CONFUCIUS, ED!

Old man box office say: "Paramount's "Road to Singapore" beats record-breaking 'Union Pacific' in 40 key cities . . . proves 'Road to Singapore' is paved with (s)miles and (s)miles of happiness . . . and watch old man box office grin when 'Buck Benny Rides Again'!

Where "Road to Singapore" is beating "Union Pacific"

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<thead>
<tr>
<th>New York</th>
<th>Paterson</th>
<th>Houston</th>
<th>Minneapolis</th>
<th>Milwaukee</th>
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<tr>
<td>Chicago</td>
<td>Jacksonville</td>
<td>Beaumont</td>
<td>St. Paul</td>
<td>Oakland</td>
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<td>Miami</td>
<td>St. Petersburg</td>
<td>Wheeling</td>
<td>Duluth</td>
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<td>Los Angeles</td>
<td>Cedar Rapids</td>
<td>Boston</td>
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<td>Buffalo</td>
<td>Davenport</td>
<td>New Haven</td>
<td>South Bend</td>
<td>Philadelphia</td>
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<td>Kansas City</td>
<td>Des Moines</td>
<td>Hartford</td>
<td>Toledo</td>
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<td>Newark</td>
<td>Little Rock</td>
<td>Memphis</td>
<td>Waterbury</td>
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"ROAD TO SINGAPORE" Bing Crosby • Dorothy Lamour • Bob Hope

Charles Coburn • Judith Barrett • Anthony Quinn • Jerry Colonna • Directed by VICTOR SCHERTZINGER
SAN FRANCISCO, March 28.—“Young Tom Edison” and “Ghost Comes Home” did $14,000 at the Fox, with bargain sales and bad weather. “Gone With The Wind” was still strong with $28,000 in the eighth week. 

Estimated takings for the week ending March 19-22:

- The Big Guy (Univ.)
- Honeymoon in Cabin (Univ.)
- Larceny (Univ.)
- Black Friday (Univ.)
- House of Seven Gables (Univ.)
- These三天 (Univ."
- Young Tom Edison (M-G-M)
- The Ghost Comes Home (M-G-M)
- Brother Rat and A Baby (W. B.)
- A Woman's Vengeance (Paramount)
- Over the Moon (U. A.)

UNITED ARTISTS—$2,000 (15c-35c-40c)
- $1,000 (3,000 miles)
- $1,000 (15c-30c-35c-40c)
- $1,000 (15c-25c-32c-40c-57c)
- $1,000 (15c-30c-35c-40c)
- $1,000 (15c-25c-32c-40c-57c)
- $1,000 (15c-30c-35c-40c-57c)
- $1,000 (15c-30c-35c-40c-57c)
- $1,000 (15c-30c-35c-40c-57c)
- $1,000 (15c-30c-35c-40c-57c)

Warfield—PARAMOUNT—$1,500
- $1,400
- $1,400
- $1,400
- $1,400
- $1,400
- $1,400
- $1,400
- $1,400
- $1,400

$14,000.

"GONE WITH THE WIND" (Warners)
A spectacular but only so-so super-Western...has moments of fine cinema but it all comes unstrung because they are rarely inter-related.—Howard Barnes
New York Herald Tribune.

There is enough concentrated action in the picture, enough of the old time Western sweep, to make it lively entertainment.—New York Times.

It's a very, very good movie. The story moves swiftly and interestingly to its satisfactory conclusion.—Kate Cameron.

"GONE WITH THE WIND" (Warners)

"The picture has won a movie thriller that is part Civil War, part cowboy town melodrama, a large part wild-riding, wild-shooting, good old wild west.—Mildred Martin
Philadelphia Enquirer.

Everything about this attraction is splattered with bold, primary colors. You've seen it all before but not on such large a scale.—Henry T. Murdock.
Philadelphia Ledger.

"Virginia City" is in the manner of "Dodge City" and all other horse operas. Western addicts may find it exciting.—Laura Lee, Philadelphia Bulletin.

"REBECCA" (Selznick-United Artists)

Rare cinematic achievement, a perfect picture...It would not be surprising if Mr. Selznick, whose "Gone With The Wind" was given the Academy Award for 1939's best film, win the 1940 award for "Rebecca."—Boston Post.

A worthy successor to "Gone With The Wind."...another of the season's finds...is especially rich in telling scenes.—Edwin Schallert, Los Angeles Times.

The Du Maurier mystery drama is perfectly adapted to the Hitchcock technique, and actually gains by cinematic treatment.—Boston Herald.

A worthy successor to "Gone With The Wind,"...another of the season's finds...is especially rich in telling scenes.—Edwin Schallert, Los Angeles Times.

David O. Selznick, who did such a magnificent job with "Gone With The Wind," has again taken the popular appeal into a picture of surprising interest.—Louella O. Parsons, Los Angeles Examiner.

An excellent piece of cinematic merchandise...starting with its sustained suspense.—Jimmy Starr, Los Angeles Herald-Express.

"THE THREE STOOGES" (M-G-M)

Walter Brennan's character in "Wuthering Heights" holds the key to the picture in a motion wept by Warner Brothers, and the major distributors who are in a race to get "The Three Stooges" on the screen: the key to the future is in the trust suit for quashing or modifying an order directing them to produce their books and record for the plant's tithe.—William B. Schallert, Los Angeles Times.

Contention is made by the defendants...that the books and records are not necessary for the adjudication of the case.

The land's anti-trust suit is scheduled for trial before Judge Kirkpatrick April 8.

"CARON FILES APPEAL"

Notice of appeal from a decision of N. Y. Supreme Court Justice Jessora, who denied an injunction to restrain exhibition of "Primrose Path," was served upon attorneys for RKO-Radio yesterday.

Caron filed suit against RKO and Roxy Theatre, contending that the film disparaged one of its pet products in a way that has been approved by such restrictive censors.

"ONTARIO RELEASES TIME"

Toronto, March 28.—Following the Federal elections on Tuesday, the "March of Time" release, "Canada at War" has been approved finally by the censors. It will open at the Imperial here Friday.

"BAY DRAWS GOOD $13,000, Philadelphia"

PHILADELPHIA, March 28.—While weather conditions were favorable, the usual Holy Week slump set in. However, the downtown houses for the most part went over their averages with some houses reporting the best Frame of the Year so far.

Estimated takings for the week, ending March 21:

- The House Across the Bay (U. A.)
- Songs of Old Japan (15c-30c-35c-40c) 7 days.
  Gross: $1,300. (Average, $185.50)

ARRACDIA (5/8-35c-35c) 7 days, 2nd run.
  Gross: $1,200. (Average, $160.00)

Young Tom Edison (M-G-M)
- BUD $1,400 (35c-35c-40c-57c) 7 days.
  Gross: $1,500. (Average, $214.26)

Gone With the Wind (M-G-M)
- EARLIE (5/8-35c-35c) 7 days, 9th week.
  Gross: $1,900. (Average, $264.28)

- Boston Daily Globe

The Du Maurier mystery drama is perfectly adapted to the Hitchcock technique, and actually gains by cinematic treatment.—Boston Herald.

A worthy successor to "Gone With The Wind."...another of the season's finds...is especially rich in telling scenes.—Edwin Schallert, Los Angeles Times.

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"Hearing in Lands Trust Suit Today"

PHILADELPHIA, March 28.—Federal Judge William II. Kirkpatrick of the District Court here will hold an inquest Tuesday toward a motion submitted by Warner Bros. and the major distributors who are in a race to get "The Three Stooges" on the screen: the key to the future is in the trust suit for quashing or modifying an order directing them to produce their books and record for the plant's tithe.—William B. Schallert, Los Angeles Times.

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"Ontario Releases Time"

Toronto, March 28.—Following the Federal elections on Tuesday, the "March of Time" release, "Canada at War" has been approved finally by the censors. It will open at the Imperial here Friday.

"Parsons Leaving Col."

Hollywood, March 28.—Harriet Parsons, producing "Screen Snap-Shots" for Columbia will leave the lot after completing the current short and will be replaced by Ralph Staub, who originated the idea years ago.

"S. W. G. Meets Monday"

Hollywood, March 28.—The Screen Writers Guild met at the Roosevelt Hotel to discuss several matters, including the guild's future plans and steps in the handled negotiations for a bargaining agreement with producers.
HOT!
That ticket machine at the Jig Capitol! Busiest on Broadway yesterday!

HIT!
Opening day of M-G-M's "BROADWAY MELODY OF 1940" terrific!
— beat "Northwest Passage"
— beat "The Women"
— beat "Babes In Arms"
— equals "Boys Town"

HOORAY!
FRED ASTAIRE
ELEANOR POWELL
"BROADWAY MELODY OF 1940"

World Premiere
April 4th
GRANADA THEATRE - DICKINSON THEATRE
LAWRENCE, KANSAS

CLAIRE TREVOR · JOHN WAYNE
ROY ROGERS · GEORGE HAYES · PORTER HAWKINS
A REPUBLIC
RADIO PROGRAM REACHES NEW SECOND OF FILM SERIES R
More millions of people listen to the “Dr. Christian” program over the CBS network today than ever before, according to the newest Crossley rating of radio popularity. Which means more-than-ever fans for this second in the series, presenting the star of the broadcasts, and all the other well-loved characters, in a down-to-earth drama of a small-town doctor.

...A truly big attraction for all the folks who know and love “Dr. Christian,”... grand entertainment for EVERYBODY!

JEAN HERSHOLT

THE Courageous DOCTOR CHRISTIAN

with
DOROTHY LOVETT • ROBERT BALDWIN
TOM NEAL • MAUDE EBURNE • A STEPHENS-LANG PRODUCTION • Directed by BERNARD VORHAUS

Original Screen Play by Ring Lardner, Jr. and Ian McLellan Hunter
### Motion Picture Daily's Booking Chart

*Dates are based on national release schedules and are subject to change. This chart is revised weekly. Letters in parentheses after titles denote the following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action.*

<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>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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<td><strong>Mar. 1</strong></td>
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<tr>
<td>Blondie on a Budget (G-C)</td>
<td>Arthur Lake Penny Singleton</td>
<td>Strange Cargo (A-D)</td>
<td>Clark Gable Joan Crawford</td>
<td>Seventeen (G-D)</td>
<td>Field-Cooper</td>
<td>Little Orvie (G-D)</td>
<td>Ernie Trues</td>
<td>Chan in Panama (G-D)</td>
<td>Sidney Toler</td>
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<td><strong>Mar. 8</strong></td>
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<td>Outside the Three Mile Limit (G-D)</td>
<td>Jack Holt</td>
<td>Ghost Comes Home (D)</td>
<td>Frank Morgan</td>
<td>Human Monster (A-D)</td>
<td>Bela Lugosi</td>
<td>Pioneers of the West (O)</td>
<td>3 Mesquites</td>
<td>Isle of Destiny (G-O)</td>
<td>Gargan-Ford</td>
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<td>Too Many Husbands (A-C)</td>
<td>Arthur MacMurray</td>
<td>Takes All (A-D)</td>
<td>Muriel Kallis</td>
<td>Midnight Limited (D)</td>
<td>John King Marjorie Reynolds</td>
<td>Forgotten Girls (G-D)</td>
<td>Donald Woods</td>
<td>Millionaire Playboy (G-C)</td>
<td>Joe Penner</td>
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<td>Too Many Wives (G-D)</td>
<td>Robert Young</td>
<td>Son of the Navy (C)</td>
<td>Jean Parker James Dunn</td>
<td>Farmer's Daughter (G)</td>
<td>Raye-Ruggles</td>
<td>Ghost Valley Raider (D)</td>
<td>Donald Barry</td>
<td>Free, Blonde and 21 (G-D)</td>
<td>Bari-Davis</td>
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<td><strong>Mar. 29</strong></td>
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<tr>
<td>Blazing Six Shooters (O)</td>
<td>Starrett</td>
<td>And One Was Beautiful (D)</td>
<td>Muir-Cummings</td>
<td>Adventure in Diamonds (D)</td>
<td>Brent-Miranda</td>
<td>Courageous Dr. Christian (G-D)</td>
<td>Jean Hersholt</td>
<td>Stardust (D)</td>
<td>John Payne</td>
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<tr>
<td>Man With Nine Lives (D)</td>
<td>Boris Karloff</td>
<td>Dr. Kildare's Strange Case (M)</td>
<td>Lean Ayres L. Barrymore</td>
<td>Pals of the Silver Sage (O)</td>
<td>Jack Randell</td>
<td>Dr. Cyclops (G-D)</td>
<td>Albert Dekker Janice Logan</td>
<td>Viva Cisco Kid (G-O)</td>
<td>Romero</td>
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<td>I Married Adventure (D)</td>
<td>Mrs. Johnson</td>
<td>Two Girls on Broadway (C)</td>
<td>Turner-Blondell</td>
<td>Terror of the Sky (D)</td>
<td>Colorado Trails (O)</td>
<td>French Without Tears (C)</td>
<td>Drew-Milne</td>
<td>Beyond Tomorrow (D)</td>
<td>Bonnie Barnes</td>
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<td>Doctor Takes a Wife (D)</td>
<td>Ray Milland</td>
<td>Forty Little Mothers (C)</td>
<td>Eddie Cantor</td>
<td>Missing People (D)</td>
<td>Will Fyffe Kay Walsh</td>
<td>The Biscuit Eater (D)</td>
<td>Billy Lee C. Hickman</td>
<td>Curtain Call (D)</td>
<td>Helen Vinson</td>
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<td><strong>Apr. 26</strong></td>
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<td>Block &quot;K&quot; Rides Tonight (O)</td>
<td>Bill Elliott</td>
<td>Cowboy From Sundown (O)</td>
<td>Tex Ritter</td>
<td>Buck Benny Rides Again (C)</td>
<td>Jack Benny</td>
<td>My Favorite Wife (D)</td>
<td>Bunnie-Gran</td>
<td>So This Is London (C)</td>
<td>George Sanders</td>
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<td><strong>May 3</strong></td>
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<td>Land of the Six Gun (O)</td>
<td>Jack Randall</td>
<td>Typhoon (D)</td>
<td>Dorothy Lamour Robert Preston</td>
<td>Opened by Mistake (C)</td>
<td>Charlie Ruggles Janice Logan</td>
<td>Tom Brown's Schooldays (D)</td>
<td>Barthalomew Hardwick</td>
<td>I Was An Adventureress (D)</td>
<td>Zorina-Greene</td>
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<td><strong>May 10</strong></td>
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Four Reasons Cited for Delay Of Trust Trial

(Continued from page 1)

are expected to last for two more months.

The third reason is the possibility of Judge Goddard ordering the Government to furnish additional information to "satisfy as a result of a surprise attack by the defendants for an order to that effect. A hearing is scheduled today on the majors' application.

The fourth and strongest factor for delay is the settlement discussion now taking place in Washington. It is highly unlikely, it was reported, that litigants will go to the tremendous expense of starting the trial when there is a reasonable chance of settlement.

In this respect, legal experts have pointed out Section 6 of the Clayton Act which allows a consent decree to be entered upon as prima facie evidence of conspiracy to monopolize once testimony is introduced before the decree is signed.

Attorneys declare that a consent decree, if granted at all, must be agreed upon before trial to forestall the use of an injunction decree by the majors who may bring civil anti-trust suits against the majors.

Loew's Bares $16,000,000 Indebtedness in U. S. Reply

Loew's, Inc., disclosed a fixed indebtedness of $16,081,000 in answers to Government interrogatories filed yesterday in U. S. District Court.

The answers were recently served upon the Department of Justice but were not made available until their filing.

The replies also stated that the company has no current outstanding loans. Out of 4,000,000 authorized shares of Loew's common stock, 1,665,713 shares are outstanding, the company said. In addition, 136,722 shares of $5.60 cumulative, preferred stock have been issued, the answers disclosed.

Fixed indebtedness is divided into two categories. Listed are $12,331,000 in 3% per cent sinking fund debentures maturing in 1946 and which will be purchased or redeemed by a sinking fund created by semi-annual deposits of $375,000. Notes totalling $3,750,000 at 3½ per cent maturing in 1944, payable at $3,750,000 semi-annually from Feb. 1, 1940, constitute the remaining part of its indebtedness, Loew's stated.

A large number of the answers will remain confidential under stipulation with the Government.

12,132 Houses Now Use Republic Films

(Continued from page 1)

is now normal, Siegel said, and he anticipates a substantial increase this year.

Republic's world gross in 1939 showed an increase of almost seven per cent over 1938, Siegel asserted. Last year the domestic gross was $6,169,057 and foreign business $752,277, compared with 1938 figures of $5,983,382 domestic gross and $1,940,468 foreign.

The Republic Laboratory work represents about 18 per cent of Consolidated's gross volume, Yates asserted.

U. S. Questions Fox Sales Officials Next

(Continued from page 1)

trial conferees will be taken up by Federal Judge Henry W. Goddard today in an effort to determine whether there is a necessary preliminary to trial of the suit. Judge Goddard will hear and appraise the majors for an order for the Government to serve additional information in response to interrogatories.

Defendants charge the Government with breaching a stipulation under which it agreed to answer consolidated interrogatories of the majors.

Edington Due Here For Product Talks

Harry Edington, RKO executive producer, will arrive from the Coast today by way of New York for new sale and product conferences with home office executives.

Harriet McCormick, RKO advertising and publicity director, will arrive by plane with Erich Pommer on her way to Hollywood to see the studio for the past two weeks conferring on plans for new season's product announcements and campaigns.

George J. Schaefer, RKO's legal counsel, is expected back from a Florida vacation early next week for the conferences with Edington, Neil E. DeForest and other home office executives.

W. B. Raises Philly Engineers' Wages

PHILADELPHIA, March 28—Wage increases over a period of three years are provided in a new contract signed today by Warner theatres here with the Steam & Operating Engineers Union, Local 835.

The contract extends to Aug. 31, 1941. Increases over the present scale of 90 cents an hour are to take effect as follows: 95 cents on Sept. 1, 1940; 97½ cents in September, 1941, and $1 the following September.

Educational Films Urged in England

LONDON, March 8 (By Mail)—The Government is backing a new campaign to foster the use of educational films in reception and neutral areas, with the British Film Institute as its principal agent. The Board of Education will advise and assist and four regional experts will travel the territories collaborating with local directors of education.

'Columbia Release

'Three Weeks Together,' produced in Britain under the title "21 Days," will be released here next month by Columbia and will be oiled on an individual basis. The picture stars Vivien Leigh and Laurence Olivier.

Patrons Pick Films At Mexican House

Mexico City, March 28.—A novelty film house, whose patrons may choose pictures they want to see, is being arranged for Spanish political refugees. An office in a downtown building is being remodelled for the theatre, which is expected to open late in April. No picture will run for more than an hour. The theatre is to be operated from 11 A. M. to 11 P. M. on a grind policy.

Name Trotta, Berg

Trustees of Ampa

In addition to the official slate of officers and directors selected by the Ampa nominating committee, Vincent Trotta of Advertising Accessories and Herbert Berg of Paramount have been nominated as trustees.

Hal Horne, eastern representative for Walt Disney, has been nominated as delegate to the National Chamber of Commerce, succeeding Hap Hadley.

Paul N. Lazarus, Jr., president, has also been selected to represent Ampa if an official slate is formed; he must be presented to the secretary before next Thursday in order to be eligible for the April 11 elections.

Columbia

Columbia

Lab Union to Dance

Second annual entertainment and ball for members of the welfare fund of M. P. Laboratory Technicians Union, Local 702, will be held Saturday, April 6, at the Hotel Edison.

'Love on Dole' Film

British Board of Film Censors has refused to sanction the production of a film based on the successful play, 'Love on the Dole,' unless the script were altered considerably. The play deals in dramatic form with unemployment and has been staged all over the country for some years.

"Love on the Dole" was produced in New York in February, 1936, at the Shubert Theatre by Maurice Bar- ber. It ran for 144 performances.

A probable reflection of this virtual ban is seen in efforts on the part of Parliamentary spokesmen to raise the matter of film censorship in the House of Commons.

Among these is Tom Williams, Labor member for an industrial center, who takes a great interest in film trade matters. He recently challenged the Home Secretary, asking whether he knew that when the Board had banned the production of a film there was no appeal, that this involved restrictions on popular liberty, and excluded the filming of many national characteristics.

The Home Secretary, Sir John Anderson, however, protested that the last word was always with the local licensing authority and that the Government had no control over the purely trade body, the B.B.F.C.

Lab Union to Dance

Second annual entertainment and ball for members of the welfare fund of M. P. Laboratory Technicians Union, Local 702, will be held Saturday, April 6, at the Hotel Edison.
Radio Brevities

WMC A yesterday announced that it had filed application with the F.C.C. for authority to build a frequen-
cy modulation transmitter, thus bringing the total of applications in the metropolitan area in addition
to the five stations now operating.

The five stations include Major Ed-
ward S. Yingling's station at Alpena, the W. G. H. Finch station, and stations operated by WQXR, WR and NBC. With the exception of the NBC sta-
tion, the stations are offering regular programs. NBC is engaged in field tests and has no regular schedule.

The 10 previous applicants include Finch, who is seeking a second sta-
tion, CBS, WOY, WNEW, WHN, the Young Network, F-M Broadcasting
Corp., Muzak, Jerome Raymond, Foskin-Clark, and World Broadcasting.

Back on Air After 20 Years

After an absence from the air-
lanes of almost two decades, one of radio's first commercial sponsors, Royal, is now back in the supply
business. Royal Sweets, the parent company, returns to the air on Monday at 11:15 A. M. over WMCA as spon-
sor for Jerry Stahl with his monologue
show. Baker will be heard Mon-
days, Wednesdays and Fridays.

Six More Mutual Stations

Six new stations of the Mason-Dixon group in Pennsylvania and Delaware join the Mutual net-
work on Monday. The total number of stations now affiliated for television
will be brought up to 130. The sta-
tions are: WILM, Wilmington; WGAL, Lancaster; WAZL, Harle-
ton; WYER, Harrisburg; WBCV, Easton, and WOR, York.

Television Theatre for Fair

Despite the F.C.C. redball to its marketing daffyaffish for television
sets, RCA will add a television the-
atre to its exhibit at the N. Y.
World's Fair this Summer. A two-
story addition to the World's Fair
building will house an auditorium seating 200 persons, and 10 television receiving
stations decorated as living rooms.

Personalities in the News

Ann Correll, formerly with Benton & Bowles and CBS, has joined the staff of WQXR to take charge of the station's research department.

Non Sunderland will play the leading
tle in "Grand Central Station" show
over CBS on Friday, April 5 at 10
P.M.

Program Notes

Paul Reynard, new premier of
France, will be heard on CBS, NBC, and the Mutual as beginning of the F. M. His talk will include answers to questions previously submitted by Enzo Severad, RS, and Paul Archambaud, NBC correspon-
dent, . . . Cities Service Co. yesterday renewed the "Cities Service Concert Hour" for an additional 13 weeks, ef-
fective May 3. The concerts, which begun Feb. 18, 1927, are the oldest, continuous commercial program, ac-

New York Review

"Ghost Valley Raiders"

(Republic)

Republic has launched a new series of westerns with Donald Barry as an outstanding player. The description of Barry's role is best described by the pressbook theme, "He rides hard, shoots straight, fights fair."

As a hard riding, straight shooting, fair fighting Government agent, he sets out to uncover a gang of stagecoach bandits who have committed several murder and robbery
rocks. A bad man from the Dakotas, he joins the gang and obtains the evidence necessary to convict its members.

Although there is no singing in the film, Cy Feuer has provided a first rate musical score to accompany the action. Leroy Mason, who gives the bandits a run for their money as the "Wolf Kid," has been made a bad man from the Dakotas, he joins the gang and obtains the evidence necessary to convict its members.

The union had threatened to send a representative to the Motion Picture Producers Association, but the union's statement was not supported by the producers who had not approved the voting.

L. R. B. Official

On Hollywood Visit

Hollywood, March 28.—Nathan Witt, secretary of the National Labor Relations Board, arrived here today, but said his visit had nothing to do with motion picture cases pending before the N.L.R.B.

"Wind' Now Going Into Small Houses

With completion of the majority of key engagements, "With the Wind," the film is being booked by M-G-M into small town houses.

The film to date has been set for 1,417 runs in 1,288 cities. About 1,600 of these engagements have been com-
pleted.

The picture yesterday opened in 11 additional Loew'S theatres in New York. Seventeen more theatres in the circuit will get the film next Thursday, and 14 addi-
tional Loew'S houses have been arranged to open the picture on April 11. M-G-M is now accepting four-day engagements for small towns.

R. K. Expenditure

Eastman Kodak spends additional ex-

terations at its World's Fair exhibit this year. Last season it was attended by 4,000,000 visitors, this year there will be a special fashion show and a greater color photography display.

Metro, RKO Study Detroit Censorship

Washington, March 28.—Application of the television channel now utilized by RCA for the use of fre-
quent modulation transmission would cost RCA at least $100,000, Elmer W. Engstrom, director of general re-
search for RCA Manufacturing Co., told the F.C.C. today as the F.M. hearing ended.

Engstrom urged strongly that there be no disturbance of television chan-

Holiday Provides Boxoffice Punch

(Continued from page 1)
held. "It's a Date" finished its first week at the Rivoli with an estimated $21,000 and was held indefinitely.

"Road to Singapore," with Tommy Dorsey's band on the stage, started its third week at the Paramount, and drew an estimated $13,500 for that day and yesterday. It will go for four weeks.

"Pinebox From Edison," in addition to the stage show, grossed approxi-

Brittain Keeps Quota: No War Revisions

(Continued from page 1)
that body is now in recess until late in April.

However, it is understood that the Board of Trade in the interim may modify existing regulations in view of the war emergency. It is believed the aim of any changes in the law will be the protection of British production.

It is considered extremely unlikely that new film legislation will be in-

Pathe Foreclosure Threat Against PPO

Hollywood, March 28.—Creditors of Producers Pictures Corp. today served notice of their intention to foreclose on the pictures, since Pathe is the only secured creditor, according to Robert Benja-

Name Allied Committee

Chicago, March 28.—Jack Kirach, president of Allied of Illinois, has named a committee of local women in charge of women's activities at the national Allied convention at the Mor-

Ask AFA Disbursement

Application will be made today to N. Y. Supreme Court Justice McCue-

(Continued from page 1)
